

REGULAR SESSION RUSH COUNTY BOARD OF COMMISSIONERS OCTOBER 29, 2018

The Rush County Board of Commissioners met in regular session Monday, October 29, 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 October 15, 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 October 29, 2018 in the amount of \$246,388.45. Bruce Levi made the motion to approve the claims as presented. Mark Bacon seconded. Motion carried.

Payroll ending November 2, 2018 in the amount of \$179,426.94 was presented. Mark Bacon made the motion to approve payroll. Bruce Levi seconded. Motion carried.

Requisition #19 for Jail Construction claims to be paid from the jail bond proceeds in the amount of \$31,711.64 were presented for approval. Mark Bacon made the motion to approve. Bruce Levi seconded. Motion carried.

TREASURER

Treasurer Cindra Humphrey presented the September 2018 County Treasurer's Monthly Report.

COMMISSIONER TAX CERTIFICATE SALE

Treasurer Cindra Humphrey reported that there are twenty one properties that did not sell at the property tax sale held in October 2018. She requested the commissioners consider selling these at a tax certificate sale. She and County Attorney Leigh Morning have researched the Recorder fees that will be charged for releasing liens on these properties. Sewer Districts can release all of the liens on one document for only the parcels listed on the tax certificate sale list.

Joe Edwards from SRI, Inc. was present to explain the process of the sale and to answer any questions. There is \$167,723.28 in delinquent taxes owed on these twenty one parcels. He proposes a live sale rather than an on line sale such as was done in the past. The commissioners will need to set the minimum bid due. There is a one hundred twenty day redemption period after the sale. The SRI fee is fifteen percent of all amounts collected for all properties sold at the sale. The costs of the sale, such as advertising and SRI fees, get paid before applying any balance to taxes due. Any balance of taxes not collected on properties sold will be written off. Commissioner Bacon asked if we can add the lien release fees for the sewer district. Edwards replied that the county can add these fees; however, you do not want your minimum bid to high. Humphrey commented that taxing districts are hopefully willing to absorb the fee in order to get

the property back in paying status. SRI will work with our GIS system to send adjoining land owners notices of the sale.

Mark Bacon made the motion to sign Resolution 2018-4 Establishing The Intent To Conduct A Commissioners' Sale To Sell Tax Sale Certificates For Properties That Are Severely Delinquent In Payment Of Property Taxes with a minimum bid of \$50.00 on each parcel. Bruce Levi seconded. Motion carried.

Bruce Levi made the motion to sign the Commissioners Live Certificate Sale Services Addendum To The SRI Master Services Agreement. Mark Bacon seconded. Motion carried.

Bruce Levi made the motion to recess the regular meeting. Mark Bacon seconded. Motion carried.

PUBLIC HEARING

At 9:30 a.m. Chairman Paul Wilkinson called to order the Public Hearing regarding a petition to vacate a portion of a street in Posey Township. Jeanette Smith filed the petition to vacate a portion of a platted street in Rainbow Lake Subdivision beginning East of the South common corner between Lots 1 and 2 on Keal Court further described as part of the Rainbow Lake Subdivision as recorded in Plat Book 4, Page 168 in the Office of the Recorder of Rush County, Indiana. Andrew Scholle with Scholle Surveying was present to answer any questions. No street has ever been constructed on this site. If approved, a new survey will be done to replat all of Mrs. Smith's lots so that nothing is land locked. Scholle has worked with the Area Plan Commission regarding the replat. APC Director Gregg Duke agrees that this is the best way to handle this. Highway Superintendent Jerry Sitton sees no problem with allowing this petition. There was no comment offered from the public. Bruce Levi made the motion to approve the request to vacate a portion of Keal Court. Mark Bacon seconded. Motion carried.

Mark Bacon made the motion to close the public hearing. Bruce Levi seconded. Motion carried.

Commissioner Wilkinson called the regular meeting back to order.

MANILLA GRAIN ELEVATOR

At the request of the commissioners, Andy Scholle presented a quote in the amount of \$2,500.00 to do the survey of the property that the grain elevator is located on in Manilla. He will need to plat out the area to find the right of ways and address abandoned railroad. Bruce Levi commented the interested buyer has backed out so he does not see a need to go ahead with this. The commissioners agreed to not pursue this at this time.

HR

HR Director Tony Personett updated the Commissioners on the vacancies of the health department. The Salary for the Environmentalist is requested to be \$39,000 annually instead of

the current \$35,880.00. The job title is now Environmentalist Office Manager. He has received verbal approval from the county council for this salary change. There is enough money already budgeted to cover the 2018 and 2019 salary. Bruce Levi made the motion to allow the change in salary. Mark Bacon seconded. Motion carried.

Sheriff Administrative position is being posted today.

Title VI Coordinator – Personett does not mind taking on the responsibility of the Title VI Coordinator. He understands that the county could lose federal highway dollars if we do not comply. Jerry Sitton noted the ADA policy is done but it has to be updated every five years. It is time to update it. Sitton is ok with Personett being the Title VI coordinator with Sitton’s help. Sitton will remain the ADA Coordinator. Leigh Morning noted there is training available for this. Bruce Levi made the motion to name Tony Personett as the Title VI Coordinator. Mark Bacon seconded. Motion carried. Levi asked that Sitton help with this responsibility.

EMS REPORTS

Chuck Kemker reported all EMS reports for September have been received. The City Fire Department is working with their vendor to get the reports in the format that was requested.

TAX SALE CERTIFICATE

Rushville City Mayor Mike Pavey was present to request the commissioners assign to the City of Rushville the Tax Sale Certificate for property located at 808 E. Roosevelt Street Rushville, IN 46173. Bruce Levi made the motion to approve this request. Mark Bacon seconded. Motion carried.

EXTENSION

Will Schakel is ready to do the Annual Ag Outlook program. Please sign up in the Extension Office.

ELEVATOR

The courthouse elevator is still having issues following a storm two weeks ago. Chuck Kemker will contact Thyssen Krupp to have them come back down to look at it.

CHAMBER OF COMMERCE

Sandy Fussner reminded those in attendance of upcoming chamber events. Trick or Treating in Milroy will be Tuesday with Raleigh and Rushville having theirs on Wednesday. Christmas on Main will be Friday, November 16.

WILLKIE BIKE RIDE

David Willkie reported the First Annual Five in Fifty Bike Ride was a success. He thanked all of the volunteers and organizations for their support. He believes we have the ability to grow this event each year. He did request the commissioners plan to budget \$500 in the 2020 budget to pay for the insurance on the ride. Bruce Levi commented that he has heard nothing but good comments regarding the ride and from those who stopped during the ride.

RIDE RUSH

Bruce Levi made the motion to approve the quarterly voucher for the county transit program through Ride Rush. Mark Bacon seconded. Motion carried.

HIGHWAY

Highway Superintendent Jerry Sitton requested approval to advertise for all the 2019 highway bids to be accepted on December 10, 2018 at 9:30 a.m. Bruce Levi made the motion to advertise the bids as requested. Mark Bacon seconded. Motion carried.

SHERIFF

Sheriff Jim Cowan noted he will get his fuel bids ready for advertising as well. He gave a brief report of statistical information for his department. The two new patrol cars are ready to be put into service.

GIS DATA REQUEST

Bryan Thiermann with Stantec Consulting Services Inc. requested parcel data, legal drains, corporate limits and county zoning from our GIS system. They are doing a study for a potential siting project with Rush County. Mark Bacon made the motion to approve the request. Bruce Levi seconded. Motion carried.

JAIL CONSTRUCTION

Change Order 0510-01 to Geiger & Peters, Inc. to provide the L4"x4"x1/4" galvanized lintels added at LA-1 and LA-4. The cost of \$1,052.90 shall be charged to the two ton steel allowance noted by S.D on sheet SO1. Mark Bacon made the motion to approve the change. Bruce Levi seconded. Motion carried.

LEGAL

County Attorney Leigh Morning received a phone call from Randolph Glover regarding him being arrested in Kentucky in September 2018 for an outstanding warrant in Rush County from 2002. He was incarcerated for four days. The warrant was actually dismissed in 2016 but due to miscommunication between the Rush County Clerk Office and the Rush County Sheriff Department the warrant did not get released. Mr. Glover is requesting \$400 in lost wages and an apology from Rush County. He will file a lawsuit if he does not receive this. The Rush County employees are no longer in the positions they were in in 2002. Bruce Levi agrees that we owe Mr. Glover a big apology. Morning advised the commissioners that Mr. Glover is willing to sign a release of liability if given the \$400 in lost wages. Bruce Levi made the motion to pay the \$400 along with a big apology. Levi asked that Sheriff Cowan also contact Mr. Glover. Mark Bacon seconded. Motion carried.

BROAD BAND

Commissioner Wilkinson requested a special meeting of the commissioners be held with the county I.T. Director, Ron Jarman and anyone else interested to discuss broad band opportunities in Rush County. The meeting will be Wednesday, November 7, 2018 at 1:00 p.m. in the Assembly Room of the Courthouse. All agreed.

The next regular meeting will be Tuesday, November 13, 2018.

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

/Paul Wilkinson/
Paul Wilkinson Chairman

/Mark Bacon/
Mark Bacon

/Bruce Levi/
Bruce Levi

ATTEST:

/Jodi Harr/
Jodi Harr, Auditor