



MEETING MINUTES

PRINCE'S LAKES TOWN COUNCIL

PRINCE'S LAKES TOWN HALL, 14 E LAKEVIEW DR, NINEVEH, IN 46164

April 17, 2023

COUNCILORS PRESENT:

COUNCIL PRESIDENT GREG NELSON
VICE PRESIDENT BRYAN TEARMAN
COUNCILOR MIKE GALLAMORE
COUNCILOR KAREN HARRISON
COUNCILOR PHILIP MONTARSI

CLERK-TREASURER PRESENT:

ERICA LYDEN-GIGER

TOWN ATTORNEY PRESENT:

LEE ROBBINS

STAFF PRESENT:

MARSHAL GREG SOUTHERS
UTILITES SUPT SCOTT BLACKWELL
PUBLIC WORKS SUPERVISOR MIKE MILLER
DEPUTY CLERK-TREASURER ELENA HAMMOND

PUBLIC PRESENT:

KEVIN HARRISON
RYAN WHITLEY
JASON RIGGS
BILL BLAKE
JON QUERY
LINDSEY KELLY
DONALD RAINWATER
LESLIE RAINWATER
LAYMAN BOYD
ANTHONY GIGER
TODD JONES

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

PUBLIC FORUM:

Todd Jones, Johnson County Public Library Trafalgar Branch Manager, spoke about the year-end review and upcoming programs the library is going to host. Mr. Jones spoke about the new Clark-Pleasant Library branch that opened last spring. Mr. Jones said they updated their Early Childhood Learning Center at the White River and Franklin Branches, they are going to update the Early Childhood Learning Center at the Trafalgar Branch. Kathleen with the White River Branch updated the Council about some upcoming events such as, Voices from the Past Storyteller Series, a curriculum swap for homeschool students, Building Bridges: The Addicts Wake, and Celebrate Dia.

Ryan Whitley and Jason Riggs with Fortune Wireless addressed the Council about building an AT&T cell phone tower behind Town Hall and stated this tower would provide coverage for the Town. Mr. Whitley stated once the tower is built, AT&T will sell space on the tower to other companies. Council Vice President Bryan Tearman had concerns that the tower would not service all of Prince's Lakes and wanted a guarantee from Mr. Whitley and Mr. Riggs. They could not give a guarantee. Councilor Phil Montarsi stated he is against the tower and feels giving the Town only \$1000.00 per month to lease our ground is too low and asked how big will the tower be? Mr. Whitley stated 199 feet with a 6-7 foot base. Councilor Mike Gallamore asked Utilities Superintendent Scott Blackwell how tall is the water tower next to Town Hall is, Mr. Blackwell stated 125 feet. Mr. Montarsi said he did research and other Towns are receiving \$3,000 - \$5,000.00. Mr. Tearman stated he has a friend that is getting \$3,500.00 per month for a cell phone tower on his property. Mr. Whitley stated AT&T does not offer that kind of pricing anymore and that most rural areas only receive \$300 - \$500 per month and it cost AT&T \$250,000.00 to build the tower. Clerk-Treasurer Erica Lyden-Giger stated AT&T is a \$130 billion company and \$250,000 is not that much money to them and \$1,000.00 per month to the Town is not enough money.

Discussion was made about how safe the tower would be. Mr. Riggs stated the federal government has done research and testing stating these towers are safe. He also said the FCC has said no local jurisdiction can make a determination based on health because they've already done the research and studies for that and they do it annually. He also said the radiation that it puts off and the frequency is non-ionized so it does not cause damage to cells. Mr. Tearman stated he works for the power company and they install these antennas on their power poles and sees warning signs every where on these poles stating do not go in the area unless these poles are de-energized. Mr. Tearman asked if they are safe, then why are there warning signs? Mr. Riggs stated because when they are up high they dissipate when they go out and when workers are installing them they do have to be de-energized and a worker would wear a monitor.

Mr. Riggs handed out a pamphlet from the American Cancer Society. Mrs. Lyden-Giger stated in the handout he gave it states, not many studies in people living near cell phone towers have focused specifically on cell phone towers and cancer risk, and the result of these studies have not produced clear answers. Mrs. Lyden-Giger stated based on that information Mr. Riggs handed out, he can't say the tower is safe.

Mr. Tearman asked if when AT&T rents space off the tower if we can get an increase in our lease agreement. Mr. Riggs explained how costs associated with the build of the tower works. Mr. Tearman said he knows it's profitable to sell space off towers and he is not ok with selling first rights to AT&T. Mr. Riggs states they have to per the telecommunication rights of 1997. Mr.

Tearman stated he understands that, but it's going to be more profitable once they start selling space off the tower and the Town does not benefit anymore.

Discussion was made about possibly using a different site. Mr. Montarsi stated he thinks it needs to be brought up to the residents and see how they feel about it. Mr. Gallamore stated in one of their regular meetings several people showed up to discuss the tower. Some people wanted it and most people did not because it's unsightly.

Donald Rainwater spoke and he said this tower is for AT&T customers and maybe only 35% of the residents might have AT&T. The FDA for forty years said a certain drug was safe and ended up causing his father to have a heart attack and asked the Council to please consider that this will affect 100% of the residents and might benefit 35%. The presentation ended with Mr. Tearman stating he agrees we need to have input by residents. Mr. Whitely stated they can check out another piece of property owned by the Town as a possible alternative site. Mr. Riggs also stated the Council cannot decide to not put up the tower based on health concerns or AT&T can sue.

Jon Query with HWC stated they are working on the water main design with the DOD grant money for the Edinburgh interconnection and Camp Atterbury loop. Mr. Query had a meeting with our rate consultant, Steve Brock, Mike Gallamore and Scott Blackwell about more projects that need to happen. One is the million-gallon reservoir that serves the entire Town, building a new utility building and the controls on the water system are getting antiquated and needs updating. Mr. Brock told Mr. Query that there are grants through the USDA Rural Development. Mr. Query stating he will include all of those projects and submit them to Rural Development. Mr. Gallamore stated a lot of planning has been done over the past few years about these projects. This grant will help put the steps in place to be able to complete these projects. Mr. Query said this is the first step in the planning stage to move forward on funding and he had sent the project agreement to Lee Robbins for review.

- Councilor Mike Gallamore motioned to move forward with HWC with the plan as submitted. Council Vice President Bryan Tearman seconded the motion and passed unanimously.
- Councilor Gallamore motioned to authorize Council President Greg Nelson to sign the agreement with HWC on behalf of the Council. Councilor Phil Montarsi seconded the motion and passed unanimously.

Kevin Harrison spoke and said due to interest on social media, he would like to hold a Meet the Town Council Candidate night this Friday night, April 21st at 6:00 pm at Chuck's Pavilion.

APPROVAL OF MINUTES:

- Councilor Phil Montarsi motioned to approve the March 20, 2023 Regular Meeting minutes. Council President Greg Nelson seconded the motion and passed unanimously.

TOWN MARSHAL REPORT:

Marshal Greg Southers said he took his Durango to the shop and they were able to fix all the issues, and asked for the approval of \$2,579.95 to pay the invoice to Franklin Muffler, Breaks &

More. He also let the Council know that he is going to take the new Tahoe to get the crash bar and new console installed on April 18, 2023. Marshal Southers asked about installing a Narcan Box again at Town Hall. Mr. Nelson stated he contacted the Johnson County Public Library, Trafalgar Branch and was told we would not be able to have a Narcan box on Town Hall because of the cameras and police vehicles. Mr. Nelson also contacted the fire department and one will not be able to be there either. Mr. Gallamore asked about having another Women's Self Defense class and Marshal Southers stated Officer Black is moving out of the area and he will have to try and find someone else to instruct the class.

- Council President Nelson motioned to approve the invoice from Franklin Muffler, Breaks & More in the amount of \$2,579.95 Council Vice President Bryan Tearman seconded the motion and passed unanimously.

WATER/WASTEWATER REPORT:

Superintendent Scott Blackwell presented the Council with his report. He also stated that Westech assessed the clarifier at the wastewater plant that went down and there was extensive damage. It needs to be rebuilt, and the second clarifier needs to have some maintenance work, the total for both projects will be \$83,740.00. Mr. Blackwell wanted the Council to know that a new clarifier costs \$1.5 million and by doing the maintenance work on the second clarifier it will extend the life.

Mr. Blackwell stated the first month with the new bills was a success. Most of the feedback has been positive. Mr. Blackwell stated the Consumer Confidence Report was given out to our wholesale customers and by July 1st it will be available for our residents and other customers. Mr. Blackwell gave the Council a report that shows surrounding cities and town's water and wastewater rates as a comparison. This report was based on ordinances and calling each city and town and speaking to their utility billing clerk.

After discussion,

- Council Vice President Tearman motioned to approve the Westech invoice for the amount of \$83,740.00. Councilor Montarsi seconded the motion and passed unanimously.

STREET DEPARTMENT REPORT:

Public Works Supervisor Mike Miller told the Council that he spoke with Stillwater Construction and work will begin at the ball diamond within a month and a half. Mr. Miller said he has a meeting with O'Mara next week regarding the paving project and asked Town Attorney Lee Robbins if he can send O'Mara a notice to proceed. Mr. Tearman asked when the pot hole on Dyson is going to be fixed. Mr. Miller said he will prep that and O'Mara is going to fix it.

CLERK-TREASURER REPORT:

Clerk-Treasurer Erica Lyden-Giger stated after she finished the docket, Mr. Miller was emailed an invoice that he did not realize he did not turn in to be paid. Mrs. Lyden-Giger asked the Council

for approval to pay invoice #121272 for \$405.82 to Mid-State Truck Equipment, Mr. Montarsi asked what was purchased, Mr. Miller stated they were blades.

- Council Vice President Tearman motioned to approve Mid-State Truck Equipment invoice #121272 in the amount of \$405.82 Councilor Gallamore seconded the motion and passed unanimously

Mrs. Lyden-Giger presented invoice #7 from HWC for \$56,700.00 This is for the DOD project, mapping/survey, design and permitting.

- Council Vice President Tearman motioned to approve HWC invoice #7 in the amount of \$56,700.00 Councilor Montarsi seconded the motion and passed unanimously.

Mrs. Lyden-Giger presented Town and Utilities claims and asked the Council for approval in the amount of \$177,364.07 & \$312,440.53

- Council Vice President Tearman motioned to approve claims for Town & Utilities as presented in the amount of \$177,364.07 & \$312,440.53. Council President Greg Nelson seconded the motion and passed unanimously.

Mrs. Lyden-Giger presented the March 30, 2023, allowance docket and asked the Council for approval in the amount of \$37,997.49.

- Council Vice President Tearman motioned to approve the March 30, 2023 allowance docket in the amount of \$37,997.49. Council President Nelson seconded the motion and passed unanimously.

Mrs. Lyden-Giger presented the April 13, 2023, allowance docket and asked the Council for approval in the amount of \$40,763.23.

- Council Vice President Tearman motioned to approve the April 13, 2023 allowance docket in the amount of \$40,763.23. Councilor Montarsi seconded the motion and passed unanimously.

Mrs. Lyden-Giger said she wanted to expand on what Marshal Southers said about the egg hunt and wanted to thank everyone again for all of their help. She said over 4,000 eggs were stuffed and they were able to purchase a lot nice gifts for the drawings with the help of donations made. Mrs. Lyden-Giger also informed the Council that she got notice from State Board of Accounts that the next audit would be happening soon.

ATTORNEY'S REPORT:

Mr. Robbins informed the Council that he has heard Indiana American Water is wanting to purchase Town of Trafalgar Utilities. Mr. Robbins stated in our contract with the Town of Trafalgar, Prince's Lakes has the first right of refusal to purchase the utility and the Council needs to be prepared. Mr. Robbins spoke with our rate consultant, Steve Brock about the purchase, and

Mr. Brock said it would undoubtedly be in Prince's Lakes best interest to purchase Town of Trafalgar Utilities. He also said there is a process that has to be completed in order for Trafalgar to sell their utility. Mr. Gallamore asked if we would have to purchase their wastewater utility as well. Mr. Robbins stated our contract is for the water utility and we would not have to purchase the wastewater utility. Mr. Gallamore stated he and several Councilors have discussed purchasing the water utility. He said we have the ability to pump all the water that would be needed, but to be able to deliver the water would be an issue and need to take a look at our infrastructure. Mr. Blackwell asked Mr. Robbins if we purchased the utility can we leave their rates at the current amount? Mr. Robbins stated as long as we can identify and support as to why their rate is a different rate, then that rate can stay the same.

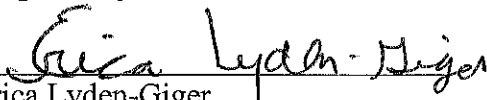
OLD BUSINESS:

NEW BUSINESS:

Mr. Gallamore stated the youth group cannot participate on June 17th for the Town Clean Up Day. Discussion was made and June 24th was set for the new date. Mrs. Lyden-Giger stated she wanted to inform the Council that in her next training conference there a will be class about new legislature requiring Council meetings to be recorded and posted for residents to be able to watch and Mrs. Lyden-Giger wanted to inform the Council this change could affect Prince's Lakes and to just be aware.

With no further business before the Prince's Lakes Town Council, Council President Nelson motioned to adjourn at 8:47 pm Councilor Montarsi seconded the motion and carried unanimously.

Respectfully submitted,


Erica Lyden-Giger
Clerk-Treasurer

Council:


Council President Greg Nelson


Council Vice President Bryan Tearman


Councilor Mike Gallamore


Councilor Karen Harrison


Councilor Philip Montarsi