

**COMMISSIONERS' REGULAR MEETING- MONDAY DECEMBER 19, 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.

**OPENING OF SEALED BIDS FOR 2023 AGGREGATE, CONCRETE, CRUSHED GRAVEL, FOB HOT MIX ASPHALT, AND LIQUID ASPHALT**

Adam Gadberry, County Attorney, and Tiffany Costley, Assistant County Attorney, opened two (2) bids for Liquid Asphalt Emulsion. Marathon Petroleum LP submitted a bid in the amount of \$569,400.00. Asphalt Materials Inc. submitted a bid in the amount of \$749,500.00.

One (1) bid was received for Aggregate; it was from Ward Stone LLC in the amount of \$68,407.50.

Four (4) bids were received for FOB Hot Mix Asphalt. Reith-Riley Inc. submitted a bid in the amount of \$1,144,000.00. Milestone Contractors LP – Plant 11 (Harding Street, Indianapolis) submitted a bid in the amount of \$3,039,000.00. Milestone Contractors LP – Plant 32 (Columbus) submitted a bid in the amount of \$3,063,000.00. Dave O'Mara Contractor Inc. submitted a bid in the amount of \$3,097,500.00.

One (1) bid was received for Concrete; it was from Shelby Materials in the amount of \$293,200.00.

Mr. Walls made a motion to give the bids to Luke Mastin, Highway Supervisor, and Daniel Johnston, Engineer, to be reviewed and recommendations presented at the next scheduled Commissioners' meeting. Mr. West seconded the motion, which carried unanimously.

**ELECTED OFFICIALS AND DEPARTMENT HEADS**

**A. Court Services**

**1. Approval to Apply for 2023-2024 IDOC Youth Services Juvenile Community Corrections Grant**

Damon Cox, Assistant Director, appeared before the Commissioners to request approval to apply for the 2023-2024 IDOC Youth Services Juvenile Community Corrections Grant.

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

**B. Parks**

**1. Approval to Apply for Festival Country Festivals and Events Grant**

Kevin Leonard, Director, appeared before the Commissioners to request approval to apply for three (3) \$2,500 Festivals and Events Grants as follows:

- Pours in the Park Event

- Sparks in the Park Event
- RecFest Event

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

### **C. Planning and Zoning**

#### **1. Approval to Accept Two (2) Maintenance Bonds for Meadows of Belleview Section One (1)**

Michele Hansard, Director, appeared before the Commissioners to request permission to accept two (2) Maintenance Bonds for Meadows of Belleview Section One (1). Discussion was held and all questions were answered satisfactorily.

Melissa Garrard, Forestar (USA) Real Estate, came forward to discuss four (4) performance bonds US3642, US3892, US3897, and US3109. Discussion was held and it was decided the information she was providing today was not relevant to Agenda Item #1 under Planning and Zoning.

Mr. Baird stated Mrs. Hansard and Ms. Garrard were both in agreeance and the Maintenance Bonds she spoke of will be released but are not on this agenda for approval.

Mrs. Hansard stated the issue Ms. Gerrard spoke of is not before the Commissioners for approval today. The only approval needed on today's agenda is to accept Two (2) Maintenance Bonds for Meadows of Belleview Section One (1).

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

### **D. Surveyor**

#### **1. Ordinance 2022-O-27: An Ordinance of the Johnson County Board of Commissioners for Comprehensive Stormwater Management – *Second Reading***

Gregg Cantwell, Surveyor, appeared before the Commissioners to request approval of Ordinance 2022-O-27: An Ordinance of the Johnson County Board of Commissioners for Comprehensive Stormwater Management. This is the second reading of this ordinance.

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

### **E. Public Safety Communications**

#### **1. Approval to Approach Council for the Creation of the Field Services Administrator Position and Appropriation of Funding for said Position**

Heath Brant, Director, appeared before the Commissioners to request approval to approach Council for a new Field Services Administrator Position. Discussion was held and all questions were answered satisfactorily.

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

**2. Approval for New Server Upgrade Proposal and to Approach Council for Appropriate Funding of Same**

Mr. Baird stated these are existing funds that only need appropriated, they are not asking for new money.

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

**F. Highway**

**1. Approval and Execution of Preliminary Engineering and R/W Services Agreements for Smith Valley Road**

Luke Mastin, Supervisor, appeared before the Commissioners to request approval and execution of two (2) Professional Services Agreements for Preliminary Engineering and R/W Services for the Smith Valley Road Project.

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

**2. Award Recommendation and Request to Begin Contract Negotiations for Bridge 85 Replacement PE and RW Services**

This request was removed from the agenda.

**3. Award and Execution of 2022 Neighborhood Repair Contract**

Mr. Mastin stated based on review of the bids received at the November 2021 Commissioners' Meeting, the Johnson County Highway Department recommends award of the 2022 Rural Neighborhood Repair Contract to Dave O'Mara Contractor, Inc. as the most responsive and responsible bidder who submitted a bid in the amount of \$1,389,900.00.

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

**4. Ratification of INDOT/LPA Agreement Approval for East Clark Road and Bridge 103 Project**

Mr. Mastin requested ratification of the INDOT/LPA Preliminary Engineering funding agreement for a previously awarded project reconstructing Clark School Road and replacing Bridge 103 on Clark School Road. This agreement authorizes 80% in federal funding, up to \$351,326.40 toward the PE and R/W Engineering phase of the project.

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

**5. Final Acceptance of Bridge 38 Construction and Execution of INDOT Form IC-639**

Mr. Mastin's final request was for approval and execution of Form IC-639 finalizing the construction contract for the replacement of Bridge 38 on Greensburg Road.

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

**G. Board of Commissioners**

**1. Ratification of Indianapolis Public Mass Transportation Corporation CY2022 Grant Amendment #2**

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

**2. Ratification of the INDOT Public Mass Transportation Fund Operating Grant Agreement CY2023 - Contract #69369**

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

**3. Approval of 2023 Contract for Johnson County Litigation Attorney with Williams Barrett & Wilkowski, LLP**

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

**4. Approval of Ameresco, Inc. Guaranteed Energy Savings Contract Annual Savings Report, Year Five (5)**

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

**5. Awarding of ARPA Grant Funds to Food Pantries**

Stephanie Fox, Johnson County Community Foundation, appeared before the Commissioners and stated the Foundation helped run the process of accepting applications for the Johnson County ARPA Food Aid Grant. There was a total of twelve (12) applications received and nine (9) of those applicants were qualified based on a predetermined criteria. This is a thirty four (34) month award and the list of recipients are as follows:

• Edinburgh Food Pantry	\$1,832.60
• Great Harvest Food Pantry	\$22,785.00
• Harvest Food Pantry @ St. Francis & Clare	\$1,195.60
• Interchurch Food Pantry	\$38,729.60
• Johnson County Senior Services	\$15,405.60
• New Life Fellowship Church of God House of Light	\$29.40
• Our Lady of Greenwood Food Pantry	\$8,428.00
• The HUB at ICC	\$6,889.40
• The Refuge, Inc.	\$2,704.80

Discussion was held and all questions were answered satisfactorily.

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

**6. Resolution #2022-R-8: A Resolution of the Johnson County Board of Commissioners Concerning Authorization for Execution of INDOT Agreements**

Discussion was held regarding prior procedures for signing grants and bonds. Mr. Gadberry explained this resolution will make prior procedures cleaner and more thorough.

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

**7. Commissioners' 2023 Employee Appointments**

Mrs. Costley read the 2023 Commissioners' Employee Appointments as follows:

• Commissioner Chairman	Brian Baird
• Drainage Board (Commissioner Seat)	Kevin Walls
• Plan Commission (Commissioner Seat)	Ron West
• County Attorney	Adam Gadberry
• Assistant County Attorney	Tiffany Costley
• County Litigation Attorney	Bill Barrett
• County Coordinator	Barb Davis
• Highway Supervisor	Luke Mastin
• Highway Engineer	Daniel Johnston
• Planning Director	Michele Hansard
• Weights & Measurers Inspector	Greg Nelson
• Maintenance Director	Jason Miller
• Emergency Management Director	Stephanie Sighting
• Animal Control Director	Cari Klotzche
• Community Corrections Director	Tony Povinelli
• IT/GIS Administrator	Chris Williams
• Museum Director	David Pfeiffer
• Veterans Affairs Director	Seneca Harbin
• E-911 Director	Heath Brant
• Fleet Director	Bob Golinski

Mr. Walls made a motion to approve the 2023 Employee Appointments as presented. Mr. West seconded the motion, which carried unanimously.

**8. Board Appointments**

The appointments are as follows:

**Alcohol Beverage Commission** (1 year term - select 1) applicants: William J. Withers, Bradley A. Tyree, Brian E. Catt, Donnie Robinette, Mike Morgan, Phillip V. Kryder, Ronald Pine, Lisa Dillow, Robbie A. Williams, Bo Haugstad, and Douglas C. Fraker.

Mr. West made a motion to appoint William J. Withers to the Alcohol Beverage Commission. Mr. Walls seconded the motion, which carried unanimously.

**Board of Health** (4 year term - select 2) applicants: Ruth Freese, Andrew Buis, Chele Heid, J.T. Deppe, Keith Cohoon, Nichole Williams, Susie Baker, Timothy Edsell, and Jeanette Etnier.

Betsy Swearingen, Director, appeared before the Commissioners and stated there are two (2) positions open and two (2) current board members up for re-appointment; they fit all qualifications.

Mr. Gadberry, County Attorney, stated Mr. Edsell is dual lucrative. He is currently on the Parks Board which is lucrative. He must resign from the Parks Board if he is to serve on the Health Board.

Mr. Walls made a motion to appoint Ruth Freese and Jeanette Etnier to the Board of Health. Mr. West seconded the motion, which carried unanimously.

**Buffer Zone Town of Edinburgh** (4 year term - select 1) applicants: Justin Lollar was the only applicant for this position.

Mr. Walls made a motion to table this appointment selection. Mr. West seconded the motion, which carried unanimously.

**Community Corrections Advisory Board Educational Administrator** (4 year term - select 1) applicants: Billy C. Sellers, Benji Betts, and Ian Slatter.

Mr. Gadberry stated he had spoken with Community Corrections and they would like to recommend Benji Betts.

Mr. Walls made a motion Benji Betts be appointed as Educational Administrator to the Community Corrections Advisory Board. Mr. West seconded the motion, which carried unanimously.

**Community Corrections Advisory Board** (Board replacement through 02/01/23 - select 1) Defense Attorney applicants: Brian K. Alsip was the only applicant for this position. Discussion was held and all questions were answered accordingly.

Mr. Walls made a motion Brian K. Alsip be appointed as a Board replacement Defense Attorney to the Community Corrections Advisory Board. Mr. West seconded the motion, which carried unanimously.

Mr. Baird stated there are several positions on the Community Corrections Advisory Board that will expire in February 2023.

Mr. Walls made a motion to table the remainder of these appointments until 2023. Mr. West seconded the motion, which carried unanimously.

**Convention, Visitor, and Tourism Board** (4 year term - select 3) applicants: Chester Aubin, John Wales, Brian M. Alvey, Donnie Robinette, Douglas C. Fraker, James D. Coleman, Justin Griggs, Kevin Leonard, and Michael Berkery. Jason E. Belk applied for this position but he is not

eligible. Jeanette Lincoln is a current Board Member and is also employed with Sprague Hotel Developers. Per statute no two (2) board members may be employed with the same company.

Mr. Walls made a motion to re-appoint Chester Aubin and John Wales to the Convention, Visitor, and Tourism Board; he also motioned to table the third (3) appointment for further consideration.

**Drainage Board** (1 year term - select 1) applicants: John Canary was the only applicant for this position.

Mr. Walls made a motion to table this appointment selection. Mr. West seconded the motion, which carried unanimously.

**Johnson County Impact Fee Review Board** (1 year term - select 1) CPA applicants: Phillip V. Kryder. Johnson County Impact Fee Review Board (1 year term - select 1) Engineer Applicants: Trent E. Newport. Johnson County Impact Fee Review Board (1 year term - select 1) Real Estate Agent applicants: Kari Lancaster.

Mr. Walls made a motion to table these appointments. Mr. West seconded the motion, which carried unanimously.

**Plan Commission** (4 year term - select 1) applicants: Charles Canary, Michelle Harter, and Phillip V. Kryder. Discussion was held and concerns were addressed.

Mr. West made a motion to table this appointment. Mr. Walls seconded the motion, which carried unanimously.

**Property Tax Assessment Board of Appeals** (1 year term - select 1) Level II or III Appraiser-Assessor applicants: Bill Sellers. Property Tax Assessment Board of Appeals (1 year term - select 1) Freehold Member applicants: James Williams, Ronald Pine. Mike Morgan and Lisa Dillow are not eligible for this appointment they are not on a deed.

Mr. Walls made a motion to appoint Bill Sellers and James Williams. Mr. West seconded the motion, which carried unanimously.

**Redevelopment Commission** (non-voting - 1 year term - select 1) applicants: Scott Alexander, Matthew Ketron, Michael Metzger, and Lisa Dillow.

Mr. Walls made a motion to appoint Scott Alexander. Mr. West seconded the motion, which carried unanimously.

**Amity Fire Protection District Board** (4 year term - select 1) applicants: Sally Wells, and John W. Canary.

Mr. Walls made a motion to appoint Sally Wells. Mr. West seconded the motion, which carried unanimously.

**Bargersville Fire Protection District Board** (4 year term - select 1) applicants: Angela Morris, Robert A. Williams. Tom Ashley, Jr. is not eligible he lives in Union Township. Discussion was held and concerns were addressed.

Mr. Walls made a motion to table this appointment for further review. Mr. West seconded the motion, which carried unanimously.

**Hensley Fire Protection District Board Town of Trafalgar** (4 year term - select 1) applicants: James L. Abraham.

Mr. Walls made a motion to appoint James L. Abraham. Mr. West seconded the motion, which carried unanimously.

**Needham Fire Protection District Franklin Township** (4 year term - select 1) applicants: no applicants.

Mr. Walls made a motion to table this appointment for further review. Mr. West seconded the motion, which carried unanimously.

**Needham Fire Protection District Clark Township** (4 year term - select 1) applicants: Charles Rodenhuis, and Stephen Copeland.

Mr. West made a motion to appoint Charles Rodenhuis. Mr. West seconded the motion, which carried unanimously.

**Nineveh Fire Protection District Town of Prince's Lakes** (4 year term - select 1) applicants: no applicants.

Mr. Walls made a motion to table this appointment for further review. Mr. West seconded the motion, which carried unanimously.

Mr. Baird stated they will be making contact with the individual Fire Chiefs to assist in finding qualified applicants for the different Boards.

**White River Fire Protection District City of Greenwood** applicants: (1 year term - select 1) no applicants.

Mr. Walls made a motion to table this appointment for further review. Mr. West seconded the motion, which carried unanimously.

**White River Fire Protection District White River Township** applicants: (4 year term - select 1) Cheryl White, Alexander Venne, Daniel Ray Berg, Terrie L. (Frosty) Dillman, and Brent Shepherd.

Mr. West made a motion to appoint Cheryl White. Mr. West seconded the motion, which carried unanimously.



Mr. Baird stated the motion was amended; White River Fire Protection District, White River Township Board Member will now be a four (4) year term. The amended motion carried unanimously. (NOTE: This motion was amended in error. The current term was already 4 years and did not need to be amended.)

#### **NEW & OLD BUSINESS**

##### **Claims and Credit Card**

Discussion was held and all questions were addressed accordingly.

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

##### **Commissioners' Minutes**

##### **12/05/22 – Regular Meeting**

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

##### **Old Business**

There was no old business to be discussed.

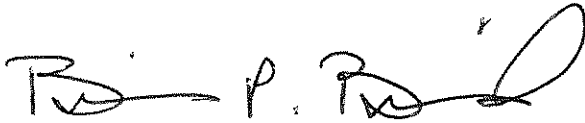
##### **Public Comment - *(limited to 5 minutes per person)***

There was no public comment.

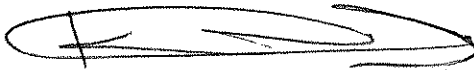
#### **ADJOURNMENT**

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

COMMISSIONERS' REGULAR MEETING- MONDAY DECEMBER 19, 2022



**Brian P. Baird**



**Kevin M. Walls**



**Ron H. West**

**Attest:**

**~~Pamela J. Burton~~**

**Auditor, Elizabeth A. Aley**

