

February 23, 2009

The Ellettsville, Indiana, Town Council met for a Regular Meeting on Monday, February 23, 2009, at the Fire Department Training and Conference Room. David Drake called the meeting to order at 7:30 p.m. Scott Oldham led the Pledge of Allegiance and Phillip Smith led in prayer.

Roll Call: Members present were David Drake, Vice-President, Scott Oldham, Phillip Smith and Dan Swafford. Sandra Hash, Clerk-Treasurer; Mike Spencer, Town Attorney and Rick Coppock, Town Engineer were also present. Dianna Bastin was absent.

Supervisors Present: Jim Davis, Jim Ragle, Eric Chaudion, Jay Humphrey, Mike Farmer, Jeff Farmer and Frank Nierzwicki were present.

Approval of Minutes

David Drake asked for a motion for the approval of the minutes for the regular meeting February 9, 2009. Dan Swafford made the motion. Scott Oldham seconded. Motion carried.

Accounts Payable Vouchers

Phillip Smith made a motion that we pay the Accounts Payable Vouchers. Dan Swafford seconded. Motion carried.

Resolutions

Resolution 05-09 Local Additional Appropriation of I-69 grant reimbursement

Sandra Hash explained this will be the standard procedure while we have the I-69 grant. A Local Additional Appropriation resolution will be needed each time a reimbursement is received allowing us to put the money into the account it was expended from. This appropriation is for \$1,198.55 General Fund, Planning.

Scott Oldham moved that we pass Resolution 05-09 Local Additional Appropriation of I-69 grant reimbursement. Phillip Smith seconded. Roll call vote: David Drake – yes; Scott Oldham – yes; Phillip Smith – yes; Dan Swafford – yes. Motion carried 4-0.

Resolution 06-09 Temporary Loan from Debt Service Police Fund to the Debt Service Fire Fund

Sandra Hash explained when the settlement for the last half of 2008 was received; several of the accounts were short in excise from the projections. The Police and Fire Debt Service Fund are equal amounts. When the excise was distributed, the Auditor's office instructed Sandra to deposit \$5,000 more into the Police Debt Service. After the bond payment was made, the Fire Debt Service was short \$2,049.26. The temporary loan made from the funds will be repaid with future tax draws and/or other revenues no later than December 31, 2009.

Phillip Smith made a motion to accept Resolution 06-09 Temporary Loan. Dan Swafford seconded. Roll call vote: David Drake – yes; Scott Oldham – yes; Phillip Smith – yes; Dan Swafford – yes. Motion carried 4-0.

Ordinances on First Reading

Ordinance 09-04 to amend Chapter 50 of the Ellettsville Town Code concerning Billing Services Fees

Mike Spencer stated there has been discussion between the Town and two wholesale customers (Eastern Richland and Northern Richland Sewer Corporations) about a billing fee for providing meter reading and billing services. The cost has gone up and there is currently no agreement but Mike Spencer is proposing the cost be put into the ordinance so when an agreement is signed, the ordinance will be there to back it up. Mike Spencer attended a pretrial on this particular litigation and it appears there is no agreement on the issue.

Mike Farmer, Ellettsville Utilities said the agreement was discussed and they agreed in theory. The Utilities' Accountants negotiated with Eastern and they agreed before it was

presented to Northern. Mike Spencer spoke to Eastern's attorney and we do not have an agreement with them. We do not have an agreement with either Eastern or Northern at this time.

Old Business

Job Description for Assistant Planning Director

Scott Oldham stated at the last meeting, there was a "motion to table" the change in job title and description for the Assistant Planning Director until there was a job description created. At this time Connie Griffin will take over the position. The job description will be melted into the current Administrative Assistant job description.

Frank Nierzwicki, Director of Planning Service stated the job description reflects what the job has become. Connie is the educator for the Storm Water program. The Town has a certification in the fall and that is important for the fees that are collected on the Stormwater Management. Scott Oldham went on to say Connie is working on some marketing and codes (not currently covered and/or will become an issue for us).

Dan Swafford asked Connie Griffin if she was fine with this. Connie said yes and explained they have done a review process on her prior work. She has experience with marketing and for the stormwater she has a Master's Degree in Physical Geography. She studied coal mine reclamation which has a lot to do with water quality. She will continue to take the minutes for the Plan Commission and Redevelopment. Dan asked Connie if she will have time to do all of this. Connie stated they are in a "transitional phase". She keeps a daily journal and a monthly work plan and we will see how it fits. There may need to be modifications later on. Dan commended Connie on the wonderful job she is doing and she is a very big asset to the Town.

David Drake asked if it is necessary and a good use of time for Connie to be the secretary for the Plan Commission because "traditionally" that was something a Plan Commission member did. Connie replied she spent 8 hours doing the last Plan Commission minutes. It is time consuming. She researched legislation and no where does it state a "member" has to take the minutes. Her time in the office gives her background on current issues in the department, enabling her to assist if Frank can't attend a meeting. She would like to stay with this plan right now. I try to put the minutes verbatim if there are real intense issues. It is going to be tough to get all this done but I would like to attempt to do it and make adjustments as needed.

Scott Oldham made the motion for the approval of the current job description for the Assistant Director of Planning Services for the Town of Ellettsville, Indiana. Phillip Smith seconded. Motion carried.

Supervisors Comments

Jim Davis, Ellettsville Fire presented the 2008 Year End Report and hi-lighted some important points. The report was dedicated "In Memory of Don Lewis".

- Over \$15,000 in grants has been awarded to the Fire Department
- Chart showing percentage of runs responded to and in what Township
- 1,787 responses made last year; Ellettsville is the 2nd highest run volume in the County
- Peak call period is 4 o'clock in the afternoon
- May and June/September and October have the most medical and fire related calls

Donya Medley takes great pride in putting the report together. She puts a lot of time and effort into it. The last page lists the Fire Departments "Out-Reach Programs" to the community during the last twelve months.

Frank Nierzwicki received information on the Economic Stimulus Package, Federal Act passed last week. He contacted every supervisor and emailed all Town Council members concerning this package. Frank put together a draft that needs to be submitted February 24th. The total request is \$10.7 million but it does not mean we will receive this amount. Frank needs direction from the Council on doing this. David Drake asked how this will work. Frank explained it is "up in the air" on how this is going to work. There are

different funds. Frank and Jim Ragle will be attending a briefing on Road and Street Projects in Seymour on Friday. There will be another briefing, on the State level, in Greencastle on March 2nd. The Stimulus Package wants “shovel ready” projects. Frank needs direction.

Scott Oldham does not think there is time for direction at this point. No one really knows who is making the decisions, what kinds of decisions are being made and if they make the decisions will there be enough funding statewide for any of the programs. Scott feels we need to put forth this list, see what we get out of it and then reevaluate as we go. Frank made sure he was in contact with all the supervisors and reiterated the list came from their needs in their own departments.

Phillip Smith asked if this will be submitted as a whole package or will it be each supervisor’s responsibility to turn it in. Rick Coppock explained the package submitted for consideration to the Governor’s office has a short questionnaire about the projects and costs. The water and sewer projects need to be submitted separately and their deadline is February 27th. The form for those projects is different and asks for more detail. Dan asked if all the projects are out of the Town’s Capital Improvement or is it above and beyond Capital Improvements. Frank stated these projects are not budgeted for and will be 100% Stimulus payment. The American Recovery and Reinvestment Act of 2009 will need to be submitted February 24, 2009.

Phillip Smith made a motion we submit these requests of projects for the American Recovery and Reinvestment Act of 2009 as stated in our packet. Scott Oldham seconded. Motion carried.

Dan Swafford asked Frank when the meeting in Greencastle was being held. Frank stated he will be attending a meeting with Rick on February 26 in Seymour to discuss the Trail Project. February 27, 2009 Frank will be attending a meeting with Jim Ragle in Seymour. The INDOT meeting will be March 2nd at 10 a.m. in Greencastle to explain the Stimulus Package. Dan would like to attend that meeting with Frank (maybe Phillip Smith too).

Frank Nierzwicki announced he received a letter of resignation from Dexter Luck. Frank will be looking for a replacement. Frank passed out the Code Enforcement Officer Budget Balance and summarized it. The beginning balance was \$673.50. A reimbursement for \$1,198.55 was approved this evening for this account, bringing the balance to \$1,872.05. Dexter’s last pay check of \$582 will be paid out leaving a balance of \$1,290.05. Frank worked with Sandra and they figured the balance in that account will pay for 97.36 hours or three weeks of payroll for this position. Frank explained the “Reimbursements in Pipeline” account showed a \$3,319.49 which broken down will pay for almost eight weeks of payroll for the Code Enforcement Officer.

Scott Oldham asked Frank to explain all this because some people did not understand where the money was coming from to pay this position. There are two months payroll for this position in the bank. Scott stated Frank would like to look at applications again and come before the Council for consent. David Drake does not think it would be beneficial to go through the whole process again since it has been such a short period of time. It would be fine to look at people he considered previously.

Privilege of the Floor

Adjournment

David Drake entertained a motion to adjourn. Scott Oldham so moved. Dan Swafford seconded. Motion carried. David Drake adjourned the meeting at 8:07 p.m.

Dianna S. Bastin, President

David Drake, Vice-President

Scott Oldham

Phillip Smith

Dan Swafford

Sandra C. Hash, Clerk-Treasurer