

BE IT REMEMBERED THE BOARD OF COUNTY COMMISSIONERS met in the Henry County Courthouse Circuit Courtroom, on Wednesday, April 27, 2016, at 6:00 P.M., with the following members present: Ed Yanos, Kim Cronk, Butch Baker, Patricia A. French, Auditor, and Joel Harvey, County Attorney.

The meeting was opened with the Pledge to the Flag, followed with silent prayer.

A motion was made by Mr. Baker and seconded by Mr. Cronk to approve the minutes from the meeting held April 27, 2016. Motion carried 3-0.

A motion was made by Mr. Cronk and seconded by Mr. Baker to approve the payroll as presented. Motion carried 3-0.

A motion was made by Mr. Baker and seconded by Mr. Cronk to approve the claims as presented. Motion carried 3-0.

A motion was made by Mr. Cronk and seconded by Mr. Baker to accept the following monthly reports as presented: First Merchants Bank for Food & Beverage 1<sup>st</sup> quarter and the Henry County Treasurer's monthly report for March. Motion carried 3-0.

A motion was made by Mr. Cronk and seconded by Mr. Baker to forward any financial request from Lifestream to the County Council. Motion carried 3-0.

Jim Millikan, legal counsel for the owners of the Raintree Inn, addressed the Commissioners concerning the vacating of a road which was discussed at the previous meeting. Mr. Millikan presented a letter from Jerry & Carole Robertson stating they had no objection to Drew Blvd, South of Sandy Gale Ave. being vacated as requested. A motion was made by Mr. Baker and seconded by Mr. Cronk to approve the vacating of the road. Motion carried 3-0.

A motion was made by Mr. Cronk and seconded by Mr. Baker to approve the Tax Sale Support Services Addendum as presented. Motion carried 3-0.

A motion was made by Mr. Cronk and seconded by Mr. Baker to approve Ordinance# 2016-04-(04-27), an Ordinance amending Ordinance # 2004-11-11-24. Mr. Harvey, County Attorney, stated the added a definition to be able to qualify for grant funding. Motion carried 3-0.

Joe Copeland, Highway Engineer, presented for approval a request for a local sign replacement project totaling \$550,000, requesting Federal funds in the amount of

\$495,000. A motion was made by Mr. Baker and seconded by Mr. Cronk to move forward with the request. Motion carried 3-0. Mr. Copeland also gave an update on the status of large culvert replacement.

A motion was made by Mr. Cronk and seconded by Mr. Baker to accept as signed the Real Estate lease agreement with Hope Initiative, Inc. Motion carried 3-0.

A motion was made by Mr. Cronk and seconded by Mr. Baker to grant Jeff Ray permission to move forward with a letter to INDOT regarding the Wilbur Wright Trails Phase 3 project. Mr. Ray stated the deadline was May 16, 2016. Motion carried 3-0.

A motion was made by Mr. Cronk and seconded by Mr. Baker to approve a Planning Commission ordinance requested by Coor Consulting, representing CFH Enterprises, requesting to re-zone from General Business (GB) to Residential District 3 (R3), for the purpose of constructing two 8 unit apartment buildings. Mr. Cronk asked if there was any public comment regarding the request. The property is owned by William Mohler, being in Spiceland Township. Motion carried 3-0.

A motion was made by Mr. Cronk and seconded by Mr. Baker to appoint Darren Jacobs as the new Zoning Administrator, as recommended by Mr. Steve Rust, Surveyor. Motion carried 3-0.

A motion was made by Mr. Baker and seconded by Mr. Cronk to approve two Utility Agreements as presented by Mr. Rust, Surveyor. The first agreement was for Zayo Bandwidth for conduit and fiber optics located at N County Rd 25 between State Rd 38 and State Rd 3. The second agreement was for Franks Home Maintenance to connect sewer lines to city sewer, located at 1016 White Dr. New Castle. Motion carried 3-0.

A motion was made by Mr. Cronk and seconded by Mr. Baker to approve the Indiana Department of Correction grant agreement in the amount of \$81,956. Motion carried 3-0.

A motion was made by Mr. Baker and seconded by Mr. Cronk to accept the Certified Letter of Public Notice for the Big Blue River project. Motion carried 3-0.

Joe Wiley, Highway Administrator, presented rates from seven different lending institutions for the recycle machine, costing \$275,000. Institutions and rates as follows: MainSource 2.2%, US. BanCorp 1.97%, Crossroads 2.5%, Key Government Finance 2.9%, Star Financial Bank 2.8%, First Merchants Bank 2.5% and Citizens State Bank 1.95%. A

motion was made by Mr. Cronk and seconded by Mr. Baker to approve the lowest rate of 1.95% from Citizens State Bank. Motion carried 3-0.

Options for a firewall upgrade were presented for approval. Options were presented from Nine Star, VIA and Intech MAX. A motion was made by Mr. Cronk and seconded by Mr. Baker to approve the VIA option to simply replace the current firewall with one that would also include a new filtering module, offered by Cisco, called FirePOWER. The annual cost of maintaining the FirePOWER subscription would be \$1800 per year, about what the county pays currently. Motion carried 3-0.

Steve Rust, Surveyor, addressed the Commissioners concerning the Harry Goldman drain. He addressed 11 different issues he and Drainage Board had concerning the issue. He stated he had received an official opinion from Paul Joyce, Chief State Examiner, concerning the additional 10% interest to landowners instead of the 2.49%, which the drainage board and Surveyor had presented in Resolution #2016-013-1, approved on January 13, 2016. Mr. Joyce stated I.C. 36-9-27-97.5 requires the County Auditor to add 10% to all payments deferred beyond one year from the date that the certification is made. Mr. Joyce stated the State would not take exception during an audit of the County for the current year, but their position would be the County's resolution was not in compliance with the law. Mr. Joyce also stated the County is responsible to comply with both its own resolutions and the state statute; therefore, the county will need to determine the best course of action for the project from this point forward. Mr. Rust was asking the Commissioners to stand behind the adopted resolution for the reconstruction project and to forgive the higher interest rate of 12.49%. Mrs. French, Auditor and Mr. Bundy, Treasurer both stated the spring taxes did not include the higher interest rate. Mr. Cronk asked the Surveyor and the County Attorney to proceed forward with trying to work out a solution with the State Board of Accounts so the County would be compliant with the state statute.

Mr. Yanos, asked if anyone present had any comments concerning the Flat Rock Windmill project. Those speaking were: David Herring, Rosie Richey, Ed Tarantino, Frankie Zile, Lori Norris and Diane Arthur.

A motion was made by Mr. Baker and seconded by Mr. Cronk to adjourn the meeting. Motion carried 3-0.

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Ed Yanos, President

Kim L. Cronk, Vice President

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Butch Baker

ATTESTED BY: \_\_\_\_\_

Patricia A. French, Henry County Auditor