

## **REGULAR SESSION RUSH COUNTY BOARD OF COMMISSIONERS**

### **August 28, 2023**

The Rush County Board of Commissioners met in regular session Monday, August 28, 2023, with Commissioners Mark Bacon, Ron Jarman, and Kenny Aulbach present. Auditor Tammy Justice and County Attorney Leigh Morning were not present.

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

### **MINUTES**

- Minutes of the Regular Session held on August 14, 2023, were presented. Ron Jarman made the motion to approve the minutes. Kenny Aulbach seconded. All were in favor. Motion carried.

### **CLAIMS**

- Accounts Payable claims for August 28, 2023, in the amount of \$190,615.45 were presented. Kenny Aulbach made a motion to approve the claims. Seconded by Ron Jarman. All were in favor. Motion carried.

### **PAYROLL**

- Payroll for September 1, 2023, in the amount of \$235,594.85 was presented which included vacation buyout for Kayleigh Gordon out of Riverboat. Ron Jarman moved to approve the payroll claims. Seconded by Kenny Aulbach. All were in favor. Motion carried.

### **SENIOR CENTER**

- Executive Director Tina Logan was present to answer any questions the Commissioners may have regarding Ride Rush. Commissioner Mark Bacon advised Logan that Todd Jennings of INDOT stated there were missing compliance documents that still need uploaded for Technical Capacity; Program Management and Transit Asset Management. Logan stated she would check into it.

### **EMA**

- EMA Director Chuck Kemker advised the Commissioners of violations with the courthouse elevator. The monthly fire service test logs are incomplete. Tests shall be performed and logged monthly, and the top hoistway access switch is inoperable and needs repaired. The county has until September 19, 2023, to fix these issues or be subjected to fines from the Department of Homeland Security. Commissioners advised Kemker or the Auditor to reach out to TK Elevators regarding these violations.

### **HEALTH DEPARTMENT**

- Dixie Meyer advised the Commissioners that the county had its first positive West Nile water sample for the year.
- Dixie Meyer advised the Commissioners that the part time vital records position had been filled.
- Dixie Meyer advised the Commissioners that Thursday, August 31, 2023, their office would be training on the Vax Care system and she would be closing the office from 1-3 pm.

## SHERIFF

- Sheriff Allan Rice updated the Commissioners regarding training hours for his department.
- Sheriff Allan Rice advised the Commissioners of an unruly inmate who ripped the sprinkler out of the ceiling in the padded cell. Damage to the padded cell is being assessed and repairs will begin.

## MISC.

- Judge Northam spoke with the Commissioners regarding the lack of confidentiality for the public defender. Judge Northam stated he disagrees with the response from the Court Services Director and feels the public defender should have a higher priority. Judge Northam stated the plan he presented several years ago to renovate the third floor would have taken care of this issue. Judge Northam also addressed an issue of falling drywall from the ceiling after a heavy rain. He hoped the Commissioners sent a letter to the roofing company regarding the issue. Commissioner Bacon addressed the Judge's concerns and stated they were checking on several different ways to improve confidentiality for the public defender.
- Auditor Assistant Heather Carlton presented the Commissioners with an Addendum to Purchase Agreement for HWC Engineering, Inc. The previous purchase agreement that was signed did not have the debarred and suspended verbiage required by the State Board of Accounts. Kenny Aulbach moved to sign the Addendum to Purchase Agreement. Seconded by Ron Jarman. All were in favor. Motion carried.
- Auditor Assistant Heather Carlton presented the Commissioners with a request to transfer funds from Cum Cap 1138.30020.00000.0000 Repairs and Maintenance to Cum Cap 1138.30223.00000.0000 8970 S Walnut Milroy in the amount of \$18,500.00 to pay invoice 23-037 from JAShroyer Group for demolition of property located at 8970 S Walnut, Milroy. Ron Jarman moved to sign the request to transfer. Seconded by Kenny Aulbach. All were in favor. Motion carried.
- Auditor Assistant Heather Carlton presented the Commissioners with a quote from JAShroyer Group for \$725.00 for asbestos inspection at 202 S Pleasant Street Milroy. Ron Jarman moved to approve and sign the quote from JAShroyer Group in the amount of \$725.00. Seconded by Kenny Aulbach. All were in favor. Motion carried.
- Auditor Assistant Heather Carlton presented the Commissioners with a request to transfer funds from Cum Cap 1138.30020.00000.0000 Repairs and Maintenance to Cum Cap 1138.30224.00000.0000 202 S. Pleasant Street, Milroy in the amount of \$725.00 to pay for asbestos inspection at 202 S. Pleasant Street, Milroy from JAShroyer Group. Ron Jarman moved to sign the request to transfer. Seconded by Kenny Aulbach. All were in favor. Motion carried.
- Treasurer Jodi Harr inquired if liens would be assessed on the properties at 8970 S. Walnut, Milroy and 202 S. Pleasant Street, Milroy to recoup our costs. Commissioner Ron Jarman stated that liens would be assessed.
- Commissioner Ron Jarman updated the Commissioners regarding the property clean-up and storage of items at 7123 W. US Hwy 52, Arlington that was ordered by Judge Brian Hill. The Commissioners reached out to four companies regarding clean up and two responded. Davis Towing bid \$14,600.00 and Bowles Construction bid \$18,820.00 for the removal. Kenny Aulbach moved to accept Davis Towing bid of \$14,600.00. Seconded by Mark Bacon. All were in favor. Motion carried.

- Commissioner Kenny Aulbach advised the Commissioners he had been approached by Shirley Richmond, president of Kids of Carthage. She would like to close Goose Road between 900 N and 1000 N on October 21, 2023, between 4-10 pm to have a haunted hayride and Halloween party for the children in Carthage. Highway Superintendent Jerry Sitton and Sheriff Allan Rice advised they do not have a problem with this. Ron Jarman moved to approve the request to close Goose Road on October 21, 2023, between the hours of 4-10 pm. Seconded by Kenny Aulbach. All were in favor. Motion carried.

**PUBLIC HEARING**

- At 9:30 am a public hearing was held to open bids for an offer to purchase Lot Number 10 in G.W Tompkins Addition to the Town of Milroy, parcel #70-14-13-128-012.000-001 which the Rush County Board of Commissioners is entitled to transfer this parcel of property to an abutting land owner for no or nominal consideration. Anderson Township Regional Sewer District bid \$1.00 and the release of liens on property totaling \$850.20. Christina Love Bowling submitted a letter of intent but did not state an amount she intended to pay. At 9:35 am Ron Jarman made a motion to close the public hearing. Seconded by Kenny Aulbach. All were in favor. Motion carried.

Regular meeting of the Board of Commissioners was reconvened at 9:35 am.

- Ron Jarman made a motion to accept the Anderson Township Regional Sewer District bid of \$1.00 and the release of liens on property totaling \$850.20. Seconded by Kenny Aulbach. All were in favor. Motion carried.
- Steve Morgan addressed the Commissioners regarding the old iron bridge located on North Railroad Street in Milroy. According to a survey, his son owns the land that the bridge occupies. Several questions were posed to the Commissioners regarding who owns the bridge, who would be liable if someone were to be injured on the bridge and if there were any future plans for the bridge. The Commissioners advised Mr. Morgan they would look into this further. One last question from Mr. Morgan was did the Commissioners know if the Flatrock River was a navigable body of water. Surveyor Marvin Rees advised that the Flatrock River was considered a stream and is not navigable.

Ron Jarman made a motion to adjourn. Seconded by Kenny Aulbach. All were in favor. Motion carried.

/Mark Bacon/  
Mark Bacon, Chairman

/Kenny Aulbach/  
Kenny Aulbach

/Ron Jarman/  
Ron Jarman

ATTEST:  
/Tammy Justice/  
Tammy Justice, Auditor