

Hancock County Board of Commissioners
Regularly Scheduled Meeting
November 2, 2021

Commissioners met for a regular session. Those present were Board of Commissioners President John Jessup, Commissioner Vice President Marc Huber, Commissioner Bill Spalding, Auditor Debra Carnes and County Attorney Scott Benkie. Commissioner Jessup called to order the November 2, 2021 Hancock County Commissioners Board meeting at 8:00 AM.

Highway Department

- Gary Pool (Highway Engineer) requested signatures for Pennsy Trails plan sheet, Bridge Inventory & Inspection Contract with United, Bridge 85 replacement and 3 grants (for 2 bridges and 1 RAB).
- Commissioner Huber made a motion to approve the Pennsy Trail Plan sheet as presented. Commissioner Spalding seconded the motion. **Motion carried 3-0.**
- Commissioner Huber made a motion to approve the consulting contract with United Consulting for bridge inventory and inspections for 2022-2025 DES #2002460 in an amount not to exceed \$251,330.21. Commissioner Spalding seconded the motion. **Motion carried 3-0.**
- Commissioner Huber made a motion to approve the consulting contract with American Structurepoint Inc. for DES # 2003044 for Bridge 85 (on 400 S over Sugar Creek) in an amount to not to exceed \$345,905. Commissioner Spalding seconded the motion. **Motion carried 3-0.**
- Commissioner Huber made a motion to apply for the grants for the new round-about at 500 S & 200 S requesting \$2,166,400 with a \$541,600 county match; Bridge 86 on CR 450 W over Sugar Creek replacement requesting \$1,807,200 in Federal funds with \$451,800 in local funds; and Bridge 67 on 700 W over Buck Creek replacement requesting \$1,399,200 Federal funds with \$349,800 local match. Commissioner Spalding seconded the motion. **Motion carried 3-0.**
- Segment A on 600 W; concrete cover over underground storage detention is required. Rebar is also needed for the concrete cover and is hard to find, which is holding up the project. Also AT&T is an obstacle, they are not able to move post in the road.
- Segment B right of way needs to be completed so the project construction can begin. County Attorney said there is one in litigation.
- Requested permission to advertise yearly bids.
- Commissioner Huber made a motion to allow the County Highway Engineer to advertise yearly bids. Commissioner Spalding seconded the motion. **Motion carried 3-0.**
- Requested Commissioners to approve the only snow bid received, carrying over V. Feeney Inc. from last year. Commissioner Huber requested clarification on plowing the Community Corrections parking lot.
- Commissioner Huber made a motion to approve the snow bid from V. Feeney, Inc. with cost per call for snow only is \$2,240 and salt is \$1750 for a total of \$3,990 for all county parking lots except for the new jail parking lot. Commissioner Spalding seconded the motion. **Motion carried 3-0.**
- Commissioner Huber made a motion to accept the bid from Hancock County Senior Services, Inc for the Micro Transit in the amount of \$48 per hour pending review from the County Attorney. Commissioner Spalding seconded the motion. **Motion carried 3-0.**

Annual 2022 Local Drug Free Community Grants

- Commissioner Huber made a motion to approve the local Drug Free Grants as presented. Commissioner Spalding seconded the motion. **Motion carried 3-0.**

Recorder

- Commissioner Huber made a motion to declare surplus the microfilm reader ProScan 800 in the Records Office. Commissioner Spalding seconded the motion. **Motion carried 3-0.**

Facility Management

- Dean Mullins (Facility Manager) updated Commissioners on county buildings.
- No updates from Johnson Control on lighting at the courthouse.
- Commissioner Jessup confirmed the Auditor is holding all payments to Johnson Controls. Auditor Carnes confirmed yes all payments are on hold for Johnson Controls.
- Informed Commissioners an exhaust fan at the Annex is not working.
- Commissioner Huber made a motion to approve the quote for an exhaust fan in the Annex Building from PDF in an amount not to exceed \$1,400 to be paid out of Building Maintenance. Commissioner Spalding seconded the motion. **Motion carried 3-0.**

RQAW Update on New Jail

- Dustin Frye, Director of Construction Services for RQAW reported the jail continues to progress on schedule.
- Drain tile problem has been corrected. Commissioner Huber received a call West of the shooting range regarding concrete and yard damage on US40; this needs to be addressed and corrected. Dustin said he will reach out to his contacts.
- Commissioner Huber made a motion to approve Commissioner Jessup to sign the DLZ architectural agreement for design at the existing jail and Community Corrections following legal counsel review and acceptance. Commissioner Spalding seconded the motion. **Motion carried 3-0.**
- Goals and scope ideas can be discussed DLZ after the next meeting

Dedicate ROW

- Commissioner Huber made a motion to accept 35' half ROW for M&M Lewis Minor Subdivision. Commissioner Spalding seconded the motion. **Motion carried 3-0.**

Fire Protection Services

- Commissioners reviewed the Jakob-Dietz, Inc. Proposal and detailed coverage.
- Commissioners requested E-911, Memorial Building and Purdue Extension Building be added to the coverage.

Purdue Extension

- Lais McCartney, Purdue Extension Agriculture and Natural Resources Educator updated Commissioners. She thanked Commissioners for allowing the Purdue Extension Building to have a Rain Garden. The class was educational and enjoyed by participants.
- A proposed rain barrel project was requested at the Purdue Extension Building with funding through Purdue funds. Commissioners agreed to the project.
- An updated sign was requested for the Purdue Extension Building with funding through Purdue Funds. Commissioners agreed to the project. Commissioners offered to sign the permit if needed, otherwise Purdue Educator McCartney could sign the permit.

E-911 Office

- Deputy Director, Greg Shamblin requested a replacement employee.
- Commissioner Huber made a motion to allow the replacement hire at E-911 Center. Commissioner Spalding seconded the motion. **Motion carried 3-0.**
- Requested 2 desks and 1 chair for the Supervisors Office.
- Commissioner Huber made a motion to approve the purchase of 2 desks in an amount not to exceed \$1,200 and one 24/7 chair at \$931.67 to be paid out of the 2019 GO Bond from the savings on past furniture upgrade for E-911 Center. Commissioner Spalding seconded the motion. **Motion carried 3-0.**
- Presented Commissioners with Nelson Alarm Agreement for Commissioners Conference Door and Audio Door.
- Commissioner Huber made a motion to approve the quote from Nelson Alarm Company in the amount of \$3,557 to add the card reader access to the Commissioners Conference Room and the Audio Room to be paid out of the 2019 GO Bond. Commissioner Spalding seconded the motion. **Motion carried 3-0.**

Claims & Payroll

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

Commissioner Minutes

Commissioner Huber made a motion to approve the Commissioner minutes for October 19, 2021 as presented. Commissioner Spalding seconded the motion. **Motion carried 3-0.**

Accept Bonds

- Commissioner Huber made a motion to accept the Performance Bond for Clayton Properties Group Inc., DBA Arbor Homes in the amount of \$93,308.75 for Heron Creek Phase 3 Section 3 erosion control. Commissioner Spalding seconded the motion. **Motion carried 3-0.**
- Commissioner Huber made a motion to accept the Maintenance Bond for Clayton Properties Group Inc., DBA Arbor Homes in the amount of \$117,412.69 for Heron Creek Phase 3 Section 3 storm drainage. Commissioner Spalding seconded the motion. **Motion carried 3-0.**
- Commissioner Huber made a motion to accept the Performance Bond for Clayton Properties Group Inc., DBA Arbor Homes in the amount of \$8,250 for Heron Creek Phase 3 Section 3 monuments. Commissioner Spalding seconded the motion. **Motion carried 3-0.**

Eastern Hancock County High School Students

Commissioners welcomed senior class students from Eastern Hancock County High School.

Attorney General's Outreach Program

- Scott Zarazee, Outreach Representative from the Office of Attorney General introduced programs and services for the general public. Discussed Advisory Board available for advice for Commissioners or Town Councils through your legislature for clarification on a law. Discussed unclaimed properties from various places equaling \$650M waiting for the right person to claim; Consumer Protection Division where consumers have a recourse; a new Cyber Security Division available for presentations and the Medicaid Fraud Division.
- Commissioner Spalding suggested he present at the Safety Committee meeting. Commissioners thanked Representative Zarazee for the update.

County Council

Commissioners addressed with Planning Commission the County Council's request to review minimum standards and setbacks.

Logistic Realty Capital Abatement Request

- Ben Applebaum, Managing Principal with Hennepin Industrial discussed the abatement process for Logistics Realty Capital and steps taken to mitigate disturbances for neighbors.
- Concessions were made to the site plan to address the concerns brought up by neighbors.
- Commissioner Huber would like to see the trees, mounds and lighting addressed before approval. Commissioner Jessup said he understands a timeline, but we are not there yet. Commissioner Spalding thanked him for working with neighbors.
- A remonstrator and neighbor appreciated concessions but expressed concern for noise and additional traffic. Commissioners were requested to limit building sizes and vehicle volume.
- Another remonstrator employed at a local business expressed concerns with additional traffic, well water runoff and noise.
- Commissioner Jessup said he would like to continue discussions on November 30th. Commissioner Huber agreed he prefers discussions to be continued and resolved before the abatement is approved. Commissioner Jessup said to be clear; I will request Council not approve this abatement at their November 10th meeting until Commissioners have answers to questions.

Best Way Disposal

- Rachel Scott, Customer Relations with Best Way Disposal offered to save the County money on trash disposal. Commissioners agreed they would consider a proposal.

Schwier Meeting Minutes

- Scott Woolridge with Wolf Law Firm requested Dan Strahl be the lead attorney. Attorney Strahl discussed the motion Attorney Woolridge filed to reconsider the Schwier motion filed October 5th. Attorney Strahl said Commissioners had two choices to approve or reject, these were the two choices. Attorney Strahl requested Commissioners reinstate the minutes on July 20, 2021, so they can move forward with Planning Commission. Commissioner Huber said his intention was for this to go back through the Planning Commission, then come back to the Board of Commissioners with recommendations from the Planning Commission. Commissioner Jessup agreed he wanted it to go back to Planning Commission through the proper process. Commissioner Spalding agreed he wanted this to go back to the Planning Commission. County Attorney Benkie said will review and then make a recommendation.
- Silvia Miller, Attorney with Eric Allen believes changing the minutes would be an error; she stated this board cannot look at subsequent actions to determine intent and the court of appeals would support that. The question is, was the request properly written or properly amended, what is the procedural ramification of that decision. Commissioner Huber said your client is the one that put us in that position, when they brought a petition not properly sent through the Planning Commission.
- Philip Going (Accura Express Land Surveying) said the integrity of his office is the highest and he did not like the implications. He said mistakes have been made in the past, but never with the intent of doing anything underhanded. Mr. Schwier and he have worked hard to do this right. We met with neighbors and compromised, followed proper steps and we are getting pushed and pulled trying to follow the proper procedures. Commissioner Huber said legal needs to figure this out, so it can get back on the Planning Commission agenda.
- Attorney Strahl clarified that Attorney Allen's letter to change the minutes never went to any of the remonstrators.

- Commissioner Huber said County Attorney Benkie needs to discuss with Director Dale so this is handled correctly and every party can take the appropriate action they feel necessary. County Attorney Benkie said Director Dale and he will review the statutes.

Memorial Building Gymnasium Request

- Steve Elsbury requested to use the Memorial Building Gymnasium for local attorneys and county employees to use for basketball on Tuesdays 4-6 PM. He asked if a waiver would suffice. County Attorney said a waiver on file would be sufficient. Commissioner Huber said a key could be issued to a county employee; Josh Sipes, Chief Probation Officer was discussed.
- Steve will work on a waiver and send to the Auditor's Office.
- Neal Singco, Greenfield Local Soccer Club requested use of the Gymnasium. The soccer group has used the gymnasium since 2003. This is a January-February Program, Fridays 6:30PM-8:30PM and Sunday s 1:30PM-3:30PM programs for 2 hours. The State Association provides a Certificate of Liability for \$1M General Liability and \$6M Umbrella.
- Commissioners agreed they would find someone to let him in and out of the building.

Surveyor

- Surveyor Bodkin proposed an amended Pictometry Agreement.
- Commissioner Huber made a motion to approve the agreement with Pictometry International Corp for flyovers in the amount of \$124,770.89. Commissioner Spalding seconded the motion. **Motion carried 3-0.**

Barnes & Thornburg Invoices

- Commissioner Jessup said \$4,403.35 is for work on Economic Development issues, but the two for \$5,000 American Rescue Plan Counsel we did not enter into.
- Auditor Carnes said the Attorney/Legal Services line only has \$1,027.50, Economic Development Miscellaneous has money, but not enough time to appropriate. Commissioner Jessup thought \$25,000 was appropriated in Economic Development for legal services from Barnes & Thornburg. Auditor Carnes said she would check into this.

Other Business

- Commissioners discussed infrastructure plans for the county.
- Sheriff Burkhart discussed programs at the new jail for mental health, addictions, trade skills for jobs called American Data Systems. A tablet program to take classes and get certificates. He plans to present at the next Council meeting. Commissioner Huber said the READI grant may fund the educational portion.

The Hancock County Board of Commissioners meeting adjourned at 12:36 PM.

Hancock County Commissioners

Commissioner John Jessup, President

Commissioner Marc Huber, Vice-President

Commissioner Bill Spalding

Attest: _____
Debra Carnes, Hancock County Auditor