

**COMMISSIONERS' REGULAR MEETING – July 27, 2009**

Commissioner John Price called the July 27, 2009 Commissioners' regular meeting to order at 3:30 p.m. with Board members Tom Kite and Troy DeHart present.

**PLEDGE:** John Price led the pledge of allegiance.

**INVOCATION:** Tom Kite led the invocation.

**JOHNSON COUNTY ACCESS- APPROVAL AND SIGNATURE ON GRANT APPLICATION KAREN LUEHMANN:** Karen Luehmann, Johnson County Access Executive Director, stated she is before the Board today to receive approval and signature on grant applications. Ms. Luehmann stated the grant applications that are up for approval are the annual resolution and the annual grant for the 2010 INDOT Grant and the renewal of the short-term grant for the Job Access/Reverse Commute (JARC) and the New Freedom Act Grant.

Ms. Luehmann presented to the Board an annual report on annual highlights on the Access Johnson County Public Transit.

Ms. Luehmann also presented to the Board a letter of understanding, giving a brief summary verifying the mutual understanding between the Commissioners and Access Johnson County. Ms. Luehmann stated Kathleen Hash, County Attorney, had requested both items be prepared and presented to the Commissioners.

John Price, Commissioner, asked how many vehicles Access currently has now. Becky Allen, Transportation Director, stated they currently have a fleet of twenty five (25). Ms. Allen stated out of those six (6) are used for back up when needed.

Mr. Price stated he had some concerns on the renewal grant applications. Mr. Price stated the Commissioners would be signing off on the grant, and the grant paperwork states that reports are being filed on time. Mr. Price stated the Board would not have knowledge if those reports are filed at all. Ms. Luehmann stated those reports are always filed and she could submit a copy to the Commissioners in the future. Mr. Price also stated he would like to see the grant applications with the information filled in that would be submitted to INDOT. Ms. Luehmann stated she could bring the original fully executed grant applications to Mr. Price the next day for review before the grants are submitted.

Ms. Luehmann stated the amount requested for the Job Access and Reverse Commute (JARC) grant is \$127,760.00. Ms. Luehmann also stated the amount requested for the New Freedom Program Assistance grant is \$120,736.00. Ms. Luehmann stated the local match would not have to be funded by the County. Ms. Luehmann stated if the Board approved the grants today they would only be approving applying for the funds.

**COMMISSIONERS' REGULAR MEETING – July 27, 2009 Continued**

After further discussion, Tom Kite made a motion to approve the grant applications contingent upon John Price's approval of the budgets on the grants. Troy DeHart seconded the motion and the motion carried unanimously.

Tom Kite amended his motion to note the resolution number of 2009-04 for the grant application. Troy DeHart seconded the amended motion and the motion carried unanimously.

**DISCUSSION OF FUNDING FOR 911 PSAPS- JEREMY PELL:** Jeremy Pell, Chief and Chairman of the 911 Data and Communications Consortium Board, stated he is before the Board today to discuss the funding to the different government entities for the 911 PSAPS. Chief Pell stated the 911 budget is down mainly due to a lot of the general public is switching from wired home phones to wireless cell phones. Chief Pell also stated the PSAP sites have to be consolidated to two sites from four sites by the year 2014. Chief Pell also stated the 911 Data and Communications Consortium Board have requested that all reimbursement to local units of government be suspended immediately and indefinitely.

Chief Pell stated the 911 Board would like the Commissioners to support the recommendation of the Board to suspend all reimbursement to the local units of government. Tom Kite, Commissioner, stated he feels that it is necessary to suspend the reimbursement. John Price, Commissioner, stated if the Commissioners vote to approve the recommendation that a letter to all local government units would need to go out immediately. Mr. Price stated the letter would come from the Board of Commissioners.

Tom Kite made a motion to support the letter requesting to suspend the PSAP reimbursement immediately and indefinitely to all local government units. Troy DeHart seconded the motion and the motion carried unanimously.

**ADMINISTRATIVE FUNCTION AS TO DEPARTMENT HEADS:**

**Johnson County Planning & Zoning- Franklin Smith, Jr. - Building Permit Approval- Dan Batta:** Dan Batta, Planning & Zoning Director, stated he is before the Board today to receive approval of the Franklin Smith, Jr. building permit. Mr. Batta stated the property meets the Zoning Code but not the Subdivision Control Ordinance. Mr. Batta stated the lot was created in 2002. Mr. Batta also stated the petitioner would like to build a carport onto the pole barn.

Troy DeHart made a motion to approve the building permit request for Franklin Smith, Jr. Tom Kite seconded the motion and the motion carried unanimously.

**Johnson County Planning & Zoning- Administrative Update- Dan Batta:** Dan Batta, Planning & Zoning Director, stated he did not have an update for the Board at this time.

**Johnson County Animal Shelter- Approval of the Amendment of the Johnson County Ordinance 2008-26:** This item was removed from the agenda.

COMMISSIONERS' REGULAR MEETING – July 27, 2009 Continued

**Johnson County Animal Shelter- Approval of Change Order No. 1 for the Johnson County Animal Shelter:** Kathleen Hash, County Attorney, stated the Change order before the Board today has been revised to include language that she is more comfortable with. Ms. Hash also stated there are no outstanding disputes with the project. Ms. Hash stated the Change order is for a reduction to the total amount owed to Gilliatte of \$15,300.18.

Tom Kite made a motion to approve the Change order. Troy DeHart seconded the motion and the motion carried unanimously.

**Johnson County Highway Administration- Approval and Execution of Right-of-Way Certification Letters for Seven ARRA Road Resurfacing Projects- Gary Vandegriff:** Gary Vandegriff, Highway Director, stated he is before the Board today to receive approval of the right-of-way certification letters for the seven ARRA road resurfacing projects. Mr. Vandegriff stated there is no new additional right-of-way required and the certification letters serve as that commitment.

Mr. Vandegriff stated the following roads to be resurfaced are:

- Stones Crossing Road (C.R. 700 N) from Mullinix Road (C.R. 600W) to Morgantown Road (C.R. 500 W)
- C.R. 144 from Whiteland Road (C.R. 500 N) to Bargersville Town Limits
- Morgantown Road (C.R. 500 W) from Smokey Row Road (C.R. 600 N) to Fairview Road (C.R. 1000 N)
- Olive Branch Road (C.R. 800 N) from Berry Road (C.R. 400 W) to S.R. 135
- Smokey Row Road (C.R. 600 N) from Morgantown Road (C.R. 500 W) to S.R. 135
- Whiteland Road (C.R. 500 N) from C.R. 75 W to Centerline Road
- Greensburg Road from C.R. 450 E to C.R. 510 E

Tom Kite made a motion to approve. Troy DeHart seconded the motion and the motion carried unanimously.

**Johnson County Highway Administration- Approval to Approach County Council for Additional Appropriations for Cumulative Bridge Fund for Bridge No. 35 and Seven FEMA Culvert Projects- Gary Vandegriff:** Gary Vandegriff, Highway Director, stated he is before the Board today to receive approval to approach County Council for additional appropriations from the Cumulative Bridge Fund for Bridge No. 35 and seven FEMA culvert projects. Mr. Vandegriff stated he is requesting the following appropriations:

Bridge No. 35- Acct. No.	206.49335.000.206	\$ 25,000.00
Structures – Acct. No.	206.45001.000.206	\$ 655,000.00
Roszell Drive – Acct. No.	206.49020.000.206	\$ 45,900.00

**COMMISSIONERS' REGULAR MEETING – July 27, 2009 Continued**

Tom Kite made a motion to approve. Troy DeHart seconded the motion and the motion carried unanimously.

**Johnson County Highway Administration- Approval and Execution of Plan Title Sheets for Four FEMA Culvert Projects- Gary Vandegriff:** Gary Vandegriff, Highway Director, stated he is before the Board today to receive approval of the plan title sheets for the four FEMA culvert projects. Mr. Vandegriff stated the plan title sheets are for the following culverts:

- H-026
- U-009
- U-023
- U-072

Troy DeHart made a motion to approve. Tom Kite seconded the motion and the motion carried unanimously.

**Johnson County Highway Administration- Approval and Execution of Plan Title Sheets for Four ARRA “MPO Approved List” Paving Projects- Gary Vandegriff:** Gary Vandegriff, Highway Director, stated he is before the Board today to receive approval of the plan title sheets for the ARRA “MPO Approved List” paving projects.

**Johnson County Highway Administration- Approval and Execution of Plan Title Sheets for Three ARRA “MPO Reserve List” Paving Projects- Gary Vandegriff:** Gary Vandegriff, Highway Director, stated he is before the Board today to receive approval of the plan title sheets for the ARRA “MPO Reserve List” paving projects.

Tom Kite made a motion to approve both the approved list and the reserve list. Troy DeHart seconded the motion and the motion carried unanimously.

**Johnson County Commissioners- CIRTA County Participation Contribution:** Tom Kite, Commissioner, stated he needs to speak with the Mayor of Greenwood about funding the request from CIRTA. Mr. Kite stated the amount of the contribution is \$9,671.00. The Commissioners stated this amount has not been budgeted for the Commissioners 2010 budget. Mr. Kite stated he would like this item pulled from the agenda until further notice.

**NEW AND OLD BUSINESS:**

**Commissioner’s Regular Session Minutes 7-20-09-Approval Requested:** Tom Kite made a motion to approve. Troy DeHart seconded the motion and the motion carried unanimously.

**Commissioner’s Special Meeting Minutes 6-29-09- Approval Requested:** This item was removed from the agenda.

**COMMISSIONERS' REGULAR MEETING – July 27, 2009 Continued**

**Claims-Approval Requested:** Tom Kite made a motion to approve. Troy DeHart seconded the motion and the motion carried unanimously.

**CDBG GRANT APPLICATION AND APPROVAL LETTERS FOR JOHNSON MEMORIAL HOSPITAL AND REMC:** Kathleen Hash, County Attorney, stated Amy Miller, Cornerstone Grants Management, Inc., has submitted to the Commissioners for approval and signature of four grant applications for the Highway Department, the Oren Wright Building, Johnson Memorial Hospital, and REMC. Ms. Hash also stated there are two letters approving Amy Miller to conduct all necessary public hearings concerning the application to the Indiana Office of Community and Rural Affairs and the application for the DR-1 funds.

Tom Kite made a motion to approve the grants and letters for the application of the DR1 funds to the Indiana Office of Community and Rural Affairs. Troy DeHart seconded the motion and the motion carried unanimously.

**FLOODING ISSUES DUE TO CONSTRUCTION ON MORGANTOWN ROAD-THERESA PRUITT:** Theresa Pruitt, resident of Greenwood, stated she is before the Board today to discuss the flooding issues due to the construction on Morgantown Road. Ms. Pruitt stated before the construction her driveway was level, now after the construction there is an incline in her driveway going toward the drive. Ms. Pruitt stated when it rains there is flooding that occurs now because of no drainage in the area. Ms. Pruitt stated the water is deteriorating the driveway.

John Price, Commissioner, stated he has been past the residence. Mr. Price stated the day he visited the residence it had been raining that day. Mr. Price stated there was a very small area of standing water, but by the next morning it had drained. Mr. Price asked if moving or cutting the other rail tie on the side of the driveway would be an option to try to keep the water flowing. Ms. Pruitt stated she agrees that could fix the solution. Ms. Pruitt also agreed to temporary right of way to fix the drainage solution.

After further discussion, Troy DeHart made a motion, upon the approval of the landowners Anthony & Teresa Pruitt of temporary right of way to the Highway Department, to cut the rail tie back on the north side of the drive to match the tie on the south side of the drive to allow water flow across the drive. Tom Kite seconded the motion and the motion carried unanimously.

John Price, Commissioner, stated the executive session would be held as follows:

- 1) Pursuant to IND. CODE 5-14-1.5-6.1 (b)(2)(B), “for discussion of strategy with respect to initiation of litigation that is either pending or has been threatened specifically in writing.”
- 5) Pursuant to IND. CODE 5-14-1.5-6.1 (b)(2)(D), “the purchase or lease of real property by the governing body up to the time a contract or option to purchase or lease is executed by the parties.”

**COMMISSIONERS' REGULAR MEETING – July 27, 2009 Continued**

**Adjournment:** Tom Kite made a motion to adjourn the meeting at 5:13 p.m. Troy DeHart seconded the motion and the meeting was adjourned.

**Pursuant to I.C. 5-14-1.5-6.1, the Johnson County Board of Commissioners held their Executive Session @ 4:00 p.m. or immediately following the conclusion of the public meeting, whichever occurs later, to discuss personnel matters relative to the Board of Commissioners. It is hereby certified by the Johnson County Board of Commissioners that no subject matter was discussed in this executive session other than the subject matter specified in the public notice.**

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John L. Price

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Thomas A. Kite

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Troy A. DeHart

ATTEST: \_\_\_\_\_  
Jan Richhart, Auditor