

Hancock County Board of Commissioner's Meeting July 16, 2019

Commissioners met in regular session. Those present were Board of Commissioner's President John Jessup, Vice President Brad Armstrong and Commissioner Marc Huber. County Attorney Scott Benkie, Auditor Debra Carnes and Deputy Auditor Trish George. Hancock County Board of Commissioner's meeting began at 8:01 am. Commissioner Jessup called to order the July 16, 2019 Hancock County Commissioners Board meeting.

Highway

- Kim Davis & Dave Butler (Highway) presented for Gary Pool in his absence.
- Commissioner Armstrong made a motion to enter into the contract with SJCA for engineering work on the Bridge 57 project not to exceed \$150,670. Commissioner Huber seconded the motion. **Motion carried 3-0.**
- Commissioners opened and reviewed bids for the County Farm Road, Bridge 49 and Bridge 50.
- Commissioner Huber read into minutes one bid received for the County Farm Road (US40 to jail site) from Calumet Civil Contractors for a bid amount of \$1,490,000. Commissioner Armstrong made a motion to accept the bid and have legal counsel review the bid. Commissioner Huber seconded the motion. **Motion carried 3-0.**
- Commissioner Huber read bids for Bridge 49. First bid is from Duncan Roberts Inc. for \$504,688.24. Second bid is from Hoosier Pride Excavating Inc. for \$541,471.30.
- Commissioner Armstrong made a motion to accept the bids for Bridge 49 and have legal counsel review. Commissioner Huber seconded the motion. **Motion carried 3-0.**
- Commissioner Huber read bids for Bridge 50. First bid is from Duncan Roberts Inc. for \$568,375.55. Second bid is from Hoosier Pride Excavating Inc. for \$616,101.87.
- Commissioner Armstrong made a motion to accept the bids for Bridge 50 and have legal counsel review. Commissioner Huber seconded the motion. **Motion carried 3-0.**
- May have condemnations on BR49 and BR50 (500N between 400W & 500W). SCJA and Clark Dietz will send data to Scott Benkie on July 23, 2019 if agreements aren't done.
- No parking signs installed on road behind Wendy's at I70 and 600 West. This has been a problem with semi's and trucks. Commissioner Armstrong agreed this has been a problem and would like to be aggressive with this.
- Purchasing sewer jetter. Spending \$20K a year on rental. New unit runs about as much.
- Going to switch from RS2 to AE90S (polymerized) \$2300 per mile cost increase. All counties in our region struggling with bleeding roads. Counties using AE90S less so. We are seeing bleeding not flushing.
- Dave Butler (Highway) reviewed bids for Bridge 49 and 50. After review, Dave recommended Duncan Roberts for Bridge 49 and Bridge 50.
- Commissioner Huber made a motion to accept the bid for Bridge 49 from Duncan Roberts Inc. for an amount not to exceed \$504,688.24. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**

- Commissioner Huber made a motion to accept the bid for Bridge 50 from Duncan Roberts Inc. for an amount not to exceed \$568,375.55. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**

Josh Sipes (Probation)

- Josh requested out of state travel for Erin Davis, Court Treatment Specialist 8/12 & 8/13 in Cincinnati, OH for Certified Clinical Trauma.
- Commissioner Huber made a motion to approve out of state travel for Erin Davis for a two-day Certified Clinical Trauma Conference 8/12 & 8/13/19. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**

Claims & Payroll

Commissioner Huber made a motion to approve claims and payroll as presented. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**

Commissioner Minutes

Commissioner Huber made a motion to approve the Commissioner Minutes for 6/18/19 as presented. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**

RQAW Update

- Dustin Fry (RQAW) updated Commissioners with jail design and project. We received the bid for the road this morning, so we will get that reviewed and provide recommendation to Gary and you. We are finalizing the design of the jail this week, with the expectation of the final documents being submitted to Garmong on Monday morning. Garmong is currently working on the GMP based on the progress we submitted last week. The delivery date for that GMP is July 31 and they will have the final documents that will be sent out to bid and the anticipated bid dates between August 22nd and August 29th as we finalize that bid schedule. We finalized the contract with Garmong and Scott Benkie (County Attorney) has copies for your execution.
- Commissioner Armstrong made a motion to enter into the contracts with Garmong Construction Services for work in an amount not to exceed \$20,000 for pre-construction services and 3.5% cost of work as determined by the guaranteed maximum price which will be amended and reflected at a later date. Commissioner Huber seconded the motion. **Motion carried 3-0.**

Maintenance

- Dean Mullins (Maintenance) notified Commissioners all air conditioning systems are working.
- Commissioner Jessup asked Dean to coordinate with John Jokantas (E-911) regarding alarm battery back-ups that are 5 years out dated and systems not working together.
- Dean inquired about heaters being counter-productive to air conditioning. Commissioners want Dean to pursue this with department heads.

Commissioners Discuss MOU (Utilities for Jail)

- Commissioners discussed the MOU and agreed Scott Benkie (County Attorney) will make changes to the MOU.
- Commissioner Armstrong made a motion to enter into the Memorandum of Understanding with Greenfield and Hancock County for the purpose of running water and sewer main to our property; Approval subject to changes. Scott Benkie (County Attorney) will make changes and send to the City. Commissioner Jessup seconded the motion. Discussion: Commissioner Huber feels we will revisit this again. Commission Jessup and Armstrong voted “Yes”. Commissioner Huber voted “Nay”. **Motion carried 2-1.**

Log Jam Sugar Creek/Release Cash Bond/Approve Cash Bond

- Susan Bodkin (Surveyor) requested approval to release a log jam on Sugar Creek Drive in New Palestine (450 West).
- Commissioner Armstrong made a motion to authorize the Surveyor to remove a log jam on Sugar Creek Drive by 450 West to be paid out of Non-Navigable Stream Maintenance. Commissioner Huber seconded the motion. **Motion carried 3-0.**
- Commissioner Huber made a motion to release the cash bond for R & F Development for Summerhaven Section 3 for Monuments (Performance) in the amount of \$625. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**
- Commissioner Huber made a motion to accept the cash bond for Centennial Commons in the amount of \$500 for Lot 123 Centennial Village for an 8” tile. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**

Commissioner Jessup recessed the Board of Commissioners meeting at 9:02 AM and called to order the Public Hearing for an Unsafe Building Commission at 9:02 AM

Public Hearing: Unsafe Building Commission

- Scott Benkie (County Attorney) swore in Scott Williams (County Building Inspector) for testimony of an unsafe building owned by Linda I. Beckett, 2688 North Buck Creek Road, Greenfield, Indiana.
- Scott Williams testified he had received several complaints for 2688 North Buck Creek Road. Scott Benkie verified the owner Linda Beckett was not present and asked Scott Williams to explain how this building violates the Ordinance for Unsafe Building Law IC 36-7-9. Scott Williams stated he had received several complaints from neighbors about the condition of the house and the barns. On several occasions neighbors had to chase away vagrants from the property. One of the barns has completely collapsed. The house has several holes in the roof, missing windows; which allows weather and wildlife inside the house that further cause damage. Foundation appears to be crumbling in the back corner. Weeds are out of control and now people are dumping trash on the property. Scott Williams brought photos for the Commissioners to review. Scott Benkie asked Scott Williams to provide proof of order and notice of hearing on unsafe building and proof of

publication. Scott Benkie verified let the record show proof of service and publication. Scott Benkie clarified with Scott Williams the building should be demolished. Scott Williams agreed. Scott Williams also added he had several conversations with Linda Beckett and she has already contacted a contractor to get a bid to demolish herself, which is ideal. The only concern Scott Williams had is the order states July 30th and if this is going to happen he would like to give her more time. Commissioners agreed another 30 days until August 30th.

- Scott Benkie asked if there was someone else who wanted to speak? A lady approached and said she was in favor of demolishing the buildings. The lady said this house was built in the 1900's and she was concerned with asbestos and if they would burn anything? Scott Williams clarified in the state law that the county follows, there would an IDIEM inspection. She also was concerned with animal and human life in the buildings. Scott Benkie asked her to state her name. She said Nancy Whelchel and she lives south of the house. Nancy thanked the Commissioners for attending to and getting this done.
- Commissioner Armstrong made a motion to accept the order for demolition with the revision to allow the property owner to pursue demolition at their cost before August 30th. Commissioner Huber seconded the motion. **Motion carried 3-0.**
- Commissioner Armstrong made a motion to adjourn the Public Hearing for Unsafe Building Commission at 9:14 AM. Commissioner Huber seconded the motion. **Motion carried 3-0.**

Commissioner Jessup reconvened the Board of Commissioners meeting at 9:14 AM

**Hancock Regional Hospital PUD Ordinance Preliminary Plat/
Rezone 138.4 Acres to PUD on CR 600 W btwn I-70 & CR 200 N/
Rezone 0.964 Acres from CN to R1.0 at 2355 W SR 234**

- Mike Dale (Director Planning Department) introduced for discussion; Rezone for the Hancock Gateway PUD and rezoning along 234 and another business item.
- Mike notified Commissioners at the April Board of Planning Commission meeting, the Planning Commission gave a favorable recommendation to rezone 138 acres at the intersection of Mount Comfort Road and 200 North for the Hancock Gateway PUD projects; it will be a medical office/a campus they call it; rezoned from three separate zoning districts. Ron Pritzke (Attorney) for Hancock Regional Hospital PUD and Harold Gibson (Developer) appeared to request approval for the PUD. McDonald's hasn't reached an agreement yet; but they continue to work with McDonald's.
- Commissioner Huber made a motion to adopt Ordinance 2019-7C the PUD for Hancock Gateway Park as presented. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**
- Mike presented a rezone for a series of homes on 234 at 200 West. The Planning Commission advertised a plan to rezone 21 lots from Commercial Neighborhood (CN) to Residential 1 (R1) and they are Agriculture. They had the public hearing and could not make a decision; the board was unsure. After the Public Hearing some property owners

wanted to keep the CN zoning and some wanted R1 and others didn't care. A motion was made to pass this to the County Commissioners without recommendation. After meeting with BOC and as requested, we prepared paperwork to rezone one lot to CN from R1.

- Commissioner Armstrong made a motion to adopt Ordinance 2019-7B to rezone 2355 W State Road 234 as presented. Commissioner Huber seconded the motion. **Motion carried 3-0.**
- Mike discussed an item, which was approved by the Drainage Board on West Eland Drive where a 20' encroachment was granted to a drainage easement for a detached garage. Mike Dale offered assistance with this, if needed. Commissioners appreciated Mike's help with this. Mike will contact the homeowner and inform that we have met, discussed and will schedule a public hearing.

Dedicate ROW Kehrt Subdivision

Steve Cooper requested to dedicate ROW for Kehrt Lot 2 Minor Subdivision 70' half ROW US 52 & 50' half ROW CR 400 W. Commissioner Huber made a motion to accept the 70' half ROW off of US 52 & 50' half ROW off of CR 400 W for the Kehrt Minor Subdivision. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**

E911 Nelsen Fire Alarms

- John Jokantas (E911) announced good news first, \$378 AT&T phone bill will be discontinued soon.
- Nelson Alarm/Fire Alarm system, solution and costs. Looking for a better alternative. John will come back to the July 30th meeting to finalize.

IT Department

- Bernie Harris (IT Director) requested to spend money out of CUM Capital for Mobile Vehicle Update. Commissioner Huber asked why he has trouble getting on the internet. Bernie said we are running out of network addresses, because so many people get on our internet with phones, but we are going to redesign the network.
- Commissioner Armstrong made a motion to authorize up to \$12,000 in Road Deputy Computers to be purchased out of IT-CCD in an amount not to exceed \$12,000. Commissioner Huber seconded the motion. **Motion carried 3-0.**

Tourism

Bob Mattsey (Treasurer) updated Commissioners on Tourism. What started out as a proposal, has changed. The 1% 4% innkeeper's tax split. We had a request from the AG Association at the June 12th meeting for funds for the fairgrounds to be used to remodel the restrooms. 1% is approximately \$80K a year. Bob worked with the Auditors office to come up with a line item for 2020 to budget \$80K in a separate line item to support tourism activities at the fairgrounds. This allows us to meet all the state statutes and legislative intentions for Tourism moving forward and gives them funds to work with. They will come forward when they have things needed at the fairgrounds. We are prepared to release the

check to the fairgrounds to do the restroom remodel \$98,150. The vote was 5-2 to release those funds for that purpose and then we had issues/challenges as to whether we were doing the right thing. So we went through our attorney for a legal opinion. At the same time, there was a complaint with the State Board of Accounts so this turned into a bit of a work ethic to get through this. My thing was to find a way to get through this and meet in the middle. State Board of Accounts suggested merging accounts and this was done. Commissioner Jessup added point of clarity; you are going to have a line item \$80,000 which is the average of the 1% has been bringing in; but in 2020 should you decide not to award anything to them the line will revert to their general checking and go to balance and there is no requirement that it accumulate in anyway and it can be used by tourism as it deems necessary. This is the way Council set-up and it is incumbent on them to change this or rescind the 1% tax. Commissioners agreed they approved this and it was handled appropriately.

Dedicate ROW Michael Sanford Minor Subdivision

Philip Going requested to dedicate ROW/Replat for Michael Sanford Minor Subdivision SE corner of 300 S and 700 W. Commissioner Armstrong made a motion to accept the 50' half ROW on the Replat of Lot 1 Michael Sanford Minor Subdivision as presented. Commissioner Huber seconded the motion. **Motion carried 3-0.**

Cumberland New TIF Area

Randy Sorrell (HEDC Director) came before Board of Commissioners to discuss the new TIF area in Cumberland. Commissioner Armstrong thought it was a compromise he could live with. Commissioner Jessup said he could settle on it. Commissioner Huber is tired of settling he would like the TIF area to go to 700 West; who are we representing here. Randy said this will go back to the RDC and the Planning Committee.

NASA Request

Chris Rapp (NASA) requested to utilize the old CASA office that relocated. Commissioner Huber said Zoe's Place reached out for that space. Commissioner Huber would like to see if the room could be shared. Per Commissioner Huber and Armstrong it is ok for Chris to take the lead and negotiate the CASA office and utilize the space.

St. Vincent Helicopter Request to Land/Tiny Tot Bike Ride

Richard Tillbery (ABATE of Indiana) requested to use the Annex parking lot to land the St. Vincent Helicopter August 10th 10AM-4PM for the Tiny Tot Bike Ride. Commissioner Huber made a motion to allow use of the parking lot South of the Annex Parking for the Tiny Tot Bike Ride to land the St. Vincent Helicopter August 10th between 10A-4PM and Richard will be responsible for setting up cones to block off the parking lot. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**

Community Corrections Grant Letter

Pat Powers (Community Corrections) requested a Commissioner to sign a letter requesting Grant Funds for Drug Court and Jail Treatment Services. Commissioner Huber made a motion to approve the Community Corrections Grant letter. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**

Walker Hughes Insurance

Commissioner Huber made a motion to pay Walker Hughes Insurance invoice after our vehicle audit in an amount of \$1,711 from Liability Insurance. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**

Purdue Memorandum of Understanding

Commissioner Armstrong made a motion to enter into the MOU between Purdue University and Hancock County as presented. Commissioner Huber seconded the motion. **Motion carried 3-0.**

Cumberland Town Manager RE: TIF Area

April Fisher (Cumberland Town Manager) thanked Commissioners for their time. April said we don't have a problem with the TIF, our issue is the size of the TIF. We don't believe this is in the best interest of the county, Cumberland or the residents. The TIF area will affect utilities being run to Cumberland residents and future annexations. Commissioner Jessup understands and appreciates the arguments being made, but we are building the infrastructure on the backs of taxpayers of the unincorporated areas. The other side is the cost of the counties services we provide don't go down because you put patrol cars out there or the road you annex and maintain go down. Commissioner Huber said I am elected to represent all of the county and what's in the best interest of the county. We have a lot of investment in that corridor and it's hard to set back and let someone else benefit from all that; it's been in the works for 10-15 years. Where was Cumberland when we were updating that corridor? April believes the TIF area will slow Commercial growth in that area. April added Cumberland would like to have their own TIF district at US 40 and Mt. Comfort. After lengthy discussion Commissioner's thanked April for her input.

New TIF Area Cumberland/Resolution 2019-7-1

Randy Sorrell (Director HEDC) requested a new TIF district Resolution. On August 8th it goes before the Redevelopment Commission for a Public Hearing. They then would adopt a confirming resolution and the confirming resolution comes back to the Board of Commissioners on August 19th. Commissioner Armstrong made a motion to introduce Resolution 2019-7-1. Commissioner Armstrong made a motion to adopt Resolution 2019-7-1. Commissioner Huber seconded the motion. **Motion carried 3-0.**

Airport Land Use Advisory Committee

George Langston was appointed to the Airport Authority by the BOC and he reported back that he made contact with Airport Authority and they do not have any board meetings. George left his contact information with them.

Hancock County Commissioners

Commissioner John Jessup, President

Commissioner Brad Armstrong, Vice-President

Commissioner Marc Huber

Attest: _____
Debra Carnes
Hancock County Auditor