

COMMISSIONERS' REGULAR MEETING – MONDAY, DECEMBER 16, 2024

The meeting was called to order by Chairman, Brian Baird at 10:00 a.m. Kevin Walls and Ron West were present.

INVOCATION

Mr. West gave the Invocation.

PLEDGE OF ALLEGIANCE

Mr. Baird led the Pledge of Allegiance.

OPENING OF SEALED BIDS FOR THE INDEPENDENCE PARK PICKLEBALL COURT CANOPIES

Tiffany Costley, County Attorney, opened and read the following bids received for the Independence Park Pickleball Court Canopies:

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|---|-------------|
| All Star Paving, Inc. – Seymour, IN | \$67,882.00 |
| Cool Planet Awning Company – Indianapolis, IN | \$71,000.00 |
| County Line Companies dba PlayPros – Kokomo, IN | \$60,290.00 |

Mr. Baird asked if the contract should be awarded today. Mrs. Costley replied, yes, since the funds are coming from ARPA the bids need to be reviewed and awarded, pending legal. Mr. Baird asked Wes Harrison, Project Manager, if he had any recommendations. Mr. Harrison replied he would like to review the bids and get with Mrs. Costley later this afternoon. Mrs. Costley stated the bid can be awarded to the lowest and most responsive, pending legal.

Mr. West moved to approve the lowest and most responsive bid, pending legal. Mr. Walls seconded the motion, which carried unanimously.

AWARD OF JOHNSON COUNTY OPIOID REMEDIATION GRANTS

Mr. Walls stated there are four applicants.

- Bloom, which is an infant care, asked for \$55,000.00
- Upstream Rise, recovery program, asked for \$50,000.00
- Upstream Café, recovery program, asked for \$50,000.00
- Riley Children’s Hospital asked for \$20,000.00, the Committee increased it to \$50,000.00

Mr. Walls stated the Committee has vetted these agencies. Each agency did an in-person presentation which was very in dept and informative. As representative of the Committee, Mr. Walls is recommending for approval Bloom in the amount of \$55,000.00; Upstream Rise in the amount of \$50,000.00; Upstream Café in the amount of \$50,000.00; and Riley Children’s Hospital in the amount of \$50,000.00.

Mr. West stated he is not familiar with Bloom. Mrs. Costley replied this is a direct care program provided by physicians. They provide after-care like well-baby visits and continued care after an infant is released from the hospital. This is a pilot program they are trying to start in Johnson County. Mr. Walls responded, Bloom is based in Madison, Jefferson and Switzerland County. One of the Pediatricians is based in

Indianapolis and would like to see the program expand to Johnson County. Mr. West stated his primary concern from the beginning was for infant care. He would like to see as much as possible go to infants and mothers subjected to addiction. Mr. Walls responded we also have Riely Children's Hospital and both Riley and Bloom are predominantly for pediatrics. Mrs. Costley stated the Committee really ran the gamut as far as infant care, pre-natal care, and adult care.

Mr. Baird moved to approve the request as presented. Mr. West seconded the motion, which carried unanimously.

Mr. Walls stated these are much needed programs and thanked the Commissioners for their approval. Mrs. Costley stated this is a reimbursement grant; they will be able to see how the money tracks and how it applies to Johnson County and Johnson County citizens, as well as what each organization is doing. Mr. Walls stated this is solely focused on Johnson County.

ELECTED OFFICIALS AND DEPARTMENT HEADS

A. ASSESSOR

1. Approval of Contract Employing Attorney, Dustin Huddleston

Mike Watkins, Assessor, was present to request approval of the contract employing Attorney, Dustin Huddleston.

Mr. Walls moved to approve the request as presented. Mr. West seconded the motion, which carried unanimously.

B. VASIA

1. Approval to Apply for the Shining Bright Together Grant Application

Lauren Rynerson, Director, was present to request approval to apply for the Shining Bright Together Grant.

Mr. West moved to approve the request as presented. Mr. Walls seconded the motion, which carried unanimously.

C. COURT SERVICES

1. Approval to Apply for the JDAI 25-26 Grant Application

Mr. Walls stated this is an annual grant.

Mr. Walls moved to approve the request as presented. Mr. West seconded the motion, which carried unanimously.

D. PUBLIC SAFETY COMMUNICATIONS

1. Approval to Attend the Denise Amber Lee Foundations Be The Difference Conference, February 9, 2025 -February 12, 2025 in Myrtle Beach, South Carolina

Heath Brant, 911 Director, was present to request approval to attend the Denise Amber Lee Foundations Be The Difference Conference, February 9, 2025 – February 12, 2025 in Myrtle Beach, South Carolina. Mr. Brant explained that he told his employees that wanted to attend the conference, they would need to

apply for a scholarship. One of the employees was awarded a full scholarship to cover the conference and all travel expenses.

Mr. West stated his concern is with an employee being out of the office for 5 days, with overtime currently running at a premium, how this will affect the overall operation of the department. Mr. Brant replied, at this time they only have one opening to fill. There are employees in training and by the time of the conference, the department will be fully staffed.

Mr. West moved to approve the request as presented. Mr. Walls seconded the motion, which carried unanimously.

E. HEALTH

1. Approval of Interlocal Cooperation Agreement with the Health and Hospital Corporation of Marion County for Mosquito Control Services

Elizabeth Swearingen, Director, was present to request approval of the Interlocal Cooperation Agreement with the Health and Hospital Corporation of Marion County for mosquito control services. Mr. West stated this service used to be a flat rate of \$10,000.00. Now it is done based on mileage and different formulas. He asked Mrs. Swearingen if there had been any calculations done to determine what the cost would be using the new formula. Mrs. Swearingen replied, no. She stated there weren't very many runs this past summer, but it usually stays under the \$10,000.00.

Mr. West moved to approve the request as presented. Mr. Walls seconded the motion, which carried unanimously.

F. HIGHWAY

1. 2025 Material Bids Award Recommendation

This item was removed from agenda per Luke Mastin, Highway Supervisor

2. Approval and Execution of Agreement with Citian, Inc

Daniel Johnston, Highway Engineer, was present to request the approval and execution of the agreement with Citian Inc. Mr. Johnston explained that Citian has developed a CRASH software program that uses machine learning, natural language processing, and AI/ML algorithms which allows the Highway Department the opportunity to more effectively analyze crash histories and trends. Mr. West asked if this is for a full 5 years. Mr. Walls replied yes, so it is a \$100,000.00 contract. Mr. Johnston replied the rate is a reduced amount from what their initial fee proposal was. Mr. Johnston explained that Citian has a tiered system, and they are recommending the lowest tier plus adding the automated data refinement tool, which allows the County to run custom queries of crashes in Johnson County and develop heat maps of problem areas.

Mr. West moved to approve the request as presented. Mr. Walls seconded the motion, which carried unanimously.

3. Approval and Execution of INDOT Railroad Grade Crossing Fund SFY25 Agreement

Mr. Johnston was present to request approval and execution of INDOT Railroad Grade Crossing Fund SFY25 Agreement. This agreement is specifically for State fiscal year 2025. The grant provides \$15,867.00 to purchase pavement markings for 21 at-grade railroad crossing in Johnson County.

Mr. West moved to approve the request as presented. Mr. Walls seconded the motion, which carried unanimously.

4. Approval and Execution of Smith Valley Road Phase 2 Supplements

Mr. Johnston was present to request approval and execution of Smith Valley Road Phase 2 Supplements. These are a number of contract supplements all related to the Smith Valley Road Corridor Project. These are the result of the design progression. One of the supplements is related to added environmental investigation. This is a standard part of the process, but was not initially anticipated until further refinement of the design. Two of the supplements are associated with Right-of-Way Engineering and Right-of-Way Acquisition Services. The last one is associated with the benefit of adding an additional roundabout that was not in the original project scope. This will provide a roundabout roughly every half mile of the corridor.

Mr. West moved to approve the request as presented. Mr. Walls seconded the motion, which carried unanimously.

5. Request Bid Date for CR144 and Morgantown Roundabout Project

Mr. Johnston was present to request a bid date for the CR144 and Morgantown Roundabout Project. Mr. Johnston requested a bid date of Monday, January 27, 2025 at 10:00 a.m. Mr. Johnston also requested the Commissioners signature on the project's title sheet.

Mr. Walls moved to approve the request as presented. Mr. West seconded the motion, which carried unanimously.

Mr. Walls stated the ground has already been purchased. Bargersville purchased two southern corners and the County purchased the northeast corner.

G. BOARD OF COMMISSIONERS

1. 2025 Convention, Visitor, and Tourism Board appointments

a. Board Member Fulfilling a Vacant seat (1) – Term Expires 12/31/2025

b. Board Members (2) – Term Expires 12/31/2026

Mr. West recommended Jennifer Eckles and James Copp for the two two-year terms expiring 12/31/2026.

Mr. Walls moved to approve Jennifer Eckles and James Copp for the two two-year terms expiring on 12/31/2026, Mr. West seconded the motion, which carried unanimously.

Mr. Walls recommended Joe Hubbard for the one-year term expiring on 12/31/2025. Mr. Baird seconded the motion, which carried 2-1.

2. Award and Approval of Contract for the Johnson County Sheriff Training Center Furniture Project

3. Award and approval of Contract for the Johnson County Sheriff Training Center Culvert Crossing Project

Mr. Walls moved to approve Commercial Office Environments, Inc. for the Johnson County Sheriff Training Center Furniture Project and Sub-Service of Indiana, Inc. for the Johnson County Sheriff Training Center Culvert Project. Mr. West seconded the motion, which carried unanimously.

4. Ordinance 2024-O-9: An Ordinance Amending Title 9 of the Johnson County Code Ordinances – Second Reading

Mrs. Costly stated she thought there was someone here for public comment. Mr. Baird stated, before they motion, if anyone is here for public comment, please come forward and state your name and address.

Dick Huber, resident in White River Township in Carefree South came to the podium and raised the following concerns:

- Mr. Huber would like to see the Commissioners consider that a 17- or 18-year-old operating a golf cart be required to have an older person with a valid license sitting in the passenger seat.
- He would like the Commissioners to consider a slow-moving vehicle sign always be easily visible when there are rear facing passengers on the golf cart.
- He would like to know how to report a golf cart that is operating in violation.
- He would like to see the Commissioners provide a condensed version of the ordinance that would be available online for neighborhood associations to make available for their publications.

Mr. West replied the age concern is satisfied by the requirement of a valid driver's license. Regarding the issue of rear-facing seating, seat belts are required so that satisfies this concern. The reporting of any violation would go to the Sheriff's Department, then they would determine the necessary response. As far as a condensed version of ordinance all the ordinances are available online to anyone who would like to see them. Mr. Huber asked how many pages this ordinance is. Mr. West responded seven. Mr. Huber stated it is unlikely that a neighborhood association is going to send out seven pages in their publications. Mr. Huber would like to see the Commissioners condense the ordinance to maybe half a page which would highlight the ordinance requirements. Mr. West stated anyone can access the entire ordinance online. Mr. Huber asked if the Commissioners are asking each neighborhood association to condense the ordinance on their own. Mrs. Costly replied the ordinance will be published twice in the newspaper after the meeting and available online on the County website. She stated is important for everyone to read the full document.

Mr. West raised a concern he has with UTVS/RTVS and off-road vehicles having unrestricted travel throughout the County. He suggested that it might be considered putting a restriction on travel to a radius around the primary ownership's home. He stated what they are trying to accomplish with the ordinance is to give these individuals, who are primarily agricultural, the ability to go from one field to another field while they are working. Mr. Walls replied that he knows some farmers that live on the east side of the County and farm in Union Township so they move around quite a bit. Mr. Baird replied, it needs to be understood there is a difference in the agricultural uses of UTVS/RTVS and recreational use of ATVS. UTVS/RTVS have steering wheels, seat belts, lights, functioning turn signals, brake lights, and roll bars which protect them from accidents. They need to understand agricultural UTVS/RTVS are good to use for spraying fields, fence lines and such, they are no different than a tractor. The agricultural use of these vehicles is totally different than recreational use. If there is a way to distinguish between agricultural and

recreational use, he has no issue with limiting the distance traveled by a recreational vehicle. He does, however, have an issue with limiting the distance traveled for agricultural use. Mr. Walls stated if the ordinance is passed and feedback is received from the Sheriff's Department regarding violations and issues, those can be addressed at that time.

Mr. Baird stated under further discussion he is going to vote against this ordinance. Mr. Baird stated he wants the public to understand why he is voting against the ordinance. He has an RTV that is used for agricultural use. It is no different than the farmers who are using their farm machinery on the roads. They aren't required to pay a registration to put them on the road. This ordinance requires a registration fee to put an UTVS/RTVS on the road. It is unfair to charge someone who is using a UTVS/RTVS for agricultural use a fee when individuals aren't charged to put farm machinery on the road. Mr. West stated he understood but there is no way to separate the agricultural from the recreational. If there was a way to segregate the two, he would be more inclined to consider those fees. Mr. Baird stated individuals are permitted to drive their vehicle from farmland to farmland under State laws. They aren't required to be registered with the BMV because they are considered a piece of agricultural equipment. Ms. Costley stated the BMV website states that farm vehicles being used for farming included but not limited to farm wagons are not considered off-road vehicles. By that reading, if the vehicles are used for farming purposes, they are exempt. They don't have to be registered with the BMV and aren't considered an off-road vehicle under Indiana State law, which is the definition of off-road vehicles used in the ordinance. Therefore, if they are used for agricultural purposes, they aren't required to be registered with the BMV or at a county level. Mr. West states a tractor or combine are defined as agricultural use vehicles and not required to be registered. Off-road vehicles are just a mode of transportation unless the operator states it is being used for agricultural purposes. Anyone can say they are using off-road vehicles for farming purposes. For the County's purpose and the State's, off-road vehicles require registration because it is a mode of transportation. That is why he is standing with the ordinance.

Mr. West moved to approve the second reading of the ordinance. Mr. Walls seconded the motion, with further discussion. The motion carried with Mr. Walls and Mr. West voting in favor. Mr. Baird voting against.

Mr. Walls replied it's very simple; we run this for a year, we'll see what needs to be adjusted and make adjustments and move forward. If the Sheriff's office finds a lot of abuse and it becomes too cumbersome, we will take it away.

5. Approval of Owner-Provider Professional Services Agreement for Johnson County Public Transportation Service with Gateway Services, Inc. d/b/a Access

Mr. West moved to approve the request as presented. Mr. Walls seconded the motion, which carried unanimously.

6. Approval of agreement for Consulting Services with Michael A. Reuter Consulting Services, Inc

Mr. West moved to approve the request as presented. Mr. Walls seconded the motion, which carried unanimously.

Mr. Walls stated Mr. Reuter does a phenomenal job for the Commissioners and Council.

7. Approval of Independent Contractor Agreement with Dan Cartwright

Mr. West moved to approve the request as presented. Mr. Walls seconded the motion, which carried unanimously.

Mr. Baird welcomed Mr. Cartwright aboard and explained they are discussing whether it would be an advantage or disadvantage to having a Department of Public Works.

8. Appointment of Tiffany Costley, County Attorney, as Proxy for the Region Five Workforce Development Board

Mr. Walls moved to approve the request as presented. Mr. West seconded the motion, which carried unanimously.

9. Appointment of Taylor Webster, Assistant County Attorney beginning January 2, 2025

Mr. Walls moved to approve the request as presented. Mr. West seconded the motion, which carried unanimously.

10. Approval of Contract for Legal Services with Adam P. Gadberry

Mr. West moved to approve the request as presented. Mr. Walls seconded the motion, which carried unanimously.

Mr. Walls stated Mr. Gadberry will be aligned with what is paid for outside counsel

11. Ratification of Agreement with CR Stafford Regarding the Feasibility Study of Regarding North Annex Courtroom Project

Mr. Walls moved to approve the request as presented. Mr. West seconded the motion, which carried unanimously.

12. Employee Handbook Changes

Mrs. Costley stated there were two basic changes, one was to change the title of County Coordinator to County Administrator, which was approved in the November 2024 Council meeting. The second were edits to the short-term disability plan or salary continuation plan that would match and mirror the parameters that were approved in the November 2024 Commissioners meeting.

Mr. West moved to approve the requests as presented. Mr. Walls seconded the motion, which carried unanimously.

NEW & OLD BUSINESS

A. Claims and Credit Card

Mr. West moved to approve the requests as presented. Mr. Walls seconded the motion, which carried unanimously.

B. Commissioners' Minutes: Executive Session 12/10/2024 and 11/19/2024

Mr. West moved to approve the requests as presented. Mr. Walls seconded the motion, which carried unanimously.

C. Public Comment – *(limited to 5 minutes per person, please)*

Jennifer Eckles wanted to thank the Commissioners for the appointment to the Convention, Visitor, and Tourism Board.

Mike Rogers and Randy Bowman wanted to inform the Commissioners of their intent to start a convention/event center in Johnson County. They are looking at a building in Trafalgar. This would bring revenue into Johnson County by bringing larger convention/events into the County.

ADJOURNMENT

There being no further business, Mr. Walls moved to adjourn. Mr. West seconded the motion, which carried unanimously.

REGULAR COMMISSIONERS' MEETING – MONDAY, DECEMBER 16, 2024



Brian Baird



Kevin Walls



Ron West

Attest:
Elizabeth A. Alvey
Auditor

