



**MINUTES
MONROE COUNTY BOARD OF COMMISSIONERS'
MAY 22, 2019
NAT U HILL III MEETING ROOM
COURTHOUSE
BLOOMINGTON, IN**

The Monroe County Commissioners met in a regular meeting on May 22, 2019 at 10:00 a.m. with the following members present: Julie Thomas, President, Lee Jones, Vice President and Penny Githens. Also present: Jordan Miller, Payroll Administrator; Jeff Cockerill, Attorney; Angie Purdie, Commissioners' Administrator; Lisa Ridge, Public Works Director; and Anita Freeman, Deputy Auditor.

I. CALL TO ORDER

The meeting was called to order by Thomas

II. COMMISSIONERS' PUBLIC STATEMENT

Statement read by Githens

III. PUBLIC COMMENT – FOR ITEMS NOT ON THE AGENDA, LIMITED TO 3 MINUTES

My name is **Laurie Borman**. I live on, where you might say, near the very center of Dante's nine circles of Hell, which would be on the corner Rogers and Gordon Pike. So I had a question. I would really like to get a work flow of this project on kind of like a week by week basis of what's being expected to be done, rather than to have just an update of work so that I would know, for instance, this week they're working on sewer installation, next week they're working on re-grading the road next week they do the asphalt so that I would know and could see that kind of progress. I think that people would be a lot happier about that than just knowing when the road is closed and when it's supposed to be open. Particularly those of us that look at it multiple times daily. So that's my one request. And then the second question is in regards to the surveying that's going on over clear creek. I participated in the community conversation but I didn't hear any, like response back about what all the people talked about and whether any of that was going to be taken under consideration. I just seems like the project just keeps on going and not necessarily taking in the public comments and seeing how that might be affected by it, if at all.

(Thomas) Thank you Ms. Borman. Ms. Ridge did you want to address it now or would you prefer to –

(Ridge) I was going to give an update on that in just a few minutes. But phase I Walnut Street Pike is opening Friday and there will not be any more road closures on that portion. Phase II which is just west of Old 37 South to the Gordon Pike roundabout, the Rogers Street north section that's closed is scheduled to open by June 7th. Then the bridge will close and that will stay closed until November. And the roundabout is scheduled to be open the first week of August before school.

(Borman) What I'm saying is even more detail than that. So, saying this is what they're gonna work on this week, week by week so that we really can see exactly, I mean I would assume that you have that kind of project management-

(Ridge) We meet every two weeks, of course weather is big issue on that. The north piece of Rogers Street was scheduled to be opened by the end of May, but with the rain and utility relocations that pushed that back. So that can change on a daily basis. But we do have progress meetings that we have that we anticipate happening coming up front and I'm more than willing to put those on the website but they get altered. So I hate to put something out there and then somebody call in and say *you have this posted that that's going to happen today and it didn't happen*. So that would be kind of hard to keep up because the contractor is out there on a daily basis and things change on a daily basis. So I don't want to put a notice out there that, I know I would receive a phone call that say's *May 12th this was going to happen and it didn't happen. You tell me why it didn't.* I mean I could put updates out there but they change on a daily basis, with any project.

(Borman) Yeah and I would assume they would put in there 'delayed due to rain' or you know that would be the notice so that you could still see what the progress was supposed to be and –

(Ridge) And I would be happy to email those to you.

(Borman) Great.

(Ridge) If you want to give me your email address I'd be happy to email those progress updates for you.

(Borman) Sure.

(Thomas) Thank you so much for coming in.

IV. PROCLAMATION – COURT APPOINTED SPECIAL ADVOCATE (CASA) DAY

Hello, I'm **Kristen Bishay**. I'm the Executive Director of CASA. I thank you for the honor of this proclamation. We're having, on May 30th in the Rotunda downstairs, a '35 Year Celebration'. We're going to have a panel there to explain the history of CASA and how we have developed over the 35 years. We're the second program in the State to have been established and we're very proud of that fact. Indianapolis beat us by one year. We're a very established program. What I do want to say is thank you to the County, the Commissioners and the Council. Because in reviewing our history in putting a pamphlet together, I realized you have been there from the very beginning. You gave us seed money to start the program 35 years ago and every year you have contributed to the services that we give the County. We went from \$1,000 the first year in 1984 to \$210,000 a year now. We're very proud of that partnership and collaboration and support we get from the County. Thank you.

(Thomas) Thank you so much. Thanks for your hard work and thank you to every single volunteer out there it makes a difference.

(Bishay) I don't know if you can acknowledge but Commissioner Githens has been trained as a CASA. May we have a photo?

(Thomas) Please.

V. APPROVAL OF MINUTES

- **MAY 15, 2019**

Jones made a motion to approve. Githens seconded.
Motion carried by voice vote.

VI. APPROVAL OF CLAIMS DOCKET

- **ACCOUNTS PAYABLE – MAY 22, 2019**
- **PAYROLL – MAY 24, 2019**

Jones made a motion to approve. Githens seconded.

(Miller) Total for Accounts Payable - \$4,529,076.65

- \$3,028,301.00 – 2019 Supplemental LIT
- \$368,721.11 – Anthem BC/BS
- \$224,086.75 – City Interlocal

Total for Payroll - \$1,512,305.42

- 70.7% - Direct Costs
- 29.3% - Indirect Costs

After call for public comment, motion carried by voice vote.

VII. REPORTS

- **TREASURER – APRIL 2019**

- **TRAFFIC/ROAD UPDATE**

- Walnut Street Pike will open Friday, May 24, 2019. This is the last road closure. There will still be some signage, road striping, and clean-up work to be done.
- Rogers Street, north of Gordon Pike is closed and weather permitting will open June 7th. At that time Gordon Pike at the bridge will close until the end of the project. This portion of the project was originally set up to be a two year project, but the contractor anticipates the project ending in November 2019.
- Gordon Pike roundabout is scheduled to be opened before school starts August 7th.
- South portion of Rogers Street will close as soon as the north portion opens for the roundabout construction. Detour routes will be posted and will also be on the County website as well as weekly notices being mailed.
- If you would like to be added to the email list serve of emergency road closures and Friday updates on upcoming week road closings, changes, construction, lane restrictions, etc. contact Monroe County Technical Services Department at 812.349.2522.
- Delap & Maple Grove Roads, which were closed for the Cedar Ford Bridge construction, was opened May 21, 2019.
- Cedar Ford Bridge completion has been pushed out to June 12, 2019.
- Crews are still addressing the pothole issues as weather permits.

VIII. NEW BUSINESS

A. MOVE TO APPROVE: ORDINANCE 2019-13; MIRWEC PLANNED UNIT DEVELOPMENT (PUD) OUTLINE PLAN AMENDMENT 3.

FUND NAME: N/A

FUND NUMBER: N/A

AMOUNT: N/A

Jones made a motion to approve. Githens seconded.

(Tammy Behrman) So I have a presentation for this one. This is Ordinance 2019-13. It is Mirwec Outline Plan Amendment 3. And basically what this proposal is about is to add to the outline plan a multi-use which will include five separate uses:

1. Automotive display for classic and exotic cars.
2. Automotive Sales for classic and exotic cars primarily.
3. Onsite residence.
4. Furniture Sales.
5. Warehouse of Furniture.

I'll re-read those more specifically in the conditions of approval, but generally that's what we're adding to this site which is located at 700 S Liberty Drive. It is in the Mirwec PUD and also the Mirwec Subdivision. It is currently MUA employment comp plan. These are some of the site conditions from 2016. Some photos of the site, that bottom right corner does show the more

recent additions that were done. This is basically the 'ETC for the home' business, it used to be the Crystal Pure water distribution, and they're wanting to add this five part multi-use. We did work out some parking logistics and reduced the number of classic/exotic cars from 24 down to 16 to make sure we didn't have any parking issues. And the Plan Commission gave a positive recommendation for approval based on findings and facts subject to Monroe County Highway Department reports on April 16, 2019 with a vote of 9-0 subject to the following nine conditions:

1. The multi-use proposed in this petition shall not change out one of the five uses shown below with any other permitted use without an outline plan amendment to the Mirwec PUD;
 - a. Automotive Display including classic and exotic cars – low volume, mostly online sales
 - b. Automotive Sales for classic and exotic cars primarily.
 - c. On-site residence (within the existing building – 2 bed flat, not a rental but for the owner)
 - d. Furniture sales with the option to be year-round rather than limited to 32 days per year
 - e. warehousing for furniture.
2. The multi-use proposed in this petition only applies to Lot A of the Mirwec Plat Subdivision located at 700 S Liberty DR.
3. The implementation of the multi-use would require a Building Permit review and implementation and change of use site plan approval and implementation.
4. The anticipated hours for car display and sales will be no greater than 9am-7pm (Mon.-Sat., closed Sundays). Most of these transactions/sales are either on-line or by appointment. No car shows will happen at this location. Test drives are allowed anytime the facility is open as a customer convenience. This is intended to be a low volume situation, especially during weekday, 9am-5pm hours.
5. There should be no more than 16 cars for display at any time. No new parking stalls (or any other site improvements) for customer parking are being proposed with this petition.
6. The hours of operation for the furniture gallery and sales would not exceed 9am - 7pm (Mon - Sun) this is intended for a low volume sales situation, especially during weekday, 9am- 5pm hours. Competition and customers will dictate when to open during these allowable hours. The business plan calls for there to be a 3 to 4 weekend only sales events annually, as is becoming popular around the country. However, if the weekend sales concept doesn't prove financially successful, the option to have more traditional daily furniture sales within the allowable hours shall be permitted.
7. The upstairs is currently being used as an inspiration model for 'ETC for the home' furniture sales use. Currently, design and decoration were provided in the approved plan that was classified as a 'B' type occupancy, not a residential space. This outline plan amendment would allow a conversion of this space to an inhabitable residential space on the second level that shall meet residential occupancy Building Department codes.

8. The residential living space, would be used for a dual purpose - model and personal guest suite. The private residence shall be for the owner of this property only. It will not be rented for profit or income in any manner now or in the future.

9. There intends to be some car storage (with the furniture) in the warehouse portion of the building. There will be only furniture in the indoor show room with no indoor car display. Only outdoor car display.

(Thomas) I'll just note in condition 6 you said Monday thru Saturday, its Monday thru Sunday.

(Behrman) Thank you.

(Thomas) That's pretty good for all that reading you did so no worries there.

(Jones) I have some questions about the residential area. Is the owner actually going to be living there or is it just for the owners use?

(Behrman) It's for the owners use. Anything I think would be if a guest stayed there it would be under his discretion, but it's not for rental purposes, it's not an Airbnb. They define it as a guest suite specifically for his purposes only.

(Jones) Am I right in understanding that at the same time it will be that area could be use as kind of a display area?

(Behrman) The petitioner basically put forth a lot of these conditions and I kind of meshed them with some of the ones the Planning Department thought were necessary. And so those are actually some of their own words.

(Githens) I wondered about the traffic that goes through there, if that's a model and if there are guests, how often there will be guests you know how many. I know it's only a 2 bedroom but over 2900 sq. ft. that's a very large 2 bedroom apartment.

(Behrman) Yeah, I mean if a person was living there it would probably follow the same normal traffic pattern as you know 2 people living out of a 2 bedroom flat. And I think Lisa can maybe even speak to what the traffic volumes would be. The Highway Department did not seem to think that there would be any big impact on South Liberty Drive traffic flow.

(Githens) But having multiple guest in there might impact the parking spaces that they have?

(Behrman) It's difficult to see but there is a drive that goes inside the building with two parking spots within the building and that's where the residential parking spaces would be from my understanding.

(Ridge) I know they have talked to Paul about this many times through the admin meetings and our department coordination meetings and he didn't see that this would have a big impact on the traffic out there.

(Thomas) And he looked at the full impact of a furniture store open every day, right?

(Ridge) Yeah.

(Jones) I have a question for you Commissioner Thomas. Is this piece of property that at one time was going to be a bank?

(Thomas) No. This is near that though.

(Behrman) I actually have a pre-design for that site tomorrow. I will let you know more about that as it develops.

(Jones) I was just going to comment that a bank is considerably more traffic than a furniture store.

(Behrman) I will say that the site plan for across the street there is actually going to utilize that light as a part of Baxter's so that actually might help traffic flow there.

(Githens) There's a place within your proposal where it says *the proposed actual sq. ft. of furniture display is 8,470 and then comma 15,070 for warehousing and for offices*. Is that supposed to be 8,470 sq. ft. for the show room? Because it's not specified.

(Thomas) It is on the page of the packet where you have the table of the parking and the purposed use. It's not numbered.

(Behrman) These were exact comments from the petitioner as a response email that we had with questions from one of the plan review committee meetings. So I think, I mean square footage is supposed to be after those two numbers, is that what you were –

(Githens) I just wanted to make sure that was for the show room because we got furniture display also up in his guest apartment. Apparently.

(Thomas) Oh, I think what she's asking is, I see what you're saying, ok so what she's asking is when it says furniture display is 8,470, 15,070 for warehousing and 2,392 for offices that furniture display of 8,470 does not include the guest suite. Because that's part of the residence.

(Behrman) The petitioner's representative is here and I will let him speak to that.

Good morning Commissioners. I'm **Daniel Butler** with Bynum Fanyo and Associates. I'm the representative for Autovest LLC, who is the owner of this property and we did the planning on this. To answer your question Ms. Githens, the upper portion of ETC for the home right now will

be that guest suite. So it's about 6,000 ish sq. ft. would be the upper portion and then they have another 2,000 sq. ft. approximately on the bottom level as you walk into this building and that will not be a part of the guest suite. So those square footages you saw in you packet were I guess mixed with the actual guest suite. But majority of the time, if not all the time, this will be used as a showroom for ETC for the home and not a guest suite. It would just give the option to have that on the upper portion of this building.

(Githens) So that 8,400 plus that includes both the bottom showroom and the upper part guest suite.

(Butler) That is correct. Only 2/3rd of that is the upper portion, but if you walk into the bottom portion that would not be a guest suite that will always remain showroom for furniture only not for cars.

(Thomas) We didn't have any more questions unless there was something more you wanted to add.

(Butler) No but I'll be here for questions if you need me.

(Thomas) Ok. Thank you so much. Thanks for being here. Is anybody here to speak in favor of this petition? Is there anybody here to speak in opposition to this petition? Any general comments from the public or questions? This is unusual because this area is so heavily commercial and not just a few blocks away warehouse eccentric, but it's nice to see a mixed use going in every once in a while. I'm excited about this one and I appreciate the way the petitioner worked so hard with us to make sure that everything was done appropriately. We appreciate that and wish him all the success.

Motion carried by voice vote.

**B. MOVE TO APPROVE: SERVICE AGREEMENT WITH KINGSSNAKE SOUND COMPANY.
FUND NAMES: COUNTY GENERAL AND PARKS NON-REVERTING
FUND NUMBERS: 1000 & 1179 AMOUNT: NOT TO EXCEED APPROVED
APPROPRIATED BUDGET.**

Jones made a motion to approve. Githens seconded.

Good morning. **John Robertson** with Monroe County Parks and Recreation. So what we have here is a service agreement with Kingsnake Sound Company. It's a company that we've worked with in the past, although it's been several years. But this agreement is for consultation services for various types of audio equipment, some of which we own, and as you can see some of which we would not. But if you have any questions I'm happy to answer.

(Githens) Can you give us examples of when you would use this?

(Robertson) Sure. So this will help us for our community events and various recreational programs. Sometimes we use speakers for our events, essentially we need help setting the sound systems up because some of them can be complex. And then some of our events exceed what

we have as far as sound equipment needs. That's where the \$325 flat rate would come into play and he would bring his own equipment.

(Thomas) So just for clarity for the public, the billable rate is \$50/hr with minimum 1 hour charge. And \$20 per hour to operate our parks and recreation audio equipment and then \$325 to provide and operate audio equipment at an event. So both providing the equipment and operating it is included in the \$325.

(Robertson) That's correct. The \$50 is for consultation services. So if we ever need help with our own sound systems or recommendations for purchasing new equipment that's where the \$50/hr would come into play. The \$20/hr yes is to operate our own equipment at different types of events. The \$325 is for him to bring his own equipment and operate that.

After call for public comment, motion carried by voice vote.

C. MOVE TO APPROVE: RATIFICATION OF RQAW CORPORATION CHANGE ORDER # 3 FOR YOUTH SERVICES BUREAU.

FUND NAME: JUVENILE SERVICES NON-REVERTING

FUND NUMBER 2053

AMOUNT: DEDUCTION OF \$226.

Jones made a motion to approve. Githens seconded.

(Cockerill) We talked about this at last week's work session. The quick recap is that our plans had I believe 17 more corner guards that were required to guard our corners for the new expansion project. And so this is just deducting that from the amount of the contract itself so that we're not paying for 17 extra corner guards.

(Githens) So we're saving money.

(Thomas) A little bit.

(Cockerill) Yes.

(Jones) Do we have 17 fewer corners that had originally been planned? Or do they not need the guarding that they had needed?

(Cockerill) It think what probably happened, and I can get you a complete answer if this is incorrect, is that there were some corners that are already guarded and therefore do not need the additional guarding and then there were some that did need the guarding. I think that's kind of the difference what was currently there vs what was originally planned.

(Jones) Thank you.

After call for public comment, motion carried by voice vote.

D. MOVE TO APPROVE: RATIFICATION OF AGREEMENT WITH LAMBERT CONSULTING, LLC.

FUND NAME: COUNTY GENERAL

FUND NUMBER: 1000-30013-0068

AMOUNT: \$550/MONTH

Jones made a motion to approve. Githens seconded.

(Purdie) Good morning Commissioners. This also was brought to you last week at your work session and this is the agreement with Lambert Consulting to provide public relation services for the County. We have a lot of things going on here that we just don't do a very good job of getting out to the public to let them know what we're doing. This agreement is for two primary social platforms, Facebook and Twitter, and then it also allows for the Commissioners to add on as needed additional marketing print materials as required at additional rates and those rates are attached to this agreement.

(Githens) So we can publicize the CASA event here on May 30th?

(Purdie) Certainly could.

After call for public comment, motion carried by voice vote.

E. MOVE TO APPROVE: AGREEMENT WITH STEVE'S ROOFING & SHEET METAL.

FUND NAME: COUNTY GENERAL

FUND NUMBER: 1000-38000-0161

AMOUNT: \$4,440

Jones made a motion to approve. Githens seconded.

(Purdie) Again this was something that we brought up at last week's work session and this is to provide sealant and stone head joints, and will also remove the current sealant that's not working and is falling out, and to remove any debris from the roof of the Showers Building. It's going to help hopefully our rain issues in weather such as today.

(Cockerill) Showers or Community Corrections?

(Purdie) Community Corrections, I'm sorry.

(Thomas) Did you say Showers?

(Purdie) I did say Showers.

(Thomas) Oh, I read Community Corrections, but you said, ok thank you.

After call for public comment, motion carried by voice vote.

F. MOVE TO APPROVE: AGREEMENT WITH CITY OF BLOOMINGTON UTILITES.

FUND NAME: CUMULATIVE CAPITAL FUND NUMBER: 1138-42100-0000

AMOUNT: \$5.89/100 GALLONS OF DISPOSAL

Jones made a motion to approve. Githens seconded.

(Purdie) This again was also addressed last week. We have a grease trap in the Justice Building by the jail kitchen and we are required to dispose of that grease properly and that is with the City of Bloomington Utilities. We will be charged \$5.89 for each 100 gallons we bring to them for disposal.

(Thomas) Is this appropriate for Cum Cap vs a utility?

(Purdie) This part of the cost of the Justice Building-

(Thomas) See my question?

(Purdie) I do.

(Thomas) I just kind of hit me that maybe this is the wrong fund to be using. Since this isn't a capital expense, this is a-

(Purdie) Right, we just associate it with the building.

(Thomas) Right. It might be better out of the building fund.

(Purdie) We can move it County General 1000-0161.

(Thomas) I'll go ahead and make a motion to amend the original motion that we take this out of County Building 0161 for the same amount.

Jones seconded. Unanimous support of amendment.

(Purdie) And we'll make sure it comes out of a utility line.

(Thomas) Ok. Thank you.

After call for public comment, motion carried by unanimous voice vote.

IX. APPOINTMENTS

- **NONE**

X. ANNOUNCEMENTS

- Accepting applications for all boards and commissions.
- A panel discussion to celebrate 35 years of CASA will be Thursday, May 30, 2019, 6:30 pm, in the Courthouse Rotunda.
- Next Commissioners' Meeting: May 29, 2019 at 10 am in the Nat U Hill meeting room, 3rd floor of the Courthouse.

XI. ADJOURNMENT

The minutes of the May 22, 2019 Board of Commissioners' meeting were approved on May 29, 2019.

Monroe County Commissioners


Ayes:

Nays:



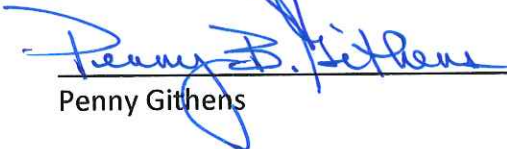
Julie Thomas, President

Julie Thomas, President



Lee Jones, Vice President

Lee Jones, Vice President



Penny Githens

Penny Githens

Attest:



Catherine Smith, Auditor



PROCLAMATION

COURT APPOINTED SPECIAL ADVOCATE (CASA) DAY

WHEREAS: this year marks the 35th year of Court Appointed Special Advocates serving abused or neglected children in the Monroe County Court System; and

WHEREAS: CASAs help children reach safe permanent homes; and

WHEREAS: CASA volunteers provide positive interactions with children; and

WHEREAS: the volunteer advocate will often be the one constant in an otherwise chaotic life; and

WHEREAS: CASAs recommend and ensure children receive the services that will support their growth; and

WHEREAS: CASA volunteers advocate for appropriate educational placement and services for these children who are more likely to struggle academically and are also more likely to be identified as having a disability; and

WHEREAS: A child with a CASA volunteer is half as likely to reenter the foster care system; and

WHEREAS: Nearly 150 CASA volunteers worked with nearly 750 children in 2018 in Monroe County; and

WHEREAS: having a caring adult advocate for their best interest can make a lasting difference for a child who's been neglected or abused.

NOW, THEREFORE: We, The Monroe County Board of Commissioners, do hereby proclaim
May 30, 2019

CASA DAY

IN MONROE COUNTY

PROCLAIMED THIS TWENTY-SECOND DAY OF MAY, TWO-THOUSAND NINETEEN

THE MONROE COUNTY BOARD OF COMMISSIONERS



**MONROE COUNTY BOARD OF COMMISSIONERS
WORK SESSION AGENDA
MONROE COUNTY COURTHOUSE
JUDGE NAT U. HILL III MEETING ROOM
BLOOMINGTON, INDIANA
May 22, 2019**

- 1. Trohn Enright-Randolph – Surveyor**
 - a. Update on Monroe County Voting Districts Interactive Map
- 2. Penny Caudill – Health Administrator**
 - a. Approval of mural rendering for HSB ramp wall
- 3. Lisa Ridge – Highway Director**
 - a. Miscellaneous
- 4. Margie Rice – County Attorney**
 - a. An Ordinance to amend the Monroe County Personnel Policy Handbook's Policy Prohibiting Harassment & update MCC Chapters 266/296
- 5. Angela Purdie – Commissioners' Administrator**
 - a. Miscellaneous