

Hancock County Board of Commissioner's Meeting September 3, 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 3, 2019 Hancock County Commissioners Board meeting at 8:02 am.

Highway

- Gary Pool presented several items for signature. Commissioner Huber made a motion to approve the road plans for CR 300 N, reconstruction from 600 W to approximately 500 W. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**
- Commissioner Huber made a motion to approve DES #1702755 for the engineering ROW and bridge construction on 300 N. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**
- Commissioner Huber made a motion to approve DES #1700737 for the construction of the Penny Trail. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**
- Commissioner Huber made a motion to approve DES #1702756 for reimbursement for 600 W from about 400 N to about 550 N. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**
- Commissioner Huber made a motion to approve DES #1702754 for engineering on 600 W, Broken Arrow to 300 S. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**
- Commissioner Huber made a motion to approve DES #1702757 for guard rail and school light construction by Eastern Hancock County. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**
- Mary Ann Wietbrock (Penny Trail) sends regrets. Interest shown for some construction on the RDC area just outside of it. They requested participation from the County. Gary said he was not interested, but would come talk to the BOC and referred LAU to contact the BOC
- This is the last week of hard construction. Most bleeding roads have been addressed, but there are still roads completed with the old oil.
- Gary is not ready to accept the Hancock Hospital road yet. He has not completed a final inspection and feels it is inappropriate to accept it at this time. If the road is not constructed appropriately, Hancock County could be on the hook for it. Our performance bonds are not enough to take care of the problems on those roads.
- Southwest (600 S) homeowners requesting separation of shared driveway, Gary recommends against variance.
- Due to the recent bike fatality, Commissioner Armstrong would like to look into some type of Ordinance for increased safety precautions (reflective clothing or bicycle flashing lights).
- Gary may need assistance with Citizens Water. Gary does not want it to go two seasons for construction.
- Commissioners discussed a parking Ordinance regarding trucks parking on county roads. Scott Benkie (County Attorney) will illegally meet with all entities to discuss fines for trucks parked illegally.

- The j-turn was discussed. Commissioner Huber said he received many calls not in favor of a j-turn. Gary said he will relay the Hancock County Commissioners are not interested in the j-turn.

Maintenance

Dean Mullins discussed maintenance issues. The Purdue roof construction starts next week. Commissioner Huber gave Dean Masterson's phone number for an estimate.

NASA

Tim Retherford requested to use the vacated CASA office. Commissioner Huber made a motion to allow NASA to use the CASA offices in the Memorial Building basement. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**

RQAW Update

Dustin Fry (RQAW) update on jail progress. Last Thursday they had public bids for the jail. There were 44-45 bidders on 13 packages. Bid prices were under 6.5% less than the original design development estimate. Garmong is reviewing the bids for the next Commissioners meeting. The road project is commencing this week. The State Design Release Application is ready to submit and sign. Commissioner Armstrong signed the State Design Application. No motion was required.

Claims & Payroll

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

Commissioner Minutes

Commissioner Huber made a motion to approve the Commissioner Minutes for 8/30/19 as presented with corrections noted. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**

Sheriff's Surplus Vehicle

Sheriff Burkhart requested to declare a surplus vehicle. Commissioner Huber made a motion to declare the 2015 Chevy Tahoe VIN #269897 surplus. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**

Animal Control

- Commissioner Armstrong instructed County Attorney Scott Benkie to send a formal inquiry to the City requesting verification for the total number of employees full-time and part-time working at Animal Control. Commissioner Armstrong said if there is more than four employees this voids the MOU. Also, he said the website reveals more than four employees.
- Commissioner Huber made a motion that legal counsel give a formal legal request to the city of Greenfield on how many full-time employees they have in animal control which would be anyone offered health insurance and benefits; however they clarify full-time. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**
- President of County Council Bill Bolander appeared before the Commissioners and asked if the Commissioners wanted to change the budget or leave it the way that it was. Commissioner Armstrong told Councilmember Bolander they just made a motion to request the number of full-time employees at Animal Control because this could void the MOU, if they have more than four full-time employees they would have broken the MOU.

Hancock Hospital Request to Accept ROW & Bonds

- H Gibson Land Surveying on behalf of Hancock Hospital presented dedicated ROW and improvements for Hancock Gateway Park, Ph1 Sec1 Secondary Plat. Harold requested the Commissioners accept a performance bond for \$210K for the asphalt surface, street lights and survey monuments for one year; a maintenance bond for \$150K for everything that's done; and a maintenance bond for drainage for \$72K. These are actually not signed yet, if these are ok with you, then they will be signed and copies provided to you at the next Commissioner meeting September 17th. Susan Bodkin (Surveyor) is ok with it; she needs to do her inspection. Harold said although this is not the normal bond procedure, Gary understands there will be a final inspection. Armstrong said with ample bonds and provisions for inspections, I feel very confident and don't have issues with it. Commissioner Huber said I know Gary Pool isn't in love with it, so if something happens it's going to be bad. That's all I can say, I want to be very crystal clear on that point. Commissioner Huber said then you will have everybody else trying to come in and do this same thing, that's the issue. Harold said this isn't anything out of what your ordinance allows. Technically your ordinance allows your developer to bring in a bond for all of the improvements with no work done and as long as most work is done, then you would have to sign the plat. So it isn't as if you are doing this out of order. You are doing it out of the ordinary because most developers don't have the money to put upfront and I would say this is unique in that regard.
- Commissioner Huber made a motion to accept the ROW as presented for Hancock Gateway Park, Ph1 Sec1 Secondary Plat and allow maintenance bond & performance bond as presented for the same project. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**

Carvana Expansion/Zoning Project

Rick Lawrence (Attorney) on behalf of Carvana requesting approval with proposed expansion at I-70 and Mt. Comfort road. Carvana filed for a rezone application to bring in approximately 70 acres into what was already a PUD. Rick requested input from the Commissioners before taking it to the Planning Commission. Commissioner Huber asked if any of the buildings will be rented? Rick clarified Carvana intends to use all buildings for their own services. Commissioner Armstrong said when this PUD was originally conceived they had office space for a Corporate Headquarters and we allowed since the building was already built. We still had a vision for offices and hiring usage for the rest of the property and then, there was a developer that was going to build a couple buildings there. Carvana after some legal wrangling that did not transpire, they had an option and they kept that option. So what the PUD originally had was a lot more corporate headquarters building with \$100K jobs and we are replacing that with a parking lot and a 75,000' building. That is originally not what we intended when we passed this. Along this line, are you going to be asking for an abatement on the improvements? Rick said at this point, Carvana has not advised him on this or whether it will come up. I can't confirm this, but at this point I don't believe this will be something they will look at. Commissioner Armstrong said that's good, because with it being such a lower level of development than we intended it would be hard to have any abatement. Commissioners brought up mowing was an issue at this location. Rick offered to look into this and thanked the Commissioners for their time.

Request to Update Beacon Address Restriction Policy

John Milburn (GIS Services) requested approval to update the Address Restriction Policy for Beacon. Katie Molinder (Assessor) and Debra Carnes (Auditor) were having some issues with a

property transfer from a restricted person. Commissioners had no objections to John Milburn updating the restricted person policy for Beacon.

Smoking Ordinance

Commissioner Armstrong said in regards to amending the County's Smoking Ordinance, Hancock Hospital would like to review/revise the smoking Ordinance before the September 17th introduction. Commissioner Armstrong said we have been in communication with a representative from the Hancock Hospital who is acting as a liaison to help us. We had an amendment ready for today, but they want to review and offer input. We would like to allow them this courtesy, so we will have a revised Ordinance for introduction on September 17th. Hopefully this is something we all can agree on.

Weed/Mowing ask Council for a Budget Transfer

Dean Folkening (Weed/Mowing) requested approval to ask Council for a budget transfer. Dean would like to move 22402 Weed Supply \$1400 to 11408; Line 22403 Chemicals \$1,000 with a total of \$2400 to 11408. Commissioner Huber made a motion to allow Dean to request budget transfer from County Council for \$1400 from 22402 and \$1,000 from 22403 to be put in 11408. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**

E911 Approval for Motorola MCC7500 Radio Console Project

- John Jokantas (E911) requested the Commissioners approval to move forward with Motorola MCC7500 Radio Console Project. The consoles are \$586K and another \$208K for the radios for a total of \$796K. We are on a time frame with Motorola to get the special pricing; this would have to be signed off on at the September 17th meeting. This will update EMA, Sheriff's Department, Community Corrections and Coroner's Department. Commissioners approved John sending information to County Attorney and going to County Council.
- Fire alarms are going well.
- Vernon Township Schools had an internet picture sent out and his team did a fantastic job responding. John's team received 13 or 14 concerned calls. There is a debriefing later today and more information will be available.

Nine Star Contract

Bernie Harris (IT Director) notified Commissioners, currently we pay Nine Star monthly, but if a contract is signed, there could be a savings of over \$4K. We have the option of going 36 months, 48 months or 60 months contract. Bernie recommends the 48 month contract. With the Commissioners approval he will send a contract to Scott Benkie (County Attorney) for review. Commissioners approved Bernie to look into this.

Accept Bonds NK 1, LLC

- Commissioner Huber made a motion to accept the performance bond for NK 1, LLC for Park Creek Monuments in the amount of \$3750. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**
- Commissioner Huber made a motion to accept the performance bond for NK 1, LLC for Park Creek Storm Sewers in the amount of \$59,875. Commissioner Armstrong seconded the motion. **Motion carried 3-0.**

AED's

Judge Snow requested updated AED's for the courthouse. The courts have three AED's. Upon looking into this further; one battery was gone and the other two are 3-4 years old and are in need of maintenance. The courthouse has had three heart instances in the last year. AED's cost \$2,500 plus \$400 for wall a cabinet (for a total of \$3,000). The other option is leasing for \$109/monthly including training, wall cabinet, pads and updates. According to Dr. Aspy (Health Department) the American Heart Association says AED's should be updated every 5 years. Commissioner Armstrong would like to think long term and own the systems with maintenance provided by the staff. Judge Snow will check further into the current AED systems and report back at the October 1st meeting.

Flood Plain Buyout (Buck Creek Road)

Justin Buchanan (45 North Buck Creek Road) questioned the buyout for his flood plain area and if there was still a way for this happen. Originally a buyout was mentioned through FEMA, but FEMA turned it down. Justin turned the property into a rental and the property is still flooding. He approached Cumberland and was referred back to the Board of Commissioners. Justin questioned if the County would be interested in a buyout for a park? Commissioners advised Justin to go through Cumberland, there was nothing they could do.

Planning Department

Mike Dale questioned Mary Ann Wietbrock (Pennsy Trails) and her authority. Mary Ann called him for assistance to get an address assigned to a property, she hopes to get a restroom facility in the shelter, an educational sign placed and a hand pump for water. I have been cooperative and taken her request for an address so far. Is this going to be a county project? I presume it will, this is county owned land. In which case, she is not an agent of the county, or is she? Which it seems, I should be more closely coordinating with Gary Pool? I talked to Gary and he is trying to keep an arms distance on this. I just wanted to bring this to your attention, from time to time I get calls from her to work on things and I am not sure where we are as far as authority to act on this. Commissioners notified Mike, they signed and requested the address for this project. Commissioner Armstrong told Mike, they have no county parks administrator and Mary Ann has led a volunteer effort that basically has done the work a parks coordinator would do for the trails program. We have allowed her a lot more latitude that you would see in most cases because of the amount of volunteer work she has done to get the trails. Most of the things I think she requested have gone through the Commissioners. Commissioner Huber said she is pretty good about updating and requesting, unless there is something you feel needs to be followed-up. Mike will follow-up with the Commissioners on a case by case basis.

Juvenile Beds

Probation will be coming with a request soon. He would like to get a request together to present to Council. He feels we need in-house staff to do rehab, mental health addiction and treatment stuff. That was a hot topic when we talked about jail space and the good that we could do and now it is not being discussed at all. Commissioner Huber would like to reignite that topic. If juvenile space is needing to be increased, then we have a huge problem on the horizon. As painful as it is, this is something we need to work on. We need to send a recommendation to Council and talk with the Prosecutor and Probation. Commissioner Armstrong agreed.

Hancock County Commissioners

Commissioner John Jessup, President

Commissioner Brad Armstrong, Vice-President

Commissioner Marc Huber

Attest: _____
Debra Carnes, Hancock County Auditor