

## Hancock County Board of Commissioner's Meeting

### September 17, 2019

Commissioners met in regular session. Those present were Board of Commissioner's President John Jessup, Vice President Brad Armstrong, Commissioner Marc Huber, County Attorney Scott Benkie, Auditor Debra Carnes & Deputy Auditor Trish George. Commissioner Jessup called to order the September 17, 2019 Hancock County Commissioners Board meeting at 8:04 am.

#### Highway

- Gary Pool introduced Mike Jones (Lauth Group) to discuss proposed 279,309' Industrial Facility seeking financial assistance from the Hancock County Redevelopment Commission for public improvements and private improvements which will benefit the overall Mt. Comfort region in which the development is contemplated.
- Commissioner Armstrong made a motion to attempt to find funding to help the Lauth development project on the storm water drainage portion of the project of \$295,000. We will attempt to work with Council to find a way to fund through county funds and if that is not available, we will explore with the RDC to fund it. Commissioner Huber seconded the motion.  
**Motion carried 3-0.**
- Mary Ann Wietbrock (Pennsy Trails) updated Commissioners on Pennsy Trails. Mary Ann received information from DNR that for the Next Level Grant it must be continuous trail sections (no gaps). So this changes our grant to only doing a 500 West to 600 West (trail head at 400 West) project. This information is still in re-write. Mary Ann will return October 15<sup>th</sup> for signatures and final approval on a grant application due in October. Mary Ann requested signatures on three parcels today. She also requested to place a pennsytrails.org sign on county land at 600 W trail head for a couple months.
- Commissioner Armstrong made a motion to accept three parcels in front of us today for the purpose of extending the Pennsy Trails, pending the winning of the Next Level Trails Grant. These parcels will be defined as property owner Diane Burklow 30-10-06-800-045.000-012, Doug & Kathy Schildmier 30-10-06-800-038.000-012 and Paula Prange 30-10-06-300-048.000-012 & 30-10-06-800.047.000-012. Commissioner Huber seconded the motion.  
**Motion carried 3-0.**
- Commissioners discussed temporary Pennsy Trails sign. Commissioners agreed it was fine to place as long as it did not impede sight. Gary will coordinate with Mike Dale (Planning Dept) to place the temporary sign.
- Mary Ann requested a surveyor to define a definitive line. The last survey was completed in 1957. Gary will get with Susan Bodkin (Surveyor) and discuss.
- Gary requested extension of FMLA for employee with lung cancer. Commissioner Huber made a motion to allow extension of FMLA for the Highway county employee Jim Davis. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**
- German Fest at Zion Lutheran Church & School requested Hancock County Highway Department to leave equipment there for Touch a Truck 5K.
- Paving should be wrapped up this week.
- Gary is not ready to accept hospital roads. Highway Department hasn't inspected it.
- Not recommending variance on 600 South. They will be in to discuss a variance soon.

- 911 and Purdue extension parking lot painting. We are restriping some of the handicapped spots. Within the County we can pay from County, but need to check with Dean Mullins (Maintenance) if he wants us to do his spots. This will have to be paid out of Dean's budget.
- Gary reported the information for the bike fatality. The vehicle driver was driving on a suspended license and under the influence. Commissioner Armstrong asked if the two bicyclists had reflective clothing and reflective lights on their bicycles. Bobby Campbell (Chief Deputy) said both had reflective clothing and had illuminating reflective devices on the bicycles. Chief Deputy Campbell said it is state law to wear reflective clothing and illuminating reflective devices on the bicycles.
- Citizen's Water may need to refocus so highway can complete work on 300 North.
- Gary working with Chief Deputy Bobby Campbell on the parking Ordinance for Mt. Comfort. Commissioner Armstrong clarified the state statute reads that if they are impeding the roadway, a county ordinance is not needed. Is that correct? Chief Deputy Campbell said there is a state statute with regards to blocking or impeding traffic flow. Commissioner Armstrong said a trailer dropped on the roadway is impeding the traffic flow. Chief Deputy Campbell said yes. The difficulty is we are trying to positively move these people without towing them, if we don't have to, because there is no real traffic that occurs on that road. Commissioner Armstrong said all the traffic exiting the transfer station, because you can't turn left to go south; you have to turn right on the road where the trailers park and then turn left past the Wendy's and cars parked in that intersection. Commissioner Armstrong said as long as I am getting calls I am going to call you to get it fixed; it's not a parking lot, it's got to be stopped. We didn't build these roads to be parking lots. Commissioner Armstrong would like to keep the pressure up. Chief Deputy Campbell said the sheriff's department will start tagging them. Commissioner Huber asked how many times do you tag them before you tow them. Chief Deputy Campbell said once. Scott Benkie (County Attorney) said tag once then tow them and that should be enough. Chief Deputy Campbell said that is the course of action. Commissioner Armstrong thanked Chief Deputy Campbell. Chief Deputy Campbell asked if state workers were allowed to park there when working on roads. Commissioner Armstrong said no one has asked this board to park there. Gary was concerned with grants and ticketing state workers.

#### **Maintenance**

Dean Mullins discussed maintenance issues. Dean presented Commissioners with a quote from Rusty's Animal Control. Commissioner Armstrong made a motion to pay Rusty's Animal Control to seal off points of entry where bats and rodents are penetrating the building in an amount not to exceed \$6,131.08 not including lift rental to be paid from Building Maintenance. Commissioner Huber seconded the motion. **Motion carried 3-0.**

#### **Elevator at Memorial Building**

Commissioner Armstrong received an email from Joan Fitzwater regarding an elevator at the Memorial Building to be paid out of the Stellar Grant. Councilmember Shelby was invited to attend a meeting also.

#### **RQAW Update**

- Dustin Fry and Roger Stephens (RQAW) updated Commissioners on jail progress. The GMP with Garmong is finalized. Today we have the Guaranteed Maximum Price amendment for your review and subsequent authorization; RQAW's final amendment to the contract based on final cost; we are also seeking an Early Limited Notice to Proceed for allowing the

contractor that is doing the highway to be able to move into the site prep of getting the building pad prepared; excavating the pond; erosion control; those types of things, as well as, minimal monies to authorize Garmong to proceed with submittals for the metal buildings and the detention equipment, which is critical to get us in line with the cell manufacturer. The GMP came in about \$250,000 less than our design estimate. Dustin also clarified shared savings from here on out have been removed from the contract and are the counties.

- Commissioner Armstrong made a motion to approve the Guaranteed Maximum Price (GMP) Amendment not to exceed \$32,174,764. Commissioner Huber seconded the motion. **Motion carried 3-0.**
- Commissioner Armstrong made a motion to approve the Amendment to Professional Services Agreement. This has changed due to the Guaranteed Maximum Price Amendment. Architect's total fee shall not to exceed \$4,106,376. Commissioner Huber seconded the motion. Discussion: Commissioner Jessup clarified this amendment also removes the shared savings under Section 11.5 of the agreement. So that's done away with as requested. The total amended agreement, the number that looks really big still includes the design and development that was done on the downtown site, as part of the original contract. I just want to be very clear that this number is reflective of the 10% of the total project cost of \$32,000,000 and some change, plus the original money spent on the downtown location which became of no value. Just for point of clarity. **Motion carried 3-0.**
- Commissioner Armstrong made a motion to authorize permission to start work for Limited Scope; Release of Engineering for pre-engineering metal building; installation of erosion control measures and strip/stock topsoil; mass grading and cut/fill required to construction building pad and surrounding grades; release of submittals for site utilities; release of submittals for detention equipment; inclusion of county road management. Total amount of preliminary work approved not to exceed \$455,597. Commissioner Huber seconded the motion. **Motion carried 3-0.**

#### **Dedicate 50' & Half ROW Michael M. Larrabee, Jr, 2 Lot Minor Sub (Stinemyer Rd)**

Philip Going (Accura Land Surveying) requested dedication of ROW. Commissioner Armstrong made a motion to accept 50' and half ROW Michael M. Larrabee, Jr, 2 Lot Minor Sub (Stinemyer Rd). Commissioner Huber seconded the motion. **Motion carried 3-0.**

#### **E911 Approval for Motorola MCC7500 Radio Console Project**

- John Jokantas (E911) requested the Commissioners approval to purchase the Motorola MCC7500 Radio Console Project and Radios for 911, Hancock County Sheriff, EMA, Community Corrections and Coroner (52 total).
- Commissioner Huber made a motion to approve the radio console upgrade, the Motorola MCC7500 for the EOC Center not to exceed \$585,420. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**
- Commissioner Huber made a motion to approve the purchase of the 52 radios for 911, Hancock County Sheriff, EMA Community Corrections and Coroner in an amount not to exceed \$208,981.94. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**
- John thanked Commissioners, on September 10<sup>th</sup> he celebrated his 5 year anniversary here. In April, he received the Don Kottlowski Award for the Indiana 911 Director of the year. In August, his department received their certification from the National Center for Missing and Exploited Children (1 of 6 counties in Indiana to receive certification). On September 11<sup>th</sup> of

this week received from IPSC (Integrated Public Safety Commission) the David Smith Award for helping out other Counties. John thanked Commissioners for all their support in the last five years. Commissioner Armstrong thanked John, his department was a department in turmoil and runs much better since you have been here and we appreciate your leadership in that department. Commissioners Jessup and Huber thanked John.

#### **Emergency Management**

Misty Moore requested a golf cart for transportation at festivals (Riley Days, Safety, etc.). This would help with transporting handicapped people around and help respond to other situations. She provided estimates for a used 6 seater for \$8,800 and a new 4 seater for \$8,800. There is money in CCD to fund this. Commissioner Huber feels we need to be good stewards of the tax payer's money. Misty offered to continue looking for a cheaper deal. Commissioner Armstrong would like to investigate a little further and see if he can find a better answer.

#### **Core Switch Upgrade**

Bernie Harris (IT Director) requested permission to upgrade 911's Core Switch for \$13,070.64. Money is in the 911 CCD. Commissioner Armstrong made a motion to approve 911's Core Switch not to exceed \$13,070.64 to be paid out of 911 CCD. Commissioner Huber seconded the motion. **Motion carried 3-0.**

#### **Probation Department**

Josh Sipes requested permission to borrow Bernie Harris to assist with and be a liaison for Zoe's Place network interphase. Commissioner Armstrong made a motion to authorize Bernie Harris to work in conjunction on setting up IT needs for Zoe's Place. Commissioner Huber seconded the motion. **Motion carried 3-0.**

#### **Hancock Gateway Resign Plat**

Harold Gibson Land Surveying on behalf of Hancock Hospital Gateway Project requested to resign the amended plat. Commissioner Huber made a motion to approve the amended legal description for the Hancock Hospital Gateway Park Phase 1, Section 1 as presented 9-11-19. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**

#### **Sheriff's Department Update**

- Sheriff Burkhardt notified Commissioners he will be blocking off Stansbury Addition October 12<sup>th</sup> from 2-6pm for a Block Party (community event). Commissioners felt this was a good way to reach out.
- Sheriff Burkhardt is working with Chief Rasche (Greenfield Police Department) they are shutting down their shooting range due to the close proximity of the park and cemetery. Sheriff Burkhardt and Chief Rasche are working together to relocate a joint shooting range. Other counties use shared shooting ranges.

#### **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 9/3/19 as presented with corrections noted. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**

#### **Smoking Ordinance**

- Commissioner Armstrong addressed amending Smoking Ordinance 2018-12G, there has been discussion on amending this Ordinance for tobacco shops. He said he will introduce the amendments to the Ordinance and we will get those posted on the website. We will allow everyone to review that and then at our next meeting in two weeks we will have public comment. Allow everyone that wants to speak on it, I am thinking 10AM. Steve Long (CEO of Hancock Hospital) was gracious enough to be a liaison between the hospital, health department and the Commissioners to come up with some common ground.
- Commissioner Armstrong read into the minutes the changes.
- Commissioner Armstrong introduced Ordinance 2019-9B amending the existing Smoking Ordinance 2018-12G.

#### **Release Bonds**

- Commissioner Huber made a motion to release the Performance Bond for Celadon Realty LLC in an amount of \$30,000 for drainage from Turner's and mowing. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**
- Commissioner Huber made a motion to release the Performance Bond for Celadon Realty LLC in an amount of \$85,000 for the Carvana project, pond outlet – 470' of 10' tile. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**

#### **Walker Hughes Agency**

- Kevin Mandrell (Walker Hughes Agency) wanted to see if there was any additional follow-up from the initial dialog. He notified Commissioners he stands prepared ready to assist. Kevin brought documentation and feels there are opportunities to save money, especially in the pharmacy area.
- Commissioner Armstrong said our agent of record will not be reapplying to be our agent at the first of the year. We need to decide if we want to do something or let that run out or change agents ahead of the contract running out. Commissioner Jessup said it make sense to, sooner rather than later. Commissioner Armstrong said the Walker Agency is who we have used for a long time for liability and with Kevin joining them on the health side, I was in favor of this before and now that this contract has run out I am still in favor of this now. He would like to do this sooner rather than later. Commissioner Huber asked so you want to change agent of record before the end of the year. Commissioner Armstrong said I think it would be wise to. For a four year lapse, at least have a road plan, maybe it's not effective until later, but at least have a plan to transition. Commissioner Jessup said we need to figure out how to transition. Commissioner Huber said I am not opposed to it, but we went with the agent we got and he was gracious enough to tell us plenty in advance so we could get a roadmap, so I don't think necessarily he should be punished for that. I guess I am unclear on why we would cost him any money. The Commissioners agreed. Commissioner Jessup said we need to figure out what clarifications they need to give to Brian, so Kevin can work with him. Kevin said he and Brian have been in conversations, so again, Commissioner Huber, I am not asking you to. I would like to see Brian continue to receive the fees he is receiving to the year end. Kevin said he is not looking for an immediate transition to pay or anything like that. You can

accommodate and serve out your obligations there and allow him to do the work for the transition. Kevin put together a roadmap for the Commissioners for transition. Kevin said basically to do the consultant of record change is a simple letter. It's not a very complicated process and that would allow the carrier at that point to recognize us, so we can start obtaining data and information and working with Deb's office to secure a census and get that data together and get that information started. Commissioner Armstrong asked if there was a 30-day delay in that. Kevin said there can be, but the information can then be transferred to your office here and forwarded on to us so it doesn't slow the process down. There are ways to navigate all the obstacles and not slow the process down. Kevin said he did handle the county's insurance for 7 or 8 years, I hope you guys appreciate where we were and where he was able to take them. With the absence of three years there are some strategic opportunities we could further improve what the county tax payer pays, but help and assist the county government and the employees here as well. Commissioner Armstrong said so we would need, Scott this is a question for you, it's a little unclear legally; we have a contract that runs to the end of the year with Patriot and we want to transition another group because they want to step away. Do we have a contract effective the first of the year? Scott Benkie (County Attorney) said right the contract could only be effective the date of termination. Commissioner Armstrong asked if they could if an MOU to allow representatives to work together towards a smooth transition, would this be acceptable to all Commissioners. Commissioners said yes.

- Debra Carnes (Auditor) asked for clarification, she had another insurance provider requesting the same information Kevin Mandrell is requesting and she was told not to provide the information. Scott Benkie (County Attorney) said that is a totally different issue. Debra asked what is the issue, because the same information Kevin is requesting is what the other insurance provider was requesting. Commissioner Armstrong said we are only going to provide that once we sign a MOU. Debra said ok, that clarifies my position. Kevin said Eric Dreyfus was pulling data for reference based pricing model and it was some protected information. Commissioner Huber said if Eric Dreyfus has trouble understanding, he can come back in and talk about it.

#### **Animal Control**

Commissioners discussed the Animal Control MOU. Scott Benkie (County Attorney) clarified they received an answer on full-time employees from the City and they are in breach of the MOU.

#### **Water/Sewer MOU With City of Greenfield**

Commissioner Armstrong made a motion to have Scott Benkie (County Attorney) formally correspond with the City of Greenfield to request the MOU for Water/Sewer for our jail site be signed by all parties as soon as possible. Commissioner Huber seconded the motion. **Motion carried 3-0.**

#### **Amendment No. 1 to Lease between the Hancock County Building Corp & Hancock County**

Commissioner Huber made a motion to approve Amendment No. 1 and Addendum No. 3 to the Lease Between the Hancock County Building Corp and Hancock County for the construction of the new Jail. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**

### **Resolution of Board of Commissioners of Hancock County**

Commissioner Huber made a motion to approve the Resolution with the Building Corporation stating we received the bids and lease terms for the Rental Bond 2019 as presented.

Commissioner Armstrong seconded the motion. **Motion carried 3-0.**

### **Continuing Disclosure Undertaking Certificate**

Commissioner Huber made a motion to approve the Continuing Disclosure Undertaking Certificate that allows Hilliard Lyons to purchase LIT revenue under the trust indenture dated July 1, 2019. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**

### **Planning Department**

Mike Dale discussed that Brybelly, last month, came in for an amended zoning commitment. The old commitment prohibited them access to Buck Creek Road. This went through Planning Commission, Planning Commission recommended yes; there was talk at the meeting and you sent us back to formally amend the zoning commitment and they have done that; he ran it by Gary and he is fine with the amended commitment. The commitment says; the widening of Buck Creek Road and the intersection of 200 North; installing traffic control features to divert traffic to the South along Buck Creek Road; installing signage directing truck traffic South along Buck Creek Road; install minimum 8' wide paved multipurpose trail on the East side of Buck Creek Road ROW; install drainage ditches on the East side. This is consistent with what you wanted to see. It is ready for your signature.

### **Budget Transfers**

- Commissioner Jessup made a motion to transfer from Line Item 31202 Council Expense \$152.21 to Line Item 31200 Contractual Services. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**
- Commissioner Jessup made a motion to pay PowerDMS \$8,850.40 with \$5401.15 out of Contractual Services Line Item 31200 with the balance to be paid out of Building Maintenance & Repair Line Item 36800. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**
- Commissioner Jessup made a motion to pay Nelson Alarm \$519 and Carlton Construction \$70 for the additional plywood on the Hancock County Ag Association out of Building Maintenance. Commissioner Huber seconded the motion. **Motion carried 3-0.**
- Commissioner Jessup made a motion to transfer \$3,000 out of Building Maintenance to the Mowing Line Item. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**

## **Hancock County Commissioners**

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Commissioner John Jessup, President

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Commissioner Brad Armstrong, Vice-President

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Commissioner Marc Huber

Attest: \_\_\_\_\_  
Debra Carnes, Hancock County Auditor