

**DAVIESS COUNTY COMMISSIONERS
MINUTES**

**Tuesday, May 23, 2023
Daviess County Commissioners Room, Daviess County Government Center
Washington, Indiana**

The Daviess County Commissioners met Tuesday May 23, 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

Roll Call.

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

Adam Conder from Free Methodist Church gave the opening prayer.

MEETING MINUTES 5/9/2023

Motion: Approved 5/9/23 Meeting Minutes, **Action:** Approved, **Moved by** Michael Taylor, Vice President, **Seconded by** Ron Arnold, Secretary.

Motion passed unanimously.

HIGHWAY

PROJECT UPDATES

Chris Winkler, Daviess County Highway Department, came before the Commissioners to open the bids for asphalt. Grant Swartzentruber, County Attorney, stated that typically what the Commissioners will do is take the bids under advisement, see what they need and approve at a later meeting. The first bid was a 2023 S-1 Asphalt in Place, 900 E to North of Odon and the County Line to 1200 N, from EMB Paving in the amount of \$1,123,365.49. The second bid is from Milestone Contractors, also a 2023-1 Paving, in the amount of \$1,117,461.00. Mr. Swartzentruber thanked the companies from the bids and the effort put forth into getting the bids together. Mr. Winkler stated the estimated bid done in-house was \$1,306,199.00.

Motion: Asphalt Bid, **Action:** Approve, **Moved by** Ron Arnold, Secretary, **Seconded by** Michael Taylor, Vice President.

Motion passed unanimously.

LPA Voucher- Lochmueller Group

Chris Winkler, Daviess County Highway Department, stated he has an LPA Invoice voucher from Louchmiller Group for construction engineering and construction inspection on Cannelburg Road 4 & 5 in finishing up the project in the amount of \$2531.44 with 80% reimbursable.

Motion: Approved LPA Voucher, **Action:** Approve, **Moved by** Michael Taylor, Vice President, **Seconded by** Ron Arnold, Secretary.

Motion passed unanimously.

HIGHWAY MEETING

Mr. Gabhart stated that there was Highway meeting this morning. They discussed the Highway 50 relinquishment that the County took over and any potential future upgrades. They also discussed salt building.

DOXPOP- BULK IMAGE COST AND FEE- ROSETTA NEWTON- RECORDERS OFFICE- doc 1, doc 2, doc 3, doc 4, doc 5

Rosetta Newton, County Recorder, came before the Commissioners with information about bulk imaging with Doxpop. The Recorder's Office is wanting to do bulk imaging in the office. The Recorder's Office already uses the company, Doxpop, that would provide the bulk imaging service. Doxpop already handles all documents recorded in the Recorder's Office. The documents are uploaded online for the public to purchase. Ms. Newton has talked to a few surrounding counties that do bulk imaging. Ms. Newton stated the software company that the Recorder's office uses, CSI, has been in contact with Doxpop as it all feeds through the software company. There is a range from \$.13 to \$.20 that can be charged per image. The County would then set that as a County through an Ordinance and Contract. Mr. Gabhart asked Ms. Newton to explain some benefits bulk imaging would have. Ms. Newton explained that it would cut down on people's travel costs as they can access the documents online. There would also be a Watermark on each image, which is used so no resale or harm is done to documents from the Recorder's Office. It was discussed that the Recorder's Office will pay Doxpop \$.42 per image, as a one-time fee, but images can be purchased by the public multiple times helping to Recorder's office recoup the money. The Commissioner's approved charging a \$.15 preliminary fee per image and accepted the Watermark Ordinance.

Motion: Approved Watermark Ordinance Charge per Copy, **Action:** Approve, **Moved by** Michael Taylor, Vice President, **Seconded by** Ron Arnold, Secretary.
Motion passed unanimously.

2024 NOT FOR PROFIT REQUEST-doc1,

DAVISS CO. 4-H CLUB ASSOCIATION

Eric Lane presented with a request amount of \$15,000.00.

SENIOR & FAMILY SERVICES

Senior and Family Services submitted a request but were unable to present to the Commissioners their request amount of \$12,000.00.

FOUR RIVERS RESOURCE SERVICES

Sherri Tredway presented with a request amount of \$50,000.00.

RSVP

Lisa Coquillard presented a request amount of \$7,900.00.

DAVISS COUNTY CONNECTIONS

Sherry Davis presented with a request amount of \$2,500.00.

DAVISS COUNTY HISTORICAL SOCIETY

Daviess County Historical Society submitted a request but were unable to present to the Commissioners their request amount of \$40,000.00.

RIDE SOLUTIONS

Beth Browning presented with a request amount of \$10,000.00.

DAVISS COUNTY FAIR

Chad Burton presented with a request amount of \$20,000.00.

The Commissioners will take all of the Not for Profits under consideration and advisement.

PUBLIC HEARING NOTICE- VACATE RIGHT OF WAY- Notice, Declaration, Petition, Letter

Nathan Gabhart, County Commissioner, opened the Public Hearing for May 23, 2023 at 9:36 AM in the Commissioners' Room of the Daviess County Government Center. The subject of the public hearing is vacating the Right of Way at 4 Peach St. Loogootee, Indiana. At this time any interested persons will be given the opportunity to express their views for or against the proposal. This Public Hearing was previously advertised. Grant Swartzentruber, Daviess County Attorney, closed the public hearing 9:49 AM.

John R. Weyer, property owner, 4 Peach St Loogootee came before the Commissioners inquiring about vacating the Right of Way at 4 Peach Street in Loogootee. Mr. Weyer stated he has spoken to the West Boggs Park Board and their representative. Mr. Weyer stated West Boggs Park does not have an issue with this because in their policy they always have 100 % access to all landowners. Mr. Weyer also stated he checked with all property owners who own property in the subdivision. He stated they would not be landlocked. Mr. Weyer also stated that there are utilities and trees at the back so just 8 ft of land that is accessible can be used. He stated that in all the years he has lived there, to his knowledge, not one person has used this as access to the lake. He stated it is also stated in the subdivision bylaws, the access is for neighborhood subdivision 3 only. Mr. Weyer stated he has spoken to Mark Jones, an attorney, who has written up an agreement to vacate the Right of Way. Mr. Weyer stated he has a majority of the neighbors' signatures agreeing to the vacating of the Right of Way, which he stated is in the policies. He also hired Mark Jones to conduct a search/title work on the parcel to check for any other Right of Way or Easements on record, filed with the County or on a Deed. He stated they did not find anything on record. He stated there have been other Right of Ways vacated so he feels there is no reason to not vacate this one. The Commissioners were given a Petition to Vacate Public Right of Way, a survey that was done on the property, and Mr. Swartzentruber explained that there are certain findings and representation that Petitioners find when they are making this request. Mr. Swartzentruber then read the findings on this property, including the approval of the Vacation will not be injurious to the public health safety and morals and welfare of the community, the use and values of the areas adjacent to the real estate included in the vacation will not be affected in any substantial or adverse manner, the former and intended use of the Right of Ways to be vacated no longer exist, the approval of the vacation will not hinder the growth or development of the area or the contiguous area of the Right of Way are located, no church, school or any public building or place is located in the area. Mr. Swartzentruber stated this is the time and place for anyone to comment on the Vacation of the Right of Way. Mr. Gabhart stated he has received a few calls from others that may not be in favor of the Vacation of Right of Way. Ron Arnold, County Commissioner, inquired as to why the Right of Way was placed in the first place. Mr. Weyer stated his understanding is that that Don Nolan owned a lot in the middle section of the subdivision and was thinking ahead in having access to the lake for boating or any other use. He stated the West Boggs Lake has a policy that you must be an adjacent landowner to use the Right of Way, so others have been denied because they are not a landowner of subdivision 3. Mr. Arnold asked Mr. Weyer with the Utility Right of Way, why would Mr. Weyer want the Right of Way vacated. Mr. Weyer stated there is no need for it because nobody has ever used it. He stated he was advised by Mark Jones that there could be issues if he were to sell the property at a later date. Mr. Weyer stated he's talked to the Auditor and they are in favor of the Right of Way because it cleans up their books as far as who owns this piece of property. Jennifer Welsh, County Auditor, stated Mr. Weyer has spoken to the Mapping Department in the Auditor's Office. The Mapping Department stated that since there was no survey on file, a survey needs to be done to clean up the parcel. It stated that the owner is unknown. Mr. Gabhart wanted to know, for the record, that the Auditor did not say that she was in favor. Mr. Welsh stated that is correct, she did not say she was in favor. Mr. Swartzentruber stated since this was done so long ago it's hard to know for sure, but it appears the Right of Way was done for use by the people of the subdivision. He also stated a statute is in place for these kinds of situations. They sent a letter out to contiguous landowners. One of them being West

Bogg Park, one being Mr. Weyer's neighbor, and one being Mr. Weyer. Those people would then have the right to come in and give their opinion on the Vacation of the Right of Way. Michael Taylor, County Commissioner, asked Mr. Swartzentruber if the bylaws state this Right of Way is for the public. Mr. Swartzentruber stated though the bylaws are hard to read, it stated that it is public but when they amended the bylaws later, it states that it is for Subdivision 3 only. Mr. Gabhart stated it would be easier to make a decision on this matter if all landowners who's contiguous to this strip with a survey plat with all landowners agreeing who is to get what part of the parcel. Natham Rihn, West Bogg Park, came to the podium and stated on May 9th the West Boggs Park Board met. 100% of the Board opposed the Vacation of the Right of Way. The main reason for the opposition being, the ongoing maintenance of the lake and shore, water testing and treatment. He also stated that there is a grave site directly behind the Right of Way on West Boggs Park property. They want to ensure the family has access to the grave. Mr. Swartzentruber suggested that Mr. Weyer, his neighbor, and the Park Board come to a mutually agreeable access arrangement and come back to the Commissioners in the future. The Commissioners agreed that when the Park Board, contiguous neighbor, and Mr. Weyer are all in agreement to come back to the Commissioners then the Commissioners will make a decision.

Motion: Table the Vacation Right of Way, **Action:** Table, **Moved by** Michael Taylor, Vice President, **Seconded by** Ron Arnold, Secretary.
Motion passed unanimously.

JUSTICE PARTNERS ADDICTION RESPONSE GRANT- LAURA PETTY- COUNTY CORRECTION

Laura Petty, County Corrections, received an email about the Justice Partners Addition Response Grant that needs to be submitted by May 31, 2023. Ms. Petty stated no budget has been made yet but in past years it's been up to \$60,000.00. She stated the Grant is an Advance, where the funds are received at the beginning and no match is required.

Motion: Approved Justice Partners Addiction Response Grant, **Action:** Approve, **Moved by** Michael Taylor, Vice President, **Seconded by** Ron Arnold, Secretary.
Motion passed unanimously.

REGION 8- LOCAL OFFICIALS APPOINTMENT AGREEMENT AND APPOINTMENT

Nathan Gabhart, County Commissioners, stated he is currently the representative for the Region 8. Mr. Taylor and Mr. Arnold agreed to re-appointed Mr. Gabhart to the Board.

Motion: Region 8- Local Officials Appointment Agreement, **Action:** Approve, **Moved by** Michael Taylor, Vice President, **Seconded by** Ron Arnold, Secretary.
Motion passed unanimously.

PURDUE EXTENSION ANNUAL REPORT- CINDY BARBER

Cindy Barber, Extension Office, presented their annual report for 2022. She also stated the Purdue Extension Office youth developer, Wes Richardson, started yesterday. Ms. Barber stated that in 2022 they leveraged assets in the amount of \$75k in funding state and federal funding.

FAA GRANT FOR DRAINAGE IMPROVEMENTS- ERICA BURKEMPER- DAVIESS COUNTY AIRPORT

Mr. Gabhart stated the amount requested for the FAA Grant for Drainage Improvements is in the amount of \$34,548.00. This is a pass-through Grant. Mr. Gabhart stated the amount of the match is \$1,727.40. The Commissioners will find out which County Fund this will come out of. Ms. Welsh stated she believes this is part of the 5% match from local dollars.

Motion: FAA Grant for Drainage Improvements, **Action:** Approve, **Moved by** Michael Taylor, Vice President, **Seconded by** Ron Arnold, Secretary.
Motion passed unanimously.

DAVIESS COUNTY AIRPORT JOINT RESOLUTION – doc1, doc2, doc3, doc4, doc5, doc6

Mr. Gabhart brought to the Commissioners the Daviess County Airport Joint Resolution on the land conveyance that transfers ownership from one Governing entity to another. The Resolution has been sent over to the Airport Board for signatures. Mr. Swartzentruber suggested the Commissioners sign the Resolutions today and wait until the members of Airport Board sign the Resolution for the Commissioners sign the Deeds. Total acres are 32.472 being conveyed.

Mr. Arnold suggested in the future, they start discussions to look into building a bigger hanger, with the runway expansion, to accommodate the jets that will be coming in.

Motion: Daviess County Airport Joint Resolution, **Action:** Approve, **Moved by** Michael Taylor, Vice President, **Seconded by** Ron Arnold, Secretary.
Motion passed unanimously.

VISITOR’S COMMISSION ORDINANCE- doc

Mr. Gabhart brought before the Commissioner’s the Visitor’s Commission Ordinance 2023-1 that has been signed and approved by the Council.

Motion: Approved Visitor’s Commission Ordinance, **Action:** Approve, **Moved by** Michael Taylor, Vice President, **Seconded by** Ron Arnold, Secretary.
Motion passed unanimously.

TM OFFICE SOLUTIONS CONTRACT- LAUREN MILTON- CLERKS OFFICE

Lauren Milton, County Clerk, came before the Commissioner’s with a Contract with TM Office Solutions on 2 copiers the office has. One copier is from 2021 and the other is from 2022. She stated they have contracts for 1 copier but not the other. She is requesting a contract for both copiers. There is no fee for the contracts. The contract states that they will send the office a fax asking how many copies they have used that month. The office pays \$.01 a page and TM Office Solution pays for ink and any maintenance on the machine.

Motion: TM Office Solutions Contract, **Action:** Approve, **Moved by** Michael Taylor, Vice President, **Seconded by** Ron Arnold, Secretary.
Motion passed unanimously.

COURTHOUSE RENOVATION UPDATE

Rebecca Dixon, Director of Architecture, and Laura Dawson, Project Architect, with RQAW and Jeremy Kunz, Regional Manager with C.H. Garmong & Sons, Inc., came before the Commissioners with a Courthouse renovation update. Ms. Dixon stated one item they'd like to discuss is a historic bell that is stored at the rooftop. The idea was brought up that with a crane going to be on site, they would like to bring the historic bell down to ground level. RQAW had their landscape architect look into how they can incorporate the Bell to further enhance the bell at the new main entrance. RQAW brought a design of a possible new landscaping of the Courthouse and explained their design. Mr. Kunz stated the landscaping is not included in the current budget and can be presented as a bid alternate. Mr. Gabhart agreed to have RQAW bring the bell down when the crane is on site and decide on placement at a later date. Mr. Kunz suggested having someone that has preservation experience take a look at the bell and see if they have any advice on how to restore/preserve the bell. Ms. Dixon stated last Thursday, they received a list of items from the Maintenance Department. The list was shared with Mr. Kunz. RQAW and Garmong will work together on incorporating these items. Ms. Dixon expressed that there have been a couple setbacks. One being, as expressed by both Judge Smith and Judge Sobecki, the design of the courtrooms, as in most courtrooms, needs to be monumental. Ms. Dixon requested the need to sit down with the Judges and get a plan on the details on design in each courtroom. Mr. Gabhart asked Ms. Dixon how much more time was needed. Ms. Dixon stated she would like to schedule 1-2 more meetings next week. Ms. Dixon stated she would like to get the Design Development approved at the June 13th Commissioners meeting. Jeremy Kunz, Regional Manager with C.H. Garmong & Sons, Inc., stated the Design Committee will shoot to meet on or around June 6 to be ready for June 13 meeting. Ms. Dixon informed the Commissioners that there will be one item that will be outstanding for the Design Development budget. RQAW will be meeting with DNR on June 13 to discuss the canopy at the entrance of the Courthouse and will walk through the Courthouse to ensure its historical preservation. Ms. Dixon stated the canopy may need to be a lump sum added to the estimate as that is going to take some time to get worked out with DNR. Mr. Gabhart stated as long as the Commissioners have an overall projected cost, as the project gets started and moving along things may get trimmed back. Ms. Dawson requests at least one commissioner to be there when RQAW is meeting with DNR. Mr. Taylor stated he is willing to attend. Judge Sobecki came to the podium. He stated he has concerns on the planning on operations to get started. He wants to make sure there is a plan on where each department and court is going. Mr. Gabhart stated the game plan for who goes where should be starting in June.

Mr. Arnold requested the Commissioners talk about the Edit Expenditure Plan that needs updated. Mr. Arnold asked Jennifer Welsh, County Auditor, to have the Auditor's Office send out copies of the Edit Expenditure Plan to the Commissioners and copy Eric Lane of the Development Corporation.

Mr. Gabhart stated there will be no June 27 meeting.

PAYROLL DOCKET-5/19/23 Payroll Docket

Motion: Approved Payroll Docket, **Action:** Approve, **Moved by** Michael Taylor, Vice President, **Seconded by** Ron Arnold, Secretary.
Motion passed unanimously.

CLAIMS DOCKET- 5/9/2023 Utility Docket, 5/17/2023 Utility Docket, 5/18/2023 Visa Docket, 5/26/2023 Claims Docket, 6/1/2023 Court Dockets, 6/1/2023 Highway Docket

INFORMATION

DAVISS COUNTY BOARD OF AVIATION- AGENDA-APRIL, MINUTES-APRIL, MANAGERS REPORT FOR MARCH 2023, MANAGERS REPORT APRIL 2023, MONTHLY FINANCIAL REPORT-MARCH, MONTHLY FINACIAL REPORT-APRIL


DAVISS COUNTY BOARD OF AVIATION- AGENDA-MAY, MINUTE S-MAY

DAVISS COMMUNITY HOSPITAL- FINANCE COMMITTEE PACKET


BUDGET REPORT

ADJOURN


Motion: Approved Claims Docket and Motion to Adjourn, **Action:** Approve and Adjourn, **Moved by** Michael Taylor, Vice President, **Seconded by** Ron Arnold, Secretary.
Motion passed unanimously.



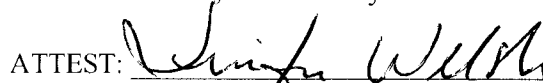
President, Nathan Gabhart



Vice President, Michael Taylor



Secretary, Ron Arnold

ATTEST: 

Jennifer Welsh, Auditor of Daviess County