

**COUNTY COMMISSIONERS**  
**REGULAR SESSION**  
**September 18, 2017**

The Grant County Board of Commissioner's met in regular session on September 18, 2017 at 2:00 p.m. in the Grant County Complex Council Chambers at 401 South Adams Street, Marion, IN.

In attendance were Commissioners Mike Burton, Mark Bardsley and Ron Mowery. Also present were Auditor Roger Bainbridge, Commissioner's Secretary T.C. Hull and Financial Deputy Stacey Stevens.

Commissioner Burton called the meeting to order at 2:00 p.m.  
Commissioner Bardsley led in prayer.  
Commissioner Mowery led the pledge of allegiance.

Commissioner Burton added 1 item to the Agenda under Old Business item D. Trenching Ordinance.

**Claims**

Commissioner Bardsley stated he has before him the claim docket reports for this week and move to approve invoice edit reports #10574, #10575 and #10578 as presented. Second from Commissioner Mowery; motion carried 3-0.

Commissioner Bardsley stated we also have preapproved items from last week invoice edit reports preapproved items #10559, #10560 and #10561 and move we ratify the action of the President and approve those preapprovals. Second from Commissioner Mowery; motion carried 3-0.

Commissioner Bardsley explained we have 1 stand-alone preapproval in the amount of \$1,176.84 for Star Bank reference Problem Solving Grant and move its approval. Second from Commissioner Mowery; motion carried 3-0.

**Minutes**

Commissioner Mowery moved a motion approving September 5, 2017 minutes. Second from Commissioner Bardsley; motion carried 3-0.

**Payroll**

Commissioner Burton asked the Auditor, Roger Bainbridge if everything was in order, his response was "Everything indeed is in order." Commissioner Bardsley moved to approve the current payroll. Second from Commissioner Mowery; motion carried 3-0.

### **Communications and Board Updates (Elected Officials, Boards, Special Committees)**

Auditor-Roger Bainbridge explained he has the County Treasurer's monthly reports and copies for the Commissioners for the entire year of 2016 all are dated September 11, and were received in the Auditor's office last Tuesday September 12<sup>th</sup>. They are amended reports and indicated as so. Commissioner Burton asked if Mr. Bainbridge had a chance to look at those. Mr. Bainbridge responded he had not as Angie was out of the office the last half of last week, stated we will be doing some comparison of them and by the next commissioners meeting we will have reviewed them. Commissioner Burton stated the last he had heard the County Treasurer said she would be up to speed by the end of this month asking if the Auditor had heard anything. Mr. Bainbridge responded that only what they had in hand had not heard anything about 2017.

Commissioner Bardsley made a motion to receive the Grant County Treasurers amended monthly reports January thru December of 2016. Second from Commissioner Mowery; motion carried 3-0.

Commissioner Burton explained we have the Weights & Measurers report for July 16<sup>th</sup> to August 15<sup>th</sup> with the number of inspections that have been made by the Director of Weights & Measurers for Grant County.

Commissioner Mowery made a motion to receive this report. Second from Commissioner Bardsley; motion carried 3-0.

Commissioner Bardsley stated he and Mr. Mowery had the opportunity to sit down with Mr. Fleming this morning and received some good information, there may be in the future some need for some new equipment which he hinted to the Council during the budget process, but he may need to work with us on how to get that.

### **IT Department**

Kevin Hicks-Explained TC alerted him this morning that our long distance bill from AT & T was astronomically high \$2600.00, so he contacted Jim Karnes our AT&T representative who found out our Long Distance Contract had expired in July. Now you have a copy of a new contract, 2 year term and will lock our permanent rate in at 4.5 cents per minute instead of 45 or 46 cents per minute. Once the contract is approved and Mr. Karnes receives it back he will work to rebill for this month and he will ask that last month be rebilled as well.

Commissioner Bardsley moved to approve the Long Distance Contract with AT&T as presented. Second from Commissioner Mowery; motion carried 3-0.

Mr. Hicks added that they are working with Presidio to upgrade the phone system in the Community Corrections building; all the devices are in and will be deployed on September 26<sup>th</sup>. They are working with AT & T on this as well.

### **Highway Department**

Highway Superintendent David White stated he had updates on a few things:

At the Recycle Center, we have noticed an increase on TV's and Computers/Monitors being brought in and are requesting to increase the prices for a TV from \$5 to \$10 and begin charging \$5 for monitors, computers and copiers.

Commissioner Mowery made a motion to go along with the price increase and added that he had taken a couple TV's and other things in and was very impressed with the employees' attitudes and the appearance of the facility was very sharp. Second from Commissioner Bardsley; motion carried 3-0.

Superintendent White stated he had submitted a letter to the County Council for some transfers and filling a position that became vacant. The transfers are to get through the budget for this year.

Superintendent White stated the salt building footer is done and working on pouring the walls, have been dealt with Clearspan on the building going on top of the concrete, it was bought through a national bid assistance program, and we have a contract with them to do the building for \$86,092.18. Wants to get it approved pending approval from Kyle.

Commissioner Bardsley made a motion to approve the Clearspan contract as presented with final approval from the attorney. Second from Commissioner Mowery; motion carried 3-0.

Superintendent White discussed the Railroad Ordinance for Stop Signs to be removed and the responsibility for placement of yield or stop signs belongs to the railroad companies.

Motion by Commissioner Bardsley to approve Ordinance #7-2017 Ordinance of the Board of Commissioners of Grant County, Indiana, Amending the Grant County Code Traffic Schedules for Signs at Unprotected Railroad Crossings in Grant County as presented. Second from Commissioner Mowery; motion carried 3-0.

Mr. White stated he had an update on the Community Crossing Grant we should be receiving the monies if granted within the next few weeks. They are still working on the County Auction set for October 6, 2017 at 10:00 am. All the Chip Sealing has been completed for the Town of Fowlerton.

Superintendent White explained he needs a signature for the compliance on the parcel #1 for the Garthwaite Road project, and also the addendum on the contract with Yasmine Stump.

Commissioner Bardsley stated the Tipton County no action is needed just Mr. Burton's signature. Commissioner Burton signed as requested.

Commissioner Bardsley stated after discussions with Superintendent White, Mr. Mowery and the Attorney. He would move to approve the amended contract for legal services with Yasmine Stump as presented. Second from Commissioner Mowery; motion carried 3-0.

Superintendent White stated that he has contacted two asphalt companies for the complex parking lot and will get with Commissioner Mowery as to when it is scheduled. Mr. White added that the 500 North Bridge is going really well they are hoping to pour the concrete the end of this month or beginning of next month.

Commissioner Bardsley inquired as to where we are on the Stone Road Bridge. Mr. White stated that they dragging the pilings on the North side, have already done the South side and in the creek. It is right on schedule also.

### **Old Business**

A. Credit Card Resolution-Commissioner Burton explained it is all set to be approved but wants to get clarification on one item from the attorney and wasn't able to do that this morning so going to table this until the Monday, October 3<sup>rd</sup> meeting.

B. Health Department-Dale Carr explained they already had the approval of their attorney prior to it coming to the Commissioners so just needs approval and signatures. Commissioner Bardsley stated he is happy to move the approval of Ordinance 8-2017. Model Retail Food Establishment and/or Bed and Breakfast Establishment Ordinance as amended. Second from Commissioner Mowery; motion carried 3-0.

C. EMS-Remount Proposal For Ambulances-Commissioner Burton explained he was provided the information on the Ford rebate which was approximately \$4,800 per unit. That makes the total per unit around \$116,000 and the total loan to a little over \$400,000. Mr. Ashcraft had the one quote on a five year loan, so he contacted Mutual and Star Banks who are going to give a quote which will hopefully have by September 25<sup>th</sup>. It will have to be published so it can go to the County Council because it is a five year loan they will have to sign off stating they will guarantee that appropriation for five years.

D. Trenching Ordinance-Commissioner Bardsley who is the President of the Drainage Board explained the Drainage Board had been working with the Highway Department and the County Attorney for the last year on this Ordinance, looked at models from Howard and Madison Counties. It is an Ordinance Establishing Procedures for Digging or Trenching in County Property. The problem has been the utility companies fail to give landowners warning that they will be in and working in their right of way and our right of ways, so this requires any utility work being done go through the Highway Department to make sure they give proper notification and they trench it in and not vibrate it in. This comes with a full recommendation from the Drainage Board for the Commissioners to approve this Ordinance for Grant County. Commissioner Bardsley moved the approval of Ordinance #9-2017. Second from Commissioner Mowery; motion carried 3-0.

Commissioner Burton backed up to the EMS-Ambulances it will be a five year loan, the initial price was \$121,615.00 each with a discount of \$2600.00 each and the Ford rebate is \$4800.00 each bringing the total to \$116,915.00 each total for the 4 will be \$467,660.00. We are getting quotes for the loan and may save some interest money.

### **New Business**

A. East Central Indiana Regional Planning District- Executive Director, Bill Walters, explained at the last quarterly meeting Commissioner Burton requested that they give an update on ECI the region and more specifically what is going on in Grant County. Mr. Walters

presented the Commissioners with a packet and discussed the Board has moved to an I-69 Steering Committee, as a group decided that is one of their main focuses. When on the annual fly in trip in conversation with the Department of Transportation in Indiana they would like to see I-69, I-70 & I-74 go six lanes border to border. They are currently working with staff in DC, and INDOT to find additional funding to try and get that done. The DC fly in took place in June, Commissioners Burton & Mowery attended as well, this year they were better prepared with projects, finding specifics & grants towards the projects. Currently working on (2) EDA and (2) USDA grants out of those meetings and are looking into getting EPA grants in 2018. In Grant County they have been involved in the Riverside Credit Union, Plaza Bowl, Reed Service Station, Boots Dry Cleaner, Former K-Mart (environmental assessment), Community Visioning Session set up by OCRA for the Sweetser area, James Dean High School (environmental assessment) and worked with OCRA for the demo., Pierce Governor in Upland (EPA assessment grant), Helped establish TIF district framework for Upland, Opioid Treatment Facility with (VOA Staff Volunteers of America). Completed Community Crossing Grant for Swayzee. Spoke in Jonesboro on creating a TIF district. In Fairmount (Annexation/TIF assistance and advice regarding Dollar General), Helping Hands and YMCA (Brownfield Technical Assistance). In 2018 will be having Community Visioning Sessions for Van Buren & Matthews, Working with Fairmount on the Main Street project, Road Funding, DC Fly-in & EPA Grant.

Brad Bookout-ECI thanked Commissioners Burton & Mowery for their participation and invited Commissioner Bardsley to participate in DC fly-in next year if possible. It does give the County the chance to get up to date information on Federal Funding priorities that are ever changing. Mr. Bookout explained they did complete a County Wide Visioning Session for Elected Officials on September 12, 2017 and are working on their wish list projects. Councilman Shane Middlesworth attended and he brought up getting some Welcome to Grant County signage along I-69 and mentioned that the Coroner his having some issues trying to expand the Morgue, so we made some calls and passed along some information to him. Their organization does do technical assistance, not just grants. Working with the Town of Fairmount on options and funding available to them from (OCRA) the Office of Community and Rural Affairs and the Grant County Community Foundation. They are waiting to hear back from Steve Kelley from Sweetser on where street lights need to be and assist with obtaining a grant for those. At the request of Commissioner Burton they did reach out to Tim Eckerle regarding EDA funding and would really like to do an EDA Grant in Grant County. Maybe looking into an EDA Funding to help with the Washington Street Bridge. In their quarterly meetings the have speakers from State Government organizations and offices or Federal offices and the elected officials one from each town board, a county council member and appointed Mr. Burton can attend and share the best practices with other elected officials from other counties in the region. Mr. Burton asked what counties compose the Planning District. Mr. Bookout stated Delaware County, Portland, Jay County was part of it, Henry County joined for 1 year, Madison County has expressed interest, and with the steering committee for I-69 they have had conversations with Hamilton County. They would like the counties along the I-69 corridor to all be members of those only 2 are now that being Delaware and Grant Counties. Commissioners Burton & Mowery commented as to how informative the DC trips are.

B. Approve Janitorial Training-Commissioner Burton explained that the Commissioners felt there is a need to be more efficient in our janitorial staff and after looking at 3 different companies to provide training for the janitorial staff, the Commissioners have agreed to use Dawn's Cleaning Solution the President Dawn Conwell is present. It will be a 3 month agreement starting October 2<sup>nd</sup> to the end of the year. The cost will be \$25 per hour up to 100 hours per month. We will be making a change in the contract and Commissioner Bardsley explained it is under interviewing to make it clear the interviewing and hiring of new staff would be at the sole discretion of the Commissioners. Commissioner Burton asked if Dawn if she had anything to add, she asked if there were any questions from her proposal. Commissioner Bardsley stated that in their discussions they were very impressed in how she planned on training the personnel; with the recent change in our leadership and supervision they didn't have that expertise. Commissioner Burton stated they would also add to the agreement that she would work with our Maintenance Director Vince Beneke and keep him apprised during this process. Commissioner Mowery made a motion to approve pending the attorney revision, and stated he was impressed with her documentation. Commissioner Bardsley supported the motion; motion carried 3-0.

C. Approve 2018 Holiday Schedule-Commissioner Burton read off the holidays for 2018 New Year's Day, Martin Luther King Day, President's Day, Good Friday, Primary Election Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Election Day, Veteran's Day, Thanksgiving and Christmas. In addition the Employees get their Birthday off Commissioner Bardsley moved to approve the 2018 Holiday Schedule as presented. Second from Commissioner Mowery; motion carried 3-0.

D. Approve New Veteran's Affairs Officer- This position was posted on the website and we received 7 applications, interviewed 4 persons and hired Brad Hodson of Converse, he is a veteran of the armed forces, and shares our desire to do everything possible to get the veterans the benefits they are entitled to. Commissioner Mowery made a motion to hire Brad Hodson as our Veterans Affairs Officer effective October 1<sup>st</sup>. Second from Commissioner Bardsley; motion carried 3-0.

E. Area Plan-Variance Requests -Director, Larry Strange explained the staff is presenting these request for a Favorable, Unfavorable or No recommendation to the Board of Zoning Appeals that will hear these at a meeting on October 2<sup>nd</sup> and they have the final say as to whether the request are approved.

Mr. Strange started with Variance request 17BZAB-17 Stephen Mughmaw, 2607 N Orchard Rd, Marion IN 46952. To allow for a 5 foot set back from a side yard instead of the required 18 foot set back in a Residential 1 Zone. If granted it will run with the land, wants to place a storage shed on the property, it is much wooded has irregular grades and a buried electric line in the path of the desired location for the shed which could be used and meet our setbacks. I & M has encouraged him to avoid this, he would be responsible for payment of any problems with the electric line. After reviewing the site staff recommends that this request NOT be approved, the

setback request is much greater than 50% than required. Staff believes other solutions should be considered within the limits of the County Code.

Stephen Mughmaw spoke explaining that I & M told him he needed to stay 3 feet away from the electric line in case work needs to be done. 18 feet puts him over it, 5 foot does that and 10 foot puts him close to it but puts it into a ravine area and he is afraid the base may wash away. Commissioner Bardsley inquired if there were any drainage issues encroaching on any private or county drains. Mr. Mughmaw explained it was all ravines and hills in there.

Commissioner Burton explained that regardless of how they would rule today the Board of Zoning Appeals could go the opposite way. Mr. Mughmaw added that the structure has to be anchored so the 3 foot from power line would make him more comfortable doing that. Some discussion took place on how the neighbors felt.

Commissioner Bardsley made a motion to give a Favorable Recommendation. Second from Commissioner Mowery; motion carried 3-0.

Mr. Strange explained the next Variance request is at 303 E Howard, Sims, to allow for a storage building to be placed on a lot in an R3 zone district before a principal residence. Petitioner is Julie Clark. Mr. Strange explained that there is a structure currently on this lot and Area Plan has an Unsafe Building case against. The Petitioner has agreed to demolish the residence and remove it then wants to put a storage building on the property which would be in violation of the code that states you have to have a principal residence on a property before a storage building. Again if granted it will run with the land. Ms. Clark is present. Mr. Strange added that her father lives next door and keeps lawn mowers in there to maintain the property. Staff has visited the site and reviewed and recommends that this request NOT be approved. There was a request that was approved recently for a barn to store antique tractors and there was a house on the property that they did not intend to live in, the difference is we did not have a case against that property, we have a case against this one and sure Ms. Clark would agree the house needs to come down. Commissioner Mowery inquired as to if a demolition order had been issued. Mr. Strange explained we have not gotten to court yet but eventually would.

Ms. Julie Clark spoke explained that it was left to her by her Grandfather 25 years ago and their concern is her Step Father is the President of the Park Board in Sims and stores all the mowers in the house and were hoping to get a storage shed before the house is tore down.

Commissioner Mowery inquired as to if it was her intent is to take the house down. Ms. Clark explained she has spoken with Mr. Highley and it is scheduled to be taken down the 3<sup>rd</sup> week of October. Commissioner Mowery stated he is familiar with the area and does not see a detriment to that Community, however wanted to make sure she understands that our recommendation does not dictate what the BZA does.

Commissioner Mowery made a motion for a Favorable Recommendation. Second from Commissioner Bardsley; motion carried 3-0.

Commissioner Burton explained we were going to take a brief recess at 3:10 pm.

Commissioner Burton called the meeting back to order at 3:16 pm.

F. Approve AT & T Contract-Commissioner Bardsley explained that the ten year term with AT & T regarding our Enhanced 911 Service agreement is coming to an end, we have been in negotiations with AT & T and working with our Attorney we have come to an agreement with AT & T and a contractual agreement with AT & T Capital Services to pay over a 10 year period the entire contractual agreement amount of \$1,444,000.00. Capital Services will pay AT & T up front and we will have 120 months of payments which will be paid quarterly \$47,881.23.

Commissioner Bardsley made the motion to approve the Enhanced 911 Service Agreement provided by AT & T and approved by our Attorney. Second from Commissioner Mowery; motion carried 3-0.

Commissioner Bardsley made a motion to approve the AT & T Capital Services Agreement which will require the Quarterly payment of \$47,881.23 over the 10 year period. Second from Commissioner Mowery; motion carried 3-0.

G. Job Source, Appoint Board Member-Vincent Smith explained that Job Source is required by law as the Community Action Agency for Madison and Grant Counties to have a tri-pod type Board. The Board is to be 1/3 either publically elected or appointed by an elected official. In 2011 Job Source was granted the Community Service Black Grant for Grant County after ACTION was closed out of Delaware County. Wanting to make sure Grant County is adequately represented.

Commissioner Bardsley inquired as to the requirements, and discussed meetings.

Commissioner Burton asked if either of the other Commissioners would be interested.

Commissioner Mowery stated he personally has all the committees he can do at this time, but would be interested in the list of parties he has available, all the Commissioners agreed to look at his recommendations and get back with him.

H. DeWayne Rogers-Commissioner Burton asked if he was present and he was not.

#### **Public Comment**

None

Commissioner Burton stated the next Commissioner Meeting will be Monday, October 2nd and recessed the meeting at 3:26 pm.