

**FRANKLIN COUNTY COMMISSIONERS' MEETING  
JANUARY 17, 2017**

The Franklin County Commissioners met in a regular meeting on January 17, 2017 at 10:00 a.m. in the Commissioners' meeting room. Those present were Tom Wilson, Tom Linkel, Eric Roberts, Carol Westerman and Auditor Karla Bauman.

The Pledge of Allegiance was led by Tom Wilson.

**VACATION OF LOWER SMOKEY HOLLOW:** Presentation by Nathan Meyer on Petition to Vacate a Portion of Public Way – Lower Smokey Hollow Road. Lower Smokey Hollow Road is located in Franklin County, Blooming Grove Township, State of Indiana, more particularly described on the Warranty Deed, Record 125, Page 447.48, filed on September 17, 2001. Petitioners are requesting the Commissioners of Franklin County to close said portion of Lower Smokey Hollow Road as it has not been used as a public way for over twenty-five (25) years. There are some electrical poles that need to be replaced and they have been in contact with the electric company. The turnaround is still in place. The north side has already been vacated back in 1996. REMC is okay with the petitioners' vacation so long as they can maintain easement and access. Nobody was present who objected to the vacation. The petition presented needs to be modified to allow the Commissioners to sign. They will be back in two weeks with a proper petition, an executed agreement (easement) with REMC and proper documentation of the turnaround. They will meet again on February 6, 2017.

**TRUCK BIDS OPENED – HIGHWAY:**

**Lischke Motors -     Single Axle \$152, 875  
                                  Tandem \$160,990**

**Shirks International - Single \$125,533.51 (incorrect amount stated during meeting was  
\$129,677 for single and \$151,529 for tandem)  
                                  Tandem \$143,282.68**

**Rush Truck Centers (Kaffenbarger)- Single \$129,788  
                                  Tandem \$144,548**

**Rush Truck Center (Mid-State Truck Equipment) – Single \$138,318  
                                  Tandem \$153,418**

**Stoops – Single \$133,434  
                  Tandem \$155,506**

All bids were taken under advisement to see if they meet specifications as advertised. Tom Linkel motioned to consider said bids at the meeting scheduled for February 6, 2017, and said motion was seconded by Tom Wilson, all in favor. Bid will be awarded at that meeting.

**PATTY JACKSON – SE IN REGIONAL PLANNING COMMISSION:** Patty Jackson presented the Community Block Grant Program Agreement Community Development Block Grant. The amount awarded was \$315,000 which was a little lower than they put in for so the matching amount required by the County was also lowered. The matching grant from the County will be \$18,325.00. Patty Jackson was here to get the grant agreement signed. Resolution was read into record. Motion for Tom Wilson to sign Grant Agreement made by Tom Linkel and seconded by Eric Roberts, all in favor. Resolution of the County of Franklin, Indiana (Hereinafter Referred to as "Applicant" Authorizing the Submittal of the Community Development Block Grant ("CDBG" Application to the Indiana Housing and Community Development Authority; Receipt of CDBG Funds; and Addressing Related Matters is attached hereto. Motion to sign the Resolution by Tom Wilson and seconded by Eric Roberts, all in favor. Tom Wilson thanked Franklin County Council members for putting the money up for this project. Approximately twenty-one (21) Franklin County families will be helped. Tom Linkel motioned for Tom Wilson to sign the Grant Agreement, (documents that accompanied the Grant Agreement, such as the signature card, payroll authorization form, W-9, etc.) seconded by Eric Roberts, all in favor. Motion to sign sub-agreement that all professional fees will be paid out of the grant made by Tom Linkel and seconded by Eric Roberts, all in favor.

**CORWYN THOMAS – CINTAS:** Presentation on a chemical unit program. It is a chemical rental machine that cost \$2.00 per week and holds various types of cleaners. The County would only pay for what is used. There is a Government Discount which would offer a savings to the County. The Commissioners stated they would need a price list and would get with Darren on the proposal and what we are spending now. We would have multiple buildings that this service could cover. The Commissioners will get back in touch with CINTAS after doing more research.

**Gary Wolf – Town Sidewalks:** Presentation by Gary Wolf in regards to what has happened over the last two years with the Town of Brookville and the State of Indiana with INDOT and the road/sidewalk project that is to begin this year. They have brought this matter to the Franklin County Commissioners attention because the County is a major property owner. The Main Street Merchants cannot get the answers they need and have even filed requests for public information. They usually get no response at all or the answers they do get are contradicting. Gary Wolf asked if the Town of Brookville has even contacted the County in regards to this project. Tom Wilson stated they have not. The question is "Who actually owns the sidewalks?" Tom Wilson stated that the Town gave their rights away to the sidewalks according to the Town's Ordinance. No documents have been recorded as of the date of this meeting. The Town of Brookville is actually one of the smallest property owners along Main Street. All requests they have made have been ignored. Right-of-ways stop at Connersville Avenue and was recorded back in the 1920's. The recorded easements are for the back of the buildings. Nathan Meyer stated that the plats were not recorded at least along Main Street. Property owners granted a 66 feet wide dedication for the roadway to the Town of Brookville. (Four property owners) The 66 foot strip goes from building to building. These were recorded. INDOT needs to have good title prior to project beginning. The Town has given the right-of-way over to the State. Gary Wolf stated they are stealing our property. Tom Linkel asked if anybody has

contacted the Project Engineer. Gary Wolf stated that they basically say they will do what they want. John Worth suggested calling the Attorney General. John Worth agreed to call them today (1-17-17). Kelly Leffingwell asked Tom Wilson if he believed that the Brookville Town Council was legal? Tom Wilson responded he did not believe they were legal, they were not council they are trustees.

**INVESTMENT POLICY – TREASURER:** Veronica Voelker, Franklin County Treasurer, presented an Investment Policy that is required to be in place by the Franklin County Board of Finance. It is the policy of the Treasurer to invest the public funds in a manner, which will provide a reasonable return on investment with the maximum security while meeting the daily cash flow demand of the funds and conforming to all statutes and law governing the investment of public funds at the county level. Tom Wilson asked the Treasurer how she decides which investment to make and she responded that she inquires with multiple banks and looks for the best rate. We need to have a policy in place which shows we are following the proper procedures. Tom Wilson motioned that the Commissioners sign the Treasurer's Investment Policy, seconded by Tom Linkel. All in favor, motion carried.

**APPROVE MINUTES – JANUARY 3, 2017:** Eric Roberts moved to approve the Minutes from January 3<sup>rd</sup>, seconded by Tom Wilson. Tom Linkel abstained. Motion Carried.

**APPROVE PAYROLL –** Aaron Leffingwell inquired as to the Sheriff's new positions, a jailer, jail commander and dispatcher and if they are on this week's payroll. They were added to the Salary Ordinance during budget approval but were never filled due to the hiring freeze. The Sheriff has not asked County Council to fill those positions. There was an exemption in the Hiring Freeze Ordinance for the Sheriff department 911, but that was only for existing positions, not new. Tom Wilson asked Aaron Leffingwell if the positions were funded. Aaron Leffingwell further stated that there was a motion that no additional positions would be filled in 2017 unless they came before County Council. John Estridge stated that he remembered there was a discussion about this at the budget hearings but did not remember them actually doing a motion. Aaron Leffingwell stated that the Sheriff has been asked multiple times to come before County Council to fill those positions. Hiring Freeze says that nobody should be paid if they don't get the position approved by County Council and that (new positions) were not approved by County Council. Tom Linkel asked Aaron Leffingwell if his concern was with hiring the individual for the position or what line he is getting paid out of. Aaron responded with the hiring of the individual. The money was appropriated in the line during budget hearings, however this is a new position and according to the hiring freeze put in place three years ago or so, needs County Council approval. New positions must get County Council's blessing before they can be filled. Tom Wilson asked Aaron why did they appropriate the money. The whole purpose of appropriating the money is to hire that person. Aaron Leffingwell said that the Sheriff has had plenty of time to come to County Council and say on January 1<sup>st</sup> I want to fill that position, can I or can I not. Aaron Leffingwell said the procedures are not being followed. Eric Roberts stated that with the jail functioning at full capacity those positions need to be filled. Tom Linkel agrees. Tom Wilson stated that his opinion was that County Council is trying to over micromanage the Sheriff Department by making the Sheriff come before County Council

to get their blessing before hiring somebody. County Council should trust the Sheriff in his position that he will do only what he has been appropriated for. That goes for everybody. Tom Linkel's motions to approve payroll, seconded by Eric Roberts. All in favor, motion carried.

**Approval of Treasurer, Veteran & Clerk's Report – December 2016:** Tom Wilson motion to approve all reports, seconded by Tom Linkel. All in favor, motion carried.

**Ted Cooley, FC Engineer – Updates:** Presentation of the 2016 Bridge Inspection Report for signatures. Eric Roberts moved that they sign the cover sheet of the Phase II, Bridge Inspection Report for 2016, seconded by Tom Linkel. All in favor, motion carried.

Reservoir and Keeler Road Drainage Project – Quotes from contractors are due on January 25, 2017. As small as this project is they would like to not have to do a loan. All property owners will be assessed. There is still time to get the assessment on for this year. There are thirteen homes that will be assessed. Tom Linkel would like to see the assessment over 2 or 3 years. Becky Oglesby said this is something that can be discussed with County Council. There will be a drainage meeting on January 30, 2017. There will also be a drainage meeting on February 6, 2017 with Union County. Tom Linkel suggested County Council should discuss this at their next meeting. There will need to be a ten day notice prior to any additional.

September Storm Replacement Bridge Projects – Next deadline for additional to Auditor  
2/2/2017

Culvert BR-1004, River Rd. = \$128,000 to \$148,000

Culvert HI-1402, River Rd. at Gobles Creek = \$176,000 to \$201,000

Culvert BR-1006, Richland Creek Rd. = \$224,000 to \$253,000

Main Street, Brookville – Construction signs are going up.

**BOVINE CLAIM AND UTILITY CLAIMS:** Motion to approve Bovine Claim by Tom Linkel, seconded by Eric Roberts. All in favor, motion carried.

**2017 AREA OF RESPONSIBILITIES:** Transfer Station/Recycling, Senior Citizens/Public Transportation, Small Animal Control – Tom Wilson  
Gravel Pit and Highway – Tom Linkel  
Courthouse/North Annex, Government Center, Old Senior Center Annex/Court Street Annex, Security Center and E-911 Communications – Eric Roberts  
Tom Linkel motioned to approve the 2017 Area of Responsibilities, seconded by Tom Wilson. All in favor, motion carried.

**APPOINTMENTS:** Tom Linkel was appointed to Southeastern Indiana Solid Waste District Citizens and SE IN District-Board of Directors. Eric Roberts motioned to approve said appointments, seconded by Tom Wilson. All in favor, motion carried.

**CHRIS COLLINS:** Chris Collins with C&K Forestry Management, LLC, - Would like to walk the Commissioner's Property and give a proposal to the County for some timber.

**BUILDING WITHOUT PROPER PERMITS – DIRECT VIOLATION:** This matter was brought up at the APC meeting in October, 2016. It is a commercial building which changed the garage doors without going thru the State Fire Marshall inspection. Needs to be inspected for safety reasons. The Town of Brookville does have a Unified Building Code. Permits are needed to be in compliance. Contact has been made by phone to the business owner. The actual inspection would be conducted by Gary Marmouze, Sr., Building Inspector. Tom Wilson suggested the APC Board get with their attorney and do what they need to do. The business owner is an asset to this community. Tom Linkel agreed to go and see the business owner to discuss this matter.

**HOMELAND SECURITY:** Tom Wilson motioned to sign the Homeland Security letter informing them that Larry J. Franzman resigned as Building Inspector/Executive Director on August 13, 2014, effective September 10, 2014, and get Gary Marmouze, Sr. is officially listed as our Building Inspector, seconded by Tom Linkel. All in favor, motion carried.

**BUCKEYE POWER SALES – MAINTENANCE AGREEMENT (SHERIFF):** This is an agreement for the generator at a cost of \$945.00 for the year. Tom Wilson motioned to approve and sign the Maintenance Agreement with Buckeye Power Sales, seconded by Tom Linkel. All in favor, motion carried.

**LIEBERMAN TECHNOLOGIES – MAINTENANCE AGREEMENT (SHERIFF):** This is a license agreement for tax warrants and cashbook. Tom Wilson motioned to approve and sign the Maintenance Agreement with Lieberman Technologies, seconded by Tom Linkel. All in favor, motion carried.

**OFFICIAL BONDS – SHERIFF DEPARTMENT:** Official Bonds for Susan Jones, Matron; Ken Murphy, Sheriff and Jennifer Wolfrum, Assistant Matron. Each bond is in the amount of \$30,000. Tom Wilson motioned to approve all three bonds, seconded by Tom Linkel. All in favor, motion carried.

**COVERED BRIDGE CERTIFICATION:** CY 2017 Covered Bridge Certification of Franklin County. Franklin County has two covered bridges. Tom Wilson motioned to sign said certification, seconded by Eric Roberts. All in favor, motion carried.

**ERIC ROBERTS:** Quotes for a walk-in freezer shelves at that jail. Eric Roberts would like to purchase these. Eric Roberts motioned for approval to purchase the four shelving units for a total cost of \$580.00, seconded by Tom Linkel. All in favor, motion carried.

**RICK DURHAM –** Presentation on consultant options available to the County for projects. He will get a proposal ready for the County.

**PUBLIC COMMENTS:** A statement was made by Betty Lecher as to whether or not County Council had control over money already appropriated.

**AARON LEFFINGWELL:** Aaron Leffingwell wanted the Franklin County Commissioners to beware of the procedural flaws the Republican Party had during a caucus they held on January 14, 2017, to appoint a County Auditor following the resignation of Steve Brack.

**MOTION TO ADJOURN:**


**OTHERS IN ATTENDANCE:** Mike Waltz, Ted Cooley, Corwyn Thomas, Brendan Ward, Tara Keys, Betty C. Lecher, Mildred I. Simmermeyer, Dave Schwegman, Rick Durham, Perry Knox, Lori Lischke, Keith Hazelwood, Patty Jackson, Veronica Voelker, Tim George, Gary Wolf, John Estridge, Becky Oglesby, Cody Ritz, Sara Duffy, Aaron Leffingwell, Mark Lowe, Terri Ferro, Chris Collins

**MINUTES FOR JANUARY 17, 2017 ACCEPTED.**

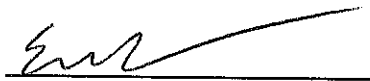
**AYE**



Tom Wilson



Tom Linkel



Eric Roberts

**NAY**

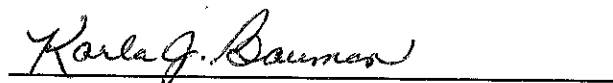
Tom Wilson

Tom Linkel

Eric Roberts

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Carol Westerman, Commissioner's Secretary

Attested:



Karla J. Bauman, Auditor