

Owen County Commissioners
Regular Meeting
Courthouse 60 S. Main Street Spencer, IN 47460
Monday August 18, 2008 9:00 a.m.

Present: Wiley Truesdel, Steve Redenbaugh, Steve Williamson

Guests: Jo Ann Ligon, Nancy Knapp, Tom Miller, Sue Click, Imtiyaz Dalal, Melvin Beeker representing RQAW

MEETING WAS OPENED WITH THE PLEDGE TO THE AMERICAN FLAG

IN THE MATTER OF THE MINUTES OF AUGUST 4, 2008

Mr. Redenbaugh moved to approve the minutes August 4, 2008. Mr. Williamson seconded the motion. Motion passed 3-0.

IN THE MATTER OF CLAIMS ADVERTISED FOR PAYMENT DATED AUGUST 18, 2008

Steve Williamson moved to approve the claims dated August 18, 2008. Steve Redenbaugh seconded the motion. Motion passed 3-0.

IN THE MATTER OF THE HIGHWAY DEPARTMENT, BRIDGE ISSUES AND ROAD UPDATES—Speaking Larry Abrams

Mr. Truesdel asked if there were still 2 roads closed with Camp Otto being one of them. Mr. Abrams said that Mt. Zion is the other road remaining closed. He also stated they need to chip and seal Rocky Top because it will wash this winter. Plans also include chipping and sealing Pea Ridge and Mill Grove Roads.

State Road 46 W at 4-Mile Bridge is scheduled to open approximately September 12.

Mr. Abrams commented they had been mowing the landfill.

Mr. Redenbaugh stated he had been to the highway garage a couple of times and has not seen any posting of emergency plans, and he also asked what kind of instructions Mr. Abrams had provided to Mike McCullough giving out daily work orders. Mr. Abrams replied which ever has top priorities, primarily the emergency situations, but Mr. Redenbaugh was more concerned about daily instructions. Mr. Abrams replied they have been doing what they always do with whatever is top priority. Mr. Redenbaugh asked if employees are picking up schedules in the morning and returning them in the evening. He also asked if they are being provided with water, if necessary, etc. Mr. Redenbaugh continued that Mr. McCullough cannot drive a truck and oversee workers. He thought it would be nice for interest to be shown towards the employees. Mr. Abrams stated he has given them water, etc. Workers also have their personal coolers.

**IN THE MATTER OF CONTRACTS FOR SERVICES ON HIGHWAY PROJECTS
REQUIRING SIGNATURES**

Ms. Lawson had invoices from CLR pertaining to Bridges 30, 22 and 87 for the Commissioners to review.

Mr. Williamson moved to sign contracts with CLR for Services on Bridges 30, 22, and 87. Mr. Redenbaugh seconded the motion. Motion passed 3-0. (Motion # 96)

The normal return of FEMA reimbursement is 75% with the County providing 25%. Discussions are continuing in Washington DC and Senator Lugar is attempting to get the percentage raised to 90%-10%.

IN THE MATTER OF INDIAN HILLS SAFETY ISSUE—Speaking Suzanne Click

Ms. Click presented a petition signed by residents in the Indian Hills Subdivision. They have an entry way into their addition that is gravel and when iced over in the winter, their vehicles slide down onto SR 67. For safety reasons, they would like to have the entry chipped and sealed and graded down a little bit so it won't be so steep.

Mr. Truesdel commented they just heard that 3 places will be worked on this fall because of the flood damage to the roads. Mr. Lorenz asked if the road was privately owned and Ms. Click stated it was not and the residents appreciated how the roads have been maintained in the past. The petition will be filed for future reference

IN THE MATTER OF COUNTY LINE ROAD—Speaking Melvin Beeker, RQAW

Referencing comments made by Mr. Redenbaugh about having an engineer, Mr. Beeker brought information from RQAW concerning hourly rate contracts, and a proposal to serve as the County Engineer and Architect. This would be "on call as necessary". There is no money involved unless the company would be contacted "to do something".

Mr. Williamson asked if there should not be other bids and Mr. Redenbaugh stated he had asked for others but RQAW was the first and only to respond to his inquiries. Mr. Redenbaugh stated he had contacted Morgan and Monroe counties in hopes we would be able to share, but nothing has worked out to date.

Steve Williamson moved to sign a contract with RQAW Consulting Engineers and Architects for their services on an as needed basis. Steve Redenbaugh seconded the motion. Motion passed 3-0. (Motion # 97)

Concerning County Line Road, a letter has been received stating that this community has been awarded \$900,000 in Federal Highway Administration. The money has been earmarked for the project with the County paying 20%. There will have to an advertisement and after all steps have been followed, the County will receive the responses and then the selected information will be submitted to the Seymour District then on to State. The county is required to maintain a schedule demonstrating their willingness to complete the project in a timely manner. The steps were described in the letter.

Mr. Truesdel stated he hopes the construction will begin within and/or be completed in 3 years. This project has been going on since 1993.

IN THE MATTER OF GRAVES PLUMBING MAINTENANCE CONTRACT—Speaking Joe Deckard

Mr. Deckard was on vacation and has not had time to prepare anything for this meeting.

IN THE MATTER OF RESOLUTION 2008-30—Speaking County Council Member Kristen Szczerbik

Ms. Szczerbik presented proposed Joint Resolution 2008-30 and explained reasoning for offering such a resolution. Ms. Szczerbik stated that many employees stepped up to the plate, went above and beyond their duties and many first responders were found to be in difficult situations that were indeed heroic.

Steve Williamson moved to sign the Joint Resolution 2008-30 honoring and commending all Owen county Personnel, Agencies, and Officials for their Heroism and Dedication to the Rescue and Relief efforts during the June 7, 2007 Flood Disaster. The County Council members signed the Resolution on August 11, 2008. Steve Redenbaugh seconded the motion. Motion passed 3-0. (Motion # 98)

IN THE MATTER OF A CONFLICT OF INTEREST FORM—Kristin Szczerbik

Mr. Lorenz stated that the Uniform Conflict of Interest Disclosure Statement has been signed by Ms. Szczerbik since she has been appointed a Public Defender in the Owen County Circuit Court. She is also serves as a member of the County Council. Mr. Lorenz stated the Commissioners need to accept the Disclosure Statement. The Conflict of Interest was filed in the Clerk's office on August 18, 2008.

Mr. Redenbaugh moved to approve the Conflict of Interest Statement pertaining to Ms. Szczerbik in her role as a Public Defender. Mr. Williamson seconded the motion. Motion passed 3-0. (Motion # 99)

IN THE MATTER OF AUDITOR UPDATES

Ms. Lawson requested approval to write a check out of cycle because an inmate required an injected medication. In order to have a \$10.00 invoice instead of one for \$450.00, Bloomington Hospital had to be pre-paid. She had spoken to Mr. Truesdel about this situation.

Mr. Williamson moved to approve the writing of the check by Ms. Lawson out of cycle. Mr. Redenbaugh seconded the motion. Motion passed 3-0. (Motion # 100)

Re-appointment to South Central Workforce Development Board

Mr. Redenbaugh moved to re-appoint Darrell White, Manager of Boston Scientific, to the South Central Region 8 Workforce Board, Inc. for a three year term which end June 30, 2011. Mr. Williamson seconded the motion. Motion passed 3-0. (Motion # 101)

Clerk request for 16 file cabinets to be moved—Clerk Melton would like to move 16 file cabinets to the Armory. Mr. Redenbaugh stated there should be a plan as to who and what types of things are moved to the Armory for storage because once it begins it will explode. Mr. Truesdel asked who do they have that is moving over there and Mr. Redenbaugh commented he would discuss that under the Commissioners' Comments.

Ms. Lawson stated it is important at this time that anyone who wants to move anything into the Armory for storage purposes that they first appear before the Commissioners so they know who is moving what. She does not want to be responsible for giving out the key to the Armory without the Commissioners aware of what is going on.

Mr. Redenbaugh stated that, as a motion in general, for people who want to move anything into the Armory for storage, they first must obtain approval from the Commissioners at a public meeting. Steve Williamson seconded the motion. Motion passed 3-0. (Motion # 102)

Mr. Lorenz suggested that they logistically determine where files might be moved.

By consensus, Mr. Melton was given permission to move his 16 filing cabinets to the Armory.

Consideration of Amendment to Ordinance 2005-17 for fines related to speed limits on County Roads

Ms. Lawson explained that during two Council meetings members held discussions concerning the possible reversal of the amount of money going into fuel and road signs. According to the Ordinance the \$75.00 speeding fee was portioned with \$50.00 going towards road signs and \$25.00 towards fuel. With the cost of fuel the Council thought perhaps the Commissioners would consider reversing that amount with \$50.00 going towards fuel and \$25.00 for signs. Ms. Lawson brought this request to the Commissioners for reflection and future consideration.

By consensus, the Commissioners agreed to the proposal and Ms. Lawson will have the necessary paperwork for the next meeting.

IN THE MATTER OF ATTORNEY UPDATES—Speaking County Attorney Richard Lorenz

Consent to Disclose E-911 Contracts between AT&T Indiana and Owen County. Mr. Lorenz advised that the letter was in order and all it needs is Mr. Truesdel's signature.

Mr. Redenbaugh moved to have Mr. Truesdel sign the E-911 Contract between AT&T and Owen County. Mr. Williamson seconded the motion. Motion passed 3-0. (Motion # 103)

Mr. Lorenz presented a letter from the State of Indiana requesting GIS Data to build a statewide map. This documentation requires 2 signatures.

Steve Williamson moved to have the Commissioners sign the agreement with the State of Indiana for using the Indiana Homeland Security grant dollars (\$14,000) and/or Indiana Geographic Information Councils Address Integration Project (\$3,000) to provide the data using a web feature service. The County shall have no liability under this agreement for consequential, exemplary, or incidental damages even if it has been advised of the

possibility of such damages. Steve Redenbaugh seconded the motion. Motion passed 3-0. (Motion # 104)

Mr. Lorenz stated that there are people refusing to use the 911 address. In the ordinance established back in 1990 or so, there was a provision that made it a potential infraction if they did not begin using their new address after a 30 day notice. He remarked that this matter will have to be enforced at some point in time.

Little Sandy Coal Company—Mr. Lorenz reported he has written them to obtain information from them as there is nothing in any files here.

Sam's Club—Mr. Lorenz suggested that a new direct 30 day business account be opened in the name of the Owen County Commissioners and they would then instruct who could use the card. Mr. Lorenz volunteered to set up the new account for the Commissioners.

Steve Williamson moved to have the Sam's Club card reapplied for in the name of the Owen County Board of Commissioners with the Custodian and Auditor having authorization to use the card. Mr. Redenbaugh seconded the motion. Motion passed 3-0. (Motion # 105)

IN THE MATTER OF COMMISSIONERS' COMMENTS

Mr. Truesdel asked Jo Ann Ligon what she had to say about the County Home. She stated that there will be the County picnic there this coming Saturday. There is a lot of overgrowth of trees and bushes. She wanted to know if they could help Bob Curry to address those issues. She and another person wanted to volunteer to help clean up some of the grounds. She referred to a feasibility study completed in 2005. She appears to be in favor of maintaining the building as a historical building.

Mr. Williamson suggested Jo Ann give Danny Terrell a call to find out how much it might cost to cut some trees so the roots will not continue to destroy the building. By consensus the Commissioners stated she could obtain figures that she wants to address the issue of cleaning up trees and their root systems.

Mr. Redenbaugh asked if they had received the Conflict of Interest Form from Larry Abrams and Mr. Truesdel responded no. Ms. Lawson stated she had given him another copy on Friday because he said on Thursday he didn't have one.

Mr. Redenbaugh asked if the roofing on the Extension Office was done. The response was that John was supposed to go look at it. Ms. Lawson stated she will check with Pells.

Mr. Redenbaugh stated Clark Dietz wanted to donate \$500 to the Owen Valley Sports Complex. By consensus the Commissioners approved the donation.

The company receiving the bid, Building Associates, for the Court House Roofing project at \$62,900 had some questions about making improvements concerning vents. Mr. Redenbaugh will continue researching the possibilities.

Mr. Redenbaugh wants to know what would be involved in getting started on the Armory. Spike Shepler, PMSI, emailed Steve a two page Armory Building Planning for County Offices detailing the description of the anticipated work necessary to accomplish the planning and implementation for the project.

Mr. Lorenz advised that there will be impacts to the budget about which they will have no control. There will probably be less gas tax because people are simply traveling less, assessed valuation will also probably be down, and the overall economy is generally down and will impact income tax collection. All the money that has been spent for Flood Relief is no longer available until the 75% reimbursement is recovered. Next year will be tight.

Mr. Williamson commented that they need to watch very closely about how much money they spend.

Ms. Lawson stated that the Council is well aware of the situation with the Armory and they are probably not against going for a Bond issue. Mr. Lorenz also stated that as negative as his remarks may have been, there is also a positive because interest rates are low at this time.

Mr. Redenbaugh continued that he had spoken to Larry about the highway emergency plan and instructions given to Mike. Mr. Redenbaugh stated that the comment made by Larry “just like always” is not a plan. He stated he was not happy with that answer. He wanted to hear comments from Wiley and Steve pertaining to the Highway not having a plan for emergencies and overtime.

Mr. Truesdel had no problem and Steve W. agreed with Steve R. about his comments.

Mr. Redenbaugh asked how does a salaried person receive overtime. The discussion needs to be continued in an executive session

Back to the Armory—Mr. Redenbaugh mentioned the Veterans’ Officer being moved to the Armory. He is not sure anyone should be moved over there just yet. It sounds as if it is a simple process—obtain a phone and computer system—but it is not. He reported the hassles he had to go through and the costs and the lines are still not available. Finally it was decided the Veterans’ Officer will not have a landline phone at the Armory but will operate with a cell phone. Mr. Redenbaugh would like to have a 3 or 4 foot antenna put on the Courthouse and Armory to set up a T-1 line and would save having to put in internet lines for anyone who moves to the Armory in the future.

If the Building Dept. would move to the Armory, the process of collecting money would have to change. It was mentioned to beware of moving offices before handicapped arrangements are added to the facility.

Mr. Redenbaugh stated that when Building Associates came over to look at the roof they noticed the windows and trim and wood, etc. could be improved and it is something they would do if the Commissioners want it done for \$2,278. Right now the lightening protection is hooked up to each vent.

Mr. Redenbaugh wanted to know where the major move money was placed in the budget and how it was spent. He also asked the Treasurer about the 911 money drawing interest and asked

for a report on the amount of interest that has been generated. To date he does not have those reports and would like to have them.

Mr. Lorenz stated he will communicate with Mary Frances Hochstetler about the procedure of having a Conversancy for the sewer project in Jefferson Township.

IN THE MATTER OF CHANGING A COMMISSIONERS' MEETING DATE

By Consensus, the September 1, Labor Day, meeting will be moved to Tuesday, September 2, 2008.

IN THE MATTER OF AN EMS UPDATE

Mr. Cris Lunsford, EMS Director, reported he had a quote from Life Star for the remount of the old ambulance for \$85,900. A brand new truck would cost approximately \$130,000.

Mr. Truesdel stated that Cris should be allowed to have a take home vehicle.

Mr. Williamson moved to allow Mr. Lunsford to drive an EMS vehicle to his residence to be used in emergencies. Mr. Redenbaugh seconded the motion. Motion passed 3-0. (Motion # 106)

Building permits for flood victims—charge or not? Mr. Redenbaugh stated the Department has not been charging for building permits but for inspecting.

Mr. Redenbaugh moved to waive the fees for flood victims applying for their permit to rebuild but a permit must be obtained for inspection purposes. The waiver does not apply to destruction that is unrelated to the flood damage. Mr. Williamson seconded the motion. Motion passed 3-0. (Motion # 107)

Mr. Williamson commented that on Mt. Zion Road he talked to Tom and Jane Miller and they believe they have a solution. He would like for all three commissioners and the highway superintendent go out there today and meet with the Millers. They set 1 p.m.

Mr. Truesdel stated they had an engineer draw a plan and wanted to know if they are saying the plan is no good and asked if they are going to abolish it. Mr. Williamson stated he simply wants them to look at it.

After further discussion by Tom Miller who stated he would not allow the drawing to be used because water will not flow up hill on a natural grade, **Mr. Williamson moved to not accept the engineer's drawing. Mr. Redenbaugh seconded the motion. Motion passed 3-0. (Motion # 108)**

The meeting was recessed until 1 p.m. when Mr. Williamson and Mr. Truesdel will meet at the Mt. Zion site. Mr. Redenbaugh will be unable to attend.

The Commissioners went into Executive Session.

IN THE MATTER OF ADJOURNMENT

Mr. Williamson moved to adjourn the meeting at 1:35 with no decisions concerning Mt. Zion Road being made. Mr. Truesdel seconded the motion. Motion passed 2-0.

Wiley Truesdel

Steve Williamson

Attest: _____
Angie Lawson, Auditor

Steve Redenbaugh