

Hancock County Board of Commissioners' Minutes

September 25, 2012

Commissioners met in regular session. Those present were Commissioner Tom Stevens, President, Commissioner Brad Armstrong, Vice President and Commissioner Derek Towle.

Auditor Robin D. Lowder was also present.

Attorney Ray Richardson arrived at 8:02a.m.

Hancock County Board of Commissioners' meeting began at 8:02a.m.

In The Matter of Agri-Business Ordinance

Piney Acres – Rex Zenor, owner of Piney Acres, appeared before the Commissioners to appeal the interpretation of the Agri-Business Ordinance, he felt it is too restrictive, as his request for a haunted house was denied. Mr. Zenor explained to the Commissioners that his farm is a working farm and he is trying to provide education and entertainment for his guest and at the same time provide tourism for the County. His main business is the sale of Christmas trees. However, he must have other events for his farm to be successful. Commissioner Stevens stated that the Ordinance was to promote Agri-Business and profitability of farm operations and he felt it would permit these events. Mike Dale of the Planning Commission stated that Mr. Zenor requested permits for a corn maze, haunted loft and Historical re-enactment. Based on the information the corn maze and re-enactment, without cannon firing, was permitted. The Haunted Loft is not conducive to neither promote farming or agriculture nor promote the sale of pumpkins or trees per his interpretation of the Agri-Business Ordinance. Commissioner Stevens stated he would like to see the Planning Department work with the applicants to try to allow events to happen and if they are not successful, they would not be allowed in the future. Commissioner Armstrong stated that an event a few weeks ago that brought approximately 1500 people to Hancock County from out of County and State was good for the County and this kind of thing is what he had in mind with the Agri-Business Ordinance. Commissioner Towle stated that we as Commissioners gave authority to Mike Dale to look at the applicants as they came through and if we don't want to let him make the decision that should not have been done. Citizens that have complaints or disagreements with decisions made should go before the Board of Zoning Appeals (BZA) to appeal.

In The Matter of The Bond Issue

Trucks for Highway Department – The first thing required for the bond issue is to prove need.

Engineer Joe Copeland of the Hancock County Highway Department appeared before the Commissioners to present his case for the need for 12 Trucks. He presented spreadsheets of maintenance on current trucks for 2010, 2011 & 2012, average auction value of the current fleet and information on age, warranty and hours/miles per truck. The snow removal schedule uses ten trucks with two as back up. The current mix of trucks is 5 Tri-Axle, 3 Tandem and 4 Single-Axle. Engineer Copeland feels they could go to six Tri-Axle and 2 Tandem Trucks.

Commissioner Armstrong feels that to vary the year of purchase, would get away from problems that could affect a whole fleet if purchased at one time from one manufacturer. If two trucks are purchased each year by 2015 all Tri-Axle Trucks would be traded out.

Commissioner Stevens feels the process of buying two trucks a year should not be started when the fleet is at the end of its life. The warranty on the trucks will be off of seven trucks and the repairs could get expensive.

Engineer Joe Copeland stated the trucks are used to plow snow, unlike privately owned trucks, and that is very hard on the trucks. He wants to be sure if we have a big snow half of the trucks are not going to be in the shop with repairs.

Commissioner Towle feels snow removal is a concern and sees a need for the trucks but questions how the County will pay for them. He also sees money tight for families of Hancock County and doesn't want to see taxes go up but wants safe roads for the public.

Commissioner Stevens feels by purchasing a fleet of trucks all trucks would have warranties and the maintenance would be cheaper as bulk parts could be purchased as all trucks would use the same parts. The best time to replace the fleet is just prior to when the value of the trucks begin to take a steep decline; which is the same time the truck maintenance cost and down time goes up.

Commissioner Towle feels Engineer Joe Copeland has demonstrated the need for the trucks now how do we go about paying for them without the bond?

Commissioner Stevens also feels Engineer Joe Copeland has demonstrated the need for the trucks.

Commissioner Armstrong felt if we bought 2 trucks a year that would allow them to be purchased with cash and stay within the confines of the Highway Budget. No lease payments or bond payments would be paid. Therefore the Taxpayers would not be borrowing money.

The public was given a chance to speak and the following citizens appeared: John Priore, Fred Dunlevy, David Storch, Bob Mitch, Randy Harrison, Martha Vail, John Prior and Marc Huber.

Commissioner Armstrong moved to pursue a plan to replace two trucks per year replacing the twelve truck fleet over the next six years paying cash for trucks out of budget. The motion dies for lack of a second.

Commissioner Stevens introduced Resolution No. 2012-9-3 Board of Commissioners of Hancock County, Indiana Resolution of Need for Project, by reading the Resolution as presented.

Commissioner Towle moved to pass Resolution 2012-9-3, Board of Commissioners of Hancock County, Indiana Resolution of Need for Project. Commissioner Armstrong seconded the motion. Commissioner Towle and Commissioner Stevens voted Yea and Commissioner Armstrong voted Nay. The motion carried 2/1.

Resolution 2012-9-3A – Commissioner Armstrong introduced Resolution 2012-9-3A.

Commissioner Armstrong moved to adopt Resolution 2012-9-3A, the Board of Commissioners has found a need to purchase (Exhibit A from Resolution 2012-9-3); which includes twelve dump trucks for the County Highway, Pictometry System for the Hancock County Assessor, a Truck for the Surveyor, Paving of the County Annex Parking Lot and miscellaneous small Capital Projects in the amount of \$3,000.00. To fund these projects it is determined by the Board of Commissioners to seek four sources of funding a GO Bond, Internal Loan, Lease Financing or any combination. It is the least desirable option of the Board of Commissioners to pursue the GO Bond. Commissioner Towle seconded the motion. The motion carried 3/0.

In The Matter of the Highway Department

Bridge 145 – Right-of-way property being purchase from Jason Roberts. Mr. Roberts has presented a counter offer to the County in the amount of \$21,244.00 above the original offer with the original offer being approximately \$15,000.00. Commissioner Armstrong moved to counter at \$3,200.00 over the original offer. Commissioner Towle seconded the motion. The motion carried 3/0.

Liquid De-icer Bid – Engineer Joe Copeland set the bid date for October 30, 2012 at 8:15a.m. for Liquid De-icer.

Asphalt – With approximately \$20,000.00 remaining for asphalt, Engineer Joe Copeland would like to pave 300 S. between 700 and 800 West. The Commissioners support this.

In The Matter of Bond Issue

Proposals - Attorney Ray Richardson presented the cost for Bond work from Ice Miller, Financial Solutions Group and Attorney Ray Richardson. Commissioner Towle moved to engage in contract for bond council with Attorney Ray Richardson for an amount not to exceed \$12,000.00, Ice Miller for an amount not to exceed \$14,000.00 including \$600.00 office expenses and Financial Solutions Group for an amount not to exceed \$13,500.00 subject to issuance of the bond. Commissioner Armstrong seconded the motion. The motion carried 3/0.

In The Matter of Action Items

Short Law Suit – Surveyor Susan Bodkin appeared before the Commissioners to explain the status of a law suit, by Indiana Farmers Mutual Insurance Company, regarding property owned by Donald and Sandra Short. Allegedly their property had issues while a church was putting in a new drainage pipe. The project was overseen by the County but the County did not hire or pay the contractor. Attorney Ray Richardson suggested the County hire Attorney Randy Sorrell for the County. Commissioner Armstrong moved to pursue Randy Sorrell to defend the county against the lawsuit pertaining to the Short Law Suit. Commissioner Towle seconded the motion. The motion carried 3/0.

The meeting adjourned at 10:41a.m.

Hancock County Commissioners

Commissioner Tom Stevens, President

Commissioner Brad Armstrong, Vice President

Commissioner Derek Towle

Attest: _____

Robin D. Lowder
Hancock County Auditor