

Draft
Commissioners Meeting
September 4, 2018 8:00 a m

Present: Rick Nobbe, Jerome Buening and Mark Koors

President Nobbe called the September 4th Commissioners meeting in session. He reminded all there are **Title VI voluntary survey forms** available on the table in the corner for whoever would like to complete and turn into the Auditor's office.

Mr Buening moved to approve the accounts payable claims and payroll claims as presented, Mr Koors seconded the motion and Mr Nobbe concurred.

Mr Nobbe had two corrections to be made to the Commissioners' August 20th meeting minutes: in the last paragraph of the first page, the resolution of the jail building corporation should be in the August 27th Commissioners' Jail Meeting minutes; Sheriff Greg Allen and Mr Nobbe visited Brown and Washington counties, not Lawrence County, hoping to move some of our inmates to those two counties. Mr Koors moved to approve the August 20th minutes as amended, Mr Buening seconded and Mr Nobbe concurred.

In the minutes for the August 27th Jail Meeting, the Commissioners added that **Rick Hall of Barnes & Thornburg** questioned whether they should 'take bids' on the pods and the construction work needed to 'place them and hook the utilities up'. Due to special /exigent circumstances (requiring swift action due to the jail overcrowding); the Commissioners chose the **Eagle** quote over the one from **All Detainment Solutions**. Mr Buening moved to approve these minutes as amended, Mr Koors seconded and Mr Nobbe concurred.

Highway Superintendent Mark Mohr reported he had contacted **Travelers Insurance** regarding the hail damage to the Highway Buildings. He asked how much the deductible is, does he proceed to get it fixed? Deputy Auditor Christy Smiley will check with Debbie Hurst of **Assured Partners NL** on the deductible amount. She believes the deductible should include any damage to other county buildings as 'one event-one storm'. Noble County Highway Department has a 1990 Blow Knox paver for sale for \$3,000. Mr Mohr said the paver has a little over 1200 hours on it and it is in good condition for being a 1990 model. He believes using it and not hiring a contractor to pave over newly installed pipe; it would pay for itself in a couple of years. Mr Koors and Mr Buening agreed it would be a safe investment and a good asset. Mr Mohr has found a parcel of land for sale, south of Standard Fertilizer, which would be a central location to relocate the County's Highway Department. It does need a bridge built to get to it, which isn't a problem for the Highway Department; also it's big enough for what the Highway Department needs and maybe subdivide two parcels off to sell. Commissioners agree it's a good location and worth looking at. Mr Mohr is finalizing the application for the **Community Crossings Grants**. One side of the deck on Bridge 168 has been poured, approaches done and the railing should be completed this week; and then traffic will be switched to the 'new side' for the second phase of the project can be completed.

Area Plan Director Krista Duvall presented three rezoning ordinances for the Commissioners' approval: **2018-9 Robbins Homestead LLC**, rezoning 14 acres from A1 to I1. Petitioner William Corya would like to place a storage and office building to be used by **Vacuum Services of Indiana** and as needed to expand and grow the business. Mr Buening moved to approve this ordinance, Mr Koors seconded and Mr Nobbe concurred. **2018-4 Brad and Suzanne Fox**, rezoning 2.99 acres from A1 to A2 for the construction of a single family detached dwelling. Mr Koors moved to approve this ordinance, Mr Buening seconded and Mr Nobbe concurred. **2017-5 Tim Gauck**, rezoning 2.99 acres from A1 to A2 for the construction of a single family detached dwelling. Mr Gauck built a new dwelling behind his old house which was supposed to be torn down once he moved into the new house. He later decided not to remove the old dwelling, so that required he have a survey recorded splitting the parcels. Mr Buening moved to approve this ordinance, Mr Koors seconded and Mr Nobbe concurred. Ms Duvall reported there's a couple of things which need clarified in the **Tech Review Ordinance**. This **Tech Review Committee** was created to review surveys to make sure they meet our County's requirements before being submitted for approval by the Area Plan and Auditor's office. It's to help prospective builders and homeowners save time and money in making corrections on surveys and deeds before final submission.

Area Plan Building Inspector Kenny Buening gave his bi-weekly report: he has completed 44 building inspections and has issued 13 new building permits. On August 20th through August 30th, he sent a letter to a property owner on 1100 South; checked on a complaint on a house in Clarksburg which wasn't as

bad as reported; attended a code class in Brownsburg; met with a school superintendent and homeowner to discuss repairs on a dwelling; received a complaint about mosquitos- which there isn't anything he can do; followed up on a complaint in New Point and back to Westport to answer questions.

Mr Nobbe asked about the check register the Commissioners signed for \$200,000 to the Bank of New York. Hilliard Lyons, who bought the bonds on the new jail, sent \$200,000 as 'good faith monies' to the County. The Auditor's office sent the \$200,000 to the Bank of New York once documents were signed and in place for them to be our 'trustee' of the funds.

Mr Nobbe read aloud the list of invoices on "disbursement of funds from the project fund, requisition #1": **H J Umbaugh and Associates- \$78,632.52; Maxwell Construction Company- \$160,540; Stephen Legal Group- \$15,000; The Bank of New York Mellon Trust Company N A- \$1,050; Barnes & Thornburg LLP- \$84,800; Decatur County, Indiana, purchase of existing facility and real estate- \$125,000 and Greensburg Municipal Water & Wastewater- \$79,433.06.** Mr Nobbe thanked Mayor Manus and the City of Greensburg for reducing the initial fees for water and wastewater in addition to waiving the building inspection fees. The Commissioners agreed the \$125,000 to the County should be receipted into Fund 1114- Special Purpose Jail LIT. Mr Buening moved to approve Requisition No 1(\$544,455.58) related to the disbursement of funds from the jail fund. Mr Koors seconded the motion and Mr Nobbe concurred.

Walt Moore contacted Mr Nobbe regarding the lighting which illuminates the outside of the Courthouse- the bulbs need replaced with LED lights for safety and cost-savings. Seven of those lights would cost \$3,500—the Commissioners would like to have more information before making a decision.

County Attorney Ken Bass told Commissioners he had met with **Jeff Lyness and Nate Werner of Maxwell Construction** and Deputy Auditors Smiley and Reiger and Auditor Chadwell to discuss a general contract, performance bond, what's the best way to move forward on the 'jail pods'. **Jail Commander Tony Blodgett** did get two quotes for portable jails; one from **All Detainment Solutions and Eagle** as to Rick Hall's question on putting this project out for bids. Commander Blodgett and Mr Lyness arrived at the \$1400 penalty per day (cost for housing inmates outside of Decatur County) should **Eagle** not have the pods on site no later than January 10th, 2019. Maxwell Construction would have the purchase agreement with **Eagle**, which gives **Maxwell** thirty days to get the utilities hooked and the fence up. Mr Bass stated with the evidence of the overcrowding at the jail with foreseeable problems-circumstances; we are at that 'emergency status' which qualifies us for 'exceptions' in not going through the normal process for this project. He said we have to do something and we have to do it now. Mr Lyness has set October 1st to have the design engineering completed from **Elevatus Engineering** to submit for the permit drawings to the State. The Commissioners agreed contracting with **Maxwell Construction** would be best due to the compressed time frame to get a handle on this overcrowded jail situation. Mr Koors made a motion, in light of exigent circumstances, to authorize **Maxwell Construction** to take on this project as general contractor in regards to our portable jail. Mr Buening seconded the motion and Mr Nobbe concurred. Mr Lyness stated under **Maxwell Construction** the performance and payment bond plus the specific limitation on transport insurance costs would be under their 'insurance umbrella'.

Mr Nobbe stated he has spoken to **Indiana House Representative Randy Frye** asking him to set up a meeting with other legislators as a jump start a possibility to turn our old jail into a regional rehab facility, something other than an incarceration space.

With nothing else to come before the Commissioners, Mr Buening moved to recess and Mr Koors seconded and Mr Nobbe concurred.

The next Commissioners meeting will be September 17, 2018 at 8:00 am.

Richard J Nobbe

Attest: _____

Date: _____