

TOWN OF ADVANCE

REGULAR MEETING – MINUTES

LOCATION: ADVANCE FIRE DEPARTMENT

June 13, 2016 7:00 PM

112 N. Main – P. O. Box 67 Advance, IN 46102

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Council Members: Matt Johnson (President), Melody Fry, Dale Thompson,
and Jim Caldwell

Clerk Treasurer – Shari Johnson

Superintendent: Nathan Reed

Marshall: Ray Hieston

Attendees:

Council Members: Matt Johnson, President, Melody Fry, Dale Thompson,
and Jim Caldwell

Clerk-Treasurer: Shari Johnson

Town Marshall: Ray Hieston

Town Employees: Nathan Reed

Others Present:

David Gregory, Sally Caldwell, Joe Caldwell, Randy Hill, Curtis Clanton,
Tammy Clanton, Amanda Slavens, Sarah Bayne, June Nickels, Sam Mitchell,
and Michael Prage

Pledge of Allegiance

Meeting Minutes from May 9, 2016

Councilwoman Fry made a motion to accept the Meeting Minutes from May 9, 2016. Councilman Thompson seconded. All in favor, motion passed.

Police

Marshall Hieston reported 3 tickets were written, issued 14 verbal warnings, police assisted once, police services were 3 local, one vehicle I.D. check, one traffic court detail, one domestic violence of a juvenile, 3 animal complaints, one OWI arrest, one warrant, and one Advance Municipal Code violation.

Marshall Hieston also stated that some letters had gone out to homeowner's about property cleanup, and positive results were happening. More citations will be handed out. President Johnson stated that the Town is looking better. Councilman Caldwell stated that past boards had attempted to clean up and this board would be successful. The council will be working with the Health Department, the APC and Amy Noonung, Legal Counsel, on cleanup and fines would be enforced.

President Johnson also questioned the dog situation. Marshall Hieston stated there was one dog that showed up to a residence and the Humane Society was contacted. He also informed the board that he doesn't have many complaints over barking dogs much anymore.

Per Marshall Hieston, there is no progress on the police car grant.

Community Day update was given. Marshall Hieston advised he attended the car club and there was more interest on cars being here. The same day, the Corvette Club has a simultaneous event. Marshall Hieston is encouraged for future participation, and the Vets will donate money.

Julie Cloud approached Marshall Hieston from Exotic Cars Promotions. Persons 10 years old and up can ride in Lamborghinis or Ferraris. The money raised benefits health organizations. With it being late in the year, Marshall Hieston is going to contact next year about possible participation.

Clerk-Johnson received a letter from Witham Health Services and completed a form and returned to WHS. Clerk-Treasurer Johnson stated the form read it must be received at least 45 days prior to the event and she received the form 40 days prior. However, she still completed and returned and is waiting for a reply.

Marshall Hieston stated he contacted Sheriff Mike Neilson and the sheriff trailer would be at the festival. Scott Mitchell contacted Marshall Hieston about participating.

Marshall Hieston welcomed anyone to walk in Jamestown's parade to hand out flyers. Clerk-Treasurer Johnson stated if anyone was interested in volunteering, they would get a t-shirt.

President Johnson informed the Town that the next Community Day meeting would be June 21, 2016 at 7pm in the Town Hall.

The police car damage estimate was presented in the amount of \$1600 in damages. President Johnson stated the OWI arrest was involving the police car. Clerk-Johnson stated she would forward report to our Insurance Company.

Clerk-Treasurer

Clerk-Treasurer report stated that her consultant, Retha Hicks, could not find the errors in reconciliation. She contacted Todd at SBOA and advised that she and Retha did all that they could do. An auditor from SBOA came out, not to do an audit, but to try and reconcile the books. Clerk-Treasurer Johnson advised the auditor that she has not been able to complete reconciliation because the books are off and is looking forward to fixing. President Johnson questioned when this would be completed and Clerk-Treasurer Johnson stated she was unsure because there are many Town's our situation.

Clerk-Johnson stated she had a savings card for prescription drugs. The program is a State program, and the card would be supplemental to primary insurance.

The Clerk's office found that the property of 315 S. Main was a bank owned property, and they were notified to take care of the property (mowing).

Also, Clerk-Treasurer Johnson stated that she attended on the 31st of May, an INDOT class in LaPorte, IN for matching Grant funds for the LOIT distribution. Clerk-Treasurer Johnson stated the turnaround was quick and paperwork due to INDOT by July 15. President Johnson questioned the matching amount, and Clerk-Treasurer Johnson stated it was 50%.

Taxes were reiterated by Clerk-Treasurer Johnson and found in boxes she has gone through. Documents have been discovered, some of which were sent from the State in regards to fixing the tax issues and nothing was ever done with them.

Lastly, Clerk-Treasurer Johnson informed the Council and Town that she has been scrutinizing bills and has found many credits due to the town and applied to bills.

Fire

Michelle Reed from the AVFD noted that there were 11 EMS runs, 2 vehicle accidents, 1 vehicle with a fire, 1 fire, and 372 man hours of training.

Utilities

Mr. Reed informed the Council that the dead trees were being cut down starting on West Wall St. and they would work their way out.

For the Electric Department, utilities started moving polls for the INDOT 75 project. The lines would feed Cherry St. from the alley instead of Main St. Work was finished on new underground service at 409 S. Main St.

Maintenance was done on the line truck. Twenty-five electric meters were changed out. A security light and service lines to a grain bin at 2423 S. St. Rd. 75 were repaired, as well as a street light that fed into the grain bins on East Wall.

The water department completed a monthly water report and did daily water samples. The Consumer Confidence Report for 2015 was completed. This report is a yearly IDEM required report that explains what samples are done, and nitrates. The C/2 rotometer was rebuilt on the water tower which controls the feed of chorine to the tank. Fire hydrants were flushed.

Lastly, the DNR water report was completed which states and updates our water usage.

For sewer, a backwater valve was installed at East Wall, (last house on N. side of road by septic tank where many backups occur). Councilman Thompson questioned whether a valve could be placed by the church to stop flooding from happening at church. President Johnson questioned how much a valve would cost and Mr. Reed stated around \$400.

Councilman Caldwell asked when the sewer would be running and Mr. Reed stated June 23rd. Mr. Reed stated that the chlorine tank was disinfected at the sewer plant.

Miscellaneous work was done. Pricing was done on lawn mowers. Mowing and spraying was done. Meters were read, rechecks and shutoffs were done, and daily water and sewer checks done. Equipment and the shop were maintained.

Mr. Reed presented to the Council a quote from Power Line Supply for underground conductor wire in the amount of \$1369.82 that was needed. Councilman Caldwell made a motion to accept the quote from Power Line Supply in the amount of \$1369.82. Councilman Thompson seconded. All in favor, motion passed.

Mr. Reed presented pricing on a new lawnmower and stated no one was interested in leasing. Councilman Caldwell questioned whether Mr. Reed could hold off on a mower and stated the Council would take under advisement and review.

Library

President Johnson stated that the discussion from last month would be finished.

Ms. Slaven stated the library received an updated phone bill that the Library Board agreed to and that the library could operate for 12 months without any funds.

Councilman Caldwell questioned whether the library had found a way to be handicap accessible?

Ms. Slaven stated it was not their building she was not told to do that, so no the library would not be handicap accessible.

Councilman Caldwell stated if the library could not be made handicap accessible, he made a motion to close the library down.

Ms. Slaven questioned how Councilman Caldwell could even have the opportunity to vote on that since (Councilman Caldwell) would financially benefit from the fire department if the library closed?

Councilman Caldwell stated if the money came to the fire department, he would turn the money over to the Park Board immediately.

Ms. Slaven stated it was a conflict of interest.

Councilman Caldwell stated he would not vote on it and stated he had no likelihood of using the money for anything other than the good of the Town of Advance. He also stated if Ms. Slaven was using that trying to accuse Councilman Caldwell of doing anything wrong, she was exactly wrong. Councilman Caldwell stated he lived here and Ms. Slaven didn't. He stated he lived in Advance, paid taxes, he voted here and paid utilities here.

Ms. Slaven stated that all she said was it was a conflict of interest.

Councilman Caldwell stated Ms. Slaven was accusing him of voting because of that and stated the fire department receives \$180,000 a year, and he did not care about the \$1600 from the library. He stated he would be quiet.

Councilman Thompson questioned what bills would be paid. Ms. Slaven stated that this was all covered before and it was being rehashed. The library was there to see what the Council decided they could or could not do. President Johnson interjected the information was being gone over to make sure everyone was on the same page and that was why he started the discussion with the library board, to see what decision the library had come up with, so the Council could have their discussion and make a decision.

Ms. Slaven stated if "they" could just follow the Rules of Order and give the floor to her, she could say what she needs to say and then the Council could have discussion.

Ms. Slaven stated the library is ready to operate for 12 months and the library would pay the phone bill, propane, electric and water at no expense to town with no fundraising. The library is committed and will do that, at the same time the library would still work to file the 501 C 3 and move forward with that process, if the library has guarantee of the operating space. Ms. Slaven also reiterated the library is not comfortable taking over the insurance, as that would be a huge impact to the library's budget of \$1800. If the Town pays insurance, fixes the light in the bathroom and maintains the upkeep of the building, the library will gladly accept all the utility expenses and move forward with fundraising, and would have enough to operate for 12 months.

President Johnson asked if the proposal was for 12 months.

Ms. Slaven said no, the library would like to have 2 years. As she stated in the last meeting, the library wants to work on a building campaign and get a great building for the town and develop and operate a meeting, computer and community space and not just a library. She stated she didn't know if this could be done in two years but would be far along in the process. The goal is to have an operating space, file for the 501, seek grants and funding and continue all the funding into the second year. The town is needed to support the library with space.

Randy Hill reiterated that the library needs a building and agreement for a set period and the Town will cover property insurance and the library would cover renters insurance. Ms. Slaven said yes, and they cover utilities. Councilman Thompson questioned that the insurance would cover liability. Ms. Slaven stated that liability would be built into the insurance policy.

President Johnson stated that the second piece that the library wanted was the maintenance and repair of the ceiling in the restroom. Ms. Slaven began to interject, and President Johnson continued by asking what other repairs are going to be needed in the next two year.

Ms. Slaven stated she did not want the ceiling to be repaired and didn't think it needed to be repaired. The light needed to be fixed and the building only needs general maintenance. The library stated they didn't have the budget to do repairs. Councilman Thompson stated therein was the problem that the town didn't have the budget for it either.

Ms. Slaven stated that the library has purchased the materials to fix the ceiling and the library just needed someone to do the labor. Councilwoman Fry questioned the library that they didn't have the funds to pay someone to fix it. Ms. Slaven stated she couldn't get someone to come in to do an estimate to know the cost. But as of now, the library wouldn't have the funds to pay for repairs. Councilwoman Fry questioned for understanding, that the library could pay for basic operating expenses to keep it open and operating, but anything above that such as maintenance would be the Town's responsibility? Ms. Slaven stated that was correct.

Ms. Slaven stated if the library gets a favorable decision, then the library would file for the 501 C 3 and apply for grants. Before, the library received a \$4000 grant to repair bricks to make those repairs. But as of right now, no they do not have the funds for repairs.

David Gregory questioned if the maintenance would cover outside or inside of the building as well? President Johnson stated it would cover general maintenance being exterior or interior.

President Johnson stated if the Council would entertain the idea, legal counsel would be called in to draw an agreement that both parties agree. Ms. Slaven stated an agreement of operating would be helpful.

Ms. Slaven stated the library was a private library and was still named, Advance Public Library. Councilman Thompson stopped the conversation and stated Ms. Slaven just said the library was private. Ms. Slaven went on to state that a public library is recognized by the state and receives funding.

Ms. Slaven stated that the township has to apply to the County and the township must approve the funds. Councilman Thompson questioned the Thorntown library under the Sugar Creek Township and Ms. Slaven stated that every person in Jackson Township will pay for an Advance library through COIT (County Option Income Tax). Ms. Slaven stated that everyone is paying for all the libraries in Boone County we just don't have an option to draw, as was also stated by Mr. Hill. Councilman Thompson questioned if everyone else is doing that, why aren't we? Ms. Slaven stated she would try to explain to make it more clearly for Councilman Thompson to help understand. A public library applies to the State for public designation and in order to do that, a referendum must be done and everyone in the

township votes, then funds can be applied for with state and federal. A private library doesn't have to apply to the state to be recognized but the downfall is they can't get county, state or public funds. Other libraries can be utilized but at a fee, and that is why our library has a membership fee and those are counted in the library budget. Ms. Slaven stated becoming public is a lengthy process and lots of regulations.

Councilman Thompson questioned if someone couldn't access the library how would they handle that? Ms. Slaven stated they would bring the books out to them. Ms. Slaven also stated that the library has been operating this way for eight years this way. Councilman Thompson stated just because they have been operating this way doesn't make it right. Ms. Slaven stated the library had discussed using the space above the town hall.

President Johnson asked what the library's long term plan after year two. Ms. Slaven stated that the best case scenario was that funds are received, and a building built. In two years, there will be a different library board so long term plans are uncertain. At two years, Ms. Slaven thinks the library would be close to building and closer to the goal than it has been.

President Johnson questioned if the library utilized a consultant to help build a building and move forward in the timeframes? Ms. Slaven said they did not but that she had a library science degree and could move the library forward on paper. She stated the library would have to reach out and have help.

President Johnson stated the library has funds for a year. What about year 1-2? Ms. Slaven stated the library would seek donations and there were already grants in the works.

President Johnson also asked what amounts had the library received in the past. Ms. Slaven explained that initially the library received funds through the 501 C 3 for the park and library and there was no need to fundraise and the library was receiving grants from that program. The only other revenue at that time was membership fees. The library had book sales and garage sales, and realizes they must be much more aggressive with grant writing.

Councilwoman Fry questioned how much the library brought in with membership fees? Ms. Slaven stated the membership fee is \$10/family

with 106 so approximately \$1000 per year. She also stated that the library needs to improve how they collect fees such as overdue books, etc.

President Johnson asked how long the process of obtaining the 501 C 3. Ms. Slaven stated they were at the mercy of the IRS and would at least be six months. She stated once the 501 C 3 is filed, they can begin grant writing.

President Johnson stated where Council stands now is accepting or denying the library's two year request and agreement would need to be in place that both parties agree on and then vote. If the Council is going to agree, then Amy Nooning, legal counsel, must be involved.

Councilman Thompson offered the library pay the insurance on the second year he would consider two years and paying rent the second year and rent would compensate potential repairs.

President Johnson stated to motion, but the Council would let the library obtain their 501 C 3 and see how the fundraising goes and then entertain the option for the second year. President Johnson then stated, before a motion was made, how would the library feel about that? Ms. Slaven stated that would be pretty tough for the library. President Johnson stated the library should have the 501 C 3 in place in six months, and the library was going to start grants right away, and he stated that Ms. Slaven stated the grants would take six months. Ms. Slaven questioned if the library was providing operating at the two year mark, and President Johnson stated the board would consider one year and then evaluate where the library is at that time and see how the library does. Ms. Slaven stated the library is committed to one year but would like to see a two year agreement.

Councilman Thompson offered the contract be a one year, with an option for a second year and either party has the option to back out. Councilman Caldwell stated before that is done, the Council needs to talk to an attorney. President Johnson stated both sides know where they are at, and this should be tabled until the next month. An agreement needs to be done and have the library looked at and make a determination then. Clerk-Treasurer Johnson suggested at least two board members meet with Amy Nooning.

Councilman Thompson said this is a difficult decision to make.

Ms. Slavens covered all the programs the library offers and needs of the library and that the library offered internet access.

President Johnson stated the library needs to put a plan in place with a timeframe. Ms. Slaven agreed but stated she just came on board with the library and where the library is now. President Johnson stated that Council has to be the best stewards of the Town's money and we have to look at the future. Ms. Slaven stated they want to use their funds well also.

Councilman Thompson stated giving the library the building. Ms. Slaven stated they would look at that option, but they don't look to be in that building long-term.

President Johnson stated the Council would consult with legal counsel before proceeding.

Park

Michael Prage stated there is a lot the park board wants to do, but a lot they can't do, so all that can be done is to mow. Two members resigned and Lindsey Frady, Park Board member, doesn't have much time. Mr. Prage stated he was gone for a week and a half but mowing was done. He stated there is much vandalism in the park on the bathrooms and swing sets. Mr. Prage is seeking man help. Councilman Caldwell told Mr. Prage to let him know what he needs and the park needs a plan. President Johnson put a call out to anyone who might like to be on the Park Board even outside city limits.

MEPS Station Community day will be here on June 25 from 8-?. Councilwoman Fry stated they would feed those coming out to help breakfast.

Sally Caldwell stated that it is too late in the year to have 4-H help.

Councilman Caldwell suggested contacting Subaru. Mr. Prage stated he was taking down the swings because they pose a liability.

Councilman Caldwell stated he contact the Health Department to spray for mosquitoes.

Ms. Slaven stated there is a service called Raising Men Lawn Care Service and to check out on google.

CLAIMS

Councilman Thompson made a motion to accept the claims through May 9, 2016. Councilman Caldwell seconded. All in favor, motion passed.

OLD BUSINESS

Rate study is still in progress and Pat Callahan to be at July meeting to review.

The Employee Handbook is still under review.

The second reading of the Dog and Cat Ordinance, 2016-02 was read by President Johnson. Councilwoman Fry made a motion to accept the Dog and Cat Ordinance. Councilman Caldwell seconded. All in favor, motion passed.

NEW BUSINESS

Ordinance 2016-03 was read by President Johnson. Councilman Caldwell made a motion to suspend the second reading of Ordinance 2016-03 Adopting the Uniform Internal Control Standards for Indiana Political Subdivisions in accordance with IC 5-11-1-27. Councilman Thompson made a motion to accept the Ordinance on adoption of Materiality and Internal Controls 2016-03. Councilwoman Fry second. All in favor, motion passed.

Ordinance 2016-04 was read by President Johnson. Councilman Thompson made a motion to suspend the second reading of the Ordinance 2016-04 establishing a "Loit Special Distribution Fund" pursuant to IC 6-3.6-9-17. Councilman Thompson made a motion to accept the Ordinance 2016-04 for the Special LOIT Distribution. Councilman Caldwell seconded. All in favor, motion passed.

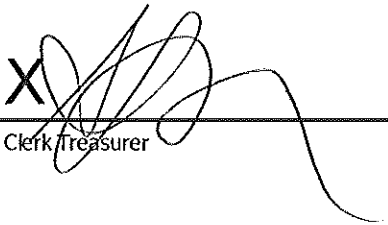
President Johnson stated the Council is working on cleaning up the town, and will update as necessary.

Councilman Caldwell mentioned interest in selling the gravel lot. President Johnson before anything was done, the town would need to know what it's worth and an appraisal needs to be done.

Councilman Caldwell made a motion to hire an appraiser for the lots. Councilman Thompson seconded. All in favor, motion passed.

Councilman Caldwell suggested the INDOT offer be tabled. President Johnson stated the Council needed more information.

Councilwoman Fry made a motion to adjourn the meeting. Councilman Caldwell seconded. All in favor, motion passed. Meeting adjourned at 20:51.

X 
Clerk/Treasurer

X 
President