

PERRY COUNTY BOARD OF COMMISSIONERS
MEETING MINUTES
July 1, 2024

The Perry County Board of Commissioners met at 9:00 a.m., as was duly advertised. Commissioners: President Randy Cole (RC) and Rebecca Thorn (RT), and Randy Kleaving (RK) were in attendance. Auditor Kristinia Hammack and Attorney Andrew Foster were also present. There was no *Sheriff or News Representative* in attendance.

The meeting opened with all present reciting the Pledge of Allegiance.

AGENDA

RK made a motion to approve the agenda as modified, seconded by RT. Motion carried 3-0.

Auditor Kristinia Hammack asked what is the system regarding items to be discussed and added on the agenda. She currently emails Commissioners on the Tuesday the week prior to a meeting stating what items she has for the agenda, and if there are any other items to add. Hammack stated she is receiving no responses, and is now emailing RC directly, as the President of the Commissioners, what is to be on the agenda and still no response. She further stated she is receiving no help putting the agenda together, with every meeting adding items. RC stated he generally does not go through things until the Sunday before the meetings.

PUBLIC COMMENTS

- a) None

MINUTES

- a) 06.18.2024

RT made a motion to approve, seconded by RK. Motion carried 3-0.

- b) 06.24.2024

RK made a motion to approve, seconded by RT. Motion carried 3-0.

KRISTINIA HAMMACK, AUDITOR

- a) Health Insurance Claims: \$107,604.71

RK made a motion to approve, seconded by RT. Motion carried 3-0.

- b) Dental Claims: \$106.41

RK made a motion to approve, seconded by RT. Motion carried 3-0.

- c) Vision Claims: \$122.13

RT made a motion to approve, seconded by RK. Motion carried 3-0.

- d) Life Insurance Claims: \$1,430.84

RT made a motion to approve, seconded by RK. Motion carried 3-0.

- e) 07.01.2024 Payroll: \$181,098.55

RT made a motion to approve, seconded by RK. Motion carried 3-0.

- f) 07.01.2024 Payroll W/H: \$38,601.45

RT made a motion to approve, seconded by RK. Motion carried 3-0.

- g) 07.01.2024 AP Claim Docket: \$952,621.09

RT made a motion to approve, seconded by RK. Motion carried 3-0.

STEVE HOWELL, HIGHWAY SUPERINTENDENT

- a) Bridge Inspection Report

Howell stated he received the bridge inspection reports this past Thursday, and he is needing the Commissioner's signature. RT asked how the inspections went, and Howell stated good. There are no bridges on a twelve-month inspection.

RT asked about the Athens Road bridge, and Howell stated it is repaired. It was not the actual bridge; it was the approach where a small section dropped in.

Howell stated he does not believe they will have any further problems with this. Highway employees performed the repair.

RC stated that every County bridge is on a two-year inspection rotation, and Howell confirmed this. RT asked how many bridges are in Perry County, and Howell responded 100 that are twenty feet or longer. Per INDOT, if it is under twenty feet, it is not a bridge. The County maintains all bridges in the County except State roads.

RK made a motion to sign the bridge inspection report as presented, seconded by RT. Motion carried 3-0.

b) Covered Bridge Certification

RC stated that the County does not have a covered bridge, and Howell stated that Spencer County actually owns the bridge. Perry County get a small amount of money every year for covered bridge, and this amount is used to help with maintenance on that bridge. Perry County does the work on the approach on its side of the bridge.

RK stated that Spencer County is getting ready to start construction on a new bridge on Avery Ridge Road. Howell mentioned this was one of the roads the County intended to pave out of LIT. Howell stated the LIT paving is complete except for this road. The contractor is the same contractor that Perry County uses for its bridges. This contractor called Howell letting him know he will have to bring a 300-ton crane in on that side, along with several loads of riprap. The contractor stated he would hate to have work done on the road, and then get damage to it. Howell called C & R Construction and Consulting, LLC, and they have no problem to wait until the bridge is complete.

RC asked what is the completion date on the bridge, and Howell stated they had hoped in July, however the contractor got notice there will be at least a four-week delay. It will be the end of July at the very earliest.

RK made a motion to the sign the Covered Bridge Certification form, seconded by RT. Motion carried 3-0.

c) Howell presented a Community Crossing support letter for signature. This will allow Howell to apply for additional 2024 Community Crossings money. Howell stated the County was awarded \$1.5 million, but the bids came in so low that the County only spent approximately \$1 million. The difference from what was awarded and was spent can be reapplied for in this second round.

RC stated the State is paying 75% of the cost for these roads.

RT made a motion to sign the support letter for the Community Crossings application in the month of July, seconded by RK. Motion carried 3-0.

d) Vialytics

This is a software that is programmed in the iPhone, which you put the phone in the front window of your vehicle, and it will take pictures every 12 to 13 feet of the road. This data is uploaded and it establishes the condition of the road. RC stated this is probably a condition for Community Crossings, which currently is being done manually. Roads are rated from a 1 to a 10.

RC stated the concept of this software is some of the middle range roads can be caught before they turn into a lower number, which would cost the County less money. He mentioned another county uses this software, which assists with creating a 5 to 7-year plan as to what will be spent on their roads.

RC stated a salesman would like to come and demo this software, and he has no idea what this software costs. RC would like to get a consensus to have a demo scheduled.

RK asked if there is any benefit to INDOT to have this software, and Howell stated he did not know. However, this system would be more accurate than manually looking at the roads.

RC will contact the salesman to set up a date for a presentation. Auditor Hammack stated that this presentation will have to be advertised if more than one Commissioner is in attendance. RC stated that no decision will be made at that time, only information will be collected.

e) RC received a letter from the Perry County Redevelopment Commission regarding the stone base on the road in the Forest Canton Subdivision. Paving will not be done until most of the construction is finished due to the heavy trucks using the road. They are asking for the County to take on the plowing this winter of this road. The road is not up to specs until the top coat is put on. RC stated Perry County Redevelopment Commission has the funds set aside to pave this road.

RC stated the County can accept this road contingent upon a surface, or the County can enter into an agreement that states the Perry County Redevelopment Commission is still the owner of the road, and the County will plow it until the surface is put on. RK asked if the County commit to accept this road when it was completed, and RC confirmed this.

Howell stated this road could be added to the Highway's route when plowing.

RC asked how if there is any advantage to accept these miles and add them to the

road inventory, and Howell responded yes, it gets the County a small amount of money.

Attorney Andrew Foster asked if there is anything that would stop getting the final layer put on if the County accepts this road now? RC stated there are requirements to accept any private road into the County's system, and there needs to be the surface on the road to be able to do that. This is from the original County's Ordinance. He further stated that the road was built to Indiana State Standards; they put more base rock down than the County requires.

Foster stated that the Commissioners could instruct the Highway Department to go ahead and plow this road this winter, assuming the last layer will be put on, and will be added to the road inventory anyway. Potentially the County could have an Interlocal Agreement with the sub-entity of the same group. He could write something to have this formalized. RC stated he feels it is to the County's advantage to accept the road. The requirement for the Perry County Redevelopment Commission could state that within three years, the final surface will be placed on this road. Adding the road to the road inventory picks up additional tax dollars. Attorney Foster will draft a document for signatures.

RK made a motion to accept this road, contingent upon the Perry County Redevelopment Commission putting an inch and a half down on the road, seconded by RT. Motion carried 3-0.

ANDREW FOSTER, ATTORNEY

a) Water lines on Old State Road 237

RC stated this is the water line that has been requested to run across Old State Road 237 and determine who is the responsible parties, as well as to ensure it is tappable on the other side so there will not be multiple places that cross the road. Foster stated he has not had much progress with this, he needs a contact for who is going across and where the lines are going. Howell stated it is Sam Foertsch. Foster will make contact with Foertsch.

b) Title Search on Onyx Road

RC stated he found this road in the County's road inventory and found it on GIS. Foster stated he spoke to Howell on this day and received more detail. He has also spoken to the Recorder, and Foster's office contacted all the title searching or abstracting entities that have left information with the Recorder. Three entities have gotten back to Foster stating they would be able to look at this. The issue is that there is a 200-foot stretch that the County is not sure if it is County owned or private owned. Howell does not believe this road is the County's, but the County has maintained it in the past.

Foster received price quotes, and although the Commissioners authorized Foster to proceed with this, of different amounts from different entities, he wanted to ensure the County was okay with this. This will be more expensive than Foster had thought given an entity will have to go back to see if there was any claim to that 200-foot stretch. The quotes were from \$125 to \$1,500. Foster forwarded these quotes to RC. Foster stated that the County can spend the money to clarify ownership of the 200-feet, or the County can state it does not feel it has any legal title to this part of the road, pending someone showing the County that this road *needs to be maintained*. It comes down to if the County wants to be proactive to make sure the road is not the County's, or wait until someone comes and informs the County it is not theirs, or it is the County's and needs to be maintained.

RC stated that when he received these quotes, he felt it would be cheaper to maintain the 200-foot strip than to hire a title searcher or abstractor. Howell stated this has been maintained by the County for several years.

RK asked if the County should go ahead with the title search just to be safe? He further stated there is one group of entities who want this open, and the others do not. He asked if the County opens this, will it be setting itself up for a lawsuit?

RT stated that she was thinking the same thing. A title searcher will make it completely legal. RC asked Foster if the County could do a Quitclaim title to the adjoining property owners where they give up any interest to it in the event it is an unknown, but if someone has any interest in that property, then deed it to the County or an Easement. Property owner or owners on both sides of the road can give the County a legal document granting X number of feet of Easement for that road if this is their property or they have any legal claim to it. This would be cheaper than going through with a title search. An Easement will open up this road and the County will maintain it.

Foster asked if the County is allowed to accept this road into the inventory? Does it meet the County requirements? RC asked Howell how the County accepts gravel roads? Howell stated when something like Onyx Road has come up in the past, the County decided to go by what it gets paid for. Howell did not know this was not on that list. RT stated that if the County does this, it opens the door for others. Howell stated with Onyx Road, if the landowners in the back can not get out past the church, which the Highway Department always assumes this was a County road, it is a problem.

RC stated that RT makes a good point, if this is opened up for one, the County might open up an opportunity for others. RK continued to emphasize the need for a title search to show should it be needed somewhere at a later time. RT stated that if this is done, there needs to be a County Ordinance stating how the County accepts gravel roads and who will maintain them.

RC asked Foster how the County would determine which one of the vendors to do this? Foster stated there is one who quoted \$150, he was given information as to what the County is looking for, and he seemed very eager to do it. The other entities stated they would do the title search anywhere from \$250 to \$1,500. RC asked if the individual has done similar work, anything that the Commissioners could point to? Assessor Mendy Lassaline suggested asking the Recorder's office as they work with these entities. Attorney Foster stated he did not want to put the Recorder in the position to have to recommend somebody. RC asked Foster if all abstractors are licensed and insured in the event of an error, and Foster stated it depends. Deputy Recorder Mary Lee Smith stated that they have to be licensed. Foster stated the entity that is providing the opinion would have the liability because some abstractors give the records to an attorney, and the attorney will review their abstract and provide an opinion for it.

Foster stated that if the County wants to go forward with the title opinion, possibly authorize up to \$500 so that he can go to these entities and if they cannot do it for that amount, it will narrow the option of entities.

Foster feels that if the County has title originally, then it is already the County's.

RK made a motion to approve up to \$500 for a title search on Onyx Road, seconded by RT. Motion carried 3-0.

COMMISSIONERS

a) Ambulance Bid

RC stated bids were submitted and opened at the last meeting from R Enterprises LLC in the amount of \$187,085. They are the vendor who performed the work on the last ambulance for the County. Also received was a bid from Crossroads Ambulance Sales and Service, LLC in the amount of \$190,855. The R Enterprises LLC bid stated they would deliver by March 1, 2025. The Crossroads Ambulance Sales and Service, LLC bid stated they would deliver by December 31, 2025.

R Enterprises LLC is less money and a little quicker delivery.

RK made a motion to approve the bid from R Enterprises LLC, seconded by RT. Motion carried 3-0. This amount is being paid out of ARP funds that have been previously approved.

Coroner Warren Taylor stated he has been told by EMS and paramedics that there is a problem with the current ambulance with wiring and lights. RC stated this is under warranty and Leonard Hahus would need to contact R Enterprises LLC directly.

b) Courthouse Expansion

RC stated that bids were received for the Courthouse Expansion for the Prosecutor's office. The County received two bids. JK Forever Homes bid \$698,000, and Arnold and Associates bid \$653,200 for that addition. This needs to be sent to the Perry County Council for approval. The funds are available through LIT which became available on this date. They can be used for this project.

RT made a motion to award the bid to Arnold and Associates pending Council approval, seconded by RK. Motion carried 3-0.

c) ARP

RC stated that at the last ARP meeting, there were two items that the ARP committee suggested that needed to be brought before the Commissioners and Council.

1. Coroner's Office in the amount of \$25,000

This provides some renovation at the Armory, building up with concrete, making it the same height as the interior floor. The coolers would be put

on this new platform recessed into the wall. This will provide more room in the office where they do the autopsies. In addition, they currently have a body lift that is positioned incorrectly, that will be rotated so that bodies can be transferred with that unit.

Coroner Taylor stated with the platform, some major plumbing will have to be moved if both coolers are put in that spot. Also, with the electrical panel, they will run a short on footage for both coolers. One cooler will fit, but two will not. Taylor stated he and Steve Hauser, EMA Director, looked at the shooting range area, and the new cooler could be placed there. This is where the old cooler currently is placed.

RC asked Taylor that he is now moving the cooler to a new location than what he originally proposed, and Taylor responded the cooler will not fit in the original location. RK asked one or both coolers? Taylor responded both coolers. RK asked if one cooler would be placed in one location, and the other in another location, and Taylor responded yes.

RC stated the problem currently is the body cooler is in the same room with the autopsy table. The thought process was the low area where the boiler is would be built up to the same level as the Coroner's floor, and both coolers would be recessed in that room. Taylor stated once he started measuring for the coolers, it was discovered that there would not be enough room on that wall on the back side. Taylor stated one cooler would be recessed in the wall so that the lift could still be used. RC stated the lift could not be utilized for lifting bodies with the second cooler.

Taylor stated with the second cooler, the walk-in cooler, the bodies will stay on the cot; he would still have the lift in the autopsy room to lift the body up. RC stated the Coroner is losing the access of the second cooler with the lift, and Taylor stated with the walk-in cooler, the lift is not needed. The bodies will remain on the cots. He further stated that the lift is needed for the cooler that the Coroner currently has.

RT asked Taylor how much more dollar wise is needed to do the extra wiring or plumbing? Taylor stated the only thing that will need to be put in is an exhaust fan in the wall where the walk-in cooler will be placed.

RT asked Taylor if he is just changing the layout, and he responded yes.

RC would like to table this until specific details are available. RK asked Taylor if he would like it have this as originally designed, and he responded yes. RC stated for the Coroner's office to function efficiently, it would be ideal to have the coolers with access where autopsies are performed. RK stated that if the County needs to spend a little bit more money to do this right and have both in the Coroner's office, he feels this would be the best. RC agreed.

RT made a motion to table until more details are ascertained, seconded by RK. Motion carried 3-0.

2. Audit Fees

RC stated that the ARP funds will be audited every year due to the amount of them. RC had a discussion with the State Board of Accounts, and on a Federal audit, they estimated \$7,500 would be the County's cost. This audit would be for 2023, 2024, 2025, and 2026. \$30,000 was set aside for this.

RT made a motion to set aside \$30,000 for audits for the ARP Fund, seconded by RK. Motion carried 3-0.

d) *Perry County Convention, Visitor and Tourism Commission Letters of Interest*

RC stated that at the Commissioner's last meeting, it was presented to them the requirement to have two individuals on this commission that were involved in hotel/motel, and this is not from the County Ordinance. The County's Ordinance requirement is only one. It is required by both that affiliation is not a majority or a simple majority of one political party. RC wants to have Attorney Foster review this to ensure the County is legally following what its Ordinance states.

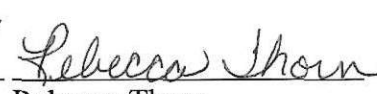
RT made a motion to table pending review by the County Attorney, seconded by RK. Motion carried 3-0.

e) Assessor Mendy Lassaline addressed the Commissioners regarding the latest plans approved for the addition to the Courthouse. She questioned the new adopted plans regarding the removal of a private restroom on the west wing of the Courthouse. RC responded to her question.

Auditor Hammack also made a public comment regarding this matter.

f) The next meeting is Tuesday, July 16, 2024 at 6:00 p.m.

The meeting was adjourned at 10:25 a.m. CST.
RT made a motion to adjourn, seconded by RK. Motion carried 3-0.

		
Randy Cole	Rebecca Thorn	Randy Kleaving
President	Vice-President	

Minutes reviewed by:
Kristinia L. Hammack, Auditor

Minutes prepared by:
Leisa M. Ecker, Deputy Auditor