

MEETING MINUTES
PRINCE'S LAKES TOWN COUNCIL
PRINCE'S LAKES TOWN HALL, 14 E LAKEVIEW DR, NINEVEH, IN 46164
February 22, 2022

COUNCILORS PRESENT: COUNCIL PRESIDENT GREG NELSON
VICE PRESIDENT MIKE GALLAMORE
COUNCILOR KAREN HARRISON
COUNCILOR TROY MEADOWS
COUNCILOR PHILIP MONTARSI

CLERK-TREASURER PRESENT: ERICA LYDEN-GIGER

TOWN ATTORNEY PRESENT: LEE ROBBINS

STAFF PRESENT: MARSHAL GREG SOUTHERS
WATER SUPT SCOTT BLACKWELL
PUBLIC WORKS SUPERVISOR MIKE MILLER
MARK BROOKS

PUBLIC PRESENT: STEPHEN LUNTER
ANTHONY GIGER
CHRIS ELMORE

Council President Nelson called the meeting to order at 6:30 pm followed by the Pledge of Allegiance

PUBLIC FORUM:

Stephen Lunter informed the Council that he is paying one water bill and two grinder pump fees and he does not feel that is right. Mr. Lunter said he has one house and a connected garage. The garage has a separate address because when the 911 system was established, he was forced to get an address for the garage. The garage was turned into an apartment and his daughter lives there, but it does not have it's on meter base. Utilities Superintendent Scott Blackwell spoke and had previously told Mr. Lunter that he would need to go the Council and ask to resolve the issue. Mr. Blackwell asked Mr. Lunter if he would be able to sell the house and garage separately. Mr. Lunter said it sits on 3 lots, but the garage is too close to the house to ever be sold independently. Town Attorney Lee Robbins stated the way the wastewater ordinance is written, the definition of a user is: property that is connected to or required to be connected to our wastewater system. We charge rates for each user. The house and garage each have their own wastewater lateral connecting to the grinder pit. Mr. Robbins would like to research this situation further and have

the Council make a decision at another council meeting. If the garage is not a structure that is self-sustaining and could not support habitation independently, then Mr. Robbins would be persuaded to suggest the council make an exception. Mr. Lunter stated his daughter lives in there, but he does not collect rent from her. Mr. Robbins asked if it is a self-sustaining residence on its own. Mr. Lunter said there is a kitchen and bedroom, it's a full residence, but it's so close it can't be separated. There is no meter base for the garage. Mr. Robbins stated he would like to take time to study this situation, but it could go the other way because Mr. Lunter established this is an independent residence and might need to be metered independently. Mr. Gallamore asked Mr. Robbins to look over the ordinance and informed the Council so they can explain it to Mr. Lunter. Mr. Lunter asked if the Council is going to find other people who are doing the same thing and start charging them for the second residence. Mr. Robbins stated he doesn't know if there are any other residents doing this. Mr. Lunter stated he knows there are and she used to be on the Town board, but doesn't want to give her name. Mr. Robbins informed Mr. Lunter that he can give a list of those people to the Council. Mr. Robbins also stated he was leaning more towards his favor until he informed the Council that it is a separated residence with a separate address. Mr. Lunter stated he was forced to do that and Mr. Robbins stated the county did that, not the Council. Council President Greg Nelson asked Mr. Lunter to give him a list of all the people he knows with the same situation and they will look into it. Mr. Lunter stated he just knows of one person. Mr. Nelson asked Mr. Lunter if he could come back next month so the Council can make a decision.

APPROVAL OF MINUTES:

- Councilor Phil Montarsi made a motion to approve the January 18, 2022 Regular Meeting minutes, the January 12, 2022 Executive Session Memorandum and the January 12, 2022 Special Meeting minutes. Council Vice President Mike Gallamore seconded the motion and passed unanimously.

TOWN MARSHAL REPORT:

Marshal Greg Southers spoke about getting more security cameras to cover the clerk-treasurer's officer. Mr. Nelson asked Marshal Southers if he can get quote to update all the cameras and cover all of Town Hall. Marshal Southers will contact his IT guy and get a quote

Marshal Southers stated that once the weather gets better, the license plate reader system will be installed and the annual training is the weekend of February 26.

Mr. Gallamore asked Marshal Southers if the 1000 rounds of ammo is for training purposes.

Marshal Southers stated "Yes" Mr. Gallamore asked how long 1000 rounds will last. Marshal Southers stated it will last about 1 ½ times at the training range. He also needs to replace his duty ammo. Typically, duty ammo is replaced every 2 years, but Marshal Southers has been able to replace every 4 years.

Marshal Southers also stated Chief Pell, Chief of White River Township Fire Department, his son is a Lieutenant at Nineveh Fire Department and Firefighter/EMT at Bargersville. He and another EMT put in an application and Marshal Southers hired them as reserves. Johnson County Sheriff's Department is having a training academy and Marshal Southers is having them go through that academy. They will be ready this spring.

Marshal Southers stated he is changing their road schedule. He will have a reserve office out with a full-time officer on Friday and Saturday nights, so there will be 2 officers on the weekends.

WATER/WASTEWATER REPORT:

Superintendent Scott Blackwell informed the Council that he and Assistance Utilities Superintendent Layman Boyd, went to the Nineveh Conservancy Sewer District Meeting the previous month regarding the Keystone billing glitch.

Mr. Blackwell told the Council that he gave Trevor Adkins his 90-day evaluation. He feels Mr. Adkins is doing a great job and asked the Council to approve a .75 raise to \$19.80 per hour.

After discussion,

- Council President Nelson made a motion to approve a .75 raise for Trevor Adkins effective March 21, 2022. Councilor Montarsi seconded the motion and passed unanimously.

Mr. Blackwell informed the Council that he would like Utility workers will start working 7:30 am – 4:00 pm effective March 1, 2022, and asked for approval. Mr. Nelson thanked Mr. Blackwell for asking.

Mr. Blackwell informed the Council that the new tower has been full because of the new pumps. He has a meeting on March 23 with HWC to modify a few issues. He and Mr. Gallamore had another meeting with Camp Atterbury about the grant. Mr. Gallamore stated everyone at Atterbury has done a great job helping with the grant and this portion is for the engineering portion of the project only. The representative from the Department of Defense has gone over the preliminary application and will discuss what needs to be improved with Mr. Gallamore and Mr. Blackwell. Mr. Gallamore stated the scope of the project has expanded to water mains from the Railhead to 252, then back west to Airport Road where the Town will tie in. It will help keep up with future growth. This is a 90/10 grant. The 10% that the Town will owe, can be reimbursed by hours worked on the project by town employees, elected officials, even the town attorney's fees. The connection with The Town of Edinburgh is almost \$500,000.00. Commonwealth Engineering is projecting the rest of the project will be \$2,500,000.00 The Town will have to pay \$250,000.00, but any time put in by town employees, elected officials, the town attorney's fees can all be reimbursed.

Mr. Blackwell asked for an explanation on allotted vacation time in the handbook. The new handbook states year 16-20 gets 4 weeks, but does that mean completed 16 years or the start of the 16th year. After discussion it was clarified to mean completed 15 years, the start of the 16th year. Mr. Blackwell stated a few months ago there was a discussion whether it was 38 hours or more for a work week. The Council was going to leave it up to the department head if the employee would not have to use vacation or sick time. He would like to know how to proceed forward Mr. Nelson asked they if they are on a 40 hour a week schedule, Mr. Blackwell stated yes. He said if someone has to leave early for some reason, he has done it in the past where is just took 2 hours unpaid. Town Attorney, Lee Robbins stated he believed the Council decided so long as the employee works at least 38 ½ hours, they are not in trouble for not having worked a complete work week. Granted to the department head's discretion to allow employees to fall short of a 40-hour work week if exceptional circumstances warrant it. Mr. Robbins also stated there is an expectation that all employees work 40 hours a week. If they don't, they have failed to meet that requirement, but

won't get in trouble as long as the department head approves it. Clerk-Treasurer Erica Lyden-Giger stated in the current handbook it's 40 hours. Mr. Robbins said yes it is. Mrs. Lyden-Giger replied to be clear, you're going to allow employees to work 38 ½ hours and not use PTO to get to 40, that's where the discussion. Mr. Robbins said they wanted there to be some leniency, but didn't want it to be a regular thing. Mr. Blackwell stated he believes in the handbook the terminology is a standard week is 40 hours, it does not say 40 hours do or die. Mr. Nelson stated a standard work week is 40. Mr. Robbins stated a work means; 40 hours work week, a work period accruing within 7 consecutive days. Mr. Gallamore stated 40 hours is our standard work week. A person can work less than 40 hours, if Mr. Blackwell signs off on it and will only get paid what they work. If a person works 35 hours and takes 5 hours personal time, they will get paid 40 hours. Mr. Blackwell stated, if they use the time. Mr. Robbins read his revision:

Full-Time Employee - for purposes of this Manual, full-time employee refers to an employee who is expected to regularly work forty (40) hours during each work week and is required to work no less than 37 ½ hours during each work week except during those work weeks when approved employee time off is used. A full-time employee must have the department head approval to work less than 40 hours during each work week and will only be paid for hours worked.

Councilor Harrison stated it was discussed back in November. Marshal Southers stated they have not received an updated handbook with the revisions. Mr. Robbins stated he will circulate the handbook to the Council and they can vote on it at a later date.

Mr. Blackwell would like clarification on the matter if an employee uses 3 hours of PTO and then works an addition hour to get over 40 hours, if the 3 hours of PTO gets put back in the "bank" to be used at a later date or if they employee gets paid 43 hours of straight time. After discussion, an employee can use PTO and work beyond the 40 hours and get paid for straight time. If the employee ends up physically working over 40 hours, then those hours will of course be paid at time and a half.

STREET DEPARTMENT REPORT:

The new public works supervisor, Mike Miller introduced himself to the Council members he had not yet met and Mr. Robbins. Mr. Gallamore stated these were who he reports to.

Public works laborer, Mark Brooks stated he needs to order 2 loads of salt, it will be around \$1500 per load. Mr. Brooks stated he and Mr. Miller have been spending a lot time learning the roads so he can be prepared when there is a snow storm.

- Council President Nelson made a motion to approve the purchase of 2 loads of salt for up to \$3500. Councilor Montarsi seconded the motion and passed unanimously.

CLERK-TREASURER REPORT:

Clerk-Treasurer Erica Lyden-Giger presented Town claims and ask the Council for approval in the amount of \$213,761.80

After discussion,

- Council President Nelson made a motion to approve claims for the Town in the amount of \$213,761.80 Councilor Meadows seconded the motion and passed unanimously.

Mrs. Lyden-Giger presented Water & Wastewater claims and asked the Council for approval in the amount of \$411,677.44

After discussion,

- Council President Nelson made a motion to approve claims for the Water & Wastewater in the amount of \$411,677.44 Councilor Meadows seconded the motion and passed unanimously.

Mrs. Lyden-Giger presented the February 3, 2022 allowance docket and asked the Council for approval in the amount of \$33,321.33

After discussion,

- Council President Nelson made a motion to approve the February 3, 2022 allowance docket in the amount of \$33,321.33. Councilor Meadows seconded the motion and passed unanimously.

Mrs. Lyden-Giger presented the February 17, 2022 allowance docket and asked the Council for approval in the amount of \$33,542.09

After discussion,

- Council President Nelson made a motion to approve the February 17, 2022 allowance docket in the amount of \$33,542.09. Councilor Meadows seconded the motion and passed unanimously.

Mrs. Lyden-Giger also asked for approval for \$49,929.00 for the wastewater department. Utilities Superintendent Scott Blackwell explained this is money left over from the grant from the wastewater project, he had to get approval from SRF to purchase the 6" pump. If the main lift station goes down, the whole town can still be pumped to the wastewater plant. Mr. Blackwell stated they will get reimbursed from the remaining funds from SRF.

- Council Vice President Gallamore made a motion to approve the purchase of the new pump in the amount of \$49,929.00. Councilor Montarsi seconded the motion and passed unanimously.

Mrs. Lyden-Giger also stated she received a call from State Chemical stating they have an outstanding invoice from August and would like approval to get the \$266.67 invoice paid. Mr. Montarsi asked if Mrs. Lyden-Giger can get more information about the claim. Mrs. Lyden-Giger stated this was an invoice for the street department and was never turned in, and it is a company that we have used in the past.

After discussion,

- Council President Nelson made a motion to approve \$266.67 to State Chemical upon further explanation from the vendor, and Mrs. Lyden-Giger agrees this is a valid claim, she can pay the claim. Councilor Montarsi seconded the motion and passed unanimously.

ATTORNEY'S REPORT:

Mr. Robbins explained he had a hearing on the Monica Spears property. An attorney from Cincinnati representing the mortgage company said the mortgage company was wanted to intervene and take charge of the property and do the things the Council has been asking Ms. Spears to do. The board granted them a 30 extension.

Mr. Robbins stated it was good thing that Mr. Blackwell and Mr. Boyd went to the meeting with Nineveh Conservancy. It shows everyone is on good terms. It has been communicated to them the willingness on the Council's part to pay back the money that they did not get. Their accountant sent an email as to what the amount should be, but the amount is still trying to be figured on both ends. One of the problems is a big part of the \$5000 is from one customer that had a very large leak.

Mr. Robbins spoke about Mr. Lunter's situation and stated he will research the ordinance. Marshal Southers stated he has a rental house, his daughter's house which used to be the garage and his primary residence on one property. Mr. Blackwell stated he only has one meter on the property.

OLD BUSINESS:

NEW BUSINESS:

Councilor Harrison informed the Council that BZA is having a meeting on Thursday February 24 to discuss a lot size variance and Chris Elmore is resigning effective the end of February. There already is a vacancy, this will leave 2 vacancies. 5 members need to be on the BZA. The Planning Commission appoints one of its members, Layman Boyd is on the Planning Commission that was appointed by the Town Council. Kevin Harrison is the BZA president. The Planning Commission needs to appoint one of its own members. The Town Council president needs to appoint someone who is not on the Planning Commission.

Each division of the advisory board of zoning appeals consists of five (5) members as follows:

(1) Three (3) citizen members appointed by the executive of the municipality or county, of whom one (1) must be a member of the plan commission and two (2) must not be members of the plan commission.

(2) One (1) citizen member appointed by the fiscal body of the municipality or county, who must not be a member of the plan commission.

(3) One (1) member appointed by the plan commission from the plan commission's membership, who must be a county agricultural agent or a citizen member of the plan commission other than the member appointed under subdivision (1).

Mr. Gallamore stated he spoke with Steve Brock and he is still in the process of trying to lower the Wastewater loan rate. Mr. Gallamore and Mr. Blackwell are going to apply for the SWIF grant again. He would also like to have another Councilor help him with the Community Crossings Matching Grant, there are dates that need to be met, he would like Mr. Montarsi to help. The Johnson County Historical Society contacted Mr. Gallamore as a potential representative for the Town of Prince's Lakes to be part of a centennial celebration for the County. Mr. Gallamore would like to participate and wants to know if any of Councilor would like to participate. The meeting is March 9 at 2:00 pm.

Morgan Insurance took off the 2 towers and the sports tower and will save the Town around \$7000. If we raise the deductible to \$5000 it will only save the Town \$900. He does not recommend changing the deductible.

Mr. Gallamore also stated that IDEM contact the Town of Trafalgar and informed them, they will not be approved for 165 new housing units because they don't have enough water guaranteed from Prince's Lakes. Currently we guarantee 216,000 gallons per day and IDEM wants it to be 320,000 gallons per day. Their current usage is 121,000 gallons per day. Mr. Gallamore and Mr. Blackwell believe the Town will be able to support this increase. Mr. Blackwell explained how IDEM's formula is calculated. Numbers from the 5 highest days in the past 2 years are used to calculate how much guaranteed water a town needs, but it does not take in account for major leaks or if the school fills the pool. Mr. Gallamore stated we have over 4 million gallons in reserve at any particular time. Mr. Gallamore would like permission from the Council to be the Council representative to modify the contract with the Town of Trafalgar and to allow Greg Nelson to be the authorized signer. Mr. Gallamore asked for a letter from the Town of Trafalgar that can be used for our grant with the Department of Defense. That will help show expansion in facilities and service needs.

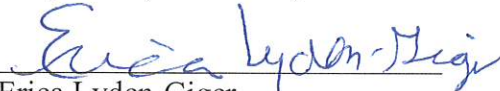
- Council President Nelson made a motion to remove the 2 water towers and sports tower from the insurance policy and keep the deductible the same. Councilor Montarsi seconded the motion and passed unanimously.

- Council President Nelson made a motion to allow Mr. Gallamore to be the Council representative to modify the contract with the Town of Trafalgar and to allow Mr. Nelson to be the authorized signer. Councilor Meadows seconded the motion and passed unanimously.

Mr. Nelson stated he received a call from a resident asking about the minimum water/wastewater bill. Mr. Robbins explained the purpose of the minimum monthly bill is for each user to pay their share of the cost to build the system and to operate and maintain. It is out in front of a residence house, their house is connected to it. It adds value to their house and makes it habitable. It is comparable to someone living in Florida for half the year and wants their Indiana taxes to be reduced because they only live here half the time. Mr. Blackwell state the minimum usage is 3000 gallons a month.

Councilor Meadows made a motion to adjourn. Councilor Meadows seconded the motion and carried unanimously. The meeting adjourned at 8:50 pm

Respectfully submitted,

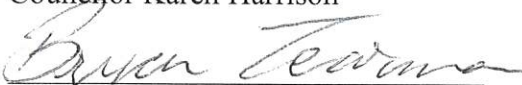

Erica Lyden-Giger
Clerk-Treasurer

Council:


Council President Greg Nelson


Council Vice President Mike Gallamore


Councilor Karen Harrison


Councilor Brian Tearman


Councilor Philip Montarsi