

**Hancock County Board of Commissioners**  
**Regularly Scheduled Meeting**  
**March 16, 2021**

Commissioners met for a regular session. Those present were Board of Commissioners President John Jessup, Commissioner Vice President Marc Huber, Commissioner Bill Spalding, County Attorney Scott Benkie and Auditor Debra Carnes. Commissioner Jessup called to order the March 16, 2021 Hancock County Commissioners Board meeting at 8:01 AM.

**Highway**

- Gary Pool (Highway Engineer) requested Commissioners signatures on a contract.
- Commissioner Huber made a motion to approve the consulting contract with USI Consultants, Inc for DES #1802940 in an amount not to exceed \$437,500. Commissioner Spalding seconded the motion. **Motion carried 3-0.**
- Two Request for Proposals (RFPs) are out now, four more will be out soon. One for countywide bridge inspection, Segment B inspection, Bridge 85 and Bridge 146.
- House Bill 1119, the overload truck bill. Gary spoke to Senator Crider and it is being held for amendments. For instance, 500 W was damaged significantly when a heavy load was being hauled to a construction site. There are not protections for this, nor do the counties have access to the bond or permit monies received from the state.
- Gary discussed Memorial Building options and risks. Option 1 is spending more money on design or Option 2 go straight into construction. Could spend more money on planning and design or take a risk and go into construction. Gary said there could be a possible spend of \$61,000 with Option 2. He said if you want the project completed, he suggested Option 2. Commissioner Huber asked what Council's thoughts were. Gary said Council was okay with the overage.
- Commissioner Huber made a motion to proceed with Memorial Building elevator with Option 2, going straight to construction. Commissioner Spalding seconded the motion. **Motion carried 3-0.**
- Strong windstorm March 15, 2021 caused almost one mile of power lines blown down on 700 West.
- Trail signs will be going up over the next month and half.
- Comprehensive Plan recommendations are being sent to the Planning Commission.

**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 March 2, 2021 as presented. Commissioner Spalding seconded the motion. **Motion carried 3-0.**

**Resolution Establishing Meeting Procedures & Decorum**

- Commissioner Huber introduced Resolution 2021-3-11 the Hancock County Board of Commissioners Resolution for the Establishment of Meeting Procedures and Decorum. Basically states the county generally adopts the standard policy and procedures set forth in Roberts Rule of Order.
- Commissioner Huber made a motion to adopt Resolution 2021-3-11. Commissioner Spalding seconded the motion. **Motion carried 3-0.**

### **Building Maintenance Update**

- Dean Mullins notified Commissioners PDF will place the chiller this weekend.
- Thursday the security doors in Annex Building will be started.
- Fields Tree Service will clean-up at the Purdue Building as soon as it dries up a bit.
- Purdue is asking about purchasing paper needs (toilet paper, paper towels and holders) for their building. Dean will get more information.
- Dean asked about the old fencing taken down at the Purdue Building would it be replaced? The fence was taken down when the trees were removed. Commissioners questioned if it needed a fence. Commissioner Spalding said he would take a look at it. Commissioner Huber said it would be easier to maintain without a fence.
- Dean said Johnson Controls are currently replacing the lights in the Annex Building. Highway has been completed and Memorial Building is next.
- Commissioner Spalding asked Dean about the raised sidewalk area outside the Annex Building where employees tripped. Dean said it has a barricade on it and there are many places where the sidewalk is raised around the buildings. Dean said it has settled back in place with the warming temperatures. Dean said he could get estimates to fix these places. Commissioner Spalding said he would meet Dean on Friday to look at the raised areas of sidewalk.

### **RQAW Update on New Jail**

- Dustin Frye, Director of Construction Services for RQAW reported the jail continues to progress on schedule.
- Permanent power and permanent gas utilities are complete. Masonry should be complete by the end of March.
- Admin area is taking shape; exterior framing is complete and interior framing has started.
- Auditor Carnes asked if invoices could reference the admin building for billing purposes. Dustin said he would look into this and get it corrected.
- Commissioner Huber received a call from a neighbor next to the jail property and he asked to cut some trees on the jail side tree line. The neighbor is planning to build a pole barn and was concerned a tree would fall on his new barn. County Attorney Benkie asked if the trees were dead. Commissioner Huber did not know. Commissioner Jessup said the county would need a waiver and liability. Dustin said it would be a good idea to see exactly what trees he wants to cut down. Commissioner Huber said he would take a look at the trees.

### **E911**

- John Jokantas (Director of E911) requested approval for out of state training.
- Commissioner Huber made a motion to approve out of state travel for Bonnie Guzman, John Jokantas, Jason Haddix and Craig Lindsay to attend the National NENA Conference in Columbus, Ohio from 7/25/21 to 7/29/21. Commissioner Spalding seconded the motion.  
**Motion carried 3-0.**
- John discussed Policy Board Ordinances. He would like to discuss the Policy Board Ordinance with the Sheriff and the Chief of Greenfield Police before proceeding. Commissioner Jessup suggested the first meeting in April.
- John briefly discussed a program that remotely programs radios versus going to each radio to re-program.

### **Johnson Control Update**

- Jennifer Payne (Account Executive for Johnson Controls) updated Commissioners on work in the county buildings.
- **Purdue Building:** First mechanical installation is completed; last system will be completed March 16<sup>th</sup>. Lighting upgrade will begin on March 29<sup>th</sup> and completed that week.
- **Highway:** Mechanical system for office space was completed March 5<sup>th</sup>. Lighting upgrade will begin on March 12<sup>th</sup> and completed March 17<sup>th</sup>.
- **Memorial Building:** Boiler room demo will tentatively begin the end of March. Asbestos inspection was completed March 10<sup>th</sup> and will have test results back within 5 business days from the 10<sup>th</sup>. Boiler replacement will follow as weather permits. Steam trap replacement will happen at the same time as the boiler replacement. New thermostat control valves for radiators will be installed as the new traps are installed. Building exterior improvements (lintel repair, tuck pointing, etc.) will be scheduled when weather permits (possibly mid-April). Lighting upgrade will follow Highway.
- **Community Corrections:** Mechanical (RTU's) installation has been completed. PDF Mechanical has commissioned controls as of Friday, March 5<sup>th</sup>. Lighting upgrades will follow Memorial Building upgrades.
- **Courthouse:** Replacement of VAV box reheat will be scheduled after Community Corrections is complete. Lighting upgrades will follow Community Corrections.
- **Annex:** Lighting upgrades have begun and continue through March 17<sup>th</sup> on second shift. Material and dumpster will be located in the back parking lot far east side. Two parking spots shall be blocked on west side of material storage area. Additional material is needed for the Commissioners meeting room. The material will be delivered to the Annex Building March 15<sup>th</sup>.

### **Fortville/Vernon Library**

Melissa Drago (Director Fortville-Vernon Township Public Library) presented Commissioners with a 2020 Annual Report and reviewed with them.

### **ABC Board**

Brad Armstrong requested Commissioners signatures for his ABC board appointment certificate form.

### **Superior Court 1**

- Judge Davis notified Commissioners he did not need to purchase an additional cell phone as he thought earlier; he was able to use an older free phone. Also, he found a cell phone his Court was paying for that he discontinued and saved \$700.
- Judge Davis requested to meet with the Auditor to discuss his budget. Auditor Carnes agreed to meet with him. Judge Davis said when purchasing items for his Court he does not get reimbursed for the taxes paid. He said the Auditor has given him a tax ID number. Judge Davis said he plans to do a lot of Amazon purchases for office supplies, but noted it was hard to get a receipt from Amazon. He would like an Amazon credit card for purchases that would not charge taxes on purchases. Auditor Carnes offered to have a department head meeting with a representative from Amazon; she said we already have an account with them and this would just be adding an account. Auditor Carnes clarified there is not a shared credit card for the entire county, but departments have their own accounts. She noted Council has used the Auditor's card for travel, hotels, etc. in the past. She explained it is important to get claims to the Auditor's office on time or they will incur late fees. If late fees occur, they can't be taken

off, they are not covered and we are prohibited from paying them. Auditor Carnes stated we try to use one credit card company for all departments. She referred Judge Davis to Angel Robbins/Amber Karkowski in Accounts Payable to fill out paperwork.

- Commissioner Huber made a motion to approve Superior Court 1 to get a credit card with up to \$1,000 limit through our normal provider. Commissioner Spalding seconded the motion. **Motion carried 3-0.**

### **Surveyor**

- Surveyor Bodkin requested approval to enter into an agreement with American Structurepoint, Inc. She verified with County Attorney Benkie he has looked at it; Attorney Benkie said yes. This is for Section Corner Perpetuation. A firm is hired to go out and Perpetuate out of the Section Corner Perpetuation Fund, which comes out of the Records office when deeds are recorded. Since Surveyor Bodkin is non-licensed, a licensed Surveyor has to sign off and the code says it should be someone from the county. Since the current Surveyor is retiring, another Surveyor has been chosen with only a \$5 increase. County Attorney Benkie said he found 2 problems; First is a 30-day payment period. Susan said they pay every two weeks, so this isn't a problem. Auditor Carnes agreed. Scott said the other problem is American Structurepoint limited their liability to \$50,000 and it should be at least \$500,000. Surveyor Bodkin said she will request American Structurepoint to change the liability to \$500,000 and bring back to the next meeting.
- Commissioner Huber told Surveyor Bodkin he received her request for Dede Allender, Director of HC Solid Waste Management District to be a contract employee for the Surveyor's office. Susan said the Surveyors office could utilize Dede with Phase 2 Water Quality MS4. With new rules coming out before the end of the year, there will be an increase in paperwork and having additional help would be huge. Website, brochures, meetings, there are many areas for her to assist with and Dede is familiar with this. Dede has been a key educator. Commissioners agreed Dede Allender as a contract employee is a good idea.

### **Carvana PUD Amendment**

- Mike Dale (Director Planning Department), Craig McCuistion (Carvana Owner) Rick Lawrence (Attorney for Carvana) were present for the Carvana PUD Amendment. Mike said Carvana is here today to request a PUD amendment due to adding a new facility. Planning Commission held a meeting and there was no opposition or remonstrance. Attorney Lawrence passed out Exhibit B to Commissioners for a PUD Amendment and Preliminary Plan approval. Commissioner Huber asked for the use of the entrance on 300 North. Attorney Lawrence said at this point, it is just a secondary security entrance for emergency vehicles, with a secured arm to block vehicles. Commissioner Huber asked what the long term plan is; we would like to keep as much traffic off 300 N as possible. Mr. McCuistion said from conversations with Gary Pool (Highway Engineer) there is a potential for highway expansion in the future and we wanted the ability to have a curb cut there. But for now, there will be a security arm and a lockable gate. Commissioner Huber said he just wanted to make sure it wasn't a busy entrance; we do not want a lot of traffic routed out of there. Mr. McCuistion said it would be a secondary entrance. Commissioner Spalding said along with Commissioner Huber, I would like to see this entrance used as limited access; the main access would be off of 600 W to the facility and that should be just an emergency only entrance.
- Commissioner Huber introduced Ordinance 2021-3G basically an updated PUD for Carvana facility adding the truck fleet maintenance building, the fuel station and tanks for their personal fleet.

- Commissioner Huber made a motion to adopt Ordinance 2021-3G. Commissioner Spalding seconded the motion. **Motion carried 3-0.**

#### **GDI Construction / Indhland LLC Rezone**

- Mike Dale (Director Planning Department) and Nick Everheart (American Structurepoint) were present for GDI & Indhland rezones. Mike requested a rezone for GDI Construction Rezone 15 acres from Commercial Neighborhood (CN) to Industrial Light (IL). Planning Commission held a meeting and there was no opposition or remonstrance to this petition. Mr. Everheart was there on behalf of GDI to rezone the Bird Property 4698 N 600 W to rezone 3.78 acres from CN to IL and 13.59 acres Indhland from IG to IL.
- Commissioner Huber introduced Ordinance 2021-3H amending the zoning for the property at 4698 N 600 W rezoning the area from CN to IL.
- Commissioner Huber made a motion to adopt Ordinance 2021-3H. Commissioner Spalding seconded the motion. **Motion carried 3-0.**
- Commissioner Huber introduced Ordinance 2021-3I amending the zoning for the property for Indhland LLC at 4500 N 600 W rezoning the area from IG to IL.
- Commissioner Huber made a motion to adopt Ordinance 2021-3I. Commissioner Spalding seconded the motion. **Motion carried 3-0.**

#### **Susan Whybrew Rezone**

- Mike Dale (Director Planning Department) and Jeff Bellamy, Attorney for Susan Whybrew were present for the rezone request. Mike presented a petition from Susan Whybrew to rezone 22 acres from Agriculture (A) to Residential (R1). Planning Commission held a meeting and it received a favorable recommendation. Attorney Bellamy explained the rezone request and requested approval.
- Commissioner Huber introduced Ordinance 2021-3J the Whybrew rezone of 22 acres at 2236 W 900 N rezoning from Agricultural to Residential (R1).
- Commissioner Huber made a motion to adopt Ordinance 2021-3J. Commissioner Spalding seconded the motion. **Motion carried 3-0.**

#### **Opus Development Rezone**

- Mike Dale (Director Planning Department) and Andy Buroker, Attorney for Opus Development were present for the rezone request. Mike requested a rezone for Opus Development for 21.85 acres from Business (B1) to Industrial Business Park (IBP). Planning Commission held a meeting and it received a favorable recommendation. Attorney Buroker requested rezone from Business (B-1) to Industrial Business Park (IBP). This received final County Council approval March 10, 2021 for tax abatement, this is the last step to close on April 15, 2021 and start construction in May or June of 2021. The zoning commitment for this acreage is the same as the other zoning commitment.
- Commissioner Huber introduced Ordinance 2021-3K the Opus Development rezone on the NE corner of I-70 and 700 W from B1 to IBP including the commitment; there will be no boat and RV storage for the entire 166.4 acre development.
- Commissioner Huber made a motion to adopt Ordinance 2021-3K. Commissioner Spalding seconded the motion. **Motion carried 3-0.**

#### **Resolution for Area Planning Commission**

- Commissioner Jessup informed Mike Dale (Director Planning Department) the Commissioners are tabling and sending back to the Area Planning Commission the

Resolution for the Economic Development Area. The Commissioners do not feel it was properly on the Area Planning Commission's agenda. In the future, people try to get on the agenda and it would help lessen the Commissioners phone calls; he requested the Planning Commission not taking action on items that do not meet guidelines and deadlines that are required with proper notification.

- Mike Dale (Director Planning Department) said he would convey this message to the Area Planning Commission. Commissioner Jessup said the Commissioners are sending this Resolution back to the Area Planning Commission to put through the proper channels. Commissioner Huber said he feels the communication could have been better between us and the surrounding neighbors. He said Randy's office, Mike's office; I think we all could have done better. Mike clarified from his understanding, it might be acceptable to discuss, but no action can be taken. Commissioner Huber said his personal opinion is if it is not turned in a timely manner per your guidelines, then it should not be heard at all. This is not fair to people who aren't notified and would like to be heard. Whether someone has been in a neighborhood 2 years or 25 years they should be able to come in and plead their case.
- Mike asked for clarification on if someone came to the Area Planning Commission and asked for their house to be rezoned, would they be able to discuss this at all? Commissioner Huber said he feels the proper steps should be gone through; the steps are there for a reason. Commissioner Spalding said he would like to err on side of transparency and only hear items on the agenda. Commissioner Spading said Mike could direct a question to the Indiana Chapter of American Planning Association and get feedback on if we have a potentially easy rezone, can we hear a question or should we say you need to be put on the agenda. Mike said he could present this question to the Association.
- Commissioner Jessup made a motion to reject the resolution approving the Economic Development plan for the new TIF west allocation area until such time as it is reheard by the Planning Commission having been properly advertised on the agenda and returned to us for consideration. Commissioner Spalding seconded the motion. **Motion carried 3-0.**

#### **Surplus Items**

- Commissioner Spalding questioned items marked surplus in the Courthouse. Dave Sutherland could use the file cabinets under the stairwell in the Courthouse marked surplus for his township fire department.
- Commissioners said check to see who the surplus file cabinets belong to and once they are declared surplus, Dave can have them.

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

- Sheriff Burkhardt requested Commissioners declare surplus miscellaneous mobile vision in-car camera systems for auction.
- Commissioner Huber made a motion to declare surplus two pallets of miscellaneous mobile vision in-car camera systems, voice links, wiring cables, flashback systems, as presented on the Sheriffs list. Commissioner Spalding seconded the motion. **Motion carried 3-0.**
- Sheriff Burkhardt informed Commissioners he ordered 14 additional radios. This is part of the jail project.

#### **Budget Transfer**

Commissioner Huber made a motion to do a budget transfer of \$34,702.20 from Phone and \$34,702.20 from Utilities to pay for General Liability Insurance Premium; plus request an Additional Appropriation from Council to transfer \$69,404.40 to cover shortfall. Commissioner Spalding seconded the motion. **Motion carried 3-0.**

**The Hancock County Board of Commissioners meeting adjourned at 11:15 AM.**

**Hancock County Commissioners**

---

Commissioner John Jessup, President

---

Commissioner Marc Huber, Vice-President

---

Commissioner Bill Spalding

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