

SPECIAL SESSION RUSH COUNTY BOARD OF COMMISSIONERS AUGUST 12, 2016

The Rush County Commissioners met in Special Session on Friday, August 12, 2016, at 9:30 a.m. Those in attendance were Bruce Levi, Mark Bacon, Paul Wilkinson, Sheriff Jim Cowan, and Leigh Morning. Also in attendance was Jail Study Committee member Larry Mull. The purpose of the meeting was to discuss and take action on items related to the construction of the proposed new Jail.

Commissioner Bacon started by saying that he had spoken with Jean Leising. She is on the Energy Committee at the State Legislature. She also has contacts with Duke. He had hoped she would be able to put some pressure on Duke to speed up their process of relocating the lines and poles in the project area.

Commissioner Levi stated that he had looked at another potential site. It is 16 acres and located off of 11th Street next to Trane. There are already utilities run to the ground. The price is \$15,000.00 per acre. Commissioner Levi is aware that the Sheriff would rather stay downtown at the current location.

Commissioner Wilkinson mentioned proposed cost savings with not having to relocate the power lines and not having to relocate the fiber hut. The current site prep cost is approximately \$1.1 million, and that cost does not include the relocation of the fiber hut. Commissioner Levi stated the current design of the jail could be moved to the new potential site, with a few modifications.

Councilmen Charlie Smith and Gerald Mohr joined the meeting.

Concerns were raised by Larry Mull and Charlie Smith over moving the jail to another location, and leaving an empty lot downtown. Larry Mull stated that the County would not be good stewards of anyone's money if they left an empty lot downtown with no exit strategy or plans for the lot.

Other concerns raised regarding the potential site were regarding the water level. The site is wet. Soil sampling will need to be done at the site. There will need to be a storm water retention plan at the other site.

Duke has done its LIDAR study, which is a flight survey with ground penetrating radar. Duke will probably build the poles and lines back in their current location in the alley, and then move the poles and lines out of the alley. These lines are poor transmission quality and need to be replaced.

Sheriff Cowan stated that when he figures the costs that are known, the money savings at the new potential site are maybe \$250,000.00. There are many costs that are still unknown. He still recommends keeping the jail at the previously chosen site.

Commissioner Bacon moved to continue the project and to keep the Jail at the current location, on the County-owned property behind the current Jail. Commissioner Wilkinson seconded the motion and the motion carried. Commissioner Wilkinson moved to authorize DLZ to proceed with the asbestos inspection and demolition bids on all four (4) buildings. The motion was seconded by Commissioner Bacon, and the motion carried.

The following concept for reaching a resolution of the eminent domain action with Mike Pavey was approved on a motion by Commissioner Wilkinson and seconded by Commissioner Bacon:

- The County has access to the building immediately.
- The County has possession of the building in 30 days.
- Pavey is to have his appraisal completed within 6 weeks, if not sooner.

- The Commissioners and Pavey will meet again for another informal mediation session to decide the issue of damages/compensation within 2 months, or when Pavey's appraisal is complete.
- If the parties cannot reach an agreement on the issue of damages/compensation, the Court will appoint the court-appointed appraisers and the process for determining the issue of damages will proceed under the eminent domain statute.
- Pavey will move out of the building within four (4) months, if not sooner.

The motion carried.

The meeting adjourned at 11:00 on a motion by Commissioner Bacon and seconded by Commissioner Wilkinson.

/s/ Bruce Levi
Bruce Levi, Chairman

/s/ Mark Bacon
Mark Bacon

/s/ Paul Wilkinson
Paul Wilkinson

ATTEST:

/s/ Mary Ann Beard
Mary Ann Beard, Auditor