

COUNTY COMMISSIONERS
REGULAR SESSION
MONDAY DECEMBER 7, 2020

The Grant County Board of Commissioners met in regular session on Monday, December 7, 2020 at 10:00 a.m. in the Grant County Complex Council Chambers at 401 South Adams Street, Marion, Indiana.

In attendance were Commissioner Mark Bardsley, Auditor Jim McWhirt, and County Administrator/HR Justin Saathoff. Commissioner Ron Mowery and Commissioner Mike Burton joined via WebEx as allowed by the governor's continued state of emergency during the COVID-19 pandemic.

This Grant County Commissioners' meeting was called to order at 10:00am by Commissioner Bardsley. The prayer was led by Commissioner Bardsley and followed by the Pledge of Allegiance led by Auditor McWhirt.

CLAIMS

11/23/2020 preapprovals – general \$194,702.38, other \$19,898.90, highway \$1,816.28 = \$216,417.56,

11/30/2020 preapprovals – general \$42,319.00, other \$55,508.29, highway \$72,423.77 = \$170,251.29.

11/30/2020 single preapprovals – Pyramid \$120,457.60, Vectren \$116.78, Gas City Utilities \$773.28, Spectrum \$66.45, Star Card \$2395.73, and Star Card \$1,890.35.

Commissioner Mowery made a motion to ratify all preapproved claims as presented. Seconded with support by Commissioner Bardsley due to an internet disconnect with Commissioner Burton; motion carried.

12/07/2020 – general \$362,281.70, other \$45,221.61, highway \$367,730.09 = \$775,233.40.

Commissioner Mowery made a motion to approve the claims as presented. Seconded with support by Commissioner Bardsley; motion carried.

PAYROLL

Payroll #24 was approved on 11/23/2020 in the amount of \$525,892.45 and paid out on 11/25/2020.

Commissioner Burton made a motion to ratify payroll #24. Seconded with support by Commissioner Mowery; motion carried.

MINUTES

None

RECEIPT OF MONTHLY REPORT, WEIGH AND MEASURES 10/16/2020 TO 11/15/2020

and

RECEIPT OF MONTHLY REPORT, CLERK OF THE CIRCUIT COURT MONTH ENDING 10/31/2020

Commissioner Mowery made a motion to receive both reports. Seconded with support by Commissioner Burton; motion carried.

COMMUNICATIONS & BOARD UPDATES (ELECTED OFFICIALS, BOARD, SPECIAL COMMITTEES)

Jim McWhirt, Auditor – Auditor McWhirt stated that “we have received the capital lease agreement contract from US Bank. It does need reviewed and was sent to Commissioner Bardsley, Councilman Shane Middlesworth, Attorney Kyle Persinger, and Attorney Phil Stephenson for review and will need approved in a timely manner.” Commissioner Bardsley said that before signing the agreement, finances need to be in place. Council has already given approval. Commissioner Bardsley stated that “we have

already approved this pending finances.” Signatures are just needed at the point. Auditor McWhirt again stated the need to finish up this month. The pricing is good until January 10, 2021. All Commissioners are in agreement.

Justin Saathoff brought to the board’s attention that a protocol needs to be put in place between offices with the appointments due to COVID restrictions. Offices need to call ahead to other offices if they have a patron that needs to do business in a different department. “We need to make sure that offices have availability to provide services to patrons before sending them there.”

IT

None

HIGHWAY

David White, Superintendent

1. The bridge plans for Pennsylvania Street go up for bid on March 7, 2021. It will be closed during this week from 8 am to 4 pm to remove a gas line before the actual bridge project gets started. All local businesses in that area have been contacted to let them know the bridge will be closed.
2. Mr. White requested to set the stone and fuel bids opening for January 4, 2021. The Commissioners agreed with that date.
3. Bridge #93 on 700 East is complete and open to traffic. The final inspection was last week.
4. Bridge #789 on 10th is still going through design changes. This should be completed by the first of the year. The sidewalk on the north side is currently 12 ft. wide. The plans are to make it smaller.
5. Mr. White has not heard back from the 2nd round of the Community Crossing Grant. This would be for the Washington Street Bridge and about seven miles of paving in Grant County.
6. The 38th Street Bridge patch work project was quoted in the amount of \$3,400.00 from Hoosier Pride. This needs to be completed before winter. This will be done on a weekend when there is less traffic.
7. The bridge inspection scoring should be done this week. This is for 2021-2024. There are five consulting firms that applied for this.
8. Truck Inspection is about 95% done.
9. Mr. White requested to submit an agreement to Kyle for review. The Highway department currently uses Disa for their drug and alcohol program and CDL testing. Mr. White requested to switch to ITI out of Indianapolis. They are cheaper and overall service has diminished with Disa. There may be a few things in the agreement that the county may not agree on so it should be reviewed by Kyle. No objections by Commissioners.
10. Bridge #39 at 100 E and 250 N has been closed all summer long due to a hole in the deck. The deck is not worth repairing. The whole bridge needs replaced. Mr. White requested to set up a contract with United to get the county permits and design. This is the same design that was just completed on 700 E (70 ft long and 28 ft wide). All Commissioners were in agreement to move forward with United on the project.
11. Commissioner Mowery asked if making a purchase of a new excavator would be in good interest for the river (log jams) and demolishing tall houses. Mr. White stated that the river takes a special long one and it would be cheaper if Area Plan was willing to pay to rent one to do the bigger houses. There is a local contractor that rents by the hour for a fair price and this will save money.

OLD BUSINESS

NONE

NEW BUSINESS

1. Central Dispatch Update, Michael Clayton
 - a. Mr. Clayton presented a change in the policy for time off that would establish two time off policies. One would be for anyone who came over to dispatch as part of the merge. This policy will reflect what the Sheriff department uses. The second policy would be for individuals hired after the date of 6/8/2020 and will reflect the county handbook as far as time off. This matter will be tabled until the 12/21/2020 Commissioners' meeting.
 - b. The Priority Dispatch System Implementation Agreement has been reviewed by the county attorney, Kyle Persinger. There were some negotiations between Kyle and Priority. Mr. Clayton presented the agreement and the quote. The first payment to enter into the agreement is \$55,306.00. This covers software, training, licenses, and equipment. Some funds will need transferred, but the funds do exist. Commissioner Mowery made a motion to approve the requested amount of \$55,306.00. Seconded with support by Commissioner Burton; motion carried.
 - c. Mr. Clayton requested requested payment for a J&K Communication Inc. invoice received in the amount of \$2,043.75 for work performed. This will be paid from the E911 fund maintenance & repair. This work was done to find a short in a cable on the fire band side. Commissioner Mowery made a motion to approve the request. Seconded with support by Commissioner Burton; motion carried.
2. Condor Addendum Proposal - Kathy Foy, Recorder – Ms. Foy presented an addendum to the original contract with Fidar. This addendum would add the company Condor. This company helps with indexing, if she elects to use them. This has been reviewed and approved through Kyle Persinger and just need signatures from the Commissioners. This would be paid from the perpetual account. This is a needed contract due to the project being a projected 26 year project. The Recorder's office and staff is doing some of the indexing internally but Condor can help to achieve a quicker end date. Commissioner Burton made a motion to approve and except the contract for signing as presented, a second with support by Commissioner Mowery; motion carried.
3. Request for Claims Extension - Chris Cunningham, Corrections (via WebEx) – Mr. Cunningham requested to be able to turn in claims until the end of 2020 due to grant that he will be receiving. Allowing this would bring the Corrections department to a zero balance. All claims will be presented in a timely manner. Most of the grants have been based on a fiscal year. This particular grant is based on a calendar year. Commissioner Burton made a motion to give permission to put in claims in until December 31, 2020 to deplete the grant funds. Seconded by Commissioner Mowery; motion carried.
4. Application for Development Standard Variance - Brenda Harrison, Area Plan - Billy Gibson of property location 651 E. 950 S, Fairmount, Indiana 46928, requested to construct a pole barn to be used as a garage. The measurements are 30 ' wide x 60' in length. The petitioner requested a 10' setback instead of the required 25'. There has been no concern brought forward by the neighbor. Commissioner Mowery made a motion to give a favorable recommendation. Seconded by Commissioner Burton; motion carried.

5. Application for Development Standard Variance - Brenda Harrison, Area Plan - Kevin Pratt of property location is 9172 E 300 South, Marion, Indiana 46953, requested a setback variance of 5' from the east side of the property line instead of the required 25'. There is only a wooded area to the east. Commissioner Mowery made a motion to give a favorable recommendation. Seconded by Commissioner Burton; motion carried.
6. Application for Development Standard Variance - Brenda Harrison, Area Plan - Cheryl Detamore of property location 9977 W 141N-27, Converse, Indiana 46919, requested to build a garage in the front yard. This would be 23' from the right of way line. David White was asked if this would cause a problem due to the right of way. Mr. White stated that he sees no concerns or issues. Commissioner Burton made a motion to give a favorable recommendation. Seconded with support by Commissioner Mowery; motion carried.
7. Application for Special Exception - Brenda Harrison, Area Plan - Douglas Tinsley of property location 3675 E 100 N, Marion, Indiana 46952, requested to have two residences on one property. There is a duplex in a residential commercial zone. They have already installed a kitchen as a room addition that is a mother and father in-law living quarters. The Tinsley's never came to the planning department and it is already there. According to state code, if there is no kitchen in it, you can consider it a guest house. However, there is a kitchen already installed. They do not want to get rid of the kitchen area. No fines have been issued at this time. All this was built without proper permits. The kitchen would not have been allowed. Commissioner Burton made a motion to give an unfavorable recommendation unless a fine is put into place. Seconded with support by Commissioner Mowery; motion carried. Commissioner Bardsley did state that if we give forgiveness to one then we have to do for all, so once the fine has been attached then they may proceed forward.
8. Annual Certification, County Contract Disclosure Policy - Justin Saathoff, Administrator – All members of the council have already signed this. The Commissioners are to sign and return by the end of the year.
9. Annual Certification, County Nepotism Policy - Justin Saathoff, Administrator - All other elected officials have already signed this. The Commissioners are to sign and return by the end of the year.
10. Ratification of Preapproval for Emerging Infectious Disease Plan - Mark Bardsley, Commissioner - Bruce Bender worked on this plan to get everything up to date. This is a requirement by the health board and has since been submitted to the state. Commissioner Burton made a motion to ratify the preapproval. Seconded with support by Commissioner Mower; motion carried.
11. Request for Appointment - Mark Bardsley, Commissioner – This is a four year appointment to the Van Buren Public Library Board. It would be for July 31, 2020 through July 31, 2024. Commissioner Mowery made a motion to reappoint John Brane as requested. Seconded with support by Commissioner Burton; motion carried.
12. Broadband Ready Community Ordinance Proposal - Mark Bardsley, Commissioner – The proposal was tabled for further review.

13. Broadband Technology Board Ordinance Proposal - Mark Bardsley, Commissioner – The proposal was tabled for further review.
14. Proposal of Tower Memorandum of Understanding - Todd Durnil, Pyramid - This will be tabled until the 12/21/2020 meeting, Signatures are still needed.
15. Request for Approval of Vendors/Rebidding Recommendations - Todd Durnil, Pyramid-. Bids were opened on October 19th for the tower locations. Pyramid has returned today with the recommendations on some and rejections on others for rebid.
 - a. Yoder Construction- 32F fencing package – Yoder is \$60,000.00 over estimate and Pyramid recommended to reject the bid and rebid as soon as possible. The apparent low bidder was above the engineer's estimate. Commissioner Mowery made a motion to rebid package 32 F (fencing). Seconded with support by Commissioner Burton; motion carried.
 - b. Rex Collins - electrical package 26 – Rex Collins' bid \$233,566.00 with the alternate (broadband sites) in the amount of \$11,000.00. The recommendation is to award the contract as they are the lowest bidder. Commissioner Mowery made a motion to award the contract to Rex Collins for package 26 (electrical). Seconded with support by Commissioner Burton; motion carried.
 - c. MPX Solutions - 03c concrete, 13 shelter, 35TL tower labor, and 35TM tower material.
 1. 03c Concrete- The bid is \$134,612.00 with the alternate (broadband sites) in the amount of \$29,266.74. Commissioner Burton made a motion to except the recommendation and award the 03c concrete contract to MPX. Seconded with support by Commissioner Mowery; motion carried.
 2. 13 Shelter – The bid is \$128,208.00 with the alternate (broadband sites) in the amount of \$36,487.00. Commissioner Burton made a motion to accept the recommendation and award the 13 shelter contract to MPX. Seconded with support by Commissioner Mowery; motion carried.
 3. 35TL Tower Labor -The bid is \$202,705.00 with the alternate (broadband sites) in the amount of \$30,242.50. Commissioner Mowery made a motion to except the recommendation and award the 35TL tower labor. Seconded with support by Commissioner Burton; motion carried.
 4. 35TM Tower Material – The bid is \$266,074.00 with the alternate (broadband sites) in the amount of \$30,952.95. Commissioner Burton made a motion to except the recommendation and award the 35TM tower material. Seconded with support by Commissioner Mowery; motion carried.
 - d. Keith Sullivan Excavating - 31 work site – The bid is \$135,750.00. This is over the estimate. Pyramid recommended to reject and rebid as soon as possible. The apparent low bidder was above the engineer's estimate. Commissioner Burton made a motion to rebid package 31 (site work). Seconded with support by Commissioner Mowery; motion carried.
16. Request for Approval of CSA for J&K Communications - Todd Durnil, Pyramid- This is tabled until the 12/21/2020 meeting.

17. Review of Payment Request and Change Order - Todd Durnil, Pyramid – A change order from Collins Electric for \$7552.82 was presented. This was from work done at the dispatch center. Commissioner Mowery made a motion to approve the change order document G701-2017. Seconded with support by Commissioner Burton; motion carried.

18. Retainage Packages - Todd Durnil, Pyramid –

a. JG Bowers - \$6,979.49

b. Rex Collins - \$25,245.28

c. Professional services Pyramid consulting \$25,233.03

This is all from work done at central dispatch and is paid out of the 911 fund 1222. Commissioner Burton made a motion to release the funds as presented. Seconded with support by Commissioner Mowery; motion carried.

19. Phase 2 Reimbursement – Todd Durnil, Pyramid – Reimbursement presented in the amount of \$55,033.00. This is from \$36,000.00 contract and \$19,000.00 reimbursable fees. This would be paid out of the 911 fund. This covers the RFP process from central dispatch, the RFP process from additional sites, FAA/FCC (dispatch& field rep), lodging/travel, bidding documents printing, surveys (first survey), archeology (BSU), and BZA (x2 for the applications). Commissioner Mowery moved to approve the expenditure as presented. Seconded with support by Commissioner Burton; motion carried.

PUBLIC

None

This regular session was brought to recess by Commissioner Bardsley at 11:45am. The next scheduled Commissioners' meeting will be on December 21, 2020 at 10:00 a.m.