

Battle Ground Town Council

Meeting Minutes, August 27, 2018

Attending: Steve Egly, Council President; Councilors Mike Bird, Greg Jones, Zach Raderstorf; Clerk Treasurer Georgia Jones, Attorney Eric Burns, Town Supervisor Ron Holladay.

Not present: James Miller

Guests: Sheila Riley, Tom Runkle, Buffy Rogers, Ron Evans, Joanne Kuhn Titolo

Steve Egly called the meeting to order, 6:00 p.m.

Bid Opening

Attorney Eric Burns opened four bids that were timely received at Town Hall, from Advanced Disposal, Best Way Disposal, Trash Kans and Waste Management. After the bids were read aloud, Greg Jones moved to take all bids under advisement. Second of Zack Raderstorf, motion carried. 4 Aye, 0 Nay. Zach and James Miller comprise the committee to review bids and make a recommendation at September 10 meeting.

Minutes of Executive Session

The Town Council met in Executive Session on Friday August 24, 2018. The Clerk-Treasurer was asked to leave, citing conflict of interest due to a work relationship with the Battle Ground Conservancy. Minutes of this meeting were prepared by Council President Steve Egly.

Motion by Greg Jones to approve minutes of the Executive Session held August 24. Second of Zach Raderstorf, motion carried. 4 Aye, 0 Nay.

Old Business

Property Proposal, Battle Ground Conservancy District

The Battle Ground Conservancy District made a formal request of the Town Council to complete the division of land assets that was specified in the court order establishing the District in 1977, and later affirmed in an agreement dated 1986. Instead of responding to the request, the council received a resolution from Eric Burns that pertains to the Conservancy. The resolution authorizes the town council to pay for legal expenses to review the actions of the Battle Ground Conservancy District.

Motion by Zach Raderstorf to adopt Resolution 18-92 "A Resolution of the Battle Ground Town Council Authorizing a Legal Review of Certain Actions of the Battle Ground Conservancy District, Including the District's Proposed Water Tower Lease Agreement with Battle Ground Water Tower, LLC and Related Operational Issues Impacting Residents of the Town of Battle Ground."

Second of Mike Bird, motion carried. 4 Aye, 0 Nay

The law firm Taft Stettinius & Hollister provided the Council an agreement for legal representation, to begin an investigation of the Battle Ground Conservancy District but not limited to that matter. This firm uses a blended billing rate of \$375.00 per hour plus additional fees for photocopying, messenger, delivery, research, travel, fax, search and filing fees and document retention cost. It is expected the monthly billing would start in 2018 budget year. Eric Burns estimates legal fees might be \$25,000.

Motion by Greg Jones to approve the agreement with Taft Stettinius & Hollister law firm for legal representation. Second of Zack Raderstorf, motion carried. 4 Aye, 0 Nay

New Business

Sewage and Stormwater

As a supplement to the Sewage Master Plan review and consideration, Ron Holladay shared copies of his report documents from prior years illustrating the continuing problems with costly lift station repairs. One document, dated 2004, identifies the eight lift stations in the system and highlights operational issues and age of the equipment. The second document, from 2015, lists major repairs to the Hawk's Nest lift station 2013 -2015, emphasizing the effect of extended operations at a level beyond the design capacity. These problems persist to the current day, as evidenced by the recent overflow which resulted in an IDEM report.

Estimates for stormwater repairs on Cibuta were received from Grogan Construction, Ike's Service and Waber Yardworks. Ron could rent a bobcat for a week at \$1800 but estimates three days of his time to complete the task of re-shaping the waterway. Compared to the contractor estimates, it would be a good value to have the work done by others.

Motion by Greg Jones to approve a contractor selected by Ron with a total project cost not to exceed \$3300.00. Second of Mike Bird, motion carried. 4 Aye, 0 Nay

Pavement crack seal for Lookout, Battleview South, Wild Cherry and Bittersweet has been priced. Including freight, the black sealer would be \$2814.38. Ron will rent an air compressor and purchase filler cord for larger voids. Steve Egly mentioned keeping invoices to submit the total repair as a local force Community Crossings project which might reimburse the cost of materials.

Motion by Mike Bird to approve the crack sealer expense with Unique Paving Materials, \$2814.38. Second of Greg Jones, motion carried. 4 Aye, 0 Nay

Guest Comment

Joanne Kuhn Titolo suggested someone ask Mike Leitem if he is able to get brackets for the handrail installation on North Street sidewalk. The town marshal may be able to contact him. She asked if the bump outs will be painted with reflective paint. Steve Egly said INDOT allows white paint to be used for that purpose.

Motion to adjourn 7:40 p.m. by Greg Jones.


Georgia Jones, Clerk Treasurer


Steve Egly, Council President