

**ANDREWS TOWN COUNCIL MINUTES
OF A PUBLIC MEETING HELD SEPTEMBER 12, 2022**

A public meeting of the Town Council of the Town of Andrews, Indiana convened on September 12, 2022, at 6:00 p.m. at the Andrews Town Hall in accordance with applicable law and pursuant to appropriate notice.

ROLL CALL

Council Members John Harshbarger, Laura Dillon, and Roger Newsome, Jr. were in attendance. Clerk-Treasurer Laury Powell declared a quorum was present and the meeting would continue.

OATH OF OFFICE

Clerk-Treasurer Laury Powell swore in Josh Platt as Deputy Marshal for the Town of Andrews Police Department, Huntington County, Indiana.

APPROVAL OF COUNCIL MINUTES

Laura Dillon made a motion to approve council minutes for a regular session held August 22, an Executive Session held on September 2, and a Special Meeting held on September 7, 2022. Roger Newsome, Jr. seconded the motion. Motion passed unanimously.

PUBLIC HEARING 2023 BUDGET FORM 4

Council President John Harshbarger opened the public hearing at 6:04 p.m. Powell explained necessary increases in several budget categories due to inflation that include health and liability insurance, fuel, gas and electric, operational supplies and services, and equipment expenses. However, many appropriations remain unchanged, and she asks department heads to use discretion in spending money through the remainder of this year and into 2023. Fire was not fully funded in 2023 according to the DLGF so a percentage of property taxes from General will be shifted to Fire to cover the shortfall. Powell is also using the Cum Fire Fund to pay for half of the new fire truck's annual expense. Dillon added similar tweaks are likely next year in working the 2024 budget to cover both the Fire and MVH Funds as inflation continues to rise. With no comments or questions from the public, Dillon motioned to close the public hearing at 6:08 p.m. Roger Newsome, Jr. seconded the motion.

OLD BUSINESS

FEMA Buyout Project: Powell relayed that Attorney Halverstadt is working on the purchase paperwork for the 498 and 237 W McKeever St properties. After reviewing federal regulations in preparation for these purchases, which involve a recorded land contract and a possible written lease agreement, Adrian has asked Kim Hostetler to check with her FEMA contact for confirmation that the Town of Andrews is exempt from the Uniform Relocation Assistance and Real Property Acquisition Act requirements for federally assisted programs. Powell also said she is waiting to hear from DHS Fiscal on their plans to correct an erroneous ACH deposit made September 7 in the amount of \$29,004.75. A previously paid reimbursement claim for 255 W Jefferson St was paid a second time instead of paying the recently submitted claim for 218 W McKeever St.

Living Waters Community MHP: Powell summarized Attorney Halverstadt's legal research on the Town's options to address a complaint from Lee Hampton and Jackie Irwin, 252 W Terrel St, on trailers being hauled into the former Antioch MHP. Legislation passed in 2020 and in March 2022 have made any regulations applicable to mobile homes and modular homes regarding age and size, not enforceable by the Town regardless of when they were adopted by the Town. This means no new regulations and any old ones are no longer effective. The best route for enforcement seems to be building code, health code, or unsafe building violations. However, the new statutes only apply to mobile homes inside of a state licensed mobile home park. The Town can still enforce existing code for single site locations of mobile homes outside of a mobile home park.

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ERIC WOODMANSEE, AME CONSULTING

2021 Sidewalk Project: Eric reported he was contacted by Bolinger, and they met recently to discuss a recap surface that can be placed on the damaged concrete panels. Bolinger claims he is at no fault but will cover all labor and installation to recap those panels and only asks the Town to buy materials estimated at \$750.00. After discussion, Council agreed that they will not spend taxpayer's money to fix somebody's mistake and questioned why the contractor would not fall back on its insurance. Woodmansee asked Harshbarger to write a letter stating Council's stance on the matter. Council then asked Eric to update Attorney Claxton on this development.

CCMG 2020-1 E McKeever Storm Water Project: Eric is currently analyzing video that Utility Superintendent Bullock and his department took inside the section where DC Construction installed storm sewer lines.

Waterworks Project: Woodmansee asked Council if they would like AME Consulting to revise and update the Waterworks PER for a higher rating going into the next round of SRF funding. AME Consulting offered to do this at no cost to the Town as they are just as perplexed as Council in how the recent application scored so low in 51st place. Harshbarger said Eric and Paul Vincent should speak with Taft Law's Rod Michael before the revision process.

NEW BUSINESS

Alley Vacate Request: Nathan Sharrard, 335 S Pearl St, approached Council with a request to vacate an undeveloped right-of-way that separates two parcels he owns and wishes to combine. Colin Bullock said utility access is not an issue since they are located ½ to 1 block to the south of this location. Council looked favorably upon Sherrard's request and informed him he needs to next contact DCD and then hire an attorney and surveyor to move forward with the process.

John Harshbarger reported the Lions Club plans to hold a Halloween Parade this year and asked when the Town will schedule trick-or-treating hours. Council agreed to set trick-or-treating hours from 5:00 to 7:00 p.m. on Monday October 31. A brief discussion ensued on plans for the AVFD Public Safety Day to be held October 1. Council reaffirmed their commitment to support certain expenses not to exceed \$1,000.00. Dillon motioned to donate \$100.00 towards parade prizes. Newsome seconded the motion and it passed unanimously.

DEPARTMENT REPORTS

Police Department: Marshal Austin Bullock said Josh Platt starts his new position on September 19 and that Dean Young will remain with the department as a part-time officer. He is also seeking a quote on a radio to install in the new car expected to be delivered early next year. Austin also asked Council to consider offering Platt insurance benefits earlier than the end of the full sixty-day probationary period as stated in the employment handbook. Considering Platt has already been an "employee" of sorts for over four years as an unpaid reserve officer, Council unanimously agreed with this request for insurance to be in place before Platt's insurance through the County runs out.

Fire Department: After previously reporting on the Public Safety Day plans with a parade and other festival activities, Dean Young added that the department has several vacancies, and that Mike Hysong was recently added to the roster.

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Utility Department: Superintendent Colin Bullock reported on his experience using new features with the sewer camera. He also said the utility department is averaging 2 repairs a week on the town's water lines. However, there are still leaks to track down as he said the water plant is pumping too much water for what he estimates should be normal for the Town.

Clerk-Treasurer: Laury Powell told Council the S-5 Supplement for the Andrews Code of Ordinances came back with an estimated range of \$1,703.00 - \$2,403.00 that would update ordinances and resolutions from 2019 to current through this year. Council approved her request to move forward with the project to be completed in fiscal year 2023. She added it appears that the Town will receive more TRECS money in October from the special state tax refunds. Powell then revisited the Suburban Propane tank rental matter. She has been in contact with the company and expects proof of ownership soon. Harshbarger said again if the tank does belong to Suburban that the company should come and remove it.

CLAIMS

Laura Dillon made a motion to approve the claims, which was seconded by Roger Newsome, Jr. Motion carried 3-0.

OTHER BUSINESS


Dillon inquired about the status of a North Market St home that burned late last year. The burnt shell remains as does other debris in the yard. Deputy Marshal Young said his last conversation with the homeowner revealed the issue is not with the insurance company, but with the builder who is to demo the burnt structure, remove all debris, and then place a new modular. The homeowner is working with a second builder now because of continuing delays with the first company. Marshal Bullock will contact the owner for a current update.

Laura Dillon made a motion to adjourn the meeting at 7:13 p.m., which was seconded by Roger Newsome, Jr.

Approved this 26th day of September 2022.

APPROVED BY  as
JOHN HARSHBARGER COUNCIL PRESIDENT

APPROVED BY Attended remotely as
LAURA A DILLON COUNCIL MEMBER

APPROVED BY  as
ROGER NEWSOME, JR. COUNCIL MEMBER

ATTEST BY  as
LAURY L POWELL CLERK-TREASURER