

**ANDREWS TOWN COUNCIL MINUTES
OF A PUBLIC MEETING HELD JANUARY 9, 2023**

A public meeting of the Town Council of the Town of Andrews, Indiana convened on January 9, 2023, 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.

ORGANIZATIONAL BUSINESS & APPOINTMENT OF LEGAL COUNSEL

Laura Dillon made a motion to retain Hartburg, Roth, Garrott, Halverstadt, Garrett, LLP as legal counsel for the Town of Andrews. Roger Newsome seconded the motion and it passed unanimously. In addition, Laura Dillon moved to nominate John Harshbarger as Council President in 2023. Roger Newsome seconded the motion and it passed unanimously.

APPROVAL OF COUNCIL MINUTES

Laura Dillon made a motion to approve council minutes for a Regular Session held December 12, 2022, and a Storm Water Board Meeting also held on December 12, 2022. Roger Newsome, Jr. seconded the motion. Motion passed unanimously.

FEMA BUYOUT PROJECT

Demolition Bids for 280 W McKeever St were presented to Council. Laura Dillon opened the envelopes and John Harshbarger read the bids aloud as follows.

- Columbia City Iron & Metal, LLC - \$12,900.00
- TW Excavating - \$10,100.00
- Zahm Excavating - \$9,440.00

Council announced Zahm Excavating submitted the lowest bid and asked Powell to notify Huntington DCD's Kim Hostetler of the winning bid. Dillon motioned to accept the low bid of \$9,440.00 from Zahm Excavating. Roger Newsome seconded the motion and it passed unanimously.

C-T Powell and Council discussed strategy to finish the project as soon as possible in 2023. If the offer letter for 498 W McKeever expires due to no action from the property owner, all agreed to table that property's acquisition until a later date and move forward with an offer to purchase 237 W McKeever St. The remediation and demolition of 181 S Berry St will get underway early in the new year. CT Powell will relay this information to DCD's Kim Hostetler and Attorney Adrian Halverstadt. She also said as of January 9, outstanding reimbursements due from the State total \$87,732.23.

OLD BUSINESS

Unsafe Order of Enforcement at 75 S Main St: Huntington DCD's Sarah Brunner and property owner Elmira Del Pilar Castillo were present at the hearing to update Council on progress over the last 90 days. Interior work has been underway since the roofing project was completed last year. This Friday Castillo will meet with an architectural engineer who will assess her plans for each of the three levels and ensure the safety and integrity of the building. Council and the DCD were in agreement with Castillo's plan of action. Council asked all parties to appear in ninety days at the April 10 council meeting for another update.

Unsafe Order of Enforcement at 133 S Jackson St: No official action was to be taken this evening; however, it was noted there has been no effort by the property owner to clean up the debris. Council will have Town Marshal Austin Bullock monitor the situation and coordinate efforts with Utility Superintendent Colin Bullock to have town employees clean up the debris, resulting in a second fine payable to the town for the time and expense of this action. February 13 is the official hearing date for this OE and deadline for completion of work.

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2023 Appointments: Council appointed Kirby Jones, a member of the AVFD, to the Huntington County EMA Advisory Board.

County Plan for Opioid Settlement Funds: Council President John Harshbarger brought up tabled business regarding a proposal from Huntington County to create a joint fund with Huntington County Community Foundation to award grants to local entities in accordance with the state's list of opioid remediation uses. After discussion over additional information learned, concerns, and a mutual wish to use the opioid money within the town to better the community, Laura Dillon motioned to not accept the proposal from Huntington County and keep all opioid money received from the State of Indiana, both restricted and unrestricted, in the Town of Andrews. Roger Newsome, Jr. seconded the motion, which was approved unanimously.

ERIC WOODMANSEE, AME CONSULTING

A professional service agreement to renew the On Call Contract for 2023 with new rates, was presented to council members for approval. Council asked to have time to review verbiage before signing it.

NEW BUSINESS

C-T Powell presented to Council Resolution 2023-1 End of Year Transfers to Balance the 2022 Budget. Council President Harshbarger read aloud the synopsis. There being no questions or comments, Laura Dillon motioned to pass Resolution 2023-1. Roger Newsome seconded the motion, and it was approved unanimously.

DEPARTMENT REPORTS

Police Department: Marshal Austin Bullock was away at a class for continuing education, so John Harshbarger relayed a brief report on his behalf. Deputy Marshal Platt is enrolled at the Law Enforcement Academy for Tier II Training beginning in late February. Also, Marshal Bullock worked another large drug bust this morning.

Fire Department: Dean Young reported that the three new volunteers are fully trained and now on the road responding to calls.

Utility Department: Colin Bullock said his employees have been clearing blocked sewer lines and stated he would like to acquire a root cutter to assist with this process. In addition, Bullock is looking to switch companies to save rent money on acetylene and oxygen tanks kept at the town garage. Plans are underway to place a new propane tank at the water plant soon.

Clerk-Treasurer: Laury Powell reported that year-end processes are underway however there are some delays due to changes with state forms that Boyce must address with software updates. There are also supply chain issues affecting the distribution of W2 and W3 forms which have been on order for several months. She said HSA Town Share money has been distributed to full-time employees. Powell is also working on an Additional Appropriation for the ARPA money received in August 2022 which will be used to secure a SRF grant and loan to fund water infrastructure improvements. She shared that H&H Disposal contacted her office to say the total number of totes being serviced weekly has well exceeded what is compensated for in the 2022 trash contract. Powell and Deputy-Clerk Julie Bowers have reviewed billing records and do not agree with the number H&H claims to service each week. Bowers will continue to monitor the number of trash customers into the February billing cycle. H&H Disposal plans to attend a February council meeting and discuss amending the contract.

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Finally, utility customer Eric Coleman asked Council to waive a penalty fee from September 2022 off his account. Council first stated they are not responsible for USPS delivery service. Then Dillon noted that Coleman had a penalty waived in early 2022 when he was a new customer in Andrews. Payments were timely since then so Dillon said he should have known when the water bill was due. Council agreed not to set precedence for this type of action and denied his request.

CLAIMS

Laura Dillon made a motion to approve the claims from December 27, 2022, and the End-of-Year Check Batch, both of which she had previously reviewed for approval, as well as the claims presented tonight for January 9, 2023. Roger Newsome, Jr. seconded the motion, and it was approved unanimously.


OTHER BUSINESS

Cathy Johnson, 215 S Main St, asked if the Town had any oversight on the condition of trailers being brought into Living Waters. Clerk-Treasurer Powell reminded everyone that this topic was discussed late last summer and that she consulted with Attorney Halverstadt. It was learned that 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 the regulations were adopted by the Town. This means no new regulations can be made and any old ones are no longer effective. The best route for enforcement seems to be building code, health code, or unsafe building violations. Complaints should be directed to state legislators on this matter.

Laura Dillon made a motion to adjourn the meeting at 6:57 p.m., which was seconded by Roger Newsome, Jr.

Approved this 23rd day of January 2023.

APPROVED BY  as
JOHN HARSHBARGER COUNCIL PRESIDENT

APPROVED BY  as
LAURA A DILLON COUNCIL MEMBER

APPROVED BY  as
ROGER NEWSOME, JR. COUNCIL MEMBER

ATTEST BY  as
LAURY L POWELL CLERK-TREASURER