**MEETING MINUTES**

**BOARD OF COMMISSIONERS**

**2524 CORYDON PIKE SUITE 104**

**NEW ALBANY IN 47150**

February 19, 2019

6:00 P.M.

Mr. Billy Stewart opened the meeting and led the Pledge of Allegiance.

Roll Call:

Present: Mr. Billy Stewart, Mr. John Schellenberger, Mr. Shawn Carruthers

Also Present: Mr. Scott Clark, Auditor; Mr. Rick Fox, Attorney; Mr. James Sinks, Assessor; Ms. Denise Konkle, County Council president, Mr. Dale Bagshaw, County Council. Auditor Scott Clark was absent.

**New Business:**

1. Public Hearing for the Vacation of Waterside Farms Property-

**Discussion:** There are certified documents showing the notification to Marathon which is Hardin Street Marine. What’s important for the Commissioners to recognize is that Old River Rd is a road to nowhere. In the petition, you will notice we have warranted and promised to enter into an easement agreement with Hardin Street Marine so they can access their property at will. Our case is the road services no one. Part of it has fallen off into the Ohio River.

Public to speak in favor or speak against this?

 Mr. Mouser is not opposed but wants to issue some caution about shutting out some property owners.

Mr. Kraft-first and foremost Mr. Hurre did not give notice to Eastridge II, LLC. Eastridge II’s property is accessed by this roadway. If the vacation makes access to the land of the aggrieved person, which is Eastridge II, LLC, if it makes it either difficult, inconvenient or even possible it should not be granted. The Coast Guard issue was raised. An email was sent to Mr. Lopp. Commissioners want all parties to work this out. An easement has to be granted in order to get to Eastridge II property as well as Hardin Street property. The easement should be unrestricted. Coast Guard says the road is a public right of way and if so, the gate needs to come down. If that happens, McBride will have to amend their MTSA plan. We don’t think McBride wants to do that. But if the Commissioners deem that road public then McBride has no choice but to amend the MTSA plan. The desire in meeting was to put together an easement. We have no issue with the gate provided the key is given to Marathon and Eastridge. Mr. Kraft passed out paperwork.

Mr. Hurre-1997 flood took about 600 ft. of the road. The road goes to nowhere.

Does the old agreement still work for Mr. Eastridge to get in and out of the property?

At this time the public meeting was closed.

1. Public Hearing for the Vacation of Marathon Petroleum Property-

**Discussion:** Bill Kramer-real estate dept. Marathon can do some improvements to the west side of the road. We are working on an unrestricted use of the road for Eastridge to use. If it is not vacated Marathon can still do what they want to do. The concern is having damage to the cables. They prefer no one drive across it. That’s why they want the easement. It will be 200 ft. west of the existing road.

At this time public meeting is closed

1. Floyd County Community Corrections-Karen Bell
	1. Electronic Monitoring Service Agreement

Attorney Rick Fox has looked at the contract and is ok with it.

Motion to approve contract**. Moved by** John Schellenberger; **second by** Shawn Carruthers**. Motion passed unanimously.**

1. Floyd County Director of Operations
	1. Update Eagle Scout Project – North Annex. Ground work is underway. The project is a 2 acre pollinator project.
	2. Request – Salvage property and equipment. We have a request from the optimist club in Georgetown for some sign posts that we no longer use. They have ask to have some of those for a project.

Motion to approve. **Moved by** John Schellenberger; **seconded by** Shawn Carruthers. **Motion passed unanimously.**

We had a long time employee, Jesse Bewley that resigned. He has requested to keep his phone and his phone #. The phone is valued at $95.00. He would pay that to the county for his phone unless the Commissioners allowed him to have it.

Motion to approve $95.00 for the phone and keep the phone #. **Moved by** Shawn Carruthers; **seconded by** John Schellenberger. **Motion passed unanimously.**

Gary Bierman has asked to be named interim IT director.

Motion to approve. **Moved by** John Schellenberger; **seconded by** Shawn Carruthers. **Motion passed unanimously.**

* 1. Update County Bicentennial-

Don spoke with the elementary art director. They are on board with the fiberglass buffalo project. We are looking into a grant for the project. Also, looking into some summer movie nights at the digital library.

Greenville was approved by INDOT to have a parade sometime in May for the bicentennial. We’ve offered to help in terms of logistics. We will put together a schedule of events in the next month.

* 1. Update Capital Projects-

We will be meeting with engineers about Moser Knob and I will provide you with an update at the first Commissioners meeting in March.

We are starting right of way acquisition on Bridge 3 on Chapel Hill Rd and Bridge 9 which is Atkins Rd and Oakes Rd. Right now culvert repairs are being identified prior to paving that was approved.

We have quotes for guard rails for North and South Skyline. IDS was low bid at $19,337.50. Don Lopp and Ronnie Tuell reviewed the bid.

Motion to approved IDS bid for $19,336.50. **Moved by** John Schellenberger; **seconded by** Shawn Carruthers. **Motion passed unanimously.**

We are requesting direction on North Tucker Rd project we are working on with Georgetown. Last year we purchased property including a house on North Tucker Rd. That project is installing a traffic light at Copperfield and realigning Tucker Rd to be the fourth leg intersection. Looking for guidance concerning moving the house or the demolition of it. Don thinks it would be good to try to find someone to move the house. We can ask for quotes to move it and if that doesn’t work then we can get quotes to demo it.

Question: Are we giving it away or selling it? Don indicated we would sell it.

Motion to issue bid request for buying and moving the house. **Moved by** John Schellenberger; **seconded by** Shawn Carruthers. **Motion passed unanimously.**

Brief update on Jersey Park. Culvert costs are being determined. It will require the road to be closed for some time. We don’t have that price or duration yet. We should have that info by mid-March.

Highland Hills Middle School has reached out to us about a turn lane at the two entrances there on Edwardsville Galena Rd. We have a preliminary design layout. The next thing is we will be getting some costs together and bring them to the Commissioners.

* 1. FCO 2019-4 – Amendment to EDIT Capital Plan

Floyd County ordinance for changes to the EDIT Capital Plan. The changes that are being requested in terms of allocation of funds is $50,000.00 from economic development to IT. That would include replacing our court computer system that was quoted at $77,000.00. That quote was refreshed. It is now $93,000.00 to include adobe software that is required by the state. That is a difference of $16,000.00 and that is a one-time cost. There also are not any spare phones and if one breaks, we do not have any to replace it. We are asking for five new phones at a cost of $12,500.00. There is a security audit that has been requested at a cost of $8,000.00. There is a request from the Council for $13,000.00 for laptops for the Council and Commissioners. All the monies are available if the Commissioners want to fund all items requested.

The other item is $20,000.00 for the unsafe bldg. demolition. At the last meeting or maybe two meetings ago, the 3300 block structure on Corydon Pike. The next step will be to get quotes for the demolition of that property. This is the requested amendment for EDIT to ordinance 2019-4.

Dale Bagshaw, County Council, discussed the laptops. He stated there was going to be a meeting about the needs concerning the laptops. No decision was made at the last County Council meeting. IT would gather the info and make the best decision; laptops or tablets. Denies Konkle indicated the security audit is not software, it is an IT expense.

Motion to approve ordinance 2019-4 by unanimous consent. **Moved by** John Schellenberger; **seconded by** Shawn Carruthers. **Motion passed unanimously.**

Update Innovation Park-

The redevelopment commission project is underway. We are still looking for a June wedding. The tree clearing has started. Demolition of the non-historic structures is going out for bids next month. Marketing plan for the park and the street scape are being developed as well. Engineer hopes to have a cost estimate later next month to show you.

* 1. Proposed Sanitary Sewer Connection at Shagbark Trail

Next item is from Mr. Gibson. There is a request from the Hecock’s to use an existing utility easement and also go into the Shagbark Trail right of way for a proposed sewer line for a single family home. Mr. Hecock want to tie into the Shagbark sewer line. John Schellenberger wants the line to be to one side of the easement or the other. Mr. Gibson has no issue with it. Mr. Hecock needs permission to us the right of way. Commissioners recommend he use the recommendation of the County Engineer, Mr. Gibson.

Motion to approve with conditions mentioned earlier. **Moved by** John Schellenberger; **seconded by** Shawn Carruthers. **Motion passed unanimously.**

* 1. Radius – Trail Project

Jeff Quale from Radius, IN is here to talk about the trail project. They are trying to buy land that has been abandoned by CSX. The trail is 66 miles long and runs through 5 counties. There is approximately 8 miles in Floyd County. This trail is an economic uplift. Trying to negotiate a price with CSX for the entire corridor. There are some state grant programs for this. Don Lopp will be their contact for updates. The trail is a bike and walking trail. Commissioners question liability of the trail for property owners along the trail. Cost of acquisition, construction & maintenance (some communities have a lot of volunteers to do minor maintenance of the trail) studies show cost is two to three thousand dollars per mile per year.

* 1. Pictometry – Contract

This is a 6 year contract at a cost of $253, 836.36. They do our fly-over pictures used by several offices in the county. Mr. Fox reviewed contract and is satisfied that changes he recommended were made and he agrees the contract is in order.

Motion to approve Pictometry contract. **Moved by** John Schellenberger; **seconded by** Shawn Carruthers. **Motion passed unanimously.**

Subdivision meeting and one member asked if Carol Norton could sit in for her.

Commissioners need to make a motion that someone can sit in on a meeting for someone that can’t be there. A motion to allow a representative from the same community to sit in for them during their absence with the right to ask questions and to vote as well.

Motion to allow someone from the same community to sit in for an absent member and have right to ask questions and vote. **Moved by** John Schellenberger; **seconded by** Shawn Carruthers. **Motion passes unanimously.**

Mr. Kraft asked if there would be any action taken on the vacations tonight. Commissioners can put it on their next agenda. Mr. Kraft stated at a public meeting a vote is usually then taken. He would like to know if there is going to be a vote tonight. Commissioner’s state there will not be a vote tonight. The vote may be at the next meeting. They would also like to see all parties involved be at that meeting.

Arnie Schnobrich-ordinance 2019-5

What is being proposed is currently the payroll for Solid Waste District is done by the County Operation Section. It is proposed their payroll be moved back into the County Auditor’s office. All taxes & benefits…including Deferred Comp and PERF will be going to the correct state offices.

Motion to approve Solid Waste District payroll be moved to the Auditor’s office. **Moved by** John Schellenberger; **seconded by** Shawn Carruthers. **Motion passed** **unanimously.**

At the February 8, 2019 Commissioners meeting Officer Firkins, president of the Frank C Denzinger Lodge #171 Fraternal Order of Police ask to amend ordinance 1996-12 which then referred to the Wyandotte Lodge #171 Fraternal Order of Police . This ordinance would amend the first ordinance and going forward it would be referred to as the Frank C Denzinger Lodge #171 Fraternal Order of Police. It is simply a name change.

Motion to approve by unanimous consent ordinance 2019-6. **Moved by** John Schellenberger; **seconded by** Shawn Carruthers. **Motion passed unanimously.**

There is concern for Mary Lou Byerley’s PERF. Arnie assures he will reach out to PERF to negotiate to re-open her account and put in the correct funds.

1. Floyd County Attorney- Rick Fox
	1. FCO 2019-5 Ordinance Establishing Payroll for Solid Waste District

Addressed above

1. Board & Committee Reports.-

New entry on the agenda. Each Commissioner will give updates on the Boards they serve on.

1. American Legion request for Road Block
	1. Paoli Pike-March 9, 2019

American Legion, Floyds Knobs, is requesting a road block on March 9th. It is for a fundraiser. Not sure if Sheriff Loop has any issue with it, but it has been done in the past without involving Sheriff’s office.

Motion to approve as long as Sheriff Loop doesn’t have any issues. **Moved by** John Schellenberger; **seconded by** Shawn Carruthers. **Motion passed unanimously.**

Our last meeting we approved $80,000.00 for an ambulance. Ms. Konkle thought we should use the Hospital Interest funds for that expense. Mr. Schellenberger does not want to use those funds. Mr. Stewart’s concern is there is not money in the Hospital fund. When the 5% spend rate is received it goes into the Hospital Interest fund.

* Let the Records show the Floyd County Commissioners received the Monthly report for September 2018 from the Treasurer’s Office
* Let the Records show the Floyd County Commissioners received the Monthly report for January 2019 from the Clerk’s Office
* Approval of the February 5, 2019 Commissioners Meeting Minutes.

Motion to approve February 5, 2019 Minutes. **Moved by** Shawn Carruthers; **seconded by** John Schellenberger. **Motion passed unanimously.**

* Approval of Payroll and Claims

Motion to approve payroll and claims. **Moved by** John Schellenberger; **seconded** **by** Shawn Carruthers. **Motion passed unanimously.**

We had a meeting at 4:30 for Solid Waste

We had a meeting at 5:45 for the Board of Finance

The next Commissioners meeting will be moved to Thursday, March 7, 2019. The reason for moving the meeting is due to the Commissioners attending Road School that is required.

Mr. Carruthers thanked everyone for coming out and supporting local government.

Don Lopp provided a letter that is required in order to let the Commissioners know if there is a conflict of interest. Even though the relationship is distant to Mr. Lopp, he is fulfilling his obligation to inform.

Judith Mimbella was incorrectly at a County Commissioners meeting, the meeting she needed to be at was a City meeting.

George Mouser stated that on December 14, 2018 Mr. Stewart was in the paper as having 10 conversations with Theinemen about drainage concerns. Mr. Mouser wanted to know how many conversations he had with citizens that oppose the project. Mr. Stewart stated he spoke with Theinemen one time in his office and two times in an open meeting. Mr. Stewart also stated he is available to speak with anyone at any time if they want to call his office or send an email.

Dale Mann thanked the Commissioners for talking about the Boards they serve on. Mr. Mann stated concerns he has about the Trail Project and the safety of the bikers and walkers.

Motion to adjourn. **Moved by** John Schellenberger; **seconded by** Shawn Carruthers. **Motion passed unanimously.**

**Today’s Meetings:**

4:30 P.M. Solid Waste

5:45 P.M. Board of Finance

**Next Commissioners Meeting: PLEASE NOTE DATE CHANGE OF NEXT MEETING**

Thursday, March 7, 2019 @ 6:00 p.m.