



MEETING MINUTES

PRINCE'S LAKES TOWN COUNCIL

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

December 18, 2023

COUNCILORS PRESENT:

COUNCIL PRESIDENT GREG NELSON
VICE PRESIDENT BRYAN TEARMAN
COUNCILOR MIKE GALLAMORE
COUNCILOR KAREN HARRISON
COUNCILOR LINDSEY HENSON

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

PUBLIC PRESENT:

DANA HUGHES
TIM HUGHES
SHERRY YAGER
CAROL ANDERSON
KAREN NOLAN
CHRISTOPHER NOLAN
ASHELY SMITHEY
BRANDON SMITHEY
NEIL MILLER
TINA MILLER
DEBBIE DANIELS
NICOLE FORD
ANDY TANNER
DEDRA MISCHLER
TYLER SKINNER
ALLISON SKINNER

MELODY
JAMIE KOUNS
CHAD MISCHLER
MARI PETREE
DOUG PETREE
JIM WEEKS
EVERT YOUNG
DEON PIKE
KELLY BROCKMAN
ANTHONY GIGER
BRYAN HILL
REAGAN HILL
BILL DUFORD
DEBBY MCMULLER
WAYNE
MIKE SPRATT
KEVIN HARRISON
DANNY WELCH
CLEON STAFFORD
MELANIE STAFFORD
PHIL MONTARSI

Council President Nelson called the meeting to order at 6:50 pm followed by the Pledge of Allegiance

PUBLIC FORUM:

Town Attorney Lee Robbins gave background on the proposed installation of an AT&T cell phone tower. Mr. Robbins stated a survey was sent out early in the year and the Council has considered the results of that survey. There are some Council members that question how credible it is because anyone, including people living outside of Prince's Lakes could have and did take the survey and people were able to vote more than once. Based on the level of interested, the Council felt this was not a controversial issue. Other focus was made about whether AT&T was paying enough money and whether the Council wants to tie up town property for 90 years. Mr. Robbins stated the Council was having an execute session before the meeting to discuss the terms and matters related to the cell tower. He also stated a vote will not be taken tonight and as of January 1st; two new council members will be on the council so they are going to wait until the new members take office. Mr. Robbins stated the Council would like to mail out a survey to Prince's Lakes residents only. The Council is interested in hearing from Prince's Lakes residents and seeing if they are interested or not interested in the tower. The Council is not willing to accept the current economic terms being offered. If the Council decides this is something they want, they still have to reach a deal with AT&T for the amount of money they are going to pay, for the number of years and whether or not there are ways for the Council to get out of the deal if it turns out not to be as good as AT&T says. Mr. Robbins stated he does not know if that is possible. He thinks AT&T will not offer the amount of money the Council will like, but he is unsure. The goal of the

Council is to get the best result, that's what is best for the community, that does not put the Town in a position that it doesn't want to be in decades down the line, that is fair economically. Based on the discussion before this meeting, there are not three out of five Council members that feel they have enough information to be able to commit the Town to a decision.

There will be a public hearing with the new Council at which time residents can make comments.

Karen Nolan stated she didn't know about the last survey and everyone she's talked to didn't know about it either and thinks the Council will get better results with a different survey.

Carol Anderson stated she thinks the tower is harmful and she has no faith in AT&T.

Catherine Gleason stated she would like more information on the sign and more information to be presented to the public not just online. She stated the environmental concerns need to be addressed. We have deer and children who play close, we have Life Line that lands here and Camp Atterbury that fly planes here. That all needs to be considered. She has already contacted the FCC regarding this issue.

Jim Weeks wanted to know if the Town is in such financial hardship that we need the money from the Tower and what is driving this? Mr. Weeks also said we have no idea what the health effects are from these towers and it took 40 years for the government to admit Agent Orange was harmful. Mr. Nelson stated the Town does not need the money.

Chris Nolan asked what the money would be used for. Mr. Nelson said it would go into the General fund and could be used for any reason and might go to the Park.

Debbie Daniels wanted to know why this location was chosen? She stated it is close to the playground where our children play and the community gathers. Mr. Nelson said they were told this is the highest point of Prince's Lakes. Mrs. Daniels said they installed a tornado siren behind her house because she was told that was the highest point in Prince's Lakes. Mr. Robbins said AT&T considered other locations, and the Council asked about the land on the curve. AT&T has determined that this is the best spot to be and give more coverage. He understands that it might not be the most desirable from the Town's perspective, but it is from AT&T's perspective. Mrs. Daniels said AT&T is just trying to get more customers and if you don't have AT&T it serves no purpose for the rest of the community except to stare at it and possibly health issues. Another resident asked if anyone who works for AT&T lives here and has to face the possible health risks. Mr. Nelson stated they put them in Franklin and have boosters everywhere and they are put on telephone poles. She stated that she did not move to Franklin, she moved to Prince's Lakes.

Everett Yaegar asked what if they turn down the proposal, what would stop a resident from putting one up on their property. Mr. Tearman and Mr. Nelson stated they would have to approve it if they were in town. Mr. Yaegar stated he is fully against the tower. It's an eye sore, he doesn't want to look it. He lives here because it's an inconvenience, there's less crime, it's small and safe. He doesn't want that to change. Phil Montarsi stated Johnson County has a lot of restrictions for towers and he feels that this is the motivation for AT&T to come to Prince's Lakes. There must be 1 foot of clearance to a private residence per foot of the tower height. Since it is 196 feet tall, there must be 196 feet from a residence. Sherry Yaeger has lived here for 38 years and loves all the work that has been done over the years and said it is upsetting that you would build a tower here and take up that property that could be used for future use.

Another resident said she has a VP shot in her brain that keeps her alive and her neurosurgeon told her it's a proven fact that cell phone towers can affect it. She is a mother with 3 children, doesn't want to risk her health and never received a survey. Chad Mischler asked about how much control we are going to have in the future? Mr. Nelson said nothing else was discussed, no repeaters,

nothing else as far as years down the line. That would have to go to the Council. Nikki Ford said she moved here a couple of years ago and is confused why Council would put up an AT&T tower when everyone seems to have a phone that works fine. Mr. Tearman stated not everyone has good service. Marshal Southers stated he is not for the tower, but the Council is thinking about getting better service for residents. Mr. Tearman said they are claiming they guarantee it will work. Catherine Gleason said because of all the water and how towers work that they go out in an umbrella, and Prince's Lakes residents will not get better coverage and asked who is really benefiting from this tower. Mr. Tearman said AT&T said it will benefit everyone in the neighborhood. Andy Tanner said he had a driver that broke down on Army Reserve and she had to walk to a residence because she did not have service. Mr. Tanner said he is not for it or against it, but public safety is an issue. Anthony Giger stated he was here for the meeting when the brokers were here and in their own words, they said they cannot guarantee service, if you live in a hole or heavily wooded area, you are not going to get coverage and would encourage everyone to go to the Town's website and read the previous minutes. Mr. Nelson ask if there are no more comments, this portion of the pubic forum will be closed.

Kevin Harrison stated for over a year he has been looking for people for the BZA. At the end of December, there will only be two members. There are open seats for the Planning Commission as well. Mr. Harrison said the last couple of meeting there was talk about having a town manager and he encouraged all Council members to look at the statute regarding authority's town managers have. Mr. Harrison said as an elected official he would not feel comfortable to have town manager have the authority that they do. Mr. Robbins stated it would not be labeled a statutory town manager and more of a day to day administrative position. Mr. Robbins stated three members of the BZA must be appointed by the president of the Council, but often Council presidents consult with the other members. One citizen member is appointed by the Council and that member cannot be a member of the Planning Commission. One of the members appointed by the president must be a member of the Planning Commission. The Planning Commission must appoint a member of the Planning Commission to the BZA.

APPROVAL OF MINUTES:

- Council Vice President Tearman motioned to approve the November 20, 2023 Regular Meeting, December 12, 2023 Special Meeting Minutes, & December 18, 2023 Executive Session. Council President Nelson seconded the motion and passed unanimously.

TOWN MARSHAL REPORT:

Marshal Greg Southers spoke about how his computer equipment is failing and needs to upgrade the police department computers and presented a quote of \$15,151.00. He asked for approval. He also said he has a bid for remodeling the police department. Discussion was made about possibly expanding the meeting room into the police department and making an addition for a new police department. Mr. Nelson asked Marshal Southers to get a quote and more discussion will be made in the future.

Marshal Southers stated his fueling system is over 20 years old and it will cost over \$12,000 to replace it. He is wanting to either go back to a camera system and hand writing the fuel they get or

replace the current system. Mr. Nelson asked if they can use fleet cards and go to the gas station or get fuel from the utility department. Marshal Southers stated that would not solve the problem with keeping track of each department. The street department and the police department use the same system currently. He feels they are secure with having fuel here.

- Council President Nelson motioned to approve the quote for the police department's new computers for \$15,151.00 Councilor Henson seconded the motion and passed unanimously.

WATER/WASTEWATER REPORT:

Superintendent Scott Blackwell gave his monthly report and 2023 recap. Since 2018 water efficiency has gone up from about 69% to around 83%. The average for 2023 is 80%. Mr. Blackwell said since 2020 utility rates have on average gone up 10% in the state of Indiana. Because of improvements that have been made in the last few years, Prince's Lakes rates have stayed the same. Mr. Blackwell thanked the Council for allowing him to do the necessary improvements needed to get to this point. Mr. Blackwell also stated they have worked very hard to improve our relationship with Camp Atterbury and they have greatly improved that relationship. Framing for the new building has fallen behind and they will not start that until after the first of the year.

PUBLIC WORKS DEPARTMENT REPORT:

Public Works Supervisor Mike Miller said they have been doing a lot of pruning, brush cutting and getting ready for winter. Councilor Mike Gallamore said he needs to look into the CCMG, the grant needs to be submitted soon. The new playground equipment will be delivered soon and the old equipment needs to be removed before the installation. Mr. Gallamore recommends taking the old equipment to Kroot for scrap metal. Discussion was made about removing the old equipment.

CLERK-TREASURER REPORT:

Clerk-Treasurer Erica Lyden-Giger presented Town, Utilities, November 22, 2023 & December 7, 2023, allowance docket claims and ask the Council for approval in the amounts of \$148,409.26, \$333,390.43, \$39,000.74, \$44,828.59.

Mrs. Lyden-Giger informed the Council that the Anthem premium is going up by 19.35% and presented Anthem premium policy for 2024 and asked for approval.

Mrs. Lyden-Giger also presented Resolution 2023-03. Mrs. Lyden-Giger explained during the last audit of 2021 and 2022, SBOA said they had been carrying adjustments since 2016. Once she corrected the beginning cash balances there was a balance in the State & County taxes and Mrs. Lyden-Giger would like to transfer the balance into the General fund. Mrs. Lyden-Giger explained she and Mr. Blackwell have been dealing with AT&T for over 18 months to get the bill lowered and it has been a very difficult process. Since the building has been demolished, Mr. Blackwell has been able to get part of the telephone bill switched to another company. That company will only accept an auto draft payment or pay by credit card. Mrs. Lyden-Giger stated we need to update our credit card ordinance and asked for approval for Ordinance 2023-10 amending Ordinance 2020-02 amending Ordinance 353. Mrs. Lyden-Giger stated the need for another

meeting to approve the 2024 salary ordinance. The date and time was scheduled for December 28 at 4:30. Mrs. Lyden-Giger said she had a few invoices that came in late and would like to get those approved. Mrs. Lyden-Giger presented an invoice for \$1050.00 to Brad Southers for painting, Morgan Insurance for \$101.00 for the public officials bond, and SCI REMC for grinder pump electricity for 2023 for \$5660.42

After discussion,

- Council Vice President Tearman motioned to approve all claims as presented. Councilor Henson seconded the motion and passed unanimously.
- Council Vice President Tearman motioned to approve Resolution 2023-03. Councilor Henson seconded the motion and passed unanimously
- Council President Nelson motioned to approve Ordinance 2023-10 amending Ordinance 2020-02 amending Ordinance 353. Councilor Henson seconded the motion and passed unanimously
- Council President Nelson motioned to approve Anthem premium policy for 2024 as read by Clerk-Treasurer. Councilor Henson seconded the motion and passed unanimously
- Council President Nelson motioned to approve the painting invoice for \$1050.00 and Morgan Insurance for \$101.00. Councilor Henson seconded the motion and passed unanimously
- Council President Nelson motioned to approve SCI REMC for \$5660.64. Council Vice President Tearman seconded the motion and passed unanimously

ATTORNEY'S REPORT:

Mr. Robbins presented the 2023 Nepotism forms for elected officials and had them sign. Mrs. Lyden-Giger will retain for records.

OLD BUSINESS:

Mr. Gallamore went over the different sign options. After discussion, Mr. Gallamore is going to ask the sign companies for a new quote with different specs.

NEW BUSINESS:

No new business was discussed.

With no further business before the Prince's Lakes Town Council, Council President Nelson motioned to adjourn at 9:02 pm Council Vice President Tearman seconded the motion and carried unanimously.

Respectfully submitted,



Erica Lyden-Giger, IAMC
Clerk-Treasurer

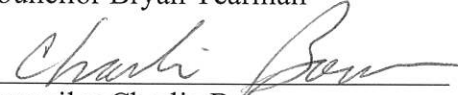
Council:



Councilor Greg Nelson



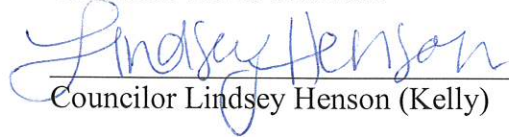
Councilor Bryan Tearman



Councilor Charlie Bourne



Councilor Kevin Harrison



Councilor Lindsey Henson (Kelly)