

**THE MORGAN COUNTY BOARD OF COMMISSIONERS MET IN A REGULAR SESSION ON MONDAY, JULY 15, 2013 AT 6:30 P.M.**

MEMBERS PRESENT WERE NORMAN VOYLES, BRIAN GOSS, AND DON ADAMS. BRENDA ADAMS, MORGAN 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.

**PAVING BIDS**

Larry Smith, Morgan County Highway Engineer, opened and read bids as follows:

<b>NAME</b>				Milestone	Wallace	Dave O'Mara	Low Bidder
<b>District I</b>	Miles	Inches	Tons				
Voyles Road	0.64	1.5	527	\$72.35	\$75.25		Milestone
Old Morgantown Road	1.35	1.5	1274	\$68.90	71.88		Milestone
Lenvoil Road	1.71	1.5	1490	68.55	71.81		Milestone
Henderson Ford	1.73	2	2233	65.95	68.93		Milestone
<b>District II</b>							
Hinshaw Road	0.55	2	639	74.75	69.95		Wallace
Baltimore Road	1.00	1.5	871	71.95	69.70		Wallace
Wilbur Road	1.3	1.5	1133	68.95	69.67		Milestone
<b>District III</b>							
Wiser Addition	.95	1.5	828	80.30	71.74		Wallace
Landersdale Road	1.3	1.5	1258	66.40	69.10		Milestone

The Board received a bid from Dave O'Mara and Mr. Smith asked that they not accept it. Mr. Smith stated that he has called several times in the last year regarding making repairs to a road that was paved last year and the repairs have not been made, although they provided a maintenance bond. Mr. Smith stated that they have had poor quality workmanship in the past. Don Adams made a motion to disallow the Dave O'Mara bid because of the poor quality of work and that they are not a responsible and responsive bidder. Motion seconded by Brian Goss. Motion carried 3-0.

Wallace claimed the Local Business Preference but there was some question whether this was still in effect or not. If it was still in effect it would affect the bid on two of the roads. (It was determined after the meeting that the Indiana Code citing regarding the local preference has been repealed.)

Mr. Smith stated that Henderson Ford Road is over the budgeted amount and he could either approach the Council regarding an additional appropriation or pay it in January out of next year's budget.

Brian Goss made a motion to approve the bid award to the low bidder as listed above. Motion seconded by Don Adams. Motion carried 3-0.

**PETITION TO VACATE** – *Huggin Hollow Road*

Norman Voyles stated that the attorneys have not come to an agreement and asked that this item be tabled again. Brian Goss made a motion to table the petition until the August 5<sup>th</sup> meeting. Motion seconded by Don Adams. Motion carried 3-0.

**COURTHOUSE APPRAISAL / INSURANCE**

Steve McConnell stated that the insurance has been renewed and at that time, the property insurance was moved from Indiana Insurance to Travelers Insurance and it saved just over \$80,000 per year. Indiana Insurance provided \$50 million blanket coverage for the replacement cost of all the buildings and all the contents. Travelers Insurance provides \$43 million, but there was concern that the Courthouse would only be covered for the functional replacement. The Courthouse has been appraised and the replacement value is \$8,426,000. Mr. McConnell suggested increasing the coverage to \$53 million, which would cover the Courthouse in the

blanket coverage. This coverage would cost an extra \$1,500 per year.

At an earlier meeting, Don Adams mentioned his concern with the earthquake coverage. The Board would be able to purchase excess earthquake coverage, which would bring the \$5 million up to \$40 million at a cost of \$36,387.50. Don Adams made a motion to acquire the additional earthquake insurance and the increased coverage on the Courthouse. Motion seconded by Brian Goss. Motion carried 3-0.

### **PROPERTY LEASE AGREEMENT**

Kenny Hale was present to request that the Board accept two quotes to farm property that was purchased by FEMA in the flood buyout. Quotes per year for the next three years were submitted as follows:

3641 S. Lingle Road (2.43 acres)	Thomas Farms \$290
	Cragen Farms \$320

3823 S. Lingle Road (2.13 acres)	Thomas Farms \$200
	Cragen Farms \$280

Mr. Hale recommended accepting the Cragen quote. Don Adams made a motion to accept the Cragen quote. Motion seconded by Brian Goss. Motion carried 3-0.

### **PERSONNEL POLICY AMENDMENT** – 2<sup>nd</sup> Reading

Norman Voyles stated that this amendment changes the definition of a part time employee to an employee who works 28 hours per week or less. Norman Voyles noted that the resolution states less than 28 hours. Mr. Foley stated that he would correct the error. Brian Goss made a motion to approve the amendment with the correction. Motion seconded by Don Adams. Motion carried 3-0.

### **PYRAMID AGREEMENT ADDENDUM**

Frans Hollanders, Morgan County Public Safety Dispatch Board, stated that when the Board signed the contract between the county and Pyramid, Page 16 stated that compensation would not exceed \$38,000. There have been delays and Mr. Hollanders has the May and June invoices, which would be over this amount. Terry Burnworth prepared an addendum to the contract that would change the amount to \$50,000. Mr. Hollanders stated that the Public Safety Dispatch Board approved compensation of \$89,000 for Phase Two. Don Adams stated that Phase Two was conditional upon the completion of Phase One and Phase One has not been completed yet because the interlocal agreements have not been submitted. Mr. Hollanders stated that the Public Safety Dispatch Board has discussed changing the language on the interlocal agreements. Mr. Adams stated that they should not move to Phase Two if Phase One has not been completed. Don Adams asked if this would be paid out of the 911 Fund. Mr. Hollanders stated that it would. Brian Goss made a motion to approve the addendum, pending approval by the Public Safety Dispatch Board. Motion seconded by Don Adams. Motion carried 3-0.

Pete Foley wanted to make it clear that once the Public Safety Dispatch Board approves the addendum, Pyramid has approval to proceed to Phase Two; if not, the Board needs to specify what needs to happen in order to proceed to Phase Two. Mr. Adams stated that the interlocal agreements set up the funding and they need to know how the dispatch center will be funded if the other entities don't approve the interlocal agreements. Deb Verley read a section from the minutes of the June 17<sup>th</sup> meeting regarding Mr. Burnworth's asking for approval to proceed to Phase Two, which was passed with a 2 to 1 vote.

### **COMMON WAGE HEARING**

Norman Voyles reminded the Commissioners that the Common Construction Wage Hearing would be the next morning at 10 am.

### **WOODLANDS AT MCCRACKEN CREEK** - Signage

Norman Voyles stated that according to the Highway Superintendent, the signage has been installed at the Woodlands at McCracken Creek and the Deed of Dedication may now be recorded.

### **CEMETERY MAINTENANCE**

Stacey Foley with Historical Headstones stated that they would like to finish the work they started at the Williams Bradford Cemetery but they need a probing permit to locate the headstones. Ms. Foley stated that there are at least 30 missing headstones, including a Civil War veteran. Ms. Foley stated that they understand that they started out incorrectly by not obtaining permission from Darrell Dill, the Township Trustee, but they would like to backtrack and straighten everything out. Roberta Stephens has been talking with Larry Stephens at Indiana University

about the University's responsibility to the cemetery. The Auditor's Office is listed on the property record card and Ms. Foley asked if there were some agreement between the Commissioners and the township or IU regarding the cemetery. Pete Foley stated that when there is no cemetery association or private owner, the Auditor's Office address is listed for tax purposes and the township has the obligation of maintenance. Ms. Foley stated that they are willing to continue the work, but asked who to refer to for permission. Mr. Foley stated that if the trustee has been maintaining the cemetery, it is in his jurisdiction to grant a probing permit.

Norman Voyles asked what Mr. Dill, Green Township Trustee, would require from Historical Headstones prior to allowing them to probe the cemetery. Mr. Dill stated that he sent them a letter stating that he would require a plan detailing the responsibilities, identify funding, the scope of the work, procedures, and bond requirements among other things; but he had not heard from them since. Mr. Voyles asked if he would be willing to work with Historical Headstones. Mr. Dill stated that he would. Mr. Voyles stated that his advice would be that the two parties work things out to both their satisfaction.

### **SHERIFF/JAIL UPDATE**

Sheriff Robert Downey stated that there are 325 inmates in the jail, 17 DOC inmates, 17 inmates in the work release center, and 27 on the jail correction workers program. Several of the jail correction workers are working at the fairgrounds in preparation for the county fair. There were 5,065 law enforcement calls year-to-date, 8,745 CAD calls, and 14,148 911 calls.

Don Adams stated that someone from a park that had recently used the correction workers for a project mentioned that the crew did a good job.

Sheriff Downey stated that there was a sewer backup at the jail and he will be appearing before the Council next month to ask for additional funds to cover the costs. The contractor had to tear up the cement floor to get to the problem and the cost was approximately \$10,000. Norman Voyles asked if he was going to ask for additional funds in order to install preventers so the inmates wouldn't be able to flush large items down the toilets. Sheriff Downey stated that he planned to request that too.

### **HIGHWAY UPDATE**

Jimmy Waggoner, Acting Highway Superintendent, stated that they started the sealing program last week. They had a few glitches but are getting them worked out. Crews are cutting brush and trees; the drought last year apparently took a toll. Crews are also mowing roadsides.

### **ENGINEER UPDATE**

Larry Smith stated that there were seven firms that responded with letters of intent for the 2014 through 2016 bridge inspection. He has not reviewed them yet but will report back at the next meeting.

Additional funds were requested to cover construction engineering costs for the Landersdale Trail Project. The funds were approved at 80/20 (\$24,244.07) and this requires approval of the Indiana Department of Transportation - Local Public Agency Project Coordination Contract, Supplement Number 1. Don Adams made a motion to approve the supplement. Motion seconded by Brian Goss. Motion carried 3-0.

### **MPO**

Don Adams stated that he received a letter from the Metropolitan Planning Organization requesting an appointment letter and proxy. Don Adams made a motion to appoint Don Adams to the MPO with Martin Weaver as proxy and Larry Smith as engineer with Don Adams as proxy. Motion seconded by Brian Goss. Motion carried 3-0.

### **STOP SIGN PETITION**

Norman Voyles stated that this item was introduced at the last meeting and tabled. Larry Smith stated the signs at the intersections of Pennington Road and Dayhuff Road are included in the Sign Project and the yield signs will be changed to stop signs.

### **EXECUTIVE SESSION**

Norman Voyles stated that there was an Executive Session prior to the meeting regarding an employee. Pete Foley stated that due to privacy purposes the circumstances would not be revealed in the meeting. Brian Goss made a motion to affirm the decision of the office holder in dealing with the employee. Motion seconded by Don Adams. Motion carried 3-0.

**ADJOURNMENT**

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

Morgan County Board of Commissioners

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Norman Voyles

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Brian Goss

Attest:

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Brenda Adams, Morgan Co. Auditor

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Don Adams