

COMMISSIONERS' REGULAR MEETING – June 29, 2009

Commissioner John Price called the June 29, 2009 Commissioners' regular meeting to order at 3:31 p.m. with Board members Tom Kite and Troy DeHart present.

PLEDGE: John Price led the pledge of allegiance.

INVOCATION: Troy DeHart led the invocation.

APPROVAL TO PROCEED WITH PUBLIC HEARING NOTICE TO SET THE CUMULATIVE BRIDGE RATE: Troy DeHart made a motion to approve to proceed with the public hearing notice to set the cumulative bridge rate. Tom Kite seconded the motion and the motion carried unanimously.

WAKEFIELD WEST SECTION 3 UPDATE- ALLEN KIRK, PLANNING & ZONING: Allen Kirk, Planning & Zoning Engineer, stated he is before the Board today to give an update on Wakefield West Section 3. Mr. Kirk submitted a memo to the Board, giving a brief overview of the concerns about the drainage issues Mr. Millet and Ms. Sullivan have experienced on their property. (Attached to the minutes as exhibit "A")

Mac McNaught, Developer of Wakefield West Section 3, stated he understands the concerns the property owners have. Mr. McNaught also stated they feel like they have done everything possible to help the drainage.

After further discussion, John Price, Commissioner, stated Mr. Kirk and Mr. McNaught have visited the property and assessed the issue. Tom Kite, Commissioner, asked if adding a swale at the back of Mr. Millet's property would help the issue any? Mr. McNaught stated a swale would not help the issue.

The Commissioners feel the Developer has met all requirements for the subdivision.

ADMINISTRATIVE FUNCTION AS TO DEPARTMENT HEADS:

Johnson County Community Corrections- Approval of Four (4) Juvenile Programs Professional Services Contracts/Agreements- Albert Hessman: Albert Hessman, Community Corrections Director, stated he is before the Board today to receive approval of the three juvenile program professional services contracts/agreements. Ms. Hessman stated the following contracts are up for approval.

The Children's Bureau, Inc.
Reach For Youth, Inc.
Jill Kaufmann

Tom Kite made a motion to approve the above contracts for Community Corrections. Troy DeHart seconded the motion and the motion carried unanimously.

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Johnson County Animal Control- Approval to Amend Ordinance Number 2008-26-Michael Delp, Dawn Phelps: This is tabled until the July 13th agenda.

Johnson County Clerk- Approval/Renewal of Konica Minolta Copier Maintenance Agreement- Jill Jackson: Jill Jackson, Clerk, state she is before the Board today to receive approval of the renewal of the Konica Minolta copier maintenance agreement. Ms. Jackson stated the agreement is in the amount of \$1,287.00.

Johnson County Clerk- Approval/Renewal of Maintenance Agreement with Wycom- Jill Jackson: Jill Jackson, Clerk, stated she is also before the Board today for approval of the renewal of the maintenance agreement with Wycom. Ms. Jackson stated this agreement is for the check signature machine. Ms. Jackson stated the agreement is in the amount of \$483.30.

Tom Kite made a motion to approve the maintenance agreement for Konica Minolta and the maintenance agreement for Wycom. Troy DeHart seconded the motion and the motion carried unanimously.

Johnson County Highway Administration- Approval and Execution of On-Call Professional Services Agreement for Structures N-017 & N-018 on Roszell Drive, Nineveh- Gary Vandegriff: Gary Vandegriff, Highway Director, stated he is before the Board today to receive approval of the On-Call Professional Services Agreement for structure N-017 & N018 on Roszell Drive, Nineveh. Mr. Vandegriff stated the amount of the agreement is a not to exceed amount of \$45,900.00.

Tom Kite made a motion to approve the On-Call Professional Services Agreement for structures N-017 & N-018 on Roszell Drive, Nineveh. Troy DeHart seconded the motion and the motion carried unanimously.

Johnson County Fleet Maintenance- Lease Agreement with 1st Source Bank for Two 2009 Ford Sedans- Gary Vandegriff: Troy DeHart made a motion to table this item until the July 13th agenda. Tom Kite seconded the motion and the motion carried unanimously.

Johnson County Planning & Zoning Department- Request to Leave Courthouse Lawn Sign up for and Extended Period of Time-Dan Batta: Dan Batta, Planning & Zoning Director, stated he is before the Board today to receive approval to leave a sign up, advertising the Comprehensive Update meetings, on the lawn an extended period of time. Mr. Batta stated he would like to leave the sign up today through July 15th. Mr. Batta also stated that he would approach the Board as needed when he would like the sign up again.

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

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Johnson County Planning & Zoning Department –Darla Tyree Building Permit Petition- Dan Batta: Dan Batta, Planning & Zoning Director, stated he is before the Board today to receive approval of the Darla Tyree building permit. Mr. Batta stated the property was split in 1984, and at that time the parcel met the requirements of the Zoning Ordinance but not the Subdivision Control Ordinance. Mr. Batta stated the parcel is 2.583 acres.

Troy DeHart seconded the motion and the motion carried unanimously. Tom Kite seconded the motion and the motion carried unanimously.

Johnson County Planning & Zoning Department- James Reynolds Building Permit Petition- Dan Batta: Dan Batta, Planning & Zoning Director, stated he is before the Board today to receive approval of the James Reynolds building permit. Mr. Batta stated the property was an original 56.76 acre tract. Mr. Batta stated he is requesting two of the three-acre tracts to be combined to be a buildable lot. Mr. Batta stated the original tract of land was split out in 1994.

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

Johnson County Planning & Zoning Department- General Administrative Report of Current Planning & Zoning Initiatives- Dan Batta: Dan Batta, Planning & Zoning Director, stated he is before the Board today to give a brief update on general administrative functions. Mr. Batta stated the Comprehensive Plan is moving along well. Mr. Batta stated there are two public meetings coming up in July. Mr. Batta also stated the Buyout Grant is moving along. Mr. Batta stated they were approved a 90-day extension on the Grant. Mr. Batta also stated they are current on all MS-4 compliance.

Johnson County Planning & Zoning Department- Approval of Funds to Pay for the JLUS Local Match- Dan Batta: Dan Batta, Planning & Zoning Director, stated he is before the Board today to receive approval of funds to pay for the JLUS local match. Mr. Batta stated this is the joint land use study with Camp Atterbury. Mr. Batta stated he is unsure of who is to pay the local match. Mr. Batta stated the funds have not been set aside of this expense in his budget. John Price, Commissioner, stated he would like to see Mr. Batta try to find the monies in his budget to pay for the local match.

Tom Kite made a motion for Mr. Batta to review his budget to see if he has the funds to pay for the local match. And if Mr. Batta does not have the funds the Commissioners will pay for the local match from their funds. Troy DeHart seconded the motion and the motion carried unanimously.

Johnson County Auditor- Approval to Transfer from the High Tech Communications Fund (330) to the 2001 GOB Fund (259) in the Amount of \$109,958.93- Jan Richhart: Jan Richhart, Auditor, stated she is before the Board today to receive approval from the Board to transfer funds from the High Tech Communications Fund (330) to the 2001 GOB Fund (259) in the amount of \$109,958.93.

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Ms. Richhart also stated the transfer will clear a negative balance of (\$24,283.87). Ms. Richhart stated she has a transfer request into the Council to transfer the remainder into the Rainy Day fund.

John Price, Commissioner, stated he had discussed this transfer with Ms. Richhart.

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

Kathleen Hash, County Attorney, stated according to state statute the motion needs to be in the form of an ordinance, resolution or an order to the Auditor. Ms. Hash also asked Ms. Richhart if the Hi-Tech Communication Fund is a bond fund. Mr. Richhart stated the fund is a bond fund.

Tom Kite rescinded his motion. Troy DeHart seconded.

Tom Kite made a motion to order the Auditor to make available from the Hi-Tech Communication fund (330) \$109,958.93, to be transferred to the 2001 General Obligation Bond fund (259). Troy DeHart seconded the motion and the motion carried unanimously.

Johnson County Commissioners- CIRTA- 2009 County Participation Contribution:

Tom Kite made a motion to table this item to discuss this with the City of Greenwood. Troy DeHart seconded the motion and the motion carried unanimously.

John Price, Commissioner, stated that ridership is down on this service.

Johnson County Commissioners- Review and Signature of Acceptance of Work concerning Denny Excavating's Demolition of the Oren Wright Building: Tom Kite made a motion to approve. Troy DeHart seconded the motion and the motion carried unanimously.

Johnson County Commissioners- Termination of Option to Purchase and Right of First Refusal- Prosecutor's Office Building: Tom Kite made a motion to approve the termination of option to purchase and right of first refusal and to approve the request for the second six-month extension. Troy DeHart seconded the motion and the motion carried unanimously.

NEW AND OLD BUSINESS:

Commissioner's Regular Session Minutes 6-15-09-Approval Requested: Troy DeHart made a motion to approve. Tom Kite seconded the motion and the motion carried unanimously.

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

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Williams Hewitt Barrett & Wilkowsi, LLP- \$10,362.32- Approval Requested: Tom Kite made a motion to approve. Troy DeHart seconded the motion and the motion carried unanimously. John Price, Commissioner, stated a 10% discount was received on this bill.

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

2) Pursuant to IND. CODE 5-14-1.5-6.1 (b)(5), “to receive information about and interview prospective employees.”

Adjournment: Tom Kite made a motion to adjourn the meeting at 4:56 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.

John L. Price

Thomas A. Kite

Troy A. DeHart

ATTEST: _____
Jan Richhart, Auditor