

Owen County Board of Commissioners Minutes – May 15, 2024 @9:00 AM

Commissioners present: Gary Burton, Bob Curry, and Joel Lowe

Also present: County Attorney Dana Kerr and Auditor: Sheila Reeves

Meeting was called to order by President Gary Burton.

Opening Prayer and Pledge of Allegiance was given.

Approval of minutes for April 22, 2024, motion by Curry to approve the minutes as read seconded by Lowe, motion carried 3/0.

Approval of minutes for May 1, 2024, motion by Curry to approve the minutes as read seconded by Lowe, motion carried 3/0.

Approval of Claims and Payroll \$779,746.86 with 12 out of cycle claims

Payroll \$300,145.21

Regular \$238,780.11

Out of Cycle \$272,467.35

Motion by Curry to approve the claims as submitted, seconded by Lowe, motion carried 3/0.

Due to a technical issue with YouTube the meeting was not recorded Attorney Kerr stated according to Indiana Code meetings are not obligated to be recorded until July of 2025.

OLD BUSINESS:

- Jail update, Burton discussed a possible land swap with Brett Franklin, Figg Appraisal was contacted to proceed with appraisals making good progress.
- The Code Enforcement Officer is still in the talking stage after a one hour 45-minute discussion at the Council meeting Burton commented it is something the County needs and the citizens want, and I will leave it at that.
- Kerr prepared a Resolution 2024-7 Establishing/Adopting Department Head Appointments for Owen County beginning January 2024 are for a period of 2 years as follows: Planning and Zoning GIS Coordinator - Suzanne Simmerman, EMS Director – Cris Lunsford, Veterans Officer – Dennis Bucy, Executive Director Communications – Cherie Anderson, EMA Director – Jack White, Building Inspector – Gary Dubois, Facility Maintenance Steve Gray motion by Curry seconded by Lowe, approved 3/0.
- Resolution 2024-008 Authorizing the filing of a CY2025 Application for a Grant under Section 5311/5339 of the Federal Transit Act concerning public transportation services and systems. Agreement with Monroe County Board of Commissioners authorizing Chris Myers Executive Director to make necessary certification and assurances and be empowered to enter into an agreement with INDOT for the provision of regionalized rural public transportation with services. Motion by Lowe, seconded by Curry approved 3/0.
- Letter from INDOT a letter of understanding for Road Closure an unofficial detour due to closure of Highway 246. Motion by Curry, seconded by Lowe approved 3/0.
- Marce King from EDC talked about the letter of support to compete for funds to Monroe and Brown Counties to establish an EDD for future sustainability. Motion by Burton, seconded by Curry Lowe abstained approved 2/0/1.

NEW BUSINESS:

- Communications Director Cherie Anderson: 911 call processing currently uses Total Response EMD/FIRE/LAW software, which is a stand-alone version, she would like to upgrade to a full version with quality assurance features for all dispatcher calls. There is no additional costs Indiana Statewide 911 funds will pay for the program is called Central Square. Motion to approve the upgrade of the contract made by Lowe and seconded by Curry approved 3/0. The Sheriff will need to sign the contract, Cherie will discuss it with the Sheriff.
- County Coroner Shelby Hershberger discusses the need for a therapy dog. Paperwork is processed the dog therapy dog will get three-week specialized training purchased with grant money, the coroner is her handler, motion made by Lowe to approve the training of the therapy dog for the Coroner's Office, the attorney will look into the paperwork and legalities for the insurance liability and care. Accepting that the dog is county property, and the handler is Shelby Hershberger, seconded by Curry approved 3/0. Reeves was to verify funds could be used for insurance and maintenance.
- Planning and Zoning/Rezoning
 - Application for 2024-4 Rezone from residential to business motion by Lowe seconded by Curry approved 3/0.
 - Application 2024-5 Rezone from residential to business motion by Lowe seconded by Curry approved 3/0.
 - Application 2024-6 Residential to business motion by Lowe seconded by Curry approved 3/0.
- Ordinance 2024-010 An ordinance to amend the Owen County Zoning and Subdivision Control Ordinance Lots Number One (1), Two (2), and Three (3) in Concord Villas Subdivision, as per the recorded plat thereof recorded in Plat Book 2, Page C-10, in the Office of the Recorder of Owen County, Parcel Numbers: 60-10-23-400-190.010-027, 60-10-23-400-190.020-027, 60-10-23-400-190.030-027. Motion by Lowe seconded by Curry approved 3/0.
- Ordinance 2024-011 An ordinance to amend the Owen County Zoning and Subdivision Control Ordinance 713 White Oak Rd; Spencer, IN 47460, Parcel Number 60-10-26-300-370.021-027 The above-described real estate should be and the same is hereby rezoned from. Residential Single Family to Residential Multi Family with a Condition that structures are limited to those described on application. Motion by Lowe seconded by Curry approved 3/0.
- Ordinance 2024-012 An ordinance to amend the Owen County Zoning and Subdivision Control Ordinance 713 White Oak Rd; Spencer, IN 47460, Parcel Number 60-10-26-300-370.000-027 SECTION 2: The above-described real estate should be and the same is hereby rezoned from. Residential Single Family to Residential Multi Family with a Condition that structures are limited to those described on application. Motion by Curry seconded by Lowe motion passed 3/0.

Highway Superintendent Melton asked the County Attorney to put together an Ordinance to reduce the speed limit on Fish Creek Rd to 35 mph, DNR properties on this road.

Request improvements made to county roads going to DNR properties, brought to the attention of INDOT this request must come from the Board of Commissioners before the start of the fiscal year. Six major concerns regarding heavy truck traffic: Beech Church Rd., Hudson Hill Rd/Childress Rd., Tower Rd., Burke Shilo Rd., Rocky Hill Rd/Keeler Rd., and Morgan and Jefferson Townships. Concerns of heavy truck traffic to county roads would like to have or amend ordinance requiring driveway permits for logging, construction, and agricultural operations. The water company that is using the official route of Keeler Rd., to Rocky Hill Rd., to Highway 231 is in absolute failure stage.

Motion was made by Lowe for the Highway Superintendent to move forward with Safety Barriers concerning automobiles second by Curry approved 3/0.

Amendment in ARPA road projects the Freeman Rd. project came in less than what was proposed therefore there are additional funds available. Option (1) Tower Rd 4,224 ft. for \$185,437. Option (2) Tower Rd to Indian Hills Campground for \$83,538. Curry made a motion for Option (2) to resurface Tower Rd to Indian Hills Campground seconded by Curry approved 3/0.

Elected Officials and Department Heads:

Treasurer Shelly Townsend needs a review of the information forwarded to the county attorney for the Innkeepers Tax agreement to be collected through the state and not on the county level.

Commissioners agreed for the attorney to process the agreement.

EMA Director Jack White has an opportunity for a grant in a short time frame. Motion made by Lowe to allow the Director to move forward with the process, seconded by Burton approved 3/0. White also asked that he have approval by email between the Commissioners and the Council, since the Ordinance is more time consuming, would like to revisit amending the ordinance.

Public Comments:

Question: Dust control, the earliest that it will be available would-be July.

Question: Code Enforcement Officer explanation looks out for the wellbeing and safety of the citizens.

Discussion of contract for repair of the dome and roof of the courthouse. Curry made a motion seconded by Lowe for Burton to sign the contract in the amount of \$2.2 million with Precision Construction and Roofing for the repair and replacement of the dome and roof of the Courthouse from the hail damage, passed 3/0.

Burton made a motion to adjourn the meeting seconded by Curry passed 3/0.