

## COMMISSIONERS' MINUTES

DECEMBER 21, 2020

PRESENT: ALL

**BE IT REMEMBERED** that the White County Commissioners held a regular meeting on December 21, 2020, in the White County Building, 2<sup>nd</sup> -floor Commissioners' Conference Room beginning at 8:15 a.m.

Commissioners present were: President John C. Heimlich, Commissioner Steve Burton, and Commissioner David Diener. Also present was White County Auditor Gayle Rogers, White County Attorney George Loy, and the Commissioners' Assistant Donya Tirpak.

Commissioner Heimlich called the meeting to order.

### MINUTES

- Commissioner Burton made a motion to approve the minutes from the regular meeting on November 16, 2020, and the minutes from the special meeting on November 23, 2020, seconded by Commissioner Diener. **Vote: Unanimous**

### PAYROLL

- Commissioner Diener made a motion to approve payroll for December 14, 2020, seconded by Commissioner Burton. **Vote: Unanimous**

### CLAIMS

- Commissioner Burton made a motion to approve and pay the claims as presented, seconded by Commissioner Diener. **Vote: Unanimous**

### APPOINTMENT – AREA PLAN COMMISSION

Commissioner Heimlich said that Mike Smolek resigned from the Area Plan Commission board. Jeff Demerly from Wolcott is willing to fill the position. He is currently the President of the White County Farm Bureau board. He will be a great representative of the Ag community.

- Commissioner Diener made a motion to appoint Jeff Demerly to the Area Plan Commission board with a term expiring the first Monday of January 2023, seconded by Commissioner Burton. **Vote: Unanimous**

### ORDINANCE AMENDING COUNTY RIGHT-OF-WAY FEE OCCUPATION PERMIT FEES

Highway Superintendent Mike Kyburz said that the County's right-of-way permit fees are the cheapest in the state, and they have not been updated since 2000. After sitting down and figuring out what the County's time and cost are, he presented an amendment to the ordinance. The amended fees run in the same line as the City of Monticello's.

Commissioner Heimlich asked what new permit fees were added.

Superintendent Kyburz said that he added Temporary Construction or Access Roads, Frost Law Exception permit, Overweight permit, and Testing permit.

Commissioner Diener said that the City's ordinance has a driveway cut permit fee and felt that the County needed to be more clarified for the individuals doing the work.

County Attorney Loy said that this ordinance addresses requests for underground cables, conduits, or above-ground structures and associated equipment within public rights-of-way. He felt that the driveway cut permit fee should be addressed in a different ordinance.

- Commissioner Diener made a motion to advance the ordinance amending the White County Code of Ordinances pertaining to public right-of-way occupation permit fees to the second reading, seconded by Commissioner Burton. **Vote: Unanimous**

The second reading will be held on December 28 during a special meeting that the Commissioners are holding.

COMMISSIONERS' MINUTES

DECEMBER 21, 2020

PRESENT: ALL

ORDINANCE NO. 20-\_\_\_\_-\_\_\_\_-\_\_\_\_

AN ORDINANCE AMENDING THE WHITE COUNTY CODE OF ORDINANCES PERTAINING TO PUBLIC RIGHT-OF-WAY OCCUPATION PERMIT FEES

WHEREAS, White County (the "County") receives requests for its consent to install underground cables, conduits, and above-ground structures and associated equipment within public rights-of-way within the County; and,

WHEREAS, the ability of the County to continue to provide access to its public rights-of-way requires the implementation of effective and efficient management of County rights-of-way; and,

WHEREAS, the County may operate and maintain its streets, highways, and other public property in White County for the safety of the traveling public, and the White County Board of Commissioners (the "Board") may manage the public right-of-way or require by ordinance fair and reasonable compensation on a competitively neutral and nondiscriminatory basis for the occupation of a county public right-of-way on a nondiscriminatory basis; and,

WHEREAS, the County is authorized by law to recover fair and reasonable compensation for its direct, actual, and reasonably incurred costs in managing the public right-of-way caused by the occupation of a public right-of-way, including but not limited to, the costs of (1) registering occupants, (2) verifying public right-of-way occupation, (3) inspecting job sites and restoration projects, (4) restoring work inadequately performed after providing notice and the opportunity to correct the work, (5) administering and ensuring adequate restoration of County public rights-of-way as near as reasonably possible to the right-of-way's original condition, (6) management costs associated with the implementation of this ordinance. In addition, the County also considers the degradation costs caused by cuts and intrusions in rights-of-way, and obstructions of a right-of-way when installing or repairing its facilities in a right-of-way; and,

WHEREAS, after review of the White County Highway Superintendent's estimated management costs set forth above due to such above ground and underground occupation, the board desires to amend its provisions for the occupation of County rights-of-way and to adopt amended user fees and bond requirements for the use of the same from those directly benefitting therefrom and reducing accompanying financial burdens upon County taxpayers.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the White County Board of Commissioners as follows:

SECTION 1. PERMIT FEES. Right-of-Way Occupancy Permit fees shall be amended as follows:

Road Excavations/Cuts:

Gravel: \$10.00 per linear foot, except farm subsurface drain, with a minimum \$200 fee.

Hard surface: \$25.00 per linear foot, with a minimum \$500 fee.

Plowing in Cable or Pipe: \$1.00 per linear foot with a \$100.00 minimum fee.

Directional Boring: \$1.00 per linear foot with a \$100.00 minimum fee.

Trenching/Excavating (adjacent to Roadway): \$1.00 per linear foot with a \$100.00 minimum fee.

Boring or Pushing Under Roadway: Total cost per location - \$150.00 per bore.

Pole Lines: \$1,000.00 per mile, or a minimum of \$75.00 per pole.

Setting individual and below ground structures (other than poles) including pedestals, splicer box, junction box, and transformers: \$200.00 per structure.

Temporary Construction or Access Roads: \$250.00 each.

Overweight Permit: Fees based upon routes of travel, condition of requested travel roads, frequency of travel, and weight. \$50.00 minimum plus County costs of engineering or other consultants.

Frost Law exception permit: Fees based upon routes of travel, condition of requested travel roads, frequency of travel, and weight. \$50.00 minimum plus County costs of engineering or other consultants.

Testing permit: Fees based upon road conditions and the number of test sites. \$50.00 minimum plus the County's costs of any repairs.

COMMISSIONERS' MINUTES

DECEMBER 21, 2020

PRESENT: ALL

SECTION 2. BOND. No permit shall be issued unless the applicant has also filed with the White County Highway Superintendent a bond, with lawful corporate surety or an indemnity insurance policy, in the sum of not less than Fifty Thousand Dollars (\$50,000.00) payable to the White County Board of Commissioners conditioned to indemnify and hold the County harmless against any and all claims or injury or damage to persons or property resulting from the performance of work contemplated or any act done pursuant thereto, or against any loss or liability resulting from the maintenance of any such cable, wire, conduit or other attachments or equipment so installed, or against any costs of repairing or remediating any work performed by the applicant. Such bond shall be a continuing blanket bond for a period of five (5) years from the time work is completed. However, the White County Highway Superintendent shall have discretion in requiring a specific larger bond for larger projects on a per project basis.

SECTION 3. EFFECTIVENESS. This ordinance shall be in full force and effect from and after its passage, and shall repeal or amend all other ordinance or portions thereof in conflict herewith.

**CHANGE ORDER – NEW HIGHWAY GARAGE PROJECT**

Alaine Vanderford, Project Manager, attended the meeting virtually and submitted Change Order #4 for \$139,156.26 from Hamstra.

The change order included the following changes to the project:

- Additional Landscaping.
- LVT in the office corridor.
- Feeder and Breaker clarification.
- Electric to disposal, wall heater, eye washer, shower light.
- Gate operator.
- Pond aerator.
- Locker room shower insert installation
- Fireline placement above the slab on deck in restrooms.
- Wind damage to the office building.
- Furniture, fixtures, and equipment.

Deduct/Credit

- Wetlands credit.

Commissioner Diener asked how the project ended according to the budget.

Ms. Vanderford said that the New Highway Department project was budgeted for \$13,654 million, and the project completed costs are \$12,753 million, which is \$901,000 under budget.

- Commissioner Diener made a motion to approve Change Order #4 for \$139,156.26 from Hamstra for the New Highway Department project, seconded by Commissioner Burton. **Vote: Unanimous**

**RECYCLE DEPT. - FORKLIFTS**

Recycling Director Dawn Girard appeared and presented two quotes to purchase two new forklifts for the Recycling Department. She said that she preferred the Unicarriers, and she does have the money in her 2020/2021 budget to cover the purchase.

1.	Wiese, Lafayette, IN	Unicarriers, Model PF50DF	\$26,300.00/each
2.	Crown Lift Trucks, Plainfield, IN	Crown C5 1050-50	\$28,446.40/each

- Commissioner Diener made a motion to accept the quote from Wiese to purchase two new Unicarriers forklifts for the Recycling Department, seconded by Commissioner Burton. **Vote: Unanimous**

**At this time,** Council Vice President Denny Carter called the Council members to order in joint session with the Commissioners. Council members present:

Vice President Denny Carter	Jim Annis	Janet Faker
Jim Davis	Art Anderson	Casey Crabb

COMMISSIONERS' MINUTES

DECEMBER 21, 2020

PRESENT: ALL

Council President Butch Kramer was absent.

**REPORTS PRESENTED AND ON FILE**

Economic Development  
Airport  
Environmental Officer  
EMA

Highway Dept.: Project Manager Alaine Vanderford from Garmong appeared virtually to discuss the New Highway Department project's final cost. Auditor Rogers said that \$10,034,374.37 was spent on construction, and \$1,337,713.64 spent on equipment.

Commissioner Diener is very proud of the project because they are \$900,000 under budget even with the new equipment.

The Commissioners thanked Alaine Vanderford with Garmong for doing a great job managing the project.

**HR DEPARTMENT – TIME & ATTENDANCE SOFTWARE**

HR Director Leah Hull said that she collected proposals to purchase time and attendance software for all the County departments from Right Stuff Software Co. and Advanced Time. After going through the demos and breaking down the proposal costs, she made the recommendation to accept the proposal from Right Stuff Software for \$79,100. The agreement from Right Stuff is a three-year contract that will automatically renew. The funds are already in the HR budget, so they will need to be carried over 2021.

HR Director Hull discussed how the new software would drastically reduce the time spent processing payroll. The employees will have to clock in/out on a timeclock either with their badges or fingerprint. For the employees who work outside the building, a tracking GPS will allow them to clock in from their mobile phones.

- Commissioner Burton made a motion to enter into an agreement with Right Stuff Software for \$79,100 for time and attendance software, seconded by Commissioner Diener. **Vote: Unanimous**

There being no further business to come before the Council, they adjourned to their meeting.

There being no further business to come before the board, their meeting adjourned.

\_\_\_\_\_  
John C. Heimlich, President

\_\_\_\_\_  
Steve Burton, Vice President

\_\_\_\_\_  
David Diener, Member

ATTEST: \_\_\_\_\_  
Gayle Rogers, Auditor