

**COUNTY COMMISSIONERS**  
**REGULAR SESSION**  
**January 7, 2019**

The Grant County Board of Commissioner's met in regular session on January 7, 2019 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 Jim McWhirt, HR Director Tammy Miller and Financial Deputy Patti Pyle.

Commissioner Burton called the meeting to order at 2:04 p.m.

Commissioner Bardsley led in prayer.

Commissioner Mowery led the Pledge of Allegiance.

Commissioner Burton welcomed the new Grant County Auditor Jim McWhirt.

**Claims**

Commissioner Bardsley made a motion to approve the preapproved invoice edit report #11324 in the amount of \$9,178.99. Second from Commissioner Mowery; motion carried 3-0.

Commissioner Bardsley made a motion to approve the current invoice edit reports #11335 and 11336. Second from Commissioner Mowery; motion carried 3-0.

Commissioner Bardsley made a motion to approve the single preapproved claims as follows: SES Environmental \$1600.00, Thompson & Sons Body Works Inc. \$1000.00, Star Equipment Finance \$44,476.07 and Nancy Bender \$181.25. Second from Commissioner Mowery; motion carried 3-0.

Commissioner Bardsley made a motion to approve the single preapproved claims as follows: Elect RX \$1911.50, Marion Municipal Utilities \$5470.08, Thompson Fire & Safety Supplies \$109.50, Vectren Energy Delivery \$21.69, Vectren Energy Delivery \$2371.24, Gas City Utilities \$325.53, AT&T \$2489.76 and AT&T \$1759.52. Second from Commissioner Mowery; motion carried 3-0.

**Minutes**

None

**Payroll**

Commissioner Mowery made a motion to approve the current payroll for January 11, 2019 pending the total amount. Second from Commissioner Bardsley; motion carried 3-0.

Commissioner Bardsley made a motion to approve the payroll for December 28, 2018 in the amount of \$487,305.00 as it was preapproved. Second from Commissioner Mowery; motion carried 3-0.

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

Auditor Jim McWhirt discussed the standard mileage rate currently at .565 however the IRS rate is going up to .58 effective 1-1-19 we may stay the same or suggested we go to council and request that our rate changes as the IRS rate changes.

Mr. McWhirt mentioned as FYI, the State is requiring that the MVH Fund (#1176) monies be split so that 50% is restricted for construction/reconstruction which will be a sub-fund (#1173), noting that all monies are currently budgeted in the #1176 fund. Highway Superintendent David White added that he is in contact with the State regarding this and will relay any information he receives.

Auditor McWhirt explained he as the new Auditor is requesting to change the name on the Auditor's Star Credit card account from the preceding Auditor Roger Bainbridge to himself and is working with Star Financial now to accomplish. Commissioner Burton explained the policy for credit cards is that the request goes to him as the Auditor and in turn he will bring it to the Commissioners, so he can follow-up with the paperwork as received.

Commissioner Bardsley made a motion to approve the request of the Grant County Auditor. Second from Commissioner Mowery; motion carried 3-0.

### **IT Department**

None

### **Highway Department**

Superintendent David White stated he had received a letter from Brooks Construction who was the 2018 Asphalt bid winner that they will be holding their rates for 2019 the same as 2018 as they were unable to get a lot of our paving done. Discussed why which was weather and their scheduling. Commissioner Bardsley asked if the funds from last year were encumbered. Mr. White explained 1.3 million in work was projected to do with them and he had turned in the paperwork for the funds to be encumbered.

Mr. White has an agreement with INDOT on the unofficial detour for State Road 26 at I-69 to the Grant/Blackford County line. It goes from 700 E north of State Road 26 to County Rd 700 S and back just south of Taylor University back up to State Road 26.

Commissioner Bardsley made a motion to approve the Unofficial Detour for State Road 26 as presented. Second from Commissioner Mowery; motion carried 3-0.

Superintendent White stated a check was received from the Solid Waste District at the end of last year and it has been deposited.

Mr. White explained they have a Dump Truck for sale that the Gas City Electric Department is interested in purchasing and he recommends it be sold for \$5,000.00.

Commissioner Mowery made a motion to proceed with the sale as recommended. Support from Commissioner Bardsley; motion carried 3-0.

Superintendent White opened and read the Stone & Fuel Bids:

Dawson Enterprises-Marion IN-Fuel Unleaded-\$1.68885 and On Road-\$2.556

Co-Alliance – Fuel – Unleaded \$1.42 and On Road \$1.63

Petroleum Traders-Fort Wayne IN – Fuel – Unleaded \$1.2229 and On Road \$1.5526

Irving Materials, Inc.-Peru IN-Stone-#11 \$12.70 and #53 & #73 \$1.30

Mr. White stated he would like to take all under advisement and will bring back a spreadsheet of this year with comparison of 2018.

The Commissioners agreed by consensus take the bids under advisement.

### **Old Business**

None

### **New Business**

1. SRI-Joe Edwards presented the tax sale list of parcels (403) now owned by the Commissioners as a result of the last tax sale in the fall and they represent approximately a half million dollars in back taxes. Mr. Edwards is requesting a Resolution be passed to hold a Commissioner Certificate Sale with the minimum bid of \$200.00 with no changes to the contract from previous years. Commissioner Burton explained the minimum bid and stated that we have worked with SRI on this for many years.

Commissioner Mowery made a motion to approve Resolution 1-2019 for a Commissioner's Tax Certificate Sale. Second from Commissioner Bardsley; motion carried 3-0.

Commissioner Bardsley made a motion setting the minimum bid for the Commissioner Certificate Sale at \$200.00 and that SRI present a timeline at which time the President can enact the timeline. Second from Commissioner Mowery; motion carried 3-0.

2. Gas City Mill Township Library Appointment-Commissioner Burton explained the Director Jessie Brown has recommend Teresa Fratus.

Commissioner Bardsley made a motion to approve Teresa Fratus appointment to the Gas City Mill Township Library for a 4 year term beginning January 1, 2019 as presented. Second from Commissioner Mowery; motion carried 3-0.

3. Visitors Bureau – Requesting (2) 2 year appointments to the Grant County Convention, Recreation and Visitors Commission and nominating committee recommending the reappointments of Mark Sullivan, and Patricia Edwards starting January 1, 2019.

Commissioner Bardsley made a motion to approve both appointments, Mark Sullivan and Patricia Edwards as presented. Second from Commissioner Mowery; motion carried 3-0.

4. Community Corrections Advisory Board Appointments-Chris Cunningham explained these reappointments and are 4 year terms starting January 1, 2019.

Commissioner Bardsley made a motion to approve Alex Huskey as the Education appointment and Bruce Elliott as Public Defender appointment to the Community Corrections Advisory Board each for a 4 year term starting January 1, 2019. Second from Commissioner Mowery; motion carried 3-0.

Commissioner Burton explained the Commissioner's appointment to the Board of Zoning Appeals is resigning due to work related obligations, so we will need to keep that in mind.

5. East Central Indiana Regional Planning District-Commissioner Burton explained the district consist of Grant, Delaware, Blackford and Jay Counties. The Commissioners appointment has been Mike Burton along with the Council appointment of Shane Middlesworth and both are willing to continue another 1 year term.

Commissioner Mowery made a motion to approve appointments of Mike Burton and Shane Middlesworth to the East Central Indiana Regional Planning District. Support from Commissioner Bardsley; motion carried 3-0.

6. Employee Smoking Area Ordinance-Commissioner Burton explained this is not concerning the Smoking Ordinance sent to the Commissioners from the Health Board, it is an Ordinance for employees of Grant County Government, which stipulates smoking can only take place in designated areas which at the Court House is the pavilion on the Southeast Corner. Employees have been smoking in the walkways on the Northside of the building (State Road 18) and over the years the Commissioners have had complaints from the public that they do not like to walk through the area that is a haze of smoke. Mr. Burton read a letter received:

*"This serves as a written formal complaint regarding the smoking that takes place outside the north and south exits of the Health Department. Since my children have been infants it's been beyond infuriating to have to walk or carry them through the thick curtain of smoke to enter the Nursing Division for their vaccinations. The irony of having to take them through cigarette smoke to enter the Health Department doesn't escape me. It's honestly baffling to me that this is allowed to happen. Please consider revising this policy, especially for the health of our community". It is signed by a member of the public.*

Commissioner Burton stated he has had several complaints about this since he became Commissioner in 2011 from the public and the Health Department. The Commissioners have placed a gazebo between the complex and the D Home which will be the designated smoking area for both buildings. Because this Ordinance can impose fees (read from the Ordinance)

*Anyone found in violation of the conditions stated in this Ordinance shall be subject to a fine not exceeding (\$100) for a first violation, a fine not exceeding (\$200) for a second violation and a fine not exceeding (\$500) for each additional violating along with being responsible for the cost of any and all court costs and attorney's fees, if applicable to enforce this Ordinance. Each and every occurrence may be treated as a separate violation.*

Commissioner Burton explained following the state statute we will publish the ordinance 2 times in 2 newspapers 1 week apart prior to it becoming effective.

Commissioner Bardsley stated he has had many complaints about this smoking tunnel, feels it is important that we protect the public moving in and out of the building, it is also important that we have a designated area for employees so that we are not sending them off of County property during their work hours. Commissioner Mowery concurred with Mr. Bardsley.

Commissioner Burton stated that this is not a public hearing however if anyone would like to speak you are invited to come forward. There was no request to speak.

Commissioner Bardsley made a motion to approve the employee smoking area ordinance, Ordinance 1-2019 as presented. Second from Commissioner Mowery; motion carried 3-0.

Commissioner Burton stated they will follow through with notification by email what is happening and enforcement. Commissioner Mowery added that Vince is looking into adding a removable shield for inclement weather.

7. Public Hearing-Sale of the SALIN Bank Building-Commissioner Burton explained the building was obtained in hopes of housing Central Dispatch that hasn't worked out. Currently Marion Design is housed on the 1<sup>st</sup> floor, and upon sale they will have to work out an agreement with the new owner. This is a Public Hearing that was published in the Chronicle Tribune and the News Herald and if anyone would like to speak in regards to this matter you may step forward.

- Henrik Soderstrom-Marion Design Company stated on behalf of Marion Design Company he wanted to express their gratitude for the opportunity to have been in the space and the work the interns have been able to do for the community, and hope they are able to remain occupants. Commissioner Burton stated he hopes they will be able to work something out with the new owners.

Mr. Burton asked if anyone else would like to speak, heard none and closed the public hearing. Commissioner Burton stated they will be publishing the Notice of Public Sale in both the Chronicle Tribune & News Herald on January 9<sup>th</sup> & 16<sup>th</sup>. The Commissioners will take Bids January 8, 2019 through February 18, 2019 and the Sale/Auction will be held at the Commissioners Meeting on Tuesday, February 19, 2019. The Commissioners had to obtain 2 appraised values which were around \$430,000.00 and are setting a minimum bid of \$200,000.00. Commissioner Bardsley made clarification that anyone who wants to be in on the bidding process would have to have submitted a bid within the deadline prior to the Auction.

Commissioner Bardsley made a motion to approve Resolution 2-2019 for the Sale of the Salin Bank Building. Second from Commissioner Mowery; motion carried 3-0.

Commissioner Burton stated it is not on the Agenda however the Health Board approved a ban on smoking and forwarded it to the Commissioners and Commissioner Bardsley stated at the next meeting January 22<sup>nd</sup> they will have a full recommendation to send back to the Health Board with multiple things for them to consider prior to the Commissioners enacting anything. Commissioner Mowery verified there will have an open discussion at the next meeting.

Commissioner Bardsley explained that the Commissioners are required by law to have a Board of Finance Meeting annually in January, he has spoken with the Treasurer, Tiffany Griffith and are in agreement for that to take place at 3:00 pm on January 22, 2019.

Commissioner Mowery made a motion to approve the Board of Finance Meeting on January 22, 2019 at 3:00 pm following the Commissioners meeting. Second from Commissioner Bardsley; motion carried 3-0.

### **Public Comment**

Wayne Valentine, 5620 S 1050 E Upland IN 46989 Explained he was here last year and suggested the Commissioners look into passing something for usage of ATV/UTV's and is checking to see if anything had been considered.

Commissioner Mowery said they have been working on an Ordinance that is close to being completed and some action should be taken within the first quarter of this year.

Commissioner Burton stated that the Commissioner's meetings are the first and third Mondays of each month however January 21<sup>st</sup> is a Holiday so the next Meeting would be Tuesday, January 22, 2019 and recessed the meeting at 3:00 pm.