

MIAMI COUNTY COMMISSIONERS  
25 N BROADWAY  
PERU, IN 46970  
May 6, 2019

Commissioner Hunt called the regular meeting of the Board of Commissioners to order. All Commissioners are present.

**MINUTES**

Commissioner West made a motion to approve the 4/15/19 minutes. Commissioner Musselman 2<sup>nd</sup> the motion and it passed 3-0.

**PAYROLL**

Commissioner West made a motion to approve payroll. Commissioner Musselman 2<sup>nd</sup> the motion and it passed 3-0.

**CLAIMS**

Commissioner West made a motion to approve claims. Commissioner Musselman 2<sup>nd</sup> the motion and it passed 3-0.

**COMMON SCHOOL REPORT**

Auditor Mary Brown presented the Common School Report to the board for review and approval. The balance of the Congressional School Interest fund is \$28,286.37 and the Congressional School Principal fund is \$30,825.77 for a total of \$59,112.14.

Commissioner West made a motion to approve the Congressional School annual report. Commissioner Musselman 2<sup>nd</sup> the motion and it passed 3-0.

**SRI CONTRACT**

The board received an updated contract for SRI. The tax sale fees for SRI will increase for \$75.00 to \$100.00 for each parcel in the tax sale. Commissioner West made a motion to approve the new SRI Contract, increasing the fee from \$75.00 to \$100.00.

Commissioner Musselman 2<sup>nd</sup> the motion and it passed 3-0.

**SECOND SATURDAY**

The board received a request to use the Courthouse steps for a band on Second Saturday, May 11, 2019. Commissioner West made a motion to approve the request to use the Courthouse steps. Commissioner Musselman 2<sup>nd</sup> the motion and it passed 3-0.

**MUSEUM**

Lance Gallahan, President Historical Society and David Birnell, Board Member came before the board to discuss a water issue at the Museum. Mr. Gallahan explained some of the stucco and brickwork are deteriorating, causing water to leak on the 3<sup>rd</sup> floor. Mr. Gallahan noted that he received an estimate from Denham Building of about \$6,000.00 per week to work on the building and requested financial assistance from the County. Mr. Gallahan stated that the estimate is not a final quote. Commissioner West suggested that Mr. Gallahan contact Masonry Solutions in Wabash to obtain a 2<sup>nd</sup> quote for the work. The board agrees that the building needs addressed, but would like to see another quote before making a final approval. Mr. Gallahan will contact Masonry Solutions and come back with final quotes for the board to review.

**WABASH RIVER HERITAGE CORRIDOR COMMISSION**

The board received a copy of the minutes from the Wabash River Heritage Corridor Commission meeting on March 13, 2019.

**LIFE INSURANCE**

Auditor Mary Brown brought a quote to the board from Apex to increase the short-term disability coverage from \$125.00 per week. Auditor Brown stated that currently, the county provides short-term disability of \$125.00 per week, which does not provide much for employees who may need to be off for a medical issue. Employees can purchase supplemental policies through American Fidelity, but if they choose not to, the \$125.00 puts a financial hardship on the employees if they are off for an extended period. The

board would like to review the information and discuss any changes at the budget hearings.

### **HIGHWAY**

Ken Einselen, Highway Engineer presented the quotes for crack sealing under the Community Crossings grant as follows:

- Harding Group \$87,286.00
- Pavement Solutions \$91,800.00
- Swank Construction \$218,215.00

Engineer Einselen explained that through the Community Crossings Grant, 80% of the cost of the crack sealing would be reimbursed. Commissioner Musselman made a motion to accept Harding Group for \$87,286.00. Commissioner West 2<sup>nd</sup> the motion and it passed 3-0.

Engineer Einselen presented LPA Voucher #39 for \$748.70 for the post bid work, attending pre-construction conferences and review of the design and shop drawings. Commissioner West made a motion to authorize Commissioner Hunt to sign the voucher for reimbursement. Commissioner Musselman 2<sup>nd</sup> the motion and it passed 3-0.

Engineer Einselen presented a request from Frontier for 3 utility permits in Macy from CR 500 N east from 100 E. Engineer Einselen stated that he would recommend approval with the conditions that the facilities must be approximately 2' from the right-of-way, buried 36" deep and any cables crossing roadways be buried 48" below the surface. Commissioner Musselman made a motion to approve the utility requests with the recommendations of Engineer Einselen. Commissioner West 2<sup>nd</sup> the motion and it passed 3-0.

Engineer Einselen stated part of the Community Crossings project offers awards of funds for county work. A public hearing has been scheduled for May 20, 2019 at 9 am for the board to review the cost of the county doing work to determine if it is financially advantageous. Engineer Einselen will take care of the advertisement of the public hearing.

Kerry Worl, Highway Superintendent and Janice Hughes, Highway Bookkeeper came before the board to present the 2018 annual Highway report. Commissioner West made a motion to approve the 2018 annual Highway report as presented. Commissioner Musselman 2<sup>nd</sup> the motion and it passed 3-0.

### **PROPERTY CONCERN**

Jack Hawkins came before the board to discuss an issue at his property located at 1330 E St Rd 218. Mr. Hawkins explained to the board that he had attempted to sell a portion of his property, but after the Health Department performed soil testing, was told it was swampy. Mr. Hawkins stated the soil test was done when the ground was heavily saturated from days of rain and feels the test results are not accurate. Mr. Hawkins stated the Health Department would not accept the current septic and the cost to put a new septic on the land would be \$35,000.00. The board stated that they would need to obtain more details about the issue and would follow-up with Mr. Hawkins as soon as they had additional information.

### **SHERIFF**

Sheriff Tim Hunter came before the board to provide an update on the security system project. Sheriff Hunter stated the project is 95% complete and they have started to bring back out-of-county inmates. Sheriff Hunter met with the President of Intrasect last week. Sheriff Hunter explained that there were very few, if any schematics for the wiring and some of the wiring was backwards, requiring the contactors to trace the wires to install the new controls. Intrasect is preparing a quote for a disc with the new schematics for the county to reference in the future. Sheriff Hunter will bring the quote to the board when he receives it.

Sheriff Hunter stated that there is old 9-1-1 equipment that they no longer use and Cass County expressed interest in it. Sheriff Hunter noted that Motorola could not put a price on the equipment because it was old and no one purchases it any longer. Sheriff Hunter

does not feel it is appropriate to charge another county for equipment that is old and outdated and suggested the county donate it to Cass County. Sheriff Hunter noted Motorola would verify the equipment would meet their needs. Commissioner Musselman made a motion to donate the old 9-1-1 equipment to Cass County. Commissioner West 2<sup>nd</sup> the motion and it passed 3-0.

#### **PROPERTY CONCERN**

Michael Mundy came before the board to inquire about any dumping ordinances within the county. Mr. Mundy explained that his neighbor is trying to fill-in a natural ravine adjacent to his property. Currently, the neighbor is using all natural materials such as logs, brush, etc. and putting mulch on top of it. Mr. Mundy is concerned about any potential drainage issues it might cause on his property or if the neighbor starts to use something other than all natural materials and requested clarification on the law as it relates to dumping. County Attorney, Steve Downs stated that there is not a law that would prohibit his neighbor from putting the natural materials in the ravine, but if the neighbor used items like tires or other junk then it would become a civil issue.

#### **YMCA RURAL TRANSIT**

Kathy Brehmer, YMCA Rural Transit came before the board to present documents for signatures for the 2019 Rural Transit grant.

Ms. Brehmer provided a Lease Agreement to purchase 2 new vehicles that Rural Transit would lease from the Board of Commissioners for the life of the vehicle. Commissioner West made a motion to approve the Lease Agreement. Commissioner Musselman 2<sup>nd</sup> the motion and it passed 3-0.

Ms. Brehmer provided a Local Assurance Agreement, which states that Rural Transit will only use the money for public transit. Commissioner West made a motion to approve the Local Assurance Agreement. Commissioner Musselman 2<sup>nd</sup> the motion and it passed 3-0.

Ms. Brehmer provided a Statement of Assurance, which states that there is not another entity providing the same transit service in Miami County. Commissioner West made a motion to approve the Statement of Assurance. Commissioner Musselman 2<sup>nd</sup> the motion and it passed 3-0.

Ms. Brehmer provided the Pass-Thru Agreement, which states that the funds for rural transit come to the county and then passed on to the YMCA Rural Transit program. Commissioner Musselman made a motion to approve the Pass-Thru Agreement. Commissioner West 2<sup>nd</sup> the motion and it passed 3-0.

Ms. Brehmer provided the Categorical Exclusion Classification Agreement, which states that YMCA Rural Transit would purchase a new van to replace an existing vehicle. Commissioner West made a motion to approve the Categorical Exclusion Classification Agreement. Commissioner Musselman 2<sup>nd</sup> the motion and it passed 3-0.

Ms. Brehmer provided the Statement of Certification, which certifies the use of the project equipment, facilities and property. Commissioner West made a motion to approve the Statement of Certification. Commissioner Musselman 2<sup>nd</sup> the motion and it passed 3-0.

Ms. Brehmer provided the FTA Certification of Services for 2019. Commissioner West made a motion to approve the FTA Certification of Services for 2019. Commissioner Musselman 2<sup>nd</sup> the motion and it passed 3-0.

Ms. Brehmer provided the Authorizing Resolution 05-06-2019, which gives the YMCA authority to write the grant. Commissioner Musselman made a motion to approve resolution 05-06-2019. Commissioner West 2<sup>nd</sup> the motion and it passed 3-0.

#### **IV-D**

Jeff Sinkovics, Prosecutor came before the board to request the purchase of reflective window covering for the IV-D exterior windows. Prosecutor Sinkovics explained the office holds vital records and as part of the IV-D requirement, the office must keep the

information confidential. There have been instances where people will gather outside the office window talking or smoking and you could see the computer monitors, potentially causing the office to fail an audit and lose funding. Prosecutor Sinkovics presented a quote from Shadow Master Window Tint for window tinting of \$630.00, which would come from IV-D incentive funds. Commissioner West made a motion to approve the request for window tinting in the IV-D Office. Commissioner Musselman 2<sup>nd</sup> the motion and it passed 3-0.

**DAM LITIGATION**

Elaine Anderson stated that she requested copies of the invoices paid to date to Barnes & Thornburg for dam litigation. Ms. Anderson stated that the invoices paid prior to the most recent bill of \$16,380.00 does not list the hourly rate or time spent on work for the dam litigation. Ms. Anderson questioned the charge of \$600.00 per hour rate and wanted to know how much the county still owed for work that had not been billed. County Attorney, Steve Downs explained that Barnes & Thornburg did not have a formal engagement letter initially and why the rate is at \$600.00 per hour. Attorney Downs stated that the county would receive a bill for any work performed and there could be additional charges until the court rules or a party appeals the decision. The potential costs are unknown at this time.

**ADJOURN**

Commissioner Musselman made a motion to adjourn. Commissioner West 2<sup>nd</sup> the motion and it passed 3-0.

**Adjourned**

**MIAMI COUNTY BOARD OF COMMISSIONERS**

\_\_\_\_\_, **Chairman**  
**Alan Hunt**

\_\_\_\_\_, **Vice Chairman**  
**Larry West**

\_\_\_\_\_, **Member**  
**Keith Musselman**

**Attest:** \_\_\_\_\_, **Auditor**  
**Mary Brown**