

REGULAR SESSION RUSH COUNTY BOARD OF COMMISSIONERS JULY 10, 2017

The Rush County Board of Commissioners met in regular session Monday, July 10, 2017 with Commissioners Mark Bacon, Bruce Levi, and Jodi Harr, Auditor in attendance. Commissioner Paul Wilkinson and Leigh Morning County Attorney, were absent.

Mark Bacon called the meeting to order at 9:00 a.m. with the Pledge to the flag.

APC CHICKEN ORDINANCE

Commissioner Bruce Levi questioned the draft minutes of the regular meeting from June 26, 2017. He wanted the wording changed in the motion to approve the recommendation from the Area Plan Commission regarding the Chicken Ordinance, Fowl Score Card and Schedule E. Auditor Jodi Harr explained that the wording in the minutes came directly from the Recommendation from the Area Plan that is what was signed and approved by Commissioner Wilkinson and Commissioner Bacon so it could not be changed. David Hiner presented the signature page of the recommendation to show it did not say that. Harr reminded the commissioners that there is a second page to that document that Hiner did not provide. Area Plan Director Gregg Duke verified that there is a second page and he will make sure both pages get recorded together.

Area Plan Director Gregg Duke commented that he had reviewed this a little further. When the APC motion was made, the only "Appendix E" was the Fowl Scorecard as found in the Recorder's Office. After researching documents from the Recorder's office, provided by Craig Trent, Duke found the Schedule of Uses on page 114 is also labeled "Appendix E". Tom Monka noted his concern for the confusion that can be caused by using "and" instead of "in" as part of the Area Plan Commission recommendation. He feels like this confusion goes back to the decisions made in 2013 that were never completed.

Commissioner Levi is concerned about future legal issues that can arise from changing the Zoning Ordinance. He would like to take action to rescind the action taken by the commissioners at their June 26, 2017 meeting. Duke cautioned them on rescinding the motion because of the progress that has been made on the Chicken Ordinance issue. He also noted it would give two Appendix "E" again.

MINUTES

Minutes from the Regular meeting on June 26, 2017 were approved on a motion by Bruce Levi and seconded by Mark Bacon. Motion carried. Minutes of the Special Joint Commissioner/Council meeting held on July 3, 2017 will be presented at the July 24, 2017 meeting due to Commissioner Levi not being at the meeting resulting in not a majority to approve the minutes today.

APC CHICKEN ORDINANCE

Bruce Levi made the motion to rescind the approval of the commissioners at the June 26, 2017 which accepted the recommendation of the Area Plan Commission which was *“Repeal Commonly referred to as Chicken Ordinance which regulates chickens in primarily residential districts in Rush County including the Fowl Scorecard as listed in attachments labeled “CHICKEN ORDINANCE” and “APPENDIX E”. This repeal does not affect language within agricultural zoned districts 7.7, 7.8, 7.9 and 7.10. General Provisions For Agricultural Zones listed in 7.11.3.5 (h) shall revert to the following:....”*. Mark Bacon seconded. Motion carried.

Bruce Levi made a motion to make the recommendation to the Area Plan Commission to amend their recommendation to read *“Repeal Commonly referred to as Chicken Ordinance which regulates chickens in primarily residential districts in Rush County including the Fowl Scorecard as listed in attachments labeled “CHICKEN ORDINANCE” and “APPENDIX E Fowl Ordinance Score Card only”. This repeal does not affect language within agricultural zoned districts 7.7, 7.8, 7.9 and 7.10. General Provisions For Agricultural Zones listed in 7.11.3.5 (h) shall revert to the following:....”*. Mark Bacon seconded. Motion carried.

CLAIMS

Auditor, Jodi Harr, presented the biweekly claims docket for July 10, 2017 in the amount of \$507,970.38. Bruce Levi moved to approve the claims. Mark Bacon seconded the motion. Motion carried. The amount was much higher than normal due to paying RMH ambulance contract, property tax refund and summer highway expenses. Harr requested permission to pay three claims that did not appear on the list for approval today. They will appear on the next claim docket at the July 24 meeting. The three claims are for purchases made by departments on the county credit card and the department did not submit a claim in time. Bruce Levi made the motion to pre-approve the claim. Mark Bacon seconded. Motion carried.

Payroll ending July 14, 2017 in the amount of \$182,346.06 was presented. The increase is due to over time and part time at the sheriff and jail departments. Bruce Levi made the motion to approve. Mark Bacon seconded. Motion carried.

DENTAL AND VISION INSURANCE

Auditor Jodi Harr presented letters to be sent to Delta Dental and EyeMed Vision for the commissioners to sign. Both letters are informing the carriers of the termination of the Rush County Employees coverage effective 8-1-17. Bruce Levi made the motion to sign both the Delta Dental and EyeMed Vision letters of termination. Mark Bacon seconded. Motion carried.

CIRCUIT COURT

Commissioner Bacon reported the commissioners received a quote from Environmental Assurance Co., Inc. to repair the ceiling in the Circuit Court room. The estimated cost is \$1,770.00. The work is scheduled to be done on Wednesday, July 12, 2017.

SOLID WASTE

Solid Waste District Director Carole Yeend reported Clean Green Rush is participating in the Rushville City Park Departments youth summer camp. She will be there on Tuesday, July 18 between 1:00 p.m. and 2:00 p.m.

CHAMBER OF COMMERCE

Sandy Fussner requested permission to host a dinner on the Offutt Covered Bridge on September 15 from 3:00 p.m. until midnight. Proceeds will benefit the Rush County Youth Foundation. Bruce Levi made the motion to approve the request. Mark Bacon seconded. Motion carried.

HIGHWAY

Highway Superintendent Jerry Sitton presented is June monthly report.

He also reported that an agreement has been reached between the contractor and engineer regarding the issues with the Carthage Pike project. The repairs are to start on July 17 and be completed within ten days. Sitton will notify the Carthage Town Board of the road work.

JAIL PROJECT

Eric Ratts from DLZ was present to give an update on the redesign of the new jail project. They have started working on the redesign. It should be completed by the end of September. Construction bids can take place at that time. He would like to schedule a design committee meeting for Friday, July 14. Ron Jarman gave an update on the redesign changes and that the commissioners need to move forward with this project. He would like to see the redesign be completed within eight weeks. Jarman also reported that work is continuing on the Fiber Hut so that demolition can continue on the Rush/Shelby building.

An additional contract between the commissioners and DLZ was presented for the cost of the redesign. The additional amount is \$282,000 for additional services for revised Scope of Work/Redesign/Rebid. Commissioner Levi thanked Ron Jarman, DLZ and CCI for getting the cost down to where the county council requested. Levi made the motion to approve the additional contract with DLZ in the amount of \$282,000. Mark Bacon seconded. Motion carried.

SHERIFF

Sheriff Jim Cowan gave sheriff and jail department updates and statistics. There are currently 54 inmates housed at the jail.

EMS REPORTS

EMS reports were received and reviewed from Anderson Twp Volunteer Fire Department for May and June. The June report was received from Carthage Volunteer Fire Department.

NEXTERA

Tom Monka asked for an update on the Nextera law suit. There was not update given since the county attorney was not in attendance.

SOLAR ENERGY

Verlin Custer asked if anything had been done with the information he provided to Commissioner Wilkinson last year regarding a solar energy farm being placed on the county farm. Bruce Levi nor Mark Bacon have been contacted by anyone regarding solar energy. Levi commented that he has seen bad reviews regarding one company providing solar energy. He is not sure if it is the same company that Custer was referring to. Custer commented it would be a good source of income for the county.

The next Commissioner’s meeting will be held on Monday, July 24, 2017 at 9:00a.m.

Mark Bacon moved to adjourn. Bruce Levi seconded the motion. Motion carried.

/absent 7/10/17/
Paul Wilkinson Chairman

/Mark Bacon/
Mark Bacon

/Bruce Levi/
Bruce Levi

ATTEST:

/Jodi Harr/
Jodi Harr, Auditor