

THE MORGAN COUNTY BOARD OF COMMISSIONERS MET IN A REGULAR SESSION ON MONDAY, DECEMBER 5, 2011 AT 9:30 A.M.

MEMBERS PRESENT WERE NORMAN VOYLES, BRIAN GOSS, AND DON ADAMS. BRENDA ADAMS, COUNTY AUDITOR, DEB VERLEY, ADMINISTRATIVE ASSISTANT, AND PETE FOLEY, COUNTY ATTORNEY, WERE ALSO PRESENT.

NORMAN VOYLES ASKED FOR A MOMENT OF SILENT PRAYER.

NORMAN VOYLES CALLED THE MEETING TO ORDER.

SRI

Zack Hughes, Local Government Project Consultant, with SRI Inc., stated that his firm will track down property owners with invalid homestead exemptions in the county. SRI can check for homestead exemptions in the state of Indiana and several other states. They can go back three years to collect the taxes, in addition to a 10% penalty. The property owner will have 30 days to pay the taxes. If they don't, the property will go on tax sale. The funds collected would go into a non-reverting fund to only be used in the auditor's office. There is no cost to the county; SRI's fee is 25% of what is collected. Pete Foley questioned the language in the contract that states that the amounts collected shall be deposited only in the first year in which that amount is collected. Mr. Hughes stated that he thought that meant the money must be deposited within one year of being collected and he would check with his office to verify. Mr. Foley stated that they would need an ordinance to establish the fund at the next meeting. Brian Goss made a motion to approve the agreement pending an answer to Mr. Foley's question. Don Adams seconded the motion. Motion carried 3-0.

ANNUAL MATERIAL BID

Larry Smith, Morgan County Highway Engineer, and Jimmy Waggoner, Acting Highway Superintendent, opened bids as follows:

	Co-Alliance	Petroleum Traders Corp		
Class 1 - Gasoline (per gal)				
89 Octane Premium transport	2.7787	No bid		
92 Octane tankwagon	2.8137	2.7432		
Class 2 - Diesel Fuel (per gal)				
#2 transport	3.162	2.9772		
tankwagon	3.312	3.1172		
November - March	Winterizer charge .02			
	Dave O'Mara	Milestone	Reith Riley	
Class 3 - Hot Bituminous (per ton)	Bloomington	FOB Plant	Kentucky Plant	
Base	41.75	40.00	39.00	
Binder	42.75	43.00	42.00	
Surface	45.75	48.50	48.50	
		Marathon	Asphalt Materials	
Class 4 - Liquid Asphalt				
(per ton) RS2				
Delivery		447.38	451.02	
FOB Plant		432.00	432.00	
Class 5 – Crushed Stone (per ton)	Rogers	Lincoln Park	Martin Marietta	243 Quarry
Rip Rap	Spencer	Putnamville	Cloverdale	Cloverdale
11	10.10	7.20	10.30	7.20
8	10.10		8.60	
53	5.00	4.70	5.00	4.65
Rip Rap	9.60	6.90	8.75	6.90
2	7.35	4.80	5.00	4.70
Delivery price	5.50/ton	7.80/ton	6.98/ton	6.00/ton

Class 6 – Corrugated Aluminum or Steel Culverts (per linear foot)	CPI Supply	St. Regis	Metal Culverts Inc.	Indiana Drainage Solutions
12" Alum. Corr. 16 ga/ft	10.58	8.66	8.01	14 ga 13.13
18" " " 16 ga/ft	15.86	12.99	11.97	14 ga 22.22

E&H Bridge gave quotes for various bridge packages. Mr. Smith and Mr. Waggoner will review the bids and report back later.

COUNCIL DISTRICTS

Norman Voyles stated that the Council districts were discussed at the last meeting and stated that anyone who wanted to comment could do so.

Jeff Scalf read a speech and asked that it be made a part of the minutes. Luke Pauley stated that redistricting is about getting as even a number of people as possible behind each public representative. Virginia Perry stated that the map with the smallest deviation was scenario number three. Trudy Ellis stated that map number three “looks the most fairest.” Peggy Mayfield stated that the maps were merely a presentation of possibilities to help the Commissioners to decide on the new districts and were in no way intended to present scenarios that need to be considered. The decision is entirely up to the Commissioners.

Don Adams stated that it is not an easy thing to be fair. It is all about the voter. There will still be seven seats on the Council. The most important factor is the participation of the voter; they need to get involved. There are three members that are elected at-large. During the last election, two of the members came from the center of the county, they could have just as well come from the northern part of the county because they have the numbers, but they didn’t because of a lack of participation.

Norman Voyles stated that the county is only allowed four districts, if an area wants more representation, it would have to be done through at-large representation. It would not be fair for someone living in the northwest corner of Brown Township to have the same representative as the person living in the southeast corner of Baker Township.

Stacey Pauley asked what the population deviation was on the proposed map. Mr. Voyles stated that it was approximately 6.6%. Ms. Pauley stated that the least deviation was map number three. Mr. Adams stated that if he is living in a sparsely populated area and all the decisions were being made in the populated area, it wouldn’t be fair. Mr. Voyles stated that someone in Heartland Crossing does not have the same concerns as someone living in Morgantown and the scenario for map number three spreads the district out over a wide area.

Jeff Scalf stated that the Commissioners map did not follow the statute, but map number three does, although he would follow map number two, and requested that the Board choose map number two or three.

Brian Goss asked Pete Foley if the map the Board prefers was legal. Mr. Foley stated that there are two areas of challenge; a federal constitutional challenge under the 14th Amendment, and state statute 36-2-3-4. The Board must consider compactness, precinct boundary lines, population, and township boundary lines. The statute does not state that one factor is more important than another and he believes that the proposed ordinance that he drafted from the Board’s version would pass scrutiny.

Don Adams stated that there is probably room for improvement. Brian Goss made a motion to approve the ordinance on first reading. Seconded by Don Adams. Motion carried 3-0.

MINUTES

Brian Goss made a motion to approve the minutes of the November 21, 2011 meeting. Seconded by Don Adams. Motion carried 3-0.

INCIDENT CLAIM

Don Adams made a motion to send the West incident claim to the insurance company. Brian Goss seconded the motion. Motion carried 3-0.

CLAIMS

Brian Goss made a motion to approve the claims totaling \$1,095,863.19 pending the following holds: \$64,632.77 – Council transfer, \$16,545.00 – Council transfer, \$796.98 – Council transfer, \$257.96 – Council additional, \$97.00 – Council transfer, \$31,797.04. Seconded by Don Adams. Motion carried 3-0.

JAIL UPDATE

Sheriff Downey stated that they had another record breaking week of 317 inmates at the jail; 261 males and 56 females. Eleven inmates are on work release, 9 males and 2 females, and 12 inmates are on the jail corrections crew. There are approximately 24 DOC inmates.

COMMENT

Peggy Mayfield stated that the Commissioner Districts will need to be recertified even if there are no changes. This must be in ordinance form and should be done before the end of the year.

BIDS

Larry Smith stated that there were several different vendors for culverts, concrete boxes, steel bridge packages. These items are used on an as needed basis. Mr. Smith recommended accepting all bids based on location and availability and awarding the gas and diesel bid to Co-Alliance. Don Adams asked about going in with the schools on fuel bids and made a motion to accept the engineer’s recommendation for the bids. Seconded by Brian Goss. Motion carried 3-0.

ENGINEER UPDATE

Mr. Smith stated that the consultant for the sign project has been making rounds to inventory signs.

HIGHWAY UPDATE

Jimmy Waggoner, Acting Highway Superintendent, stated that crews have been stockpiling materials for the winter. There are still roads that need shoulders, pot holes to fill, and brush cutting that needs done.

ZONING ORDINANCE AMENDMENT

Pete Foley stated that the Planning Commission has requested an amendment to the Zoning Ordinance. On November 14th, the Planning Commission approved an amendment to Section 1-3 that states “Provided that in the application of this ordinance to minimum setback lines and yard requirements, the provision of applicable recorded restrictive covenants of platted setback lines shall govern whether more or less restrictive in order to promote uniformity and compatibility of new development.”

ADJOURNMENT

Brian Goss made a motion to adjourn the meeting. Seconded by Don Adams. Motion carried 3-0.

Morgan County Board of Commissioners

Norman Voyles

Brian Goss

Don Adams

Attest:

Brenda Adams, Morgan Co. Auditor