

REGULAR SESSION RUSH COUNTY BOARD OF COMMISSIONERS MARCH 5, 2018

The Rush County Board of Commissioners met in regular session Monday, March 5, 2018 with Commissioners Paul Wilkinson, Mark Bacon, and 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 February 20, 2018 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 March 5, 2018 in the amount of \$123,642.56. Mark Bacon made the motion to approve the claims as presented. Bruce Levi seconded. Motion carried.

Payroll ending March 9, 2018 in the amount of \$178,782.93 was presented. Bruce Levi made the motion to approve payroll. Mark Bacon seconded. Motion carried.

Jail Construction claims to be paid from the jail bond proceeds in the amount of \$17,806.56 were presented for approval. Mark Bacon made the motion to approve. Bruce Levi seconded. Motion carried.

ASSESSOR

Assessor Mary Ann Bridges requested permission to work with Midwest Presort Service to use the Move Update standards of the United States Parcel Service. This would save the county approximately \$450 in postage for mailing Assessment Form 11's to property tax payers. Mark Bacon made the motion to approve the contract with Midwest Presort Service. Bruce Levi seconded. Motion carried.

HIGHWAY

Highway Superintendent Jerry Sitton presented the Commissioners with the February Monthly Highway Report.

Sitton and County Attorney Leigh Morning requested the commissioners approve a limited grant for entry onto private real estate owned by Mary Gertrude Wood. The grant of entry would be for tree removal only for the Carthage Pike Slope Project. The cost of the agreement is \$1,000. Bruce Levi made the motion to approve this request. Mark Bacon seconded. Motion carried.

Sitton requested permission to trade in the departments skid loader for a skid loader that will run the department's new grinder. The approximate cost will be \$30,000 and he does have the money budgeted to make the purchase. Bruce Levi made the motion to approve the trade and purchase of a new skid loader. Mark Bacon seconded. Motion carried.

COMMUNICATIONS TOWER

Leigh Morning and Ron Jarman reported they had received complaints of children playing around the new communications tower located behind Kroger. Jarman obtained two quotes for fencing around the tower. Oler's quoted \$6,800 and Indiana Wire Products quoted \$6,419.50. Indiana Wire can have the fence installed on Tuesday, March 6, 2018. Because of the safety issue at hand, Morning and CCI reviewed the quotes and accepted the quote from Indiana Wire prior to today's meeting. Mark Bacon made the motion to ratify the contract with Indiana Wire in the amount of \$6,419.50. Bruce Levi seconded. Motion carried.

Morning noted the work on the communications tower that was contracted with Custer Electric has been completed. DLZ and CCI has approved the completion of the project. She requested the commissioners approve the Certificate of Substantial Completion for the project. Mark Bacon made the motion to approve the Certificate of Substantial Completion. Bruce Levi seconded. Motion carried.

BOND PROCEED INVESTMENTS

Morning reviewed and presented the commissioners with An Agreement for Cash Advisory Services with Umbaugh. Umbaugh will put the bond proceeds out for bid, accept bids and advise the county's appointee on the best bid. The commissioners want to wait until the Jail Building Corp meets to appoint the county's investment representative. Hopefully that will be on March 19.

SHERIFF

Chief Deputy David Sliger presented the sheriff/jail departments statistical reporting. There are currently sixty four inmates housed at the jail. Due to a high number of female inmates, they have had to use two cell blocks for females causing shortage of space for others. The two new cars purchased last fall have been delivered and will hopefully be ready to be put into service within the next couple of days.

EMS REPORTS

The commissioners received and reviewed the February 2018 EMS report submitted by Anderson Twp. Volunteer Fire Department.

EMA

EMA Director Chuck Kemker updated the commissioners on new reporting requirement for the 2017 EMPG Salary Reimbursement Grant. He requested the commissioners sign his statement of hours worked for 2017. Along with that he must send his bi-weekly pay statements, fringe benefit statement and proof of training certificates. The Department of Homeland Security is making it more difficult to get the salary reimbursement. Mark Bacon made the motion to sign the 2017 statement of hours worked by Kemker. Bruce Levi seconded. Motion carried.

Kemker has been invited and would like to attend the Indiana Communications Unit Exercise which will be held at the Indianapolis International Airport in May, 2017. He

requested the commissioners sign his application form giving him permission to attend. There is no cost to the county for the training only his time away from the county. Mark Bacon made the motion to approve the application. Bruce Levi seconded. Motion carried.

Kemker requested the commissioners sign a credit application for TOPS Hardware to allow him to charge needed supplies to the county and be paid from his EMA budget. This will allow him to get competitive pricing amount local businesses. Bruce Levi made the motion to allow the credit account with a credit limit of \$1,000. Mark Bacon seconded. Motion carried.

He reminded and invited the commissioners to attend a severe weather table top discussion to be held on Tuesday, March 6 in the Assembly Room from 1 p.m. until 4 p.m.

Kemker is applying for two grants. One is a local grant through the Rush County Community Foundation. This would be used to purchase supplies for the CERT trailer. The second is through the Department of Homeland Security. The funds would be used to purchase a larger multi-purpose trailer and a truck to pull the trailer. The total cost will be about \$90,000. There are no matching funds required. It would be a reimbursement grant but the purchase would not be made until the grant was approved. The county would be responsible for the up keep and the insurance. He would trade the current truck in.

CORONER

Rush County Coroner Ron Jarman presented the 2017 annual coroner's report.

E911 BOARD

Commissioner Wilkinson, Ron Jarman and Sheriff Jim Cowan have met with Rushville City Mayor Mike Pavey and Chief of Police Craig Tucker to discuss the make-up of the current E911 Board. Their proposal is that the board consist of three county representatives (commissioner, councilmember, and sheriff), three city representatives (mayor, city councilmember, and chief of police) and three advisory members (city fire chief, representative from county fire chiefs association and the EMA director). He asked if this is acceptable by the commissioners. There needs to be a board in place by June 30 in the event the current proposed legislative changes are passed. This new local board would control the E911 dollars received rather than the number of calls determining who gets what funds. A Memorandum of Understanding would need to be done by the county attorney for the city and county councils to sign. Bacon and Levi are both supportive of the proposal. Morning will create the Memorandum of Understanding for the commissioners to review. Jarman will attend the City Council meeting on Tuesday to present the proposal.

COUNTY COUNCIL UPDATE

Councilman Scott Barnes was present to give a county council update to the commissioners. In lieu of the 2018 farm assessment being released, he asked the commissioners to remember this decline in revenue when making decisions. The per-acre assessment is falling from \$1,860 to \$1,610 per acre.

He asked if there was anything that was needed from the council for the jail project.

At the ECDC meeting this week discussion was held regarding the empty WalMart building. He noted that their leaving was strictly a Walmart business decision and had nothing to do with city/county government nor the citizens of Rush County.

Barnes was able to obtain the eagle eye view of the roof on the courthouse. He has that available for review by the commissioners or whoever needs to see it.

JAIL CONSTRUCTION UPDATE

John Painter with CCI was present to give an update on the jail construction project. He brought two roofing samples for the commissioners to choose from. CCI believes the smooth panels surface will wrinkle and will have oil canning on them. The striated panels will not show the wear and tear that the smooth panel will. The warranty is the same for either and there is not cost difference. The commissioners took under advisement and will decide at their next regular meeting.

Painter provided a copy of the sign to be placed on the project site.

He updated them on the Storm Water Project. Coors consulting provided the wrong size piping. The piping will have to be returned. There will be additional fees. CCI and County Attorney Leigh Morning believe the cost should be handled by Coors through their liability insurance.

PUBLIC RECORDS REQUEST

County Attorney Leigh Morning is working on getting the information related to the public records request made by Bobbi Plummer on February 8, 2018. IT Director Randy Herbert and Gary King with net-Noggin LLC has requested the commissioners sign a Waiver and Release of Liability in obtaining county server emails for commissioners and council members. Once they obtain the emails, Morning will review. Mark Bacon made the motion to sign the waiver. Bruce Levi seconded. Motion carried.

CHAMBER OF COMMERCE

Chamber Director Sandy Fussner invited those in attendance to an Active Shooter class being held at 113 South on March 19 at noon. There will be a small fee charged to cover lunch.

AREA PLAN

David Hiner commented he has been looking at county records and ordinances. He cannot locate a copy of the 2002 Comprehensive Plan nor a signed and sealed copy of zoning maps. The 2004 Subdivision Ordinance references the 2002 comprehensive Plan. He questions if the county authorized and adopted the plan. He feels like this needs to be addressed due to current projects being done in the City of Rushville and Rush County. He asked for the commissioner's thoughts and time frame in correcting this?

Commissioner Wilkinson noted that the county has been addressing these issues by the Area Plan Director and the County Auditor searching for records. He noted we cannot recreate the past. If Hiner believes Rushville City has the 2002 Comprehensive Plan, we can check with them to get a copy of it. Bruce Levi agrees. County Attorney Leigh Morning commented she

has not seen what Hiner is requesting. People that were in place at that time are no longer around to talk to.

Area Plan Director Gregg Duke asked what exactly Hiner is looking for. Hiner commented he wants to see the actual plan because the county is basing decisions on it. Duke said there is a 2008 Comprehensive Plan that will supersede the 2002 plan. The APC has been using the 2008 ordinance for ten years. We are trying to move forward and not make the same mistakes. Commissioner Bacon asked if we have a 2008 comprehensive plan, would it supersede the 2002 plan. Duke noted that the 2002 would have to have been repealed and replaced. That is the issue he believes that Hiner is addressing. We cannot prove that it has been repealed. Hiner understands that there is a 2008 comprehensive plan. The minutes reflect that the commissioners, Town of Glenwood and Town of Carthage held public hearings but there is no indication of what was done. He questions the work being done on the North side of Rushville City because of the zoning issues between the 2002 and the 2008 plan. Once the zoning layer of the GIS system is updated, there is no record of prior zoning unless it is kept in the APC office. Morning explained that there are other factors in building projects other than zoning such as annexation. Once property is annexed it goes belongs to Rushville City and would not be covered under the Rush County Comprehensive Plan. Maybe the City records have what Hiner is looking for.

Hiner noted the 2008 Comprehensive Plan would have gone to the commissioners to accept and to sign. There is no record of that happening. Commissioner Wilkinson noted we need to see if the 2008 Comprehensive Plan is signed by the Commissioners and will report back to Hiner at the regular commissioner meeting on March 19.

The next regular Commissioner's meeting will be held on Monday, March 19, 2018 at 9:00 a.m.

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

/Paul Wilkinson/
Paul Wilkinson Chairman

/Mark Bacon/
Mark Bacon

/Bruce Levi/
Bruce Levi

ATTEST:

/Jodi Harr/
Jodi Harr, Auditor