

**DAVISS COUNTY COMMISSIONERS
MINUTES**

**Tuesday, March 14, 2023
Daviness County Commissioners Room, Daviness County Government Center
Washington, Indiana**

The Daviess County Commissioners met Tuesday March 14, 2023, at 9:00 AM in the Commissioners' Room of the Daviess County Government Center. (The Public is invited to watch a live stream of meeting, go to www.daviess.org and click "Watch Public Meetings")

Roll Call.

Present: Michael Taylor, Vice President, Nathan Gabhart, President, Ron Arnold, Secretary.

Prayer was given by Pastor Kevin Swartzentruber with the Providence Mennonite Church of Montgomery, IN.

EXECUTIVE SESSION 2/28/2023

Grant Swartzentruber, Daviess County Attorney, stated that there was an Executive Session meeting conducted Tuesday, February 28, 2023, immediately following the meeting of the Daviess County Board of Commissioners in the Commissioners' Room. The Governing Bodies will hold an Executive Session as authorized under Indiana Code Section 5-14-1.5-6.1(b). The only matter that was discussed was that which was previously advertised.

MEETING MINUTES 2/28/2023

Motion: Approve, **Action:** Approve minutes as presented, **Moved by** Michael Taylor, Vice President, **Seconded by** Ron Arnold, Secretary.
Motion passed unanimously.

HIGHWAY

MONTGOMERY BRIDGE PROJECT

Chris Winkler, Daviess County Highway Department Supervisor, came before the Commissioners with the Montgomery Bridge project updates. The construction start date of the project was advertised as March 6, 2023, and that has been pushed to March 15, 2023. This is the construction date, but this does not mean that the bridge will be shut down or closed. Mr. Winkler stated that they have been in touch with the local businesses and school letting them know the date change for this project. There will be a week and a half of construction to construct a road before the bridge is closed for construction. There may be some temporary closures in the next two weeks. The total construction is an eight-month time frame. The completion date of the bridge should remain the same.

BRIDGE INSPECTION

Michael Stevenson, with SJCA, Inc., presented the Commissioners with a LPA-Consulting Contract for County Bridge Inspections. This contract is between the Daviess County Board of Commissioners and SJCA, Inc. (Consultant) for the Daviess Countywide Bridge Inspection and Inventory Program. The maximum amount payable under this contract shall not exceed \$403,652.00. The term of this contract is from April 1, 2023, to March 31, 2027. The correction of the wording Henry County to Daviess County on the contract presented is needed.

Motion: Approve the LPA-Consulting Contract for County Bridge Inspection pending the correction, **Action:** Approve, **Moved by** Michael Taylor, Vice President, **Seconded by** Ron Arnold, Secretary.
Motion passed unanimously.

LPA CLAIM VOUCHER

Chris Winkler, Daviess County Highway Department Supervisor, presented the Commissioner with an LPA Claim voucher from Lochmueller Group. The LPA Claim voucher is for Construction Engineering in the amount of \$10,080.10 with 80% reimbursable at \$8,064.08.

Motion: Approve LPA Claim voucher from Lochmeuller Group for Construction Engineering in the amount of \$10,080.10 with 80% reimbursable at \$8,064.08, **Action:** Approve, **Moved** by Michael Taylor, Vice President, **Seconded** by Ron Arnold, Secretary.

Motion passed unanimously.

CANNELBURG ROAD

Nathan Gabhart, Daviess County Commissioner, asked Mr. Winkler about the mitigation site on the Odon Cannelburg Road. Mr. Winkler stated that the first phase on the Odon Cannelburg Road was set up that mitigation sites had to be bought directly within proximity of the project. CR 550 North and CR 500 North are where the mitigation sites are located. There were trees that someone cut down in that area and the Highway Department had to go back and plant trees to replace those due to this being a mitigation site. Commissioner Gabhart stated that he has received some complaints of obstructed views in this area. Mr. Winkler stated that there has been a lot of problems with people speeding in this area and Daviess County Sheriff Gary Allison has deputies patrolling the area. Speeding down this road would obstruct a driver's view. The engineers designed the road with the views in mind. Michael Taylor, Daviess County Commissioner, stated that the trees are not big now but will have to be mindful of keeping them pruned back in the future.

OLD US HWY 50 RELINQUISHMENT AGREEMENT

The Commissioners were presented with Road Transfer Memorandum of Agreement Between the Indiana Department of Transportation and Daviess County, Indiana Concerning the Transfer of A Portion of Old US 50 in Daviess County, Indiana. The agreement is between the Indiana Department of Transportation (INDOT) and Daviess County. INDOT is currently maintaining Old US 50 commencing from 3.64 miles west of State Road 57 to the west corporate limit of the City of Washington. This agreement is for the County to assume jurisdiction of the transferred road. INDOT will provide funding in the amount of \$2,500,000.00.

Motion: Approve the Road Transfer Memorandum of Agreement Between the Indiana Department of Transportation and Daviess County, Indiana Concerning the Transfer of A Portion of Old US 50 in Daviess County, Indiana with INDOT providing funding of \$2,500,000.00, **Action:** Approve, **Moved** by Michael Taylor, Vice President, **Seconded** by Ron Arnold, Secretary.

Motion passed unanimously.

CREDIT CARDS FOR DISPATCH-JULIE BERRY

Julie Berry, Daviess County Dispatch Director, came before the Commissioners to ask for a credit card for the Dispatch department due to training and traveling. Currently Julie Berry is a credit card holder for the department but due to staff traveling for training there is a need for an additional card. The Commissioners agreed to add one more credit card to the Dispatch department with a \$3,000.00 limit.

Motion: Approve the addition of one credit card for the Daviess County Dispatch department for a limit of \$3,000.00, **Action:** Approve, **Moved** by Michael Taylor, Vice President, **Seconded** by Ron Arnold, Secretary.

Motion passed unanimously.

AIRPORT

Nathan Gabhart, Daviess County Commissioner, stated that the Daviess County Airport Board is requesting to get the land located by the airport corrected. The correction of the boundaries will provide future growth at the Daviess County Airport. They are requesting that the land be deeded to the airport as soon as possible. The airport needs the land located west of the current T hangars to be able to order to offset some of the cost of the runway extension. The Commissioners prompt action would allow the project to keep moving forward.

Motion: Approve the request to relocate and clean up land boundaries by the Daviess County Airport,
Action: Approve, **Moved by** Michael Taylor, Vice President, **Seconded by** Ron Arnold, Secretary.
Motion passed unanimously.

IRACS UPDATES-VANESSA PHILLIPS

Nathan Gabhart, Daviess County Commissioner, stated that the Commissioners received a monthly report from Vanessa Phillips, Daviess County Supervisor of the IRACS (Integrated Reentry and Correctional Support) program.

SOLAR ORDINANCE

The Daviess County Commissioners have been in discussion and working with Daviess County Attorney Grant Swartzentruber regarding a Solar Energy Project Ordinance. This ordinance is to establish safety regulations for solar energy projects in the County. Nathan Gabhart, Daviess County Commissioner, stated that he has spoken with the Daviess County Advisory Plan Commission (APC) Board and asked them to provide their opinion on this Solar Ordinance. The Commissioners would like to have similar Solar Ordinances as surrounding counties. The Daviess County APC Board is reviewing the draft ordinance currently. Ron Arnold, Daviess County Commissioner, stated that the county needs to be sure there is language provided in the ordinance regarding having a buffer and drainage. The Commissioners request that the Solar Ordinance is placed on the Commissioners' agenda again for April 11, 2023, and ask the APC board to come before the Commissioners with their input.

YMCA DONATION

Nathan Gabhart, Daviess County Commissioner, stated that the local YMCA has launched the Improve, Invest, Impact DCYMCA 2023 Capital Campaign and is asking the County to contribute \$50,000.00. The YMCA has some funds but is in need of assistance. The City of Washington, Daviess County Economic Development, and the YMCA have applied for a number of grants to help contribute to this campaign. There are a number of repairs to be made at the YMCA. The Commissioners were presented with a spreadsheet of capital campaign expenses and information on membership county-wide. Commissioner Gabhart stated that he and a few others are helping with the fundraising event so he will abstain from voting on this matter.

Motion: Approve \$50,000.00 for the Daviess County YMCA out of the EDIT fund, **Action:** Approve, **Moved by** Michael Taylor, Vice President, **Seconded by** Ron Arnold, Secretary.
Motion passed 2-0 with Nathan abstaining.

VISITOR BUREAU ORDINANCE

Nathan Gabhart, Daviess County Commissioner, wanted to be sure the advisory body is appointed by the Commissioners and county attorney Grant Swartzentruber ensures an updated ordinance is clear on the by-laws. There was a meeting held with SBOA (State Board of Accounts) which helped clarify updates needed for the new Visitor Bureau Ordinance. Mr. Swartzentruber has requested all funds currently outside the county that were taxed under specific Indiana code provisions come back into the county fund 1127 by the Daviess County Auditor. Also, requesting to modify certain ordinances and processes to accomplish the goals of the administrative meeting with the Tourism Commission and the Visitor's Commission. Joe Morris, Daviess County Chamber of Commerce & Visitors Bureau, Executive Director, came before the Commissioners explaining the Daviess County Visitors Bureau's current finances and budget.

Motion: Approve to bring outside funds back to County Fund 1127 & modify ordinances and processes to coordinate accurately with Tourism and Visitors Commission, **Action:** Approve, **Moved by** Michael Taylor, Vice President, **Seconded by** Ron Arnold, Secretary.
Motion passed unanimously.

VISITOR BUREAU BOARD APPOINTMENT

Nathan Gabhart, Daviess County Commissioner, stated that he spoke with Nathan Rihm, the new West Boggs Superintendent, and he is in agreement with being appointed to the Visitor's Bureau Board. Ron asked that Joe give Nathan an overview and update him.

Motion: Approve the appointment of Nathan Rihm to the Visitors Bureau board, **Action:** Approve, **Moved by** Michael Taylor, Vice President, **Seconded by** Ron Arnold, Secretary.
Motion passed unanimously.

COUNTY CODE OF ORDINANCES

Jennifer Welsh, Daviess County Auditor, stated she received an estimate from American Legal Publishing Corporation for the County Code of Ordinances to be codified. The estimate received is between \$1,200.00 to \$1,800.00.

Motion: Approve the payment to American Legal Publishing Corporation regarding the County Code of Ordinances in the amount estimated of between \$1,200.00 to \$1,800.00, **Action:** Approve, **Moved by** Michael Taylor, Vice President, **Seconded by** Ron Arnold, Secretary.
Motion passed unanimously.

PIRANHA SHREDDING CONTRACT-LAUREN MILTON

The Commissioners received a contract from Daviess County, Clerk Lauren Milton for Piranha Mobile Shredding. In preparation for the courthouse renovation Ms. Milton has her staff scanning in court files and shredding. After looking into everything it made sense to have an outside service to do the shredding. Piranha Mobile Shredding charges \$48.00 per pickup which includes the first 300 pounds. Pickups over 300 pounds are \$.16 per pound and a \$5.00 fuel surcharge per pickup. Pick up will be for five containers every two weeks.

Motion: Approve Piranha Mobile Shredding charges \$48.00 per pickup which includes the first 300 pounds. Pickups over 300 pounds are \$.16 per pound and a \$5.00 fuel surcharge per pickup. Pick up will be for five containers every two weeks, **Action:** Approve, **Moved by** Michael Taylor, Vice President, **Seconded by** Ron Arnold, Secretary.
Motion passed unanimously.

TOWN OF MONTGOMERY SUPPORT LETTER

Nathan Gabhart, Daviess County Commissioner, stated that the Commissioners were asked to provide a Letter of Support for the potential sewer project located in the Town of Montgomery. The project will allow for future development. The letter is intended to show the Daviess County Commissioners' support for the project.

Motion: Approve the Daviess County Commissioners' Letter of Support regarding the potential sewer project in Montgomery, **Action:** Approve, **Moved by** Michael Taylor, Vice President, **Seconded by** Ron Arnold, Secretary.
Motion passed unanimously.

GOVERNMENT CENTER HEATING & AIR

Rodney Moeller, Daviess County Government Center Maintenance, and Dale Quakenbush, Daviess County IT Director, came before the Commissioners regarding the heating and air issue in the Government Center. Mr. Moeller stated that there have been issues with the heating and air throughout the building. In July 2022 there was a strong power surge after the transformer blew near the YMC. Due to the power surge, it has damaged the system. The company that installed the smart system for the heating and air stated that the smart system will need to be replaced. The estimated cost for this is possibly \$7,000.00 to \$10,000.00 per unit. Mr. Quakenbush stated that this is in addition to the cost of labor which could put this in the \$15,000.00 cost range. Commissioner Gabhart asked for them to get the best bid and come before the Commissioners with the best bid. Commissioner Arnold stated that a surge protection unit needs to be installed once this issue is resolved. Commissioners asked for there to be a comprehensive plan on surge protection over the entire building. Commissioner Taylor stated that he would take the lead on this issue and maintenance will keep in contact with him on the progress.

Motion: Approve to allow Rodney Moeller, Daviess County Maintenance and Dale Quakenbush, Daviess County IT Director to proceed forward, **Action:** Approve, **Moved by** Michael Taylor, Vice President, **Seconded by** Ron Arnold, Secretary.

Motion passed unanimously.

GOVERNMENT CENTER FRONT DOOR

Rodney Moeller, Daviess County Government Center Maintenance, and Dale Quakenbush, Daviess County IT Director, came before the Commissioners regarding the front doors to the Daviess County Government Center. The electronic front doors are being caught by the high winds and causing damage to the doors. They have been looking into getting three stoppers. One for the Health Department door and the two front doors. There are U channels that could be installed to keep the doors from going too far as well. Also, one of the doors is not electrified and they would like to have both sides electrified. That way the lock system runs through the IT program. The Commissioners agreed to allow Mr., Moeller and Mr. Quakenbush to proceed to look into fixing the front door issue.

PARKING LOT AND ETCHING

Nathan Gabhart, Daviess County Commissioner, stated that he spoke to Scott Schnarr, Daviess County Maintenance Supervisor, regarding the electrical conduit around the south parking lot. These could be used for future farmers markets and weekend events. Mr. Schnarr is going to get bids to finish this. Also, Commissioner Gabhart asked Mr. Schnarr to look into the etching on the Government Center Building to make it so it can be read and get cost for that. The Commissioner are looking to get etching that is low cost and low maintenance for the building sign.

CR 200 S

Michael Taylor, Daviess County Commissioner, stated that there are two parties south of town on CR 500 South that is having drainage issues. The two parties are still in disagreement on the way the drainage is coming across two properties. Commissioner Taylor stated that he would like for him and Grant Swartzentruber, Daviess County Attorney, to try to set up a mediation between the two parties and try to resolve it. He would just like to get this resolved if all Commissioners agree with this. Commissioner Ron Arnold stated that if this is a Drainage Board issue, he has no problem with the mitigation because that is a county board. Commissioner Taylor stated it is an issue for the county in the aspect that the Commissioners are the Drainage Board. One party is mechanically channeling the water over onto another property. Also, stating that as long as the water is channeled on the surface, they can't really do anything about it, but they have the water mechanically channeled into a drainage system on a neighboring property. Commissioner Taylor agreed to spearhead this issue and get the data and details to try to mediate. Commissioner Gabhart stated that if we are going to spend the county's resources on this mediation, he wants the Drainage Board to give the final stance. Commissioner Taylor stated that if they can mediate this matter and it can come to a conclusion, then it can be brought before the Drainage Board. There will be other issues come up with drainage so it would be good to get a resolution for these matters.

INFORMATION

a. REQUEST FOR SPECIAL EXCEPTON 1603 COSBY ROAD WASHINGTON

PAYROLL DOCKET 3/10/2023

Motion: Approve payroll dockets as presented, **Action:** Approve, **Moved by** Michael Taylor, Vice President, **Seconded by** Ron Arnold, Secretary.

Motion passed unanimously.

CLAIMS DOCKET 2/24/2023 Utility, 3/2/2023 Utility, 3/7/2023 Postage, 3/7/2023, & 3/17/2023 Postage.

Motion: Approve claim dockets as presented, **Action:** Approve, **Moved by** Michael Taylor, Vice President, **Seconded by** Ron Arnold, Secretary.

Motion passed unanimously.

ADJOURN

Motion: Approve to adjourn, **Action:** Adjourn, **Moved by** Michael Taylor, Vice President, **Seconded by** Ron Arnold, Secretary.

Motion passed unanimously.

Absent

President, Nathan Gabhart

[Signature]

Secretary, Ron Arnold

C. Mill [Signature]

Vice President, Michael Taylor

ATTEST: [Signature]
Jennifer Welsh, Auditor of Daviess County