

BE IT REMEMBERED THAT THE BOARD OF COUNTY COMMISSIONERS met in the Commissioner's Courtroom, Henry County Courthouse, Wednesday, January 27, 2010 at 7:00 p.m. with the following members present: Kim L. Cronk, William D. Cronk, Samuel R. Beckenbaugh, Linda S. Ratcliff, Auditor and County Attorney Joe Bergacs.

The meeting was called to order by President Kim Cronk and opened with the Pledge of Allegiance and a moment of silent prayer.

A motion was made by Mr. William Cronk and seconded by Mr. Beckenbaugh to approve the minutes of the January 13, 2010 meeting. Motion carried 3-0.

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

A motion was made by Mr. Beckenbaugh and seconded by Mr. William Cronk to approve the payroll, timecards and deductions as presented. Motion carried 3-0.

A motion was made by Mr. Beckenbaugh and seconded by Mr. William Cronk to approve the monthly reports as presented. Motion carried 3-0. The departments reporting are listed below.

Clerk  
Golf Course  
IPEP  
Weights and Measures

A motion was made by Mr. William Cronk and seconded by Mr. Beckenbaugh to approve the findings and judgment as presented for the Vacation of the Public Alley in the Green Acres subdivision. The vacation had been requested at the December 23, 2009 meeting by Attorney Martin Shields representing the South Henry Regional Waste District. Motion carried 3-0.

A letter was received from the Henry County Health Department requesting that Dr. Matt Ryan be appointed to the Health Board. Dr. Ryan's term would begin 1/1/10 and end 12/31/13. A motion was made by Mr. Beckenbaugh and seconded by Mr. William Cronk to appoint Dr. Matt Ryan to a 4 year term on the Health Board. Motion carried 3-0.

The Animal Shelter Contract was discussed. President Cronk had re-submitted it to the County Council for additional funding. The Animal Shelter had indicated that they would not honor a contract at the same amount as last year. The Council tabled any decision for additional funding until the February meeting. The Commissioners could not sign the contract until the Council acted on funding.

A new fund was presented for approval by the Henry County Commissioners. The fund is the National Road Heritage Trail Non-Reverting Fund. A motion was made by Mr. William Cronk and seconded by Mr. Beckenbaugh to establish the new fund. Motion carried 3-0. The fund is inserted below:

#### **A JOINT RESOLUTION ESTABLISHING NON-REVERTING FUND**

WHEREAS, the Healthy Communities of Henry County, Inc. is a not-for-profit 501(C)(3) corporation established to improve the public health, safety and welfare of the citizens of Henry County, and;

WHEREAS, one responsibility of the Henry County Board of Commissioners is to protect the public health, safety and welfare of citizens of Henry County, and;

WHEREAS, the Healthy Communities of Henry County, Inc. is engaged in a project known as the National Road Heritage Trail Project, which is designed to convert abandoned railroad right-of-ways to a productive trail system for use by the citizens of Henry County for the purpose of outdoor recreation, and;

WHEREAS, the Henry County Commissioners are assisting with this project and act as the contracting entity to acquire right-of-ways, and;

WHEREAS, a non-reverting fund must be established into which the Healthy Communities of Henry County, Inc. will deposit funds raised by it, which will act as a local match for proceeds received from other sources, principally from the Indiana Department of Transportation.

NOW THEREFORE BE IT RESOLVED by the Commissioners of Henry County, Indiana that there is hereby established a non-reverting fund which shall be known as **The National Road Heritage Trail Non-Reverting Fund**.

IT IS FURTHER RESOLVED that proceeds shall be deposited in said funds from Healthy Communities of Henry County, Inc. and said funds will be used to meet the twenty percent (20%) local match requirement required by the Indiana Department of Transportation Enhancement Project more particularly known as "Project No: 9933046", Des #: "0401235".

Money from this non-reverting fund may only be used as the local match for the above referenced project. If after the completion of the project, any proceeds remain in this fund, they shall be immediately be repaid to Healthy Communities, Inc.

**REPEALER:** All resolutions or parts of resolutions in conflict herewith are hereby repealed.

**SEVERABILITY:** Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation shall be inapplicable, shall be deemed omitted but the rest and remainder of this resolution, to the extent feasible, shall remain in full force and effect.

**EFFECTIVE DATE:** This resolution shall become effective immediately upon passage.

ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2010, by the Commissioners of Henry County.

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ATTEST:

\_\_\_\_\_  
Henry County Auditor

ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2010, by Healthy Communities of Henry County, Inc., by vote of its Board of Directors taken this \_\_\_\_ day of \_\_\_\_\_, 2010.

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President, Healthy Communities of  
Henry County, Inc.

ATTEST:

\_\_\_\_\_  
Secretary-Treasurer of Henry  
County Healthy Communities, Inc.

The Commissioners recessed their meeting and held the Board of Finance meeting as required by law.  
The Commissioners reconvened their meeting.

Mr. Joe Wiley, Highway Administrator discussed with the Commissioners plans for the use of salt and materials for snow removal. Mr. Wiley continues to look at new trucks and to buy and research financing.

Laurie Davis, Memorial Park Superintendent at Memorial Park brought photos of updates and changes made at the Park for safety reasons following the tragic accident of a youth while sledding. Mr. William Cronk made a motion to accept the photos and approve the changes with Mr. Beckenbaugh seconding the motion. Motion carried 3-0.

President Cronk recognized Penny York and asked if she wanted to present anything to the Commissioners. Mrs. York had nothing to report.

A letter was received from Hardamon Associates, Attorneys At Law concerning the Workmen's Compensation Board Cause Number P200046 concerning Clarian Health Partners and Judith Phillips V. Memorial Park. A motion was made by Mr. William Cronk and seconded by Mr. Beckenbaugh to turn the letter over to the County Attorney and to forward a copy of the letter to Pfenninger Agency. Motion carried 3-0.

The status of the Henry County Youth Center was discussed and it was recognized that the Commissioners are still working toward an agreement for operation of the Youth Center.

Mr. Richard Byers submitted a county utility agreement from Hancock Communication to directional bury fiber optics in Raysville on Old National Road and W. Church St. A motion was made by Mr. Beckenbaugh and seconded by Mr. William Cronk to approve the agreement. The motion carried 2-0. President Kim Cronk abstained because he is on the Board of Hancock Telecom.

Mr. Byers also presented a utility agreement between Henry County and Ameritech to bury cable along 125 W RD (Spiceland RD). A motion was made by Mr. William Cronk and seconded by Mr. Beckenbaugh to approve the agreement. Motion carried 3-0.

Mr. Byers presented an agreement for Commissioners signatures for Regular and Special Bridge Inspections of 139 Bridges under Henry County Jurisdiction. The agreement is between Henry County Board of Commissioners and USI CONSULTANTS. A motion was made by Mr. William Cronk and seconded by Mr. Beckenbaugh to approve the agreement as presented. Motion carried 3-0.

Mr. Byers presented the GASB 34 Annual Report. A motion was made by Mr. William Cronk and seconded by Mr. Beckenbaugh to approve the report as submitted. Motion carried 3-0.

A County Commissioner Agreement was discussed to consider property acquisition for work to be done on Bridge #10. Michael and Misty Reece had previously been offered \$3,140.00 for the land and trees needed. They had an appraiser of their own and presented it to the engineering company. On the recommendation of Mr. Byers the Commissioners agreed to offer the Reece's as

an administrative settlement \$4,140.00. A motion was made by Mr. William Cronk and seconded by Mr. Beckenbaugh to accept the recommendation of Mr. Byers and proceed to avoid eminent domain. Motion carried 3-0.

County Ordinance # 2010—01-01-27 was presented for approval. The ordinance establishes a non-reverting P.A.C.E. PROACTIVE CRIMINAL ENFORCEMENT HIGHWAY INTERDICTION INITIATIVE LAW ENFORCEMENT SEIZURES AND FORFEITURES FUND. A motion was made by Mr. William Cronk and seconded by Mr. Beckenbaugh to accept the fund as presented. Motion carried 2-0. President Cronk abstained from voting.

Sheriff Butch Baker was recognized and had the following items to present to the Commissioners.

Grant Proposal 09-0021 Criminal Justice Institute – New Drug Interdiction Proposal. A motion was made by Mr. William Cronk and seconded by Mr. Beckenbaugh to accept and approve the grant. President Cronk amended the motion to include that no funds are to be disbursed until an Inter local Agreement is signed by the City of Centerville, the City of New Castle, the City of Richmond, the city of Greenfield and well as the Commissioners from Hancock, Henry, and Wayne Counties. Motion carried 2-0. President Cronk abstained.

Grant Agreement – Henry and Wayne County Renewal for Drug Task Force. Amount: \$44,000.00. Mr. William Cronk made a motion to approve the grant. Mr. Beckenbaugh seconded the motion. Motion carried 2-0. President Kim Cronk abstained.

Grant Proposal – JAG 10K & Under Equipment Grant in the amount of \$7,300.00 was presented for approval. A motion was made by Mr. Beckenbaugh and seconded by Mr. William Cronk to accept the grant as presented. Motion carried 2-0 with President Cronk abstaining.

A quote was presented from Sheriff Baker for the FCC License Application needed for the Police and Fire radio system including the township fire departments. The quote was from the following:

Atlas License Company & Data Services \$4,115.00

A motion was made by Mr. William Cronk and seconded by Mr. Beckenbaugh to approve the purchase as requested. Motion carried 3-0.

Two quotes were received for 911 recording equipment. They are listed below:

Nice – Word Systems, Inc. \$5,596.00

DSS Corporation \$5,054.40

A motion was made by President Cronk and seconded by Mr. Beckenbaugh to approve the purchase from Nice – Word Systems, INC which is a standard 5 year lease.

Sheriff Baker presented quotes for the purchase of police vehicles. The quotes were from the following:

Dellen Auto 2010 Chevrolet Tahoe 2WD 4dr 1500 Police CC10706 \$25,998.00

Dellen Auto 2010 Chevrolet Tahoe 4WD 4dr 1500 Special Service Vehicle \$29,948.00

Dellen Auto 2010 Chevrolet Impala Police 4dr Sdn Police 1WS19 \$24,456.00

Dellen Auto 2010 Dodge Ram 1500 4WD Quad Cab 14.5” ST DS6L41 \$22,695.00

Fletcher Dodge 2010 Dodge Ram 1500 Quad Cab 4X4ST \$21,346.00

Fletcher Dodge 2010 Dodge Charger Police Sedan \$20,059.00

Bloomington Ford 2010 Crown Victoria Police Pursuit Vehicle \$21,849.00

Bloomington Ford Government Fleet Sales 2010 Ford Explorer 4 Door 4X4 \$23,841.25

A motion was made by Mr. Beckenbaugh and seconded by Mr. William Cronk to approve the purchase of the cars Sheriff Baker chose. Motion carried 2-0. President Cronk abstained.

Council member Jerry Manis inquired from the Commissioners the status and frequency of the Community Corrections Board meetings. Mrs. Ratcliff will contact Mr. Jackson and let him know the new appointments to the Community Corrections Board so they may be notified of future meetings.

A motion was made by Mr. Beckenbaugh and seconded by Mr. William Cronk to adjourn. Motion carried 3-0.

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Samuel R. Beckenbaugh

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William D. Cronk

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Kim L. Cronk, President

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Linda S. Ratcliff, Auditor