

JENNINGS COUNTY COMMISSIONER MEETING
MARCH 8, 2018 6:30 P.M.

Matt Sporleder opened the meeting by leading the pledge to the flag.

First order of business was to open the sealed bids for the Jennings County Collection Container System for the Recycle Center.

BEST WAY DISPOSAL

1st year 30 cubic yard \$290 2nd year \$290 3rd year \$290

1st year 6 cubic yard \$19.10 2nd year \$19.10 3rd year \$19.20

RUMPKE

1st year 30 cubic yard \$337.00 2nd year \$347.11 3rd year \$357.52

1st year 6 cubic yard \$19.20 2nd year \$19.78 3rd year \$20.37

Bob made a motion to table the bids until Christy Duvall with SISWD overlooks and makes sure the bids are per the specs. Dave Lane seconded the motion and Matt Sporleder made it unanimous. Motion passed.

Next on the agenda were Greg Martin and the Jennings County Park Board concerning the personal climbing wall that Mr. Martin has in a barn at the Park. On December 15, 2004, Ed Judd, Auditor, wrote a letter to Mr. Alan Marshall, County Attorney, stating that at the December 15th Commissioner meeting; it was discussed that the insurance company is threatening to increase our rates concerning the lease documents between Greg Martin and the Park Board if they do not have appropriate release forms and lease agreements to remove the county's liability concerning the use of the climbing wall.

Mr. Martin presented a letter from 2004 to Ed Judd, County Auditor, from Alan Marshall, County Attorney, concerning the climbing wall at the County Park. The letter stated that Mr. Martin had gone to Mr. Marshall concerning the lease he had with the Park for one half of the building containing the climbing wall. Mr. Marshall stated in the letter that in his opinion that if a written lease agreement is executed and Mr. Martin has all participants sign waivers of liability prior to their use of the wall, that the County would be adequately protected. On December 28, 2004, the Commissioners approved the liability release forms that Alan Marshall presented.

Matt Sporleder recommended that the Park Board obtain liability insurance for the climbing wall. This met much opposition from Mr. Martin and Pat Dickerson a park board member said he would like to

have a better understanding on why insurance is needed and not just because an insurance agent states it is needed. Teri Doran suggested this is a breach of contract on the Commissioners part and Greg Martin stated that the Commissioners were changing the rules in mid stream.

Matt Sporleder stated that the climate has changed since 2004 as far as insurance policies and suits being filed by individuals. He went on to say that the contract is between Mr. Martin and the Park Board not with the Commissioners. Mr. Frank Boyd stated that this gym, climbing wall is an important part of Jennings County and an incubator for rock climbers and the action taken by the Commissioners could have resounding consequences nationally; to which Mr. Sporleder replied even more reason to have insurance.

Mr. Martin maintains that this is a private rock climbing wall by invitation only and that he has signed an indemnification and hold harmless agreement and anyone who climbs the wall signs a release of liability form. Ellie Bright, County Attorney, stated that although the Park Board seems to be in agreement on not needing insurance, she did not understand why they would want to take that big of a risk. Yes, there has not been an incident since 1991 but it would only take one to possibly bankrupt the county because although they will go after Mr. Martin first; they will also file against the county. Mr. Sporleder stated this is nothing personal but only because of the liability insurance that the county is being told is needed to protect the county that this has become an issue.

After much discussion, Bob Willhite made a motion to table the matter until the next meeting when the County's insurance agent can attend; Dave Lane seconded the motion and Matt Sporleder made it unanimous. Motion passed.

Next on the agenda was Andrew Lanam with George K. Baum & Company concerning the placement agent engagement agreement for his company concerning the Solar Project for the County. Mr. Lanam explained this is a usual agreement between his company and the county so he can start getting the financial structuring together for a bond once the Solar Project is fully approved and ready to proceed. No monies will be paid until everything is fully executed. Ellie Bright, County Attorney, advised that the contract was in order and approved the signing.

Bob Willhite made a motion to sign the contract with George K. Baum & Company; Dave Lane seconded the motion and Matt Sporleder made it unanimous. Motion passed.

Auditor Vance presented a letter from the Jennings County Public Library notifying the Commissioners that Greg Hicks had served his fourth term on the library board and is not able to be reappointed. Mr. Hicks has served 16 years on the library board and they have valued his expertise and experience. The Library Board suggested two names to serve and they were Andy Ertel and Nathan Floyd. The Auditor told the Commissioners that she had been unable to reach Mr. Floyd but had spoken with Mr. Ertel and

although he would be glad to serve; Mr. Ertel's wife, Jennifer Ertel, is already involved with the library and would love to serve on the board.

Bob Willhite made a motion to appoint Jennifer Ertel to the Jennings County Public Library Board; Dave Lane seconded the motion and Matt Sporleder made it unanimous. Motion passed.

Next Auditor Vance presented a letter from the Jennings County Historical Society by Chris Asher, Festival Chairperson, requesting the use of the Courthouse lawn for the Sassafras Tea Festival and Civil War Living History slated for April 28th and 29th, 2018.

Bob Willhite made a motion to allow the request of the Jennings County Historical Society to use the Courthouse lawn on April 28th and 29th, 2018 for the Sassafras Tea Festival and Civil War Living History. Dave Lane seconded the motion and Matt Sporleder made it unanimous. Motion passed.

Kathy Ertel, EDC Director, asked the Commissioners if they had heard of the Opportunity Zone concerning some Federal funding for rural poverty areas. The Commissioners indicated they had not heard of it and Mrs. Ertel stated that she would be looking into it for the county.

Matt Sporleder mentioned that since she was here, he wanted her to be aware that the county's commitment of \$70,000 a year from CEDIT monies might not be that much next year. The County TIF has taken on debt and so some of those monies might be needed to pay on that next year. This year's commitment is still \$70,000. Mrs. Ertel stated she appreciated the heads up.

Next Auditor Vance presented a pay application #5 from FPBH, Inc for Bradshaw Builders of \$132,473 in connection with the renovation of the Community Building.

Bob Willhite made a motion to pay Bradshaw Builders \$132,473; Dave Lane seconded the motion and Matt Sporleder made it unanimous. Motion passed.

Greg Wilds, County Maintenance person, came before the Commissioners with update on the Courthouse project going on and reported that things were moving right along and people seemed pleased with the results. Mr. Wilds went on to say how bad shape the courthouse tower is in and that pieces are falling onto the lawn below. Mr. Wilds presented pictures showing the deteriorating floor joice, the abundance of bird droppings the Dis Bonded Parging in several areas. Mr. Wilds has a quote from Ken Neely who is presently doing the work at the courthouse of \$46,471.00. This quote is to remove existing deteriorated louver vents; repair the existing opening and install new custom made aluminum louvers similar to the wooden pattern with stainless steel wire backing for bird protection. The quote also includes all caulking around the exterior of all louvers, the abatement of the existing bird dropping, the masonry repairs to the interior walls and the removal and replacement of the deteriorated floor joice and flooring.

There was some discussion on using the aluminum louvers but John Post stated that he believed that was the best way to go since it should last a long time.

Mr. Wilds also had another quote to remove the existing brick in two areas below the defunct door opening north elevation when complete the same area will receive new stone to match the existing stone as close as possible, 2 new stone coins will be installed upper level below the arch. This quote is \$4,000.00.

Bob Willhite made a motion to accept both bids as quoted from Ken Neely; Dave Lane seconded the motion and Matt Sporleder made it unanimous. Motion passed.

Next Randy Shepherd addressed the Commissioners as President of the Fair Board to let them know that the fair will be June 11 thru June 16, 2018. The fairboard has been working really hard to bring new things to the fair to bring in the people. Mr. Shepherd gave a schedule of events to the Commissioners and explained that items in Gray were confirmed, items listed in Blue were confirmed but no signed contract yet and the items listed in Pink were contacts but no one has gotten back with them. Some events were Truck and Tractor Pull on Monday night; Sprint cars Tuesday night; Truck/ATV drags Wednesday night; ATV Mud Bogs Thursday night and Demolition Derby Friday night. They also are bringing the mobile stage that the city of North Vernon has out to the fairgrounds and will have live music every night. There will be bingo every night and on Saturday they are having a BBQ Cookoff and Archery in the Grandstands followed by a Barn Dance and Fireworks.

The Commissioners thanked Mr. Shepherd for the update.

Bob Willhite made a motion to sign payroll and claims; Dave Lane seconded the motion and Matt Sporleder made it unanimous. Motion passed.

Bob Willhite made a motion to approve prior minutes; Dave Lane seconded the motion and Matt Sporleder made it unanimous. Motion passed.

With no further business, Bob Willhite made a motion to adjourn; Dave Lane seconded the motion and Matt Sporleder made it unanimous. Motion passed.

Attest:



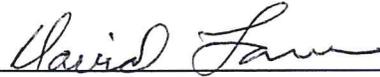
Kay Sue Vance, Auditor



Matt Sporleder, President



Robert Willhite



David Lane