

Franklin County Council  
April 26, 2016  
Commissioners/Council Meeting Room 203

Council: Becky Oglesby, Keith Hall, Aaron Leffingwell, Jeff Koch, Joe Sizemore, Dean McQueen and Daryl Kramer.

Auditor: Stephen Brack

Open: The meeting was called to order by President Becky Oglesby and opened with the Pledge of Allegiance.

Minutes: A motion was made by Daryl Kramer to approve the minutes of the previous meeting and 2<sup>nd</sup> by Keith Hall. Motion carried. Mr. Hall added that he would like to see more information in the minutes regarding discussion of various topics.

Franklin County Highway Engineer- Ted Cooley: gave a description of two projects that the county has presented to the federal government for 80/20 cost-sharing. The first project would take place in 2020 and that is the rehabilitation of St. Mary's Road from Brookville to Levee Road. The county's share of this would be \$260,000.00. The second project is that of rehabilitation of five bridges on Blue Creek Road which would begin in 2021. A smaller add-on project would be that of guardrails along roadside drop-offs. The county would only be responsible for 10% match in this instance. In order for the county to qualify for the federal assistance an inventory of roads and bridges must be maintained as well as that of a maintenance improvement plan. The total of the three projects for the county would be \$482,000, with construction in 2020 and 2021. Councilman Hall asked Commissioner Linkel as we being the budget process will he be able to come to Council with the plan on how this will be funded, which Linkel responded, "we will make it happen." A motion was made by Daryl Kramer to have the President of the Council to sign the letter for the St. Mary's Road project and was 2<sup>nd</sup> by Jeff Koch. Motion carried. A motion was made by Daryl Kramer to have the President of the Council sign the letter for the Blue Creek Road Bridge Rehabilitation Project and was 2<sup>nd</sup> by Aaron Leffingwell. Motion carried. A motion was made by Daryl Kramer to have the President of the Council to sign the letter for the Guardrail Project and was 2<sup>nd</sup> by Jeff Koch. Motion carried. It should also be noted that Bridge inspections should begin around October. A question from the audience was asked as to why the under structure of a bridge isn't painted? Mr. Cooley stated that there is movement in that direction.

American Structure Point – Luke Kahren: presented the services offered by Structure Point. He stated that his company is the state's largest architectural firm and they are most known for transportation, roads and bridges. He also told the council that he could provide the inventory of roads and bridges as well as the maintenance plan as required for the federal assistance. American Structure Point has the most experience with INDOT and they are very well respected by INDOT. His estimate for the services from American Structure Point would be around \$93,000.00. The council does agree that there is a need for the asset inventory. Councilman Hall began to question Commissioners Linkel and Roberts and Mr. Cooley about their choice of American Structure Point. He noted that neighboring Fayette County had signed a similar contract for \$29,112.00. Mr. Hall also inquired if the commissioners had solicited for bids before agreeing to American Structure Point. Mr. Cooley stated that quotes were received but not bids. Councilman Leffingwell stated Commissioners had bids for the Paser Study and another firm was substantially and the county should compare apples to apples. It should be noted that we have never done business with ASP and the county has an INDOT employee, Tom Carrow that lives in the county and discussion with the Commissioners have been in discussion over the last 9 to 10 months.

The Commissioners and Mr. Cooley believe that a formal bid opening was not required. Councilman Hall then asked Commissioner Linkel and Mr. Cooley about a 3<sup>rd</sup> bid was noted in the Observer, which was for \$42,000.00 but not noted to the public and was asking why. Mr. Cooley stated he had the bid but he was out of town and the bid wasn't opened. It was asked by Councilman Hall with 2 bids \$92,000 vs \$42,000 how is this justified. He also said that neighboring Fayette County signed a contract for a Paser Study for \$29,112.00, which is 1/3 of what we are paying. Mr. Hall stated that we need to understand the bidding process better and the Council needs to be educated. No vote was taken at this time. Mr. Cooley stated that the Commissioners can decide on whomever they want, even your friends, without a bid, Councilman Hall stated that would not be a legitimate bidding process. The next question asked was where do we get the money for this which Mr. Linkel stated from the Highway. Mr. Linkel is to come back to another Council meeting for approval. Mr. Cooley asked the Council if they were familiar with Senate Bill 67 and House Bill 1001. He stated that we need an asset management plan for roads and bridges which is not a traffic assessment. There will be quotes awarded in July for \$500,000 per year and local government can have 1 per year. These are not sealed bids and there is no specification on Paser Study from the State. There are IC codes that reflect the bidding process to which we have never followed. There was discussion regarding what is a Bid and what is a Quote? It is noted that a Quote is – give me a price and a Bid is written, advertised amount and the sealed bid is opened at a particular time. Mr. Hall stated that someone needs to be ready to come back and explain and that some council members may rubber stamp; however he will not.

EDC-Bill Schirmer: introduced Nick Lawrence from the Wheatly Group who gave a report to Council that he has been meeting with businesses, looking at County assets and putting together an action plan. He stated that he has several projects in line but at this time could not discuss them. Mr. Lawrence told the Council that he will be making monthly reports to them regarding his workings in the County. Mr. Schirmer stated the ECD gets all kinds of emails regarding various request and that they now have mapping and infrastructure in place.

Franklin County Councilman – Joe Sizemore: stated he has been approached by Posey Township trustee for Council paying for repairs at the Andersonville Community Center that amount to around \$900.00. Mr. Sizemore stated he knew that the Council in the past had included money in the budget for the center but that had been eliminated. Councilman Hall stated that since the council voted not to fund the 16 to 1 grant for the elderly in rehabbing their homes that we should be consistent and deny this request as well. It was noted that maybe the Center should asked the Posey Township Trustee for assistance as there is \$7,468.48 in their budget as of 12/31/15. A motion was made by Joe Sizemore to use money from the Contingency Fund. Council President asked others on the Council what they thought to which Councilman Leffingwell stated he was in favor of the cut back in 2014, Councilman Koch was not in favor and Councilman Hall if we do one we have to do the others, so his answer for now is NO. Mr. Leffingwell also noted that cuts were made to 4-H Fair in the amount of \$4,500 and \$4,500 to Senior Center. The motion died to the lack of a 2<sup>nd</sup>.

Additional: a motion was made by Daryl Kramer to approve Park and Recreation, Statewide 911, Marine Patrol Grant, Bullet Proof Vest additional and was 2<sup>nd</sup> by Keith Hall. Motion carried. Councilman Hall noted that the Statewide 911 was closing a Dormant Account and the money would be put back to where it can now be used. A motion was made by Aaron Leffingwell to approve the additional for Highway but the \$32,500.00 should be under Other Services and Charges instead of supplies and was 2<sup>nd</sup> by Dean McQueen. Motion carried.

→ Joyce Sparks

Tractor/Loader – Commissioner Linkel: approached Council to approve the purchase of a mowing tractor for the Highway and a Loader for the Transfer Station. It was stated that Commissioner Linkel along with Councilman Hall, Oglesby and Kramer and that an agreement had been reached on the purchase that will eliminate a need for a loan. There were complaints issued regarding the process of bidding. Councilman Leffingwell stated to the Commissioners that had received 2 bids and threw them out because a bid was requested from another vendor. Commissioner Linkel stated that he wanted a John Deere. Councilman Kramer said he thought the process needs to have a lot of work. From the audience Bill Schirmer asked Council “why don’t we just have bids submitted to Council?” “Why do we need these 3 guys (Commissioners.)?” It is noted that at the Commissioner Meeting on May 2 the 2 bids – JCB and John Deere will be discussed and it is the hope that the lowest bid will be accepted and if not it is hoped that it would be explained why the low bid wasn’t accepted. There is a \$7,000.00 difference in the JCB and John Deere bid. Hopefully we would not be showing favoritism as this is a liability issue to the county. From the audience, Rick Gill stated that there are IC codes which states penalties for not following the code. Councilman Hall noted that the Council has a fiscal responsibility to the County and that the Commissioners need to be held accountable. Councilman Hall read the mission statement of the State Board of Accounts and if anyone has questions they should contact State Examiner, Paul Joyce at 317-232-2524. From the audience, Bill Schirmer asked why we need the Commissioners and why not just have bids submitted to the Council. Councilman Hall stated the council has a fiscal responsibility to the county and that people need to hold the Commissioners accountable and to do what is right for the county. The council informed the audience they need to attend meetings to understand what goes on. Councilman Leffingwell noted that there are 3 fingers pointed to council from commissioners for all the problems have gone through.

Additional continued: a motion was made by Daryl Kramer to approve those of Highway, Rex Road, Waste Management and was 2<sup>nd</sup> by Jeff Koch. Mr. Hall was opposed to the \$170,000.00 – Capital Outlay-Highway due to the bidding process. Motion carried. Discussion was held on the Cum Bridge additional for \$120,000.00 for Wolf Creek Bridge. Commissioner Roberts stated he didn’t think there is money for the bridge. Commissioner Linkel stated he wanted the Commissioners to look this over and come back to council at another meeting. Councilman Hall said in the budget there is \$200,000.00 for 6<sup>th</sup> Street Bridge, \$71,000.00 for Tee Hill and \$129,000.00 setting there. Commissioner Roberts stated the construction for 6<sup>th</sup> street would be early next year and money was budgeted in 2016 for work done in 2017. A motion was made by Daryl Kramer to deny the Cum Bridge additional and was 2<sup>nd</sup> by Aaron Leffingwell. Motion carried.

Comments: There were several comments from the audience such as: Tom Vohland asked why some of the Council members were so quiet? James Sprague asked how we can trust the Commissioners to spend wisely. Bidding – Health Care it has been 10 years since this was done? Councilman McQueen stated that he is doing what the voters want him to do – listen and he feels he is doing his job and the bidding should be up to the Commissioners. Councilman Sizemore stated that there are some processes he doesn’t understand but he feels the Commissioners are doing are doing the right thing. Rick Gill stated that he doesn’t think the Commissioners are following the law. There were additional questions from Millie Simmermeyer and Betty Lecher on Stockpile Road Bridge as: they had asked for a detailed accounting on the cost of Stockpile. Councilman Hall seconded their request that Council was never given the exact cost of this bridge, why was there no answer. Mr. Hall said he asked Commissioner Wilson about this and he said this is who we use and not all projects are given an account number which makes it very difficult to find detailed accounting. Mr. Hall also stated that we are not getting competitive bids. IC code 36-1-12, Public Works Law, regarding estimates over \$150,000.00. The

problem is the bidding process. He also stated he does a lot of reading and asks a lot of questions and wants to understand. Commissioner Linkel wants to go back and look at the annual bidding practice.

Transfers: a motion was made by Aaron Leffingwell to allow the President of the Council to approve an emergency transfer from 6<sup>th</sup> Street Bridge to Wolf Creek contingent on public law to make sure we were in compliance and was 2<sup>nd</sup> by Jeff Koch. Motion carried. Councilman Hall was opposed. A motion was then made by Keith Hall to approve transfers as submitted and was 2<sup>nd</sup> by Dean McQueen. Motion carried.

Letter from Commissioners: President Oglesby had a letter from the Commissioners requesting the 25% from Senate Bill 67 for Highway. Councilman Hall made a motion to approve this which will allow for the 50-50 match and was 2<sup>nd</sup> by Jeff Koch. Councilman Leffingwell questioned the flow of money. In 2012 Cagit was slightly negative. A change up to 15% auto distribution, in 2013-2014 \$775,000 to much and is there a chance this could happen again. Should we put money in a Rainy Day Fund? The match money could only be available for a short time. There is only one grant of \$500,000.00 per year. Keith Hall then rescinded his motion. Aaron Leffingwell doesn't want to give the 25% and he wants to make sure we have flexibility to use the 50/50 match. A motion was made by Aaron Leffingwell to put the 25% in a Rainy Day Fund and was 2<sup>nd</sup> by Daryl Kramer. Joe Sizemore, Jeff Koch, Dean McQueen and Keith Hall were opposed. Jeff Koch made a motion to put the 25% in a Home Rule Fund and was 2<sup>nd</sup> by Joe Sizemore. Motion carried.

Retirement – Debbie Richardson: Auditor Stephen Brack stated that Ms. Richardson would be retiring in December of 2016 and that he would like permission to advertise for a replacement for the Full-time position. A motion was made by Aaron Leffingwell to approve and was 2<sup>nd</sup> by Joe Sizemore. Motion carried.

Public Safety Tax – Councilman Kramer stated that the County's EMS needs to send a letter to receive some of the revenue to Council. The deadline for the letter is July 1. Bill Schirmer asked if he could facilitate the letter. He stated since we have the Public Safety Tax he would like to see more safety and Mr. Leffingwell concurred. Councilman Hall stated he would go to the Commissioners and President Oglesby asked that someone from Council attend the EMS meeting to explain. She will also have Grant Reeves prepare a letter for EMS and she will get it to Roy Rosenberger. Councilman Hall will go back to the EMS.

Franklin County Highway – Tom Linkel: stated he came to Council asking to hire a 2<sup>nd</sup> Mechanic 3 months ago and thought that was approved. However it was approved to hire a Truck Driver. There is a retirement in the Highway in June and a replacement is needed. After some additional discussion a motion was made by Daryl Kramer to advertise for a Mechanic and was 2<sup>nd</sup> by Jeff Koch. Motion carried. Keith Hall was opposed. Millie Simmermeyer asked if hiring a 2<sup>nd</sup> mechanic would save the county money.

Adjourn: with no further business coming before council a motion to adjourn was made by Joe Sizemore and 2<sup>nd</sup> by Jeff Koch. Motion carried.

Others in attendance: Mark and Millie Simmermeyer, Donald and Dawn Maucher, Larry Merkel, Ray and Debbie Richardson, Rick Gill, Tom Vohland, Tim George, Lyle Frost, Luke Kahren, Bill Schirmer, Nick Lawrence, Linda Hall, Jana Selke, James and Jamie Sprague, Eric Roberts, Robert Braun, Glen Bischoff,

Ted Cooley, Wayne Monroe, Betty Lecher and Larry Wiwi. The names are spelled correctly per the sign in sheet.

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Keith Hall  
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Attest:  
Stephen Brack  
Stephen Brack, Auditor