

**REGULAR SESSION RUSH COUNTY BOARD OF COMMISSIONERS DECEMBER 22, 2017**

The Rush County Board of Commissioners met in regular session Friday, December 22, 2017 with Commissioners Paul Wilkinson, Mark Bacon, Bruce Levi, Jodi Harr, Auditor, and Leigh Morning, County Attorney, in attendance.

Paul Wilkinson called the meeting to order at 9:00 a.m. with the Pledge to the flag.

Minutes of the December 11, 2017 regular meeting were reviewed. Mark Bacon made the motion to approve the minutes. Bruce Levi seconded. Motion carried.

**CLAIMS**

Auditor, Jodi Harr, presented the biweekly claims docket for December 22, 2017 in the amount of \$776,464.33. Bruce Levi made the motion to approve the claims as presented. Mark Bacon seconded. Harr reminded the commissioners that they needed to continue their discussion of the claim to Bingham Greenebaum Doll LLP in the amount of \$12,000 for legal services obtained by Circuit Court Judge David Northam regarding a possible mandate of repairs to the courthouse. Paul Wilkinson commented that over the last six months there was not any mention of the county being charged for the attorney services that Judge Northam was obtaining. Judge David Northam explained the invoice was not presented to him until recently and that trial rules allow for the invoicing by the attorney. He is allowed to ask for the services be paid now or at a later time. His circuit court budget does not allow for these expenses and the county council denied his request for this to be budgeted in 2018. He agreed with Wilkinson that in that he has not asked for these services to be paid until now. There is money in one of the commissioner's budgets that could be used to pay for part of this in 2017. He was merely trying to get some of the charges paid while there was money appropriated. County Attorney Leigh Morning asked what would happen to these charges if they are not paid now nor if there is not a mandate issued. Judge Northam noted that while the attorney's office is not concerned, he would probably mandate these attorney fees be paid even if there is not a mandate filed for repairs to the courthouse. Mark Bacon agreed that the commissioners did not know this invoice was coming only of the courthouse study contract. Now if he is understanding correctly, the county will be responsible for paying these charges whether we pay now or later. Judge Northam commented there will be additional charges for the attorney services. He understands the commissioner's position and why they do not want to pay these services. He believes there has become a trust issue between he and the commissioners regarding this matter and that was not his intent. Judge made the decision to withdraw the submitted claim to Bingham Greenebaum Doll LLP in the amount of \$12,000. Bruce Levi commented the county should go ahead and pay the invoice while there is money appropriated especially if the county is going to have to pay it at a later date. Chairman Wilkinson reminded the commissioners there is a motion on the floor and seconded to pay the claims as presented. Bacon and Levi vote aye to approve the claims as presented. Motion carried. Bacon wanted to

withdraw his vote because he misunderstood the motion. He is not in favor of paying the \$12,000 claim. County Attorney Leigh Morning stated he cannot change his vote; however, since Judge Northam withdrew the claim, the \$12,000 will not be paid.

Payroll ending December 29, 2017 in the amount of \$182,823.45 was presented. Bruce Levi made the motion to approve. Mark Bacon seconded. Motion carried.

### **RIDE RUSH TRANSPORTATION**

Wanda Henderson reported that the Ride Rush program is going well. Ridership has increased. A new drug policy has been implemented for drivers. A new procurement policy has also been implemented. The third quarter report was submitted and approved to the state. The Rush County Health Department comes to the senior center the second Wednesday of every month to do free health screenings for anyone who is interested.

### **EMA**

Chuck Kemker reported that District 6 did vote to reorganize and downsize to thirteen voting members. He will serve as the Chairman of District 6.

### **HIGHWAY**

Jerry Sitton requested the commissioners to sign the Form 96 Contractor's Bid For Public Work on accepting the bid by Hoosier Pride Excavating Inc. Bruce Levi made the motion to sign. Mark Bacon seconded. Motion carried.

Sitton then requested the Auditor send a letter to Trisler Construction Co., Inc rejecting their bid for equipment and labor. Bid specification 5C and E were not included in their bid. Bruce Levi made the motion to reject the bid and send a letter to Trisler Construction. Mark Bacon seconded. Motion carried.

### **SHERIFF FUEL BID**

The auditor's office received on December 14, 2017 a fuel bid from Harvest Land Co-op for the 2018 sheriff fuel. Attorney Leigh Morning opened the bid. The bid was for 35,000 gallons of 87 E10 fuel at \$2.30763 per gallon. This was the only bid received. Mark Bacon made the motion to accept the bid. Bruce Levi seconded. Motion carried.

### **COUNTY OFFICIAL BONDS**

2018 Public Official Bonds were presented for Mary Ann Bridges, Jodi Harr, Cindra Humphrey, Ronald Jarman, Kevin Spilman, Jim Cowan, Philip Caviness, Angela Buckley, Marvin Rees, Joyce Miller Durbin, Catherine Custer, Susan Spaeth and Melissa Fizer. Mark Bacon made the motion to sign the bonds. Bruce Levi seconded. Motion carried.

### **COUNTY JOB DESCRIPTIONS**

Auditor Harr presented the newly developed employee job descriptions. The new descriptions show that the Sheriff Chief Deputy and the Jail Matron should be exempt positions because they are politically appointed positions. A Resolution will need to be approved

adopting the job descriptions. Bruce Levi made the motion to table this until the next commissioner meeting. Mark Bacon seconded. Motion carried. This will give them time to speak to the sheriff about this. Harr reminded them to not delay this for too long because the second phase of the study is scheduled to start in January. The sheriff and jail departments portion of the second phase need to be completed by the end of April.

## **COUNTY INSURANCE**

- Due to changes in the state law, the county is required to carry a Police Reserve Accident and Sickness Policy. Our county agent, PCE, has worked with the sheriff and our workman comp carrier to develop this policy. The cost is \$130 per reserve officer. The county currently has eight reserve officers. Bruce Levi made the motion to accept the quote from Downey Public Risk Underwriters. Mark Bacon seconded. Motion carried.
- The Workman Comp Policy for 2018 was quoted by BITCO at \$57,711 and the quote from IPEP was \$48,863. The county has worked with IPEP in the past and did not have any complaints. Mark Bacon made the motion to sign the IPEP membership agreement. Bruce Levi seconded. Motion carried.
- A Resolution of the County Commissioners accepting the IPEP membership agreement was approved on a motion by Bruce Levi and seconded by Mark Bacon. Motion carried.
- A Rostered Volunteer Addendum for IPEP was presented. A list of volunteers will need to be attached and sent to IPEP. The information has been requested from Sheriff Cowan. Harr will find out if we need to list the CERT volunteers with the EMA department.
- Discussion was held to if there is a need for a Cybercrime policy in the county. Paul Wilkinson has talked with IT Director Randy Herbert. They feel like the county has the best protection possible; however, realize the threat of that security being broken. This policy would provide services to the county to help negotiate if a ransom is requested, help the county to legally notify anyone who has been affected and legal expenses. The county received quotes from AXIS on one, two, and three million dollar policies. Jerry Sitton commented he believes the three million dollar policy is not unreasonable when you look at what other counties have gone through. Bruce Levi made the motion to accept the three million dollar quote from AXIS. Mark Bacon seconded. Motion carried.
- Bruce Levi made the motion to remain with Bliss McNight for liability insurance coverage. Mark Bacon seconded. Motion carried.
- The health insurance committee recommended to the commissioners changing the effective date of coverage for new full time employees to the first day of the month following sixty days of consecutive full time employment. Once the paperwork is drawn up, it will be presented to the commissioners.

## **CAPITAL IMPROVEMENT PLAN**

Leigh Morning presented Ordinance 2017-6, 2018 Capital Improvement Plan, outlining the spending of EDIT funds received in 2018. Mark Bacon made the motion to adopt the Capital Improvement Plan. Bruce Levi seconded. Motion carried.

## **E911 INTERLOCAL AGREEMENT**

An Interlocal Agreement by and between City of Rushville and Rush County to transfer \$65,868 from the County E911 fund to the City of Rushville for E911 dispatch salaries in 2018 was presented to the commissioners for their approval. The Rushville City Council and the Rush County Council have both approved the agreement. The funds were approved in the County E911 budget for 2018. Commissioner Levi asked audience member Verlin Custer if there were any advantages to a joint dispatch center. Custer does not believe a central dispatch would improve things the way the commissioners envision. Bruce Levi made the motion to sign the interlocal agreement. Mark Bacon seconded. Motion carried.

## **NEW JAIL**

County Attorney Leigh Morning presented the following items regarding the new jail:

- A contract with Greiner Brothers for sewer work behind the current jail. The sewer lines must be moved because the new jail cannot be built over the top of the existing ones. The amount of the contract is \$360,000. The planned completion date is February 22, 2018. Mark Bacon made the motion to approve. Bruce Levi seconded. Motion carried.
- A contract with J.C. Ripberger Construction Corporation in the amount of \$1,451,700 for site preparation work. Bruce Levi asked for clarification that the county currently has these funds available without depending on the bonds. Leigh Morning confirmed this. Mark Bacon made the motion to sign the contract. Bruce Levi seconded. Motion carried.
- A Change Order for Raxmus Demolition Services. The additional cost is \$8,221.75. An additional concrete slab was found under building at 126 S. Main Street. Mark Bacon made the motion to approve. Bruce Levi seconded. Motion carried.
- The Preliminary Official Statement and Appendix A were presented for the commissioner's approval. The Rush County Jail Building Corporation Resolution authorizing the sale of bonds was approved and signed by the Building Corporation on December 11, 2017. This statement was prepared by Umbaugh, reviewed by Rick Hall and Leigh Morning. Mark Bacon made the motion to approve and sign. Bruce Levi seconded. Motion carried.
- At the time construction bids were opened, the bid for Hagerman Construction Corp. was read as an \$8,500 add on for alternate #4 instead of a deduct of \$8,500. Hagerman was the low bid with or without the alternate. The alternate is to provide limestone instead of calcium silicate manufactured stone masonry units. Bruce Levi made the motion to accept the alternate #4 as a deduct of \$8,500. Mark Bacon seconded. Motion carried.
- Following discussion by the commissioners, Wednesday, January 17, 2018 at 2:00 p.m. has been set as the ground breaking ceremony for the new jail. DIZ will get started on designing the invitations.

## **2018 APPOINTMENTS**

The following appointments were made for 2018:

- Alcoholic Beverage Board. Mark Bacon made the motion to re-appoint Michael Daubenspeck. Bruce Levi seconded. Motion carried.
- County Attorney. Mark Bacon made the motion to re-appoint Leigh Morning as the county attorney. Paul Wilkinson seconded. Bacon and Wilkinson voted Aye. Levi voted nay. Motion carried.
- Board of Tax Review. On a recommendation by Assessor Mary Ann Bridges, Mark Bacon made the motion to retain Kathy Dean and Dale Gardner as the appointees. Bruce Levi seconded. Motion carried.
- E911 Board. Bruce Levi made the motion to appoint Ron Jarman to the E911 Board. Mark Bacon seconded. Motion carried.
- Health Board. Bruce Levi made the motion to re-appoint Kendra Steible and Tai Morrell. Mark Bacon seconded. Motion carried.
- Highway Superintendent. Bruce Levi made the motion to re-appoint Jerry Sitton as the Highway Superintendent. Mark Bacon seconded. Motion carried.
- EMA Director. Bruce Levi made the motion to retain Chuck Kemker as the EMA Director. Mark Bacon seconded. Motion carried.
- Hospital Board. Bruce Levi made the motion to re-appoint Marvin Cole to the Hospital Board. Mark Bacon seconded. Motion carried.
- Eastern Indiana Regional Planning Commission. Mark Bacon made the motion to appoint Carole Yeend, John McCane and Paul Wilkinson to the Eastern Indiana Regional Planning Commission. Bruce Levi seconded. Motion carried.

**COUNTY EMS SERVICES**

Mark Bacon has been in contact with Fitch and Associates regarding conducting an evaluation of our current county EMS services and needs. They would also make a recommendation to the commissioners with their findings. The cost is estimated at \$9,000 plus travel and customary out of pocket expenses for an estimated total of \$10,000. He has also talked to a couple of individuals who would be interested but not provided this service before. Fitch and Associates have provided this service in other states. They are not wanting an ambulance contract. Commissioner Wilkinson noted the commissioners did promise to have an outside firm look at our situation. He asked that Bacon get a more definitive contract and cost.

The next regular Commissioner’s meeting will be held on Tuesday, January 9, 2018 at 3:00 p.m.

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

<u>        </u> /Paul Wilkinson/ Paul Wilkinson Chairman	<u>        </u> /Mark Bacon/ Mark Bacon	<u>        </u> /absent/ Bruce Levi
--	---	---

ATTEST:  
          
/Jodi Harr/  
Jodi Harr, Auditor

