

**THE MORGAN COUNTY BOARD OF COMMISSIONERS MET IN A REGULAR SESSION ON MONDAY, AUGUST 5, 2013 AT 9:30 A.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.

**PETITION TO VACATE** (*Huggin Hollow Road*)

Norman Voyles stated that this item has been tabled since the April 1, 2013 meeting and the parties have not yet reached an agreement. Don Adams made a motion to table this item indefinitely. Motion seconded by Brian Goss. Motion carried 3-0.

**SHARP BUSINESS SOLUTIONS CONTRACT** (*Child Support Division*)

Lyndsey Husek, Morgan County Title IV-D, requested approval of a contract with Sharp Business Solutions to digitize their files. Ms. Husek stated that this will provide better productivity, be more efficient, and provide better community service. They have researched several vendors and would like to move forward with Sharp. The project, including the server, will cost \$49,000. Pete Foley stated that the county has developed a privacy agreement form and would request that the vendor sign the form so if there is a breach of security on their end, the county would not be held liable. Brian Goss made a motion to approve the contract provided that Sharp signs the security document. Motion seconded by Don Adams. Motion carried 3-0.

**GOVERNMENT FIXED ASSET SERVICES AGREEMENT**

Brenda Adams, Morgan County Auditor, stated that the county reports capital assets using GASB 34 (Governmental Accounting Standards Board). Governmental Fixed Asset Services, Inc. provides this service for a fee of \$3,250 plus expenses. This is an annual requirement and the county used this firm last year. Brian Goss made a motion to approve the agreement with Governmental Fixed Asset Services, Inc. Motion seconded by Don Adams. Motion carried 3-0.

**NOISE ORDINANCE AMENDMENT DISCUSSION**

Don Adams stated that it has been difficult to mediate problems between property owners concerning noise; the current ordinance does not address certain situations. Mr. Adams handed out a copy of a noise ordinance for the Board to review. Mr. Adams stated that he would also like input from the Planning Commission, Economic Development, and law enforcement. He will put the sample ordinance on the website for comments from the public. Norman Voyles stated that a constituent stopped by the office and presented some suggested changes to the current ordinance. Mr. Voyles handed out copies of the suggestions.

**MEMORANDUM OF UNDERSTANDING** *EMA / United Way*

Jeff Neal, Emergency Management Agency Director, stated that the Memorandum of Understanding he is presenting sets the terms for United Way and EMA to work together for a fast response in case of an emergency. Kristi Dunigan, United Way, stated that if there is a disaster and United Way sets up a volunteer center, they would make sure that the volunteers are sent where they are needed and also provide transportation. They work hand-in-hand with Red Cross.

There was a boy scout present in the audience and Don Adams explained what the EMA does. Don Adams made a motion to approve the Memorandum of Understanding. Motion seconded by Brian Goss. Motion carried 3-0.

**RESOLUTION TO APPOINT PURCHASE AGENT**

Kenny Hale, Morgan County Planning Director, stated that this ordinance is to facilitate a land swap between Cragen and StarLite Leasing that the county has been working on for the past three years. The county will acquire the river frontage with the purchase. Pete Foley stated that based on appraisals, the purchase price will be \$100,000 for 26 acres. The resolution appoints Kenny Hale as the purchasing agent. The Council will approve a resolution authorizing the purchase.

Mr. Hale stated that the property will be used for a paved greenway trail. It is part of Section One and the National Park Service has awarded a \$400,000 matching grant. The trailhead will start at the future Waverly Park. Brian Goss made a motion to approve the resolution. Don Adams seconded the motion. Motion carried 3-0.

## **INTERLOCAL AGREEMENT** – *Fiber Optic System*

Norman Voyles stated that this Interlocal Agreement is between Morgan County, the City of Martinsville, and the Metropolitan School District to operate, maintain, and repair a fiber optic duct system that the three entities might share. Joel Johnson, Morgan County Data Administrator, stated that the county currently owns its own duct that the fiber is in. If, in the future, the three entities install ductwork big enough for the three to share, then each entity would be responsible for their own fiber. If one of the other entities damages the fiber belonging to the county while making repairs or changes to their own fiber, they would pay for the damages. Each entity may use up to one third of the duct. Brian Goss made a motion to approve the Interlocal Agreement Between the County of Morgan, the City of Martinsville and the Metropolitan School District of Martinsville for a Partnership to Operate, Maintain and Repair a Fiber Optic System Within the City of Martinsville and Environs. Motion seconded by Norman Voyles. Motion carried 3-0. Pete Foley stated that it is his understanding that this agreement would only cover a duct that is collectively installed by the three entities and currently, there is no duct covered by this agreement.

## **MINUTES**

Brian Goss made a motion to approve the minutes of the June 17, July 1, and July 15, 2013 meetings. Motion seconded by Don Adams. Motion carried 3-0.

## **CLAIMS**

*Payroll:* Don Adams made a motion to approve the 7/3/13 payroll claim of \$392,198.89. Motion seconded by Brian Goss. Motion carried 3-0. Brian Goss made a motion to approve the 7/12/13 uniform claim of \$15,300.00. Motion seconded by Don Adams. Motion carried 3-0. Don Adams made a motion to approve the 7/19/13 payroll claim of \$399,589.95. Motion seconded by Brian Goss. Motion carried 3-0. Brian Goss made a motion to approve the 7/3/13 PERF claim of \$30,090.26. Motion seconded by Don Adams. Motion carried 3-0. Don Adams made a motion to approve the 7/12/13 PERF uniform claim of \$1,530.00. Motion seconded by Brian Goss. Motion carried 3-0. Brian Goss made a motion to approve the 7/19/13 PERF claim of \$31,161.36. Motion seconded by Don Adams. Motion carried 3-0.

*Accounts Payable:* Don Adams made a motion to approve the monthly claims totaling \$1,335,352.58 with the following holds: CG Supply \$5,508.53; Gabriel \$\$1,255.17; Intergrated Electronics \$444.95; Roto Rooter \$12,660.00; Stanley Convergent \$4,575.00 all pending Council additional, and \$10,523.12 pending signing of a contract. Motion seconded by Brian Goss. Motion carried 3-0.

## **TORT CLAIM**

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

## **REQUEST TO USE COURTHOUSE SQUARE**

The Greater Martinsville Chamber of Commerce submitted a letter requesting the use of the Courthouse Square from 7:30 am to 4:30 pm on Saturday, September 14<sup>th</sup> for a community event fund raiser that will include a chalk art contest and a chili cook-off. Don Adams made a motion to approve the request. Motion seconded by Brian Goss. Motion carried 3-0.

## **SHERIFF/JAIL UPDATE**

Dave Rogers, Morgan County Jail Commander, stated that there are 332 inmates in the jail, 21 are DOC inmates. There are 27 inmates on the jail corrections program, and 14 inmates are on work release. There were 5,651 law enforcement calls for the year and 9,730 CAD calls.

## **HIGHWAY UPDATE**

Jimmy Waggoner, Acting Highway Superintendent, stated that crews are chip sealing, boom mowing, cutting trees, hot patching, ditching, and replacing culverts.

## **LANDERSDALE TRAIL CHANGE ORDERS**

Larry Smith, Morgan County Highway Engineer, introduced Matt Davis, the project manager with DLZ for the Landersdale Trail Project. Mr. Davis requested approval of three change orders for the project. Change Order #1 is for a time extension. A wind storm came through in May and destroyed the job trailer. It took an additional 13 days to arrange a new trailer. The final completion date is now October 17<sup>th</sup>. There is no cost for this Change Order. Don Adams made a motion to approve Change Order #1 for the time extension. Motion seconded by Brian Goss. Motion carried 3-0.

Change Order #2 is the cost to add Geo Grid in areas where there are poor soil conditions. The cost for this Change Order is \$13,210.82. Mr. Davis stated that the Change Order is reimbursable; the county will pay the amount and the state will reimburse the county. Don Adams made a

motion to approve Change Order #2. Brian Goss stated that he would second the motion, but he felt that soil tests should have been when they started the project. He felt that this was a DLZ error. Motion carried 3-0.

Change Order #3 is for design related errors and omissions. DLZ did not add costs for structure back fill in the initial cost of the project. The cost for this Change Order is \$2,278.13. The Board discussed what would happen if they denied the claim. Don Adams stated that he was not pleased with the omission and made a motion to approve the Change Order, with a resolution to seek settlement from DLZ. Motion seconded by Brian Goss. Motion carried 3-0.

**STOP SIGN ORDINANCE** – 1<sup>st</sup> Reading

Larry Smith stated that the installation of stop signs at the intersection of Pennington and Dayhuff is included in the Stop Sign Project. The Board will need to update the Stop Sign Ordinance to reflect the changes that are done during the project. Pete Foley asked if there is a master list for the changes. Mr. Smith stated that there will also be a change at Awbrey and Wilson Roads. Mr. Smith stated that the contractor has not started on the project. It is a state project and contractor was to start shortly after the 4<sup>th</sup> of July. Brian Goss asked if there is a completion date. Mr. Smith stated that he would find out and report back. Brian Goss made a motion to approve the Stop Sign Ordinance on first reading. Motion seconded by Don Adams. Motion carried 3-0.

**ENGINEER UPDATE**

Mr. Smith stated that the pedestrian bridge at Brooklyn is coming along. Some of the right of way is being donated and some is an easement. The documents for this need to be prepared. Brian Goss made a motion to authorize Pete Foley to prepare the required documents for Brooklyn. Motion seconded by Don Adams. Mr. Foley stated that he has the legal descriptions. Motion carried 3-0.

Mr. Smith reviewed the RFPs for the 2014 – 2016 bridge inspection. There were seven firms that submitted an RFP. Mr. Smith ranked the firms and suggested that the contract be awarded to United Consulting & Engineering. Brian Goss made a motion to award the contract to United Consulting pending stated review and contract negotiation. Motion seconded by Don Adams. Motion carried 3-0.

Brian Goss asked if Mr. Smith could look into how many of the county bridges have metal decking. There have been concerns that this causes a safety concern for motorcycles. Mr. Smith stated that he would check and report back.

**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