

**COMMISSIONERS' REGULAR MEETING- MONDAY, MAY 9, 2022**

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 led the Invocation.

**PLEDGE OF ALLEGIANCE**

Mr. Baird led the Pledge of Allegiance.

**FRANKLIN AMERICAN LEGION POST 205**

**1. Approval for Field of Crosses and 2. Approval of the Memorial Day Program**

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

**UPSTREAM PREVENTION – Memorandum of Understanding for Nalox Boxes in County Buildings**

Kathleen Ratcliff, Executive Director, appeared before the Commissioners to discuss a Memorandum of Understanding regarding the distribution of Nalox Boxes throughout Johnson County Government Buildings. Discussion was held and all questions were answered satisfactorily. Mr. Baird and Mr. Walls asked that the MOU be reviewed by Shena Johnson, County Attorney, and then re-addressed at a future Commissioners meeting. The Commissioners agreed there was verbiage that needed to be changed/omitted from the MOU that referenced a hold harmless clause.

**WILLOW LAKES HOMEOWNERS ASSOCIATION – Street Repairs**

Bruce Bultman, Willow Lakes Home Owners Association, (HOA) appeared before the Commissioners to discuss the repair of streets within Willow Lakes subdivision. Mr. Bultman stated they had appeared before the Commissioners several times in recent years regarding the unsafe conditions of their streets. Mr. Bultman gave details of past discussions with the Commissioners, and an update on the repairs yet to be done and the repairs in progress. He said they had received a concerning email from Luke Mastin, Highway Director, telling them additional repairs may not happen this year. Mr. Bultman said they were here today to once again bring attention to the immediate need for street repairs in Willow Lakes. Mr. Bultman stated in the original letter sent to the Commissioners there were four questions asked: the first one was, when will Willow Court be finished? He said one or two years ago something was mentioned about a \$5,000,000 Bond once the Whiteland Road Bond was complete. He said they were led to believe this bond might be re-issued, noting nothing ever happened and they would like to know the status of this Bond. He said it was their understanding the Bond was going to be part of the funding for their street repairs. Mr. Bultman asked the Commissioners to elaborate on the Bond.

Mr. Walls asked Mr. Bultman to continue with the two other concerns he had previously mentioned and they would address all concerns accordingly.

Mr. Bultman said the third concern was in regards to Community Grants that had been part of the street repair funding in the past. He said Mr. Mastin told them their streets had not been approved for these funds and this is why this repair project may not happen. He asked what other funding

sources or options were available. He said the last item was simply a question: "When would their roads be repaired?"

Mr. West said he would like to first talk about the Bond. He said there have been ongoing discussions about this and he is in favor of it. He stated he was the one who most likely brought this idea forward, he stated a \$5,000,000 Bond would have been distributed throughout the County; it would have never been dedicated exclusively for Willow Lakes. He said it could have helped moving some of these projects forward in some of the worst areas. He said he still would support this idea, but could not speak for the other Commissioners as they represent other areas within the County. Mr. West stated they were always looking for Community Crossings Grants, as well as other avenues of funding. He noted, they compete with other Counties for these Grants and are not always successful. He said they are constantly looking for State and Federal Funding to help stretch local dollars and these processes take time; they are competitive and it doesn't always work to our advantage. Mr. West stated the Commissioners are in continued conversation with the County Council looking for different funding sources to improve roads in Johnson County. He said they are well aware of the critical needs in regards to County-wide road repair funding.

Mr. Baird stated he had never privately nor publically mislead anyone about a \$5,000,000 bond as Mr. Bultman had stated earlier.

Mr. Mastin approached the podium and stated they are finishing surface overlays on Woods Court and Willow Court, noting this was part of last year's program. Mr. Mastin said, as he indicated in his email to the HOA, he anticipated this project would be complete in May, once the paver came back from maintenance. He said they waited to do the surface because of cold temperatures. He said cul-de-sacs are tricky to pave; the last thing they wanted was the asphalt to get cold during this process.

Mr. Mastin then said in regards to potential paving for this year's program; he referenced a map that was provided during a meeting held last year that Willow Lakes attended. This map identified some paving that would be partial mill of the concrete streets and an asphalt surface overlay. He said this was part of the request for the 2021 Community Crossings Program and the roads in Willow Lakes were not selected for repair by the Grant. He noted this is not an ideal maintenance for concrete streets but they were attempting to extend the usable life of the roads until a Funding Plan was developed for reconstruction. He stated, unfortunately, there were many roads that were not selected including Willow Lakes.

Mr. Mastin stated the average bid pricing for concrete neighborhood reconstruction last year was approximately \$1,064,000 per mile. The annual in-house maintenance program is approximately \$3,000,000 per year. This does not include ancillaries, piping, road signs or striping. Mr. Mastin stated if every penny of the annual \$3,000,000 budget were put into concrete neighborhood street reconstruction it would complete less than two miles of road repair and that would allow no other road maintenance to be done in Johnson County for that program year.

Mr. Mastin discussed and reviewed the numbers and reports that had been supplied during the meetings held last year prior to the Community Crossing Program.

Mr. West talked about the dilemma these street issues were causing all over the County. He said something has to be done and a funding mechanism needs to be found.

Craig Thompson, Willow Lakes Homeowner, approached the podium to address the Commissioners. Mr. Thompson reiterated the need for immediate repair of the concrete streets in Willow Lakes Subdivision. Detailed discussion was held and there were many questions and concerns addressed.

Dan Cecil, Willow Lakes Homeowner, approached the podium to address the Commissioners. Mr. Cecil stated they were trying to express their frustration because they had been working on this problem for ten (10) years and they were tired of always getting the same answer.

Ron Deer, Johnson County Council, approached the podium and gave his views on potential future funding sources.

Mr. Baird stated this issue is not exclusive to subdivisions in the northern part of Johnson County; this issue is all over Johnson County. He said this Board would continue to work together to try and find a more efficient and effective manner to approach this problem County-wide.

Mr. West thanked everyone for coming to the meeting.

**FORESTAR (USA) REAL ESTATE GROUP, INC. – Meadows At Belleview, Section 1 Final Plat and Bonds**

Eric Prime, Van Valer Law Firm, appeared before the Commissioners to request approval of Meadows at Belleview, Section 1 Final Plat and Bonds. He stated this is a residential subdivision that is under construction at Mullinix and Olive Branch Road.

Michele Hansard, Director Planning and Zoning, approached the podium and stated Meadows at Belleview, Section 1 Final Plat and Bonds would be required to meet the following proposed conditions for acceptance:

1. The performance bonds that have been provided for the curbs and gutters and earthwork will be accepted after it is reviewed to be adequate and sufficient to cover the deficiency noted by Planning.
2. Provide maintenance bonds for the items listed in Mr. Hoover's memo once they are installed.
3. A Type III barricade must remain in place at all times at the entrance of Mullinix Road and Jaeger Lane until all traffic street signs are in place throughout the subdivision. Once the barricades are removed from the entrance, they must be placed at the end of the sub streets that lead into Section 2.
4. No building permits shall be issued until all outstanding fees have been paid.
5. Performance bonds can only be released by the Commissioners or Planning and Zoning once an inspection is completed on the improvement and the improvement is in compliance with standards and free of defects.
6. Any work done in the platted right-of-way will require the issuance of a right-of-way permit through the Highway Department. An inspection of the improvement in the right-of-way shall be conducted after the work is completed in the right-of-way.

7. The subdivision must maintain compliance with IDEM's Indiana Storm Water Quality Manual.

Mr. West had questions regarding drainage. Richard Hoover, Planning Engineer, came to the podium and stated the drainage problems in this area were addressed during the plat process.

Mr. Mastin approached the podium to speak of the past history of drainage in this area.

Melissa Garrard, Forestar Group, came to the podium to discuss the process Meadows at Belleview, Section 1 had gone through to reach this point. Discussion was held and all questions were answered satisfactorily.

Mr. Walls made a motion to approve the request pending sufficiency of Bonds verification, resolution of the conditions set forth by the Department of Planning and Zoning and Johnson County legal review. Mr. West seconded the motion, which carried unanimously.

## **ELECTED OFFICIALS AND DEPARTMENT HEADS**

### **A. Health**

#### **1. Approval of Gordon Flesch Company Maintenance Contract**

Betsy Swearingen, Director, appeared before the Commissioners to request approval of a contract with Gordon Flesch Company.

Mr. Walls made a motion to approve the request pending legal review. Mr. West seconded the motion, which carried unanimously.

#### **2. Approval to Apply for IDOH Elevated Blood Lead Level Reduction Funding Grant**

Mrs. Swearingen stayed before the Commissioners to request approval to apply for the IDOH Elevated Blood Lead Level Reduction Funding Grant.

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

### **B. Maintenance**

#### **1. Approval of Greenleaf Landscaping Proposal**

Jason Miller, Director, appeared before the Commissioners to request approval of Greenleaf Landscaping Proposal. Mr. Miller stated this contract had previously been approved by the Commissioners to use a different company; however, that contract fell through. He would like to now use Greenleaf Landscaping.

Mr. West made a motion to approve the request pending legal review. Mr. Baird seconded the motion; Mr. Walls abstained from the vote, which carried with two (2) votes.

### **C. CASA**

#### **1. Approval to Apply for Indiana Supreme Court 2022 Wellness Grant**

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

**D. Court Administrator**

**1. Approval to Apply for Bureau of Justice Assistance FY2022 Adult Drug Court Discretionary Grant**

Emily Conwell, Grant Administrator, appeared before the Commissioners to request approval to apply for the FY2022 Adult Drug Court Discretionary Grant.

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

**E. Court Services**

**1. Ratification of Letter of Support for DOC Grant**

Angela Morris, Director, appeared before the Commissioners to request approval of a Letter of Support for a DOC Grant.

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

**F. Animal Shelter**

**1. Approval to Apply for JCREMC Operation Round-Up Grant**

Emily Conwell, Grant Administrator, appeared before the Commissioners to request approval to apply for JCREMC Operation Round-Up Grant.

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

**G. Emergency Management**

**1. Approval to Attend the EMAI 2022 Annual Conference, October 18<sup>th</sup> thru 21<sup>st</sup>, Indianapolis, Indiana**

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

**H. Highway**

Mr. Mastin approached the podium and made himself available for questions if needed for the next four items.

**1. Request to Approach Council for Additional Appropriations**

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

**2. Approval and Execution of Bridge 605 Preliminary Engineering Contract**

Mr. Walls made a motion to approve the request, pending legal review. Mr. West seconded the motion, which carried unanimously.

### **3. Approval and Execution of Bridge 84 Rehabilitation Contract**

Mr. Walls made a motion to approve the request, pending legal review. Mr. West seconded the motion, which carried unanimously.

### **4. Approval and Execution of Interlocal Agreement with the City of Greenwood for Bridge 620**

Mr. Walls made a motion to approve the request, pending legal review. Mr. West seconded the motion, which carried unanimously.

## **I. Board of Commissioners**

### **1. Acceptance of Lowest Quote and Award of Contract Pursuant to IC 36-1-12-5 for Sheriff's Department Tree Trim and Cleanup Project**

Shena Johnson, County Attorney, appeared before the Commissioners and read the following quotes aloud: Cox Tree Service \$100,000.00; Brown's Tree Service \$45,000.00; N&S Tree Service \$42,000.00.

Mr. Walls made a motion to approve the lowest quote from N&S Tree Service. Mr. West seconded the motion, which carried unanimously.

### **2. Ordinance 2022-O-7: An Ordinance Authorizing Distribution and/or Expenditure of the Proceeds of Johnson County's Grant from the American Rescue Plan Act 2021 ("ACT")**

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

### **3. Discussion of Fuel Surcharge for Other Entities**

Bob Golinski, Fleet Director, appeared before the Commissioners to discuss a possible fuel surcharge be applied to non-County entities. Mr. Baird stated there had been an ongoing conversation between himself and Mr. Golinski regarding certain items that need to be updated at the fuel station. Mr. Golinski stated he would like to suggest all non-County entities that use the County Fuel Station be charged a surcharge. Discussion was held and all questions were answered satisfactorily.

Mr. Walls asked Mr. Golinski to put some numbers together and bring the information back before the Commissioners for further discussion.

## **NEW & OLD BUSINESS**

### **Claims**

Mr. West made a motion to approve claims as presented. Mr. Walls seconded the motion, which carried unanimously.

### **Public Comment - (limited to 5 minutes per person)**

Mrs. Swearingen came to the podium and said in conjunction with the Community Aid Boxes; they have gone through the buildings that have AED's purchased by the Health Department and replaced the batteries and pads. She said the Health Department is also providing a box for safety and convenience and Mr. Miller has agreed to install the boxes.

Mr. West asked if Johnson County was covered by insurance where these Community Boxes are concerned.

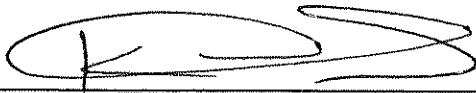
Mrs. Johnson stated she would check with the Insurance Provider and report back to the Commissioners. Discussion was held and all questions were answered satisfactorily.

**ADJOURNMENT**

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



**Brian P. Baird**



**Kevin M. Walls**



**Ron H. West**

**Attest:**

**Pamela J. Burton**  
**Auditor**

