

FRANKLIN COUNTY COMMISSIONERS MEETING
MEMORANDUM & MINUTES
Tuesday: May 29th, 2012 @ 10:00 AM
COMMISSIONERS/COUNCIL PUBLIC MEETING ROOM 203

Those Present: County Commissioners: Thomas Wilson Tom Linkel Scott McDonough (absent)
County Auditor: Erica Hudson
Commissioners Attorney: John Worth (absent)
Commissioners Secretary: Carol Westerman

Thomas Wilson opened the meeting with the Pledge of Allegiance.

ELECTION ORDINANCES: CLERK: Karla Bauman: Karla approached the Commissioners and explained that there are no ordinances established to cover expenses and costs associated with the election; per diems and allowances, poll workers, training, judges, absentee, and travel. There is a State code book specific to elections and statues that require policy for the election. Karla explained that additional compensations is required for certain election positions and has never been and expenditure in the county. According to minutes in 2008 there was an increase in the per diem with no justification or policy. The VRO (Voter Registration Officer) also needs to be determined and policy established. Karla commented that without policy there are too many discrepancies. The Commissioners' will need to determine a Vote Center Committee as well. Erica Hudson (Auditor) commented that there were claims for meals following 2 policies; per diem for individuals and itemized for businesses. Erica did not feel that it was acceptable to process the claims with no justification or specific policy. Erica also suggested a home rule election to provide one ordinance rather than several ordinances which would cover the election as an entirety. Grant Reeves (John Worth's colleague) will be focusing on this project over the next few months. **MOTION:** Tom Linkel motioned to cover the election claims according to prior processing. Thomas Wilson 2nd. AIF, MC.

BIDS: BRIDGE #124: Sunman Road & Elkhorn:

Elkhorn Road quotes are for the wingwall and channel repair project; culvert WH-2001. Sunman Road (Bridge #124) quotes are for 2 options; Option 1 East Embankment Repair and Option 2 West tree clearing and guardrail installation.

<u>BIDDER</u>	<u>ELKHORN RD (WH-2001)</u>	<u>SUNMAN RD (#124)</u>
Darren Gunter Excavating	\$6,124.89	Opt. 1- \$5,951.74 Opt. 2- \$3,482.00
David Gunter Excavating	\$6,025.00	Opt. 1- \$5,100.00 Opt. 2- \$3,200.00
Copperhead Excavating	\$2,652.20	Opt. 1- \$2,709.50 Opt. 2- \$1,030.00
All American	\$7,745.00	Opt.1- \$2,865.00 Opt. 2- \$5,550.00
C&H/M	\$33,475.00	Opt. 1- \$21,295.00 Opt. 2- \$16,565.00

MOTION: Tom Linkel motioned to award Copperhead (low bidder) the Sunman Bridge #124 project for Option 1 \$2,709.50 and Option 2 \$1,030.00 and also the Elkhorn Road project for \$2,652.20 contingent upon funding; Total for all projects \$6,391.70. Thomas Wilson 2nd. AIF, MC.

SNAKE ROAD: Russ Jones (Attorney): There were 4 property owners present including 5 individuals being represented which included Stan, Larry, and Ken Knierim, as well as Sandy and Dan Meyer. Ken Konradi was also present but was not represented by an attorney and disputed the option before the Commissioners in representation by Mr. Jones. The maintenance concern was discussed with the Commissioners on March 5th 2012. Russ presented a portfolio including pictures to the Board. Russ Jones in representation of the parties involved (excluding Ken Konradi) requested again that the Commissioners uphold their obligation by maintaining the road. There is public safety concerns that Russ expressed including but not limited to property owner and emergency vehicle access due to the condition of the counties section. Mr. Jones explained that the property owners understand that there may be a fee associated with this request. It was also expressed that the road is county property and has never been proven otherwise. Thomas Wilson commented that his intentions remain due to previous owners signing an agreement to prevent public use via gates and the previous Commissioners abandoned maintenance. Thomas also explained that to begin maintenance at this point would mean that the road would be reopened to the public and suggested referencing the road inventory to determine exactly when maintenance was abandoned. Joe Gillespie (County Surveyor) commented that according to his records the last map survey with this road was in 1978 and he suspects the State eliminated the road from the map due to the gate. Mr. Jones stated that he has never seen a written agreement that Thomas referenced between prior owners. Ken Konradi (in objection) commented that the gates are constantly left open and quad runners have accessed his property without permission; he stated that he paid for the road and does not want anyone on his property. Mr. Konradi also explained that he has numerous documentation including fencing laws on flood gates and fees associated. Mr. Jones commented that it is not clear at this time whether or not documentation is available in reference to how and why the events occurred leading up to the decisions established. Grant Reeves stated that this is a matter for civil court and every party involved should understand that there are risks involved. The parties were advised to reach an agreement prior to the Board of Commissioners proceeding. The Commissioners were in consensus to receive a court order mandating maintenance and ultimately determining the outcome as an entirety due to legalities.

TREASURER'S & CLERK'S REPORT: April 2012: MOTION: Thomas Wilson motioned to acknowledge both reports. Tom Linkel 2nd. AIF, MC.

ON POINT CONSTRUCTION: Josh Miller: Josh approached the Commissioners and inquired about the process required to run fiber off of SR 1 utilizing Duke electric polls as the connection. Overall there will be 12,000 feet including some county roads. Thomas Wilson explained that a utility permit is required when county roads are involved and all property owners in connection with the project must be notified. Josh stated that he will cross the 4 way at St Petersburg and Gobblers Knob. The Commissioners were in consensus to require the utility agreement and property owners' approval prior to beginning the project.

XEROX CORPORATION: MOTION: Tom Linkel motioned for Thomas Wilson to sign a discontinuation letter of 30 day notification not to renew the contract. Thomas Wilson 2nd. AIF, MC.

MINUTES: 5/14/2012: MOTION: Tom Linkel motioned to approve. Thomas Wilson 2nd. AIF, MC.

PROFESSIONAL FACILITATOR SERVICES: IN Office of Community & Rural Affairs: MOTION: Thomas Wilson motioned to follow the EDC's recommendation and sign the agreement at no cost to the county for Susie Ripley to provide Professional Facilitator Services. Tom Linkel 2nd. AIF, MC.

JAIL MAINTENANCE CONTRACT: Connersville Heating & Cooling: MOTION: Tom Linkel motioned to sign the contract for \$3,162.00 annually which includes seasonal maintenance (4 annual visits) which is currently budgeted. Thomas Wilson 2nd. AIF, MC.

BIS DIGITAL: AUDITOR: Erica Hudson: MOTION: Tom Linkel motioned to approve the digital and transcribing software for the Auditor to utilize at meetings for \$3,195.00 with an annual fee of \$300 which is budgeted. Thomas Wilson 2nd. AIF, MC.

HEALTH DEPT. VEHICLE AGREEMENT: MOTION: Tom Linkel motioned to approve the agreement due to State grant requirements; 2012 Ford Focus and the 2012 Camper. Thomas Wilson 2nd. AIF, MC.

ENGINEER UPDATES: Ted Cooley & George Hartman: Ted Cooley reviewed the update sheet which includes Stipps Hill Road Bridge #37, Bridge #124 East embankment repair and guardrail installation project, Elkhorn Road culvert wing wall repair, Winn Road culvert and bridge failure, emergency watershed projects, bulldozing gravel bars, fiber optics cable installation, and FEMA; for details reference the update sheet submitted. The Commissioners were notified that Ken Bischoff declined the Bridge #37 Stipps Hill Road deck demolition and replacement project due to lack of bid specifications. Tom

Linkel requested that future bid specification packets be prepared and picked up or mailed to avoid this situation with electronic notification. **MOTION:** Tom Linkel motioned to award the project (#37) to All American for \$99,974. Thomas Wilson 2nd. AIF, MC. George explained that June 8th will determine project selection for funding for which Bridge #10 has been submitted several times and denied. George explained that partially funded projects are selected first and this project is not partially funded. Tom Linkel offered to contact Seymour and express the concern and priority of this project.

PAYROLL: MOTION: Tom Linkel motioned to approve. Thomas Wilson 2nd. AIF, MC.

ADJOURN: MOTION: Tom Linkel motioned to adjourn. Thomas Wilson 2nd. AIF, MC.

Others Present: Stan Knierim Larry Knierim Russ Jones Ken Knierim Fred Layton Danny Kolter
Wayne Monroe George Hartman David Mannix Sandy Meyer Dan Meyer Marty Hon Ken Konradi

Note: Those names listed are spelled as correctly as possible due to the legibility on the sign in sheet.

AYE Thomas Wilson
Thomas Wilson
Tom Linkel
Tom Linkel

Scott McDonough

ATTEST: Erica Hudson
Erica Hudson, Franklin County Auditor

NAY
Thomas Wilson
Thomas Wilson
Tom Linkel
Tom Linkel
Scott McDonough
Scott McDonough