

## **COMMISSIONERS' REGULAR MEETING – March 12, 2012**

Commissioner John Price called the March 12, 2012 Commissioners' regular meeting to order at 3:01 p.m. with Board members Tom Kite and Troy DeHart present.

**PLEDGE:** John Price led the pledge of allegiance.

**INVOCATION:** Tom Kite led the invocation.

**DISCOVER DOWNTOWN FRANKLIN- COURTHOUSE SQUARE, PARKING LOT, AND STREET CLOSURE REQUEST:** Megan Sweany, Executive Director Discover Downtown Franklin, stated she is before the Board today to receive approval of the following:

- Strawberries on the Square, Friday, May 25<sup>th</sup> 11:00 a.m.- 9:00 p.m.: requesting use of the courthouse sidewalks and West Court Street
- Smoke on the Square BBQ Completion, Friday, June 22<sup>nd</sup> 5:00 p.m. – 10:00 p.m. and Saturday, June 23<sup>rd</sup> 9:00 a.m.- 9:00 p.m.: requesting use of West Court Street, East Court Street and the south parking lot of the Courthouse.
- Beer and Bluegrass Festival , Friday, August 24<sup>th</sup> 5:00 p.m.- 9:00 p.m.: requesting West and East Court Street
- Classic Car Cruise-In, May 25<sup>th</sup>, June 22<sup>nd</sup>, July 27<sup>th</sup>, and August 24<sup>th</sup> 5:00 p.m.- 10:00 p.m.: requesting County parking lot on North Main Street

Troy DeHart, Commissioner, asked if the Beer and Bluegrass Festival could be held on a City lot in the downtown area. Mr. DeHart stated the County has an ordinance in place that does not allow alcohol on County property. The Board stated they support all other events and requests, but would like to see the Beer and Bluegrass event moved to a City lot. Ms. Sweany stated the DDF can plan around that request.

The Board stated all of these events are good for the County and the City.

Tom Kite made a motion to approve the request as presented with the exception of the Beer and Bluegrass Festival to be moved to a City lot. Troy DeHart seconded the motion and the motion carried unanimously.

**911 PSAP CONSOLIDATION- FINANCIAL PLAN FOR THE OPERATIONS OF A CONSOLIDATED DISPATCH:** Chief Jeremy Pell, White River Township Fire Department and Chairman of the 911 Board, and Mike Watkins, 911 Director, were before the Board today to receive approval of a financial plan for the operations of a consolidated dispatch. Tom Kite, Commissioner, stated the 911 Board has talked about this agreement for several months regarding the fees involved. Mr. Kite stated the 911 Board agrees the agreement in the packet is the best proposal to go forward with. Mr. Kite stated they recommend the agreement with Umbaugh.

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Mr. Kite stated with the fees involved with this agreement Umbaugh, the 911 Board will have control on what is spent. Mr. Kite stated the total of the agreement is a not to exceed amount of \$13,500.00; \$7,500.00 for phase one and \$6,000.00 for phase two. Mr. Kite stated Umbaugh agreed to use the information already gathered from Advanced Communication Design & Consulting, Inc.

Tom Kite made a motion to approve as presented. Troy DeHart seconded the motion and the motion carried unanimously.

Chief Pell stated Mike Watkins is a great benefit to the County and he thanked the Commissioners for their support.

Mr. DeHart thanked Mr. Kite for all of his hard work on this project. Mr. Price stated he would like to thank Mr. Kite as well for all of his hard work.

**ADMINISTRATIVE FUNCTION AS TO DEPARTMENT HEADS:**

**Johnson County Clerk- Approval of a Contract with Election Systems and Software for E-Poll Books and Services related to Vote Centers:** Sue Anne Misiniec, Clerk, and Steve Huddleston, Election Board Attorney, were before the Board today for approval of a contract with Election Systems and Software for E-Poll Books and services related to Vote Centers. Ms. Misiniec stated John Price, Commissioner, has set in on negotiations with ES&S on the services for Vote Centers.

Mr. Huddleston stated the contract with ES&S is for electronic poll books which have live updating. Mr. Huddleston stated the contract would be for sixty (60) hardware units, sixty (60) flash cards and sixty (60) printers. Ms. Misiniec stated with the electronic poll books a receipt is printed out for each voter to assist the Judges to active the correct ballot. Mr. Huddleston stated once the voter votes at a poll site or satellite location their noted on the electronic poll book that they have already voted. Mr. Huddleston stated the electronic poll books are updating live as the voter signs in to vote.

Mr. Huddleston stated the Counties list of registered voters will be converted in April to the software that will be used on the hardware. Mr. Huddleston stated there are 91,465 registered voters as March 12<sup>th</sup> in the County. Mr. Huddleston stated this is a large conversion.

Mr. Huddleston stated the total package is \$129,006.93. Mr. Huddleston stated that includes: two (2) years of warranty and eight (8) service days. Mr. Huddleston stated they negotiated one (1) additional year and five (5) additional days that saved the County \$17,400.00. Mr. Huddleston stated the package will be paid for in three (3) payments. Mr. Huddleston stated those three payments would be: 20% within sixty (60) days, 70% after the primary, and 10% would be held until after the general election in the fall.

Mr. Huddleston stated if there are issues with the software those issues will not count toward the service days included. Mr. Huddleston stated the software issues will go

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toward the warranty. Mr. Huddleston stated the service days are for technical support with the Clerk and for testing days before the election.

Mr. Huddleston stated Johnson County is the first County to use ES&S for the electronic poll books in the State.

Mr. Huddleston stated there is no written document to sign as of today.

Tom Kite made a motion to approve as presented and if document is okay have John Price sign to be able to get these ordered and in for the election. Troy DeHart seconded the motion and the motion carried unanimously.

Mr. Price stated Mr. Huddleston has been very knowledgeable and valuable to have on this project. Mr. Price stated his legal service has been money well spent for the County.

**Johnson County Sheriff's Office- Approval of an ACH Credit Authorization Agreement with Appriss for the Vehicle Crash Records Reimbursement:** Sheriff Doug Cox and Colonel Randy Werden were before the Board today for approval of an ACH Credit Authorization agreement with Appriss for the vehicle crash records reimbursement. Sheriff Cox stated the general public has requested vehicle crash report copies from the Sheriff's Department for years. Sheriff Cox stated those reports cost \$7.00 per report. Sheriff Cox stated they have seen a decline in the number of reports requested at the Sheriff's Office. Sheriff Cox stated there are companies that are selling those reports online and the County is not receiving those funds for those reports now.

Sheriff Cox stated with this agreement the County would be able to recoup some of the monies paid for the reports. Colonel Werden stated the companies selling the reports obtain them through the State. Sheriff Cox stated the monies generated from these reports are used toward anything that is traffic enforcement related for the Sheriff's Office. Sheriff Cox stated the Sheriff's Deputies work a lot of accidents over the year. Sheriff Cox stated they would also like to increase the amount charged for the reports to \$8.00 from \$7.00. Sheriff Cox stated that would be charged to walk-ins or if obtained on the internet.

Colonel Werden stated the Sheriff Deputies will give the accident victims a form explaining how to obtain a copy of the accident report through Appriss online.

Kathleen Hash, County Attorney, stated she has reviewed the contract with Appriss.

Tom Kite made a motion to approve as presented. Troy DeHart seconded the motion and the motion carried unanimously.

Discussion was held about Council ordinance 2006-06. Sheriff Cox stated he would address with the Council about amending or rescinding ordinance 2006-06, increasing the fee by \$1.00.

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**Johnson County Information Technology- Disposition of Surplus Electronic Equipment:** Rob Norris, IT Director, stated he is before the board today to receive approval of the disposition of the surplus electronic equipment. Mr. Norris stated his department has a surplus of equipment that is no longer useable. Mr. Norris stated this equipment is either broken or outdated and cannot be thrown away. Mr. Norris stated he is seeking approval to dispose of this equipment by the Solid Waste Management District. Mr. Norris stated disposal of this equipment by any other means would exceed the value of what the equipment is worth.

John Price, Commissioner, stated there are a lot of no tagged items on the list. Mr. Norris stated the no tagged items were never inventoried by the County. Mr. Price asked if the Auditor's Office had been notified of this list so these items can be removed from the GASB-34 list. Mr. Price stated he would like to see the items identified by serial numbers as well.

Tom Kite made a motion to approve the disposition of the surplus electronic equipment list pending a new list is supplied to the Auditor and the Commissioners that also contain serial numbers for all equipment listed. Troy DeHart seconded the motion and the motion carried unanimously.

**Johnson County Information Technology- Approval of Monthly Expenses from the Enhanced 911 Fund for February:** Rob Norris, IT Director, stated he is before the Board today to receive approval of the monthly expenses from the Enhanced 911 fund for February. Mr. Norris stated the total expenses from the Enhanced 911 Fund (#1153) are \$31,128.12 and the total expenses from the Wireless Emergency Telephone Fee Fund (#1210) are \$10,130.07. Mr. Norris stated the 911 Board has approved the expenses.

Tom Kite made a motion to approve the 911 Expenses as presented. Troy DeHart seconded the motion and the motion carried unanimously.

Mr. Kite stated moving forward Mr. Norris will be assisting Mike Watkins, 911 Director, with this reporting. Mr. Kite stated Mr. Watkins will be taking over the responsibilities of the 911 expenses. Mr. Norris stated he has offered to help Mr. Watkins.

Mr. Norris stated the following balances for the 911 funds are current as of March 9<sup>th</sup>:

#1153- \$521,679.68

#1210- \$795,005.49

**Johnson County Information Technology- Transfer of Funds from Wireless Emergency Telephone Fee Fund to GIS Maintenance Fund and to Emergency Management:** Rob Norris, IT Director, and Aaron Shaw, GIS Director, stated they are before the Board today to receive approval of a transfer of funds from the Wireless Emergency Telephone Fee Fund (# 1210) to the GIS Maintenance Fund (# 4906) in the amount of \$39,714.00 for the 2012 budget. Mr. Norris also stated approval of a transfer of funds to the Emergency Management Fund in the amount of \$9,389.00. Mr. Norris stated these transfers reimburse the receiving funds for their GIS related expenses.

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Tom Kite made a motion to approve as presented. Troy DeHart seconded the motion and the motion carried unanimously.

**Johnson County Community Corrections- Home Detention Equipment Contract with BI and Key Bank:** Albert Hessman, Director of Community Corrections, stated he is before the Board today to receive approval of the BI Contract for home detention equipment and the lease with Key Bank for the equipment. The Commissioners stated they did not receive any paperwork on the agenda item in their packet. Kathleen Hash, County Attorney, stated there was no paperwork in the packets. Ms. Hash stated she received the paperwork right before the meeting started.

John Price, Commissioner, asked if this contract is time sensitive. Mr. Hessman stated the contract is urgent for their department. Mr. Hessman stated they currently are having issues with the equipment they have now. They Board stated they would like to see paperwork before approval is given on this contract. Ms. Hash stated there are a lot of players involved in this contract. Ms. Hash stated there were some revisions need to the contract as the contract was not to County standards. Ms. Hash stated she feels those concerns have been resolved.

Ms. Hash stated the County will be leasing the equipment from Key Government Finance. Ms. Hash stated this is a tax exempt purchase, although there is a provision in the contract that any other taxes due the County could be responsible for. Ms. Hash stated she feels there is enough evidence now that even though the County will be leasing the equipment the County will have ownership for day one and therefore should be tax exempt and no personal property should be due.

Ms. Hash stated the County would own the equipment and would need to be added to the Counties insurance policy.

Mr. Hessman stated BI was the bidder on the bid package the County had out. Mr. Hessman stated BI uses Key Bank as the leasing company. Mr. Hessman stated the total lease is around \$179,000.00.

Ms. Hash stated she has been told by BI that leasing the equipment the County is getting a better interest rate versus purchasing with a loan.

Mr. Hessman stated there is a base dollar figure that they would pay for units that are received but not in use. Mr. Hessman stated when the units are in use the dollar figure is greater.

Troy DeHart, Commissioner, asked Mr. Hessman if these new units would be upgrades from the ones that are currently in use. Mr. Hessman stated they are upgrading equipment with this purchase. Mr. Hessman stated their current equipment is five (5) to six (6) years old. Mr. Hessman stated this is a five (5) year lease for the new equipment.

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Mr. Price stated the lease states it will be effective on April 1, 2012. Mr. Price stated he would like time to review the paperwork more before approval is given.

Mr. Hessman stated their old equipment is breaking down and they are not receiving support for that equipment. Mr. Hessman stated they do not have extra units for back up or for new offenders.

Mr. Price asked if Community Corrections had a fund that they could purchase this equipment with and save the County from paying interest. Mr. Hessman stated he is unsure at this time if there is a fund. Mr. Hessman also stated they receive the maintenance for the equipment with the lease of the equipment. Mr. Hessman stated the offenders pay for this equipment and any costs associated with it.

After further discussion, Tom Kite made a motion to table this item until the March 26<sup>th</sup> meeting. Troy DeHart seconded the motion and the motion carried unanimously.

**Johnson County Highway Department- Road Cut Permit Approval and Execution for the Town of Bargersville for Morgantown Road:** Luke Mastin, Highway Director, stated he is before the Board today to receive approval and execution of a road cut permit for the Town of Bargersville for Morgantown Road. Mr. Mastin stated the Bargersville Utilities in installing a water line along Morgantown Road just south of C.R. 144. Mr. Mastin stated Bargersville will bring the road back to County standards once the work is complete.

Mr. Mastin also stated this is an open cut and they will have the road closed. Mr. Mastin stated Bargersville will be responsible for traffic control and road signage for this project.

Troy DeHart made a motion to approve as presented. Tom Kite seconded the motion and the motion carried unanimously.

**Johnson County Highway Department- Request Approval and Execution of Release of Easements for Temporary Right-of-Way for Golfview Drive:** Luke Mastin, Highway Director, stated he is before the Board today for approval and execution of a Release of Easement for temporary right-of-way for Golfview Drive. Mr. Mastin stated Kathleen Hash drafted the release and is necessary for the County to be dismissed out of litigation and it also cleans up the County portion of this project.

Tom Kite made a motion to approve as presented. Troy DeHart seconded the motion and the motion carried unanimously.

**Johnson County Highway Department- Request Approval and Execution of Contract Between Johnson County and Consultant for the Floodway Habitat Tree Monitoring Associated with Bridge No. 503, Franklin:** Luke Mastin, Highway Director, stated he is before the Board today to request approval and execution of contract between Johnson County and consultant for the Floodway Habitat Tree monitoring associated with Bridge No. 503. Mr. Mastin stated this agreement is with

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Bernardin, Lochmueller and Associates, Inc. as the consultant for the tree monitoring program. Mr. Mastin stated with the Bridge No. 503 project trees had to be removed along Home Avenue. Mr. Mastin stated as a part of the environmental permitting process they were required to plant trees offsite at a mitigation site. Mr. Mastin stated they are required to monitor those trees and are required to have a 75% survival rate. Mr. Mastin also stated they are required to submit four (4) reports over the next three years indicating the status on the progress of the trees. Mr. Mastin stated if they do not submit the reports they will be subject to fines.

Mr. Mastin stated the three year period covers Spring of 2012 through Fall of 2014. Mr. Mastin stated they were required to plant forty-eight (48) new trees. Mr. Mastin stated the contract amount is a not to exceed amount of \$6,950.00.

Tom Kite, Commissioner, stated while he appreciates what the State is trying to accomplish for the environment he feels this is a waste of taxpayers' dollars and is silly.

Tom Kite made a motion to approve as presented. Troy DeHart seconded the motion and the motion carried unanimously.

**Johnson County Highway Department- Request Approval and Execution of Amendment No. 1 with Johnson County and Consultant for Bridge No. 503 Rehabilitation Project and Request Approval and Execution of Supplemental No. 1 with INDOT and Johnson County and Consultant for Bridge No. 503 Rehabilitation and Environmental Mitigation in Blue Heron Park** (item IV E.4 and E.5 on agenda): Luke Mastin, Highway Director, stated he is before the Board today for approval and execution of amendment No. 1 and supplemental No. 1 for Bridge No. 503 rehabilitation project. Mr. Mastin stated the construction cost for this project came in at about the right amount that they had projected. Mr. Mastin stated the project took two (2) months longer than expected to complete and was beyond the contractor's control.

Mr. Mastin stated there are construction cost increases but there is an increase in the amount of time the engineer consultant had to spend on site keeping track of the project. Mr. Mastin stated they have worked with the Indianapolis MPO to acquire additional federal funding to cover the not to exceed cost of \$15,000.00. Mr. Mastin stated they will receive 80% of the \$15,000.00 to cover the additional amount of time on project. The County will be responsible for 20%.

Mr. Mastin also stated there was still other work being completed at the site during the delay. Mr. Mastin stated when any work was being done they were required to have an inspector on site.

Tom Kite made a motion to approve as presented. Troy DeHart seconded the motion and the motion carried unanimously.

**Johnson County Highway Department- Recommendation for Approval of Consultant Selection for C.R. 200 N Improvements:** Luke Mastin, Highway Director,

**COMMISSIONERS' REGULAR MEETING – March 12, 2012 Continued**

stated he is before the Board today to receive approval of a consultant selection for C.R. 200 N improvements. Mr. Mastin stated this is a federal aid project. Mr. Mastin stated they have reviewed all proposals received and they recommend the selection of Beam, Longest, and Neff, Inc. to provide professional engineering services for this project. Mr. Mastin stated they received a lot of really good proposals for this project.

Tom Kite made a motion to approve the recommendation of Beam, Longest, and Neff, Inc. as the professional engineer for the C.R. 200 N Improvements. Troy DeHart seconded the motion and the motion carried unanimously.

**Johnson County Highway Department- Recommendation for Approval of Consultant Selection for Bridge No. 200 Replacement:** Luke Mastin, Highway Director, stated he is before the Board today to receive approval of a consultant selection for Bridge No. 200 replacement. Mr. Mastin stated this bridge is located in the Town of Whiteland on Center Street. Mr. Mastin also stated this is a federal aid project.

Mr. Mastin stated they have reviewed all proposals received and they recommend the selection of United Consulting Engineers, Inc. to provide professional engineering services for this project. Mr. Mastin stated they received a lot of really good proposals for this project.

Troy DeHart made a motion to approve the recommendation of United Consulting Engineers, Inc. as the professional engineer for the Bridge No. 200 replacement. Tom Kite seconded the motion and the motion carried unanimously.

**Johnson County Highway Department- Recommendation of Wage Scale Hearing Representatives:** Luke Mastin, Highway Director, stated he is before the Board today to receive approval to appoint Wage Scale Hearing Representatives for the 2012 Wage Scale Hearings. Mr. Mastin stated the department recommends appointing Dennis Capozzi and Forrest Mellott for those hearings. Mr. Mastin stated Bob Baker has served on this in the past years. Mr. Mastin stated Mr. Baker would still like to serve, but at this time his medical issues prevent him from doing so. Mr. Mellott is recommended to take Mr. Baker's place.

Tom Kite made a motion to approve Dennis Capozzi and Forrest Mellott as the 2012 Wage Scale Hearing representatives. Troy DeHart seconded the motion and the motion carried unanimously.

**Johnson County Commissioners- BMS Flexible Benefits Plan Corporate Resolution- Approval Requested:** The BMS agreement has an effective date of January 1, 2012 – December 31, 2012.

Tom Kite made a motion to approve. Troy DeHart seconded the motion and the motion carried unanimously.

**COMMISSIONERS' REGULAR MEETING – March 12, 2012 Continued**

**Johnson County Commissioners- Re-Appointment to the Board of Directors of the Nineveh Conservancy District:** Troy DeHart made a motion to approve to re-appoint Robert Wilson to the Board of Directors of the Nineveh Conservancy District. Tom Kite seconded the motion and the motion carried unanimously.

**Johnson County Commissioners- Re-Appointment to the Board of Directors to the Northeast Lake Conservancy District of Prince's Lakes:** Tom Kite made a motion to approve to re-appoint Marilousie Petree to the Board of Directors to the Northeast Lake Conservancy District of Prince's Lakes. Troy DeHart seconded the motion and the motion carried unanimously.

**NEW AND OLD BUSINESS:**

**Commissioner's Regular Session Minutes 2-27-2012-Approval Requested:** Troy DeHart made a motion to table this item until the March 26<sup>th</sup> agenda. Tom Kite seconded the motion and the motion carried unanimously.

**Claims-Approval Requested:** Tom Kite made a motion to approve. Troy DeHart seconded the motion and the motion carried unanimously.

**Williams Barrett & Wilkowski, LLP- \$4,370.81- Approval Requested:** Tom Kite made a motion to approve. Troy DeHart seconded the motion and the motion carried unanimously.

Mr. DeHart thanked Mr. Barrett for the discount the County receives on the monthly bill. Mr. Price stated Mr. Barrett is also paid at the lower County hourly rate too.

**Executive Session:** No executive session was held.

**Adjournment:** Troy DeHart made a motion to adjourn the meeting at 4:32 p.m. Tom Kite seconded the motion and the meeting was adjourned.

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John L. Price

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Thomas A. Kite

**COMMISSIONERS' REGULAR MEETING – March 12, 2012 Continued**

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Troy A. DeHart

ATTEST: \_\_\_\_\_  
Jan Richhart, Auditor