

DEKALB COUNTY COMMISSIONERS' MEETING

March 6, 2023

Commissioners Present: President William L Hartman
Vice President Michael Watson
Vice President Todd Sanderson – Absent

Others Present: Deputy Jody Wiedenhoeft
Attorney Andrew Kruse

Commissioner Hartman started the meeting by asking for a moment of silence on behalf of the fallen Indiana State Police Master Trooper James Bailey, who was tragically hit and killed on March 3, 2023, while he was assisting other Troopers on I-69 with a traffic backup.

MATTER OF DEKALB COUNTY ECONOMIC DEVELOPMENT 2023 FEE AGREEMENT

Anton started by recapping 2022 Economic Development Partnership. Anton stated that DeKalb County was received as a Top 5 Micropolitan in the United States again this year by Site Selection Magazine, which marks three consecutive years for such an accomplishment. He went on to explain that DeKalb County has had \$177 million dollars' worth of new private investment within the County, including approximately 74 projects. DCEDP has been working within the DeKalb County Community to help develop over 279 new jobs, and were able to retain 1,300 jobs. Anton then began discussing the 2022 DCEDP Annual Report. The housing aspect and trends were substantial this year, and his team has been working with developers, builders, community leaders, and many more to help create new housing opportunities. And then finished that portion of the presentation with all of the different organizations/company names that DCEDP has partnered with.

Anton then moved on to the Fee for Service contract, and specifically onto the previous Board Representative for the County Commissioners, Jim McCanna. Anton stated that since Jim retired in February of 2023, and for consideration of the County Commissioners, DCEDP does have an opening for the Board Representative for the Commissioners seat. Commissioner Watson stated he would be more than happy to fill the seat on that Board. Commissioner Hartman would prefer to speak about this when Todd Sanderson is present. Anton continued more in depth on the 2023 DCEDP Fee Service Agreement, and that verified most of the language has stayed the same, with the exception of the 4th page of the handout showing the scope of services provided from the DCEDP to the DeKalb County. The 2023 Fee Service Agreement has a total this year of \$105,000.00 payable in March of 2023, and the partnership will begin invoicing the DCEDP. The fee is broken down the same as last year with \$95,000.00 for DCEDP, and the \$10,000 fee for Northeast Indiana Regional Partnership which has previously invoiced DeKalb County directly, which is budgeted in a separate account, is now included in the total fee of \$105,000.00.

Commissioner Watson asked if Anton anticipated a conversation between the Regional Partnership, and the local county officials in terms of how effective the Regional Partnership is addressing issues and asked if the responsibility is moved to the Local Economic Development Organization (LEDO), how that goes about being paid and maintained.

Anton responded by stating that the agreement with the Regional Partnership is on an annual basis, and there is an opt out clause in the agreement. DCEDP meets with the Regional Partnership monthly, and works hard to make sure there is good dialog and feedback, and are adamant that the local community's voices are heard and represented. Anton stated that he can provide additional information and can meet

weekly, if necessary with the Regional Partnership to verify that DeKalb County is getting the full value of the \$10,000.00 allocated if the County decides to participate. Andrew Kruse asked about the budgeting process, and Anton verified that this should not have any additional budgeting concerns as the dollar amounts have not changed otherwise.

Commissioner Hartman asked if it is possible to get a list of contributors and what each Investor provided to the partnership. Anton stated that on the back of the Annual Report is shows each investor, and then agreed to provide that data and email a list with amounts to the Commissioners. William Hartman then asked that we table this conversation until next week when Commissioner Sanderson returns and the three Commissioners can speak about the agreement together.

MATTER OF PAINTING OF LIGHT POSTS AND CANNON ON THE COURTHOUSE LAWN

Larry Lane provided a proposal from Derrick Weimer Painting and Drywall for the Courthouse lawn light posts and cannon repainting. Commissioner Hartman asked if they have verified the type of paint they will be using on that particular material.

Larry then moved to Lockwood welding, and provided a copy of a quote for the TV stand for the Commissioners Court. He stated that the stand would be in the back corner of the courtroom, and went on to say it is a permanent fixture and will be mounted onto the floor. Commissioner Hartman went on to ask if it could have a place to put paperwork, similar to a triangular stand specifically for paperwork.

Michael Watson made a motion to approve both proposals. William Hartman seconded, all approved.

MATTER OF DEKALB COUNTY COMMUNITY CORRECTIONS FIRE PROTECTION AGREEMENT

Michelle Fosnaugh began by speaking about Fire Inspection at Community Corrections and stated that Fire Inspections are required during annual audits. She stated that in 2022, there was a partial fire inspection, but there were several items that were not completed. She then confirmed that there were two companies that provided quotes, Koorsen and Johnson Controls. Michelle verified that initially, Koorsen was the most cost-effective quote, however, when the terms of the contract was reviewed, Koorsen did confirm that if they did find anything wrong with the Simplex Technology System, Johnson Controls would be the only company that could come in and fix it. Michelle stated that DCCC did not have to decide until later this Spring 2023, and then recently was contacted by Johnson Controls, and they had a change in policy and that they could now provide a new quote based off of a Regional level, instead of a National level. She stated that if we do decide to go with Johnson Controls, the County would be discounted on parts and labor if anything mechanically goes wrong with the system.

Commissioner Watson reminded Commissioner Hartman that Johnson Controls was the company that serviced/controlled the system at Central Communications, and that the County was being overcharged for items, and services. Both Commissioners are concerned about price gouging after the fact, specifically because Johnson Controls locks users in on their parts, limiting other companies the ability to access or offer replacements and quotes. The quote from Johnson Controls is \$1,170.00, for an Annual Inspection, and that is a 5-Year contract. Commissioner Hartman would like Michelle to reach out to Johnson Controls about revising the proposed contract changing it to a 1-Year trial, or a 5-year contract with a 90-day "opt-out" each year. Andrew Kruse stated that the proposed contract also states DCCC would have to cancel, in writing, more than 30 days before the end of the contract to opt-out. Andrew also said that if Johnson Controls would increase their prices, the County would have 15-days to object to such price increase, or the increase would become locked in for the next calendar year. Both Commissioner

Hartman, and Commissioner Watson agreed, and asked Michelle to go back to Johnson Controls with their proposed revisions. Michelle agreed, and will keep the Commissions updated as the outcome.

APEX AGREEMENTS

Andrew Kruse began on the topic of the Apex contracts, and stated he has reviewed the contracts and has no objections as they are written, and also spoke with Dotty. Commissioner Watson feels that we need to get these contracts approved and signed, so that they can move forward on the Health Insurance.

Michael Watson made a motion to approve the contracts with Apex Benefits as submitted. William Hartman seconded, and all approved.

MATTER OF HIGHWAY

Ben began with a Tower update. He is still working on specifications and quotes, and has sent the report with the soil tests over for verification and clarification on the different towers. Ben stated he has not received a quote back from AES, but is hoping to get it back soon, otherwise he will proceed with the two quotes that we have received. Ben went on to say there is a considerable cost difference in the quotes, but wants to verify we have everything we need. Commissioner Watson stated that the appropriation is done, so we will work together to make ensure we can proceed timely once Ben chooses which quote he would like to proceed with.

Ben then updated the Commissioners on a few projects and stated he is working hard to get things lined up for the upcoming summer months, including the route for the chip and seal. Ben updated the Commissioners on the pipe that needs replaced on County Road 43, and confirmed that it has been ordered, but has not received the drawing back for approval. Specifically, the structural plate pipe is different from the round plates that are typically ordered, and has not received the Spec Drawing Sheet to sign off on- but has reached out to check the status. Commissioner Hartman verified that the Highway Crew will be assembling the pipe, and Ben confirmed that they will indeed be staffing 4-5 Highway employees, along with Tim Knott. Ben explained that it will take two excavators to get the project finished, and that he has the support of the Surveyors office, and that Glen has offered to help contribute with the costs.

Bridge #9 is still being cleaned up, and the demolition is completed. Ben stated that because of all of the rain we have recently received, it is delaying the process. Commissioner Hartman then asked about dust control, and Ben confirmed that he does not have the schedule as of yet, but will keep the Commissioners updated on the dates once he receives it. Ben then spoke about the roads that are going to be sealed or hard-surfaced and as of now those are: County Road 32, County Road 57, and County Road 38.

MATTER OF 2023 CCMG HIGHWAY ROAD RESURFACING PROJECT BIDS

The 2023 Road Resurfacing Joint Project with the City of Auburn Bids were due today March 6, 2023 by 10:00 a.m. and opened at 10:30 a.m.; as advertised and Ben Parker opened all bids during the Commissioners' meeting. The following companies submitted bids:

	API Construction	Brooks Construction
Project #1-6 are relative to DeKalb County portion		
Project 1	\$69,715.40	\$66,121.15
Project 2	\$140,722.69	\$135,020.21
Project 3	\$362,393.73	\$347,869.62
Project 4	\$76,340.08	\$74,651.07
Project 5	\$41,190.56	\$37,845.24
Project 6	\$603,778.00	\$604,206.82
Total 1-6	\$1,294,140.46	\$1,265,714.11

Project #7-10 are relative to the City of Auburn portion

Project 7	\$44,342.44	\$44,280.56
Project 8	\$143,372.14	\$149,926.56
Project 9	\$30,966.88	\$30,758.52
Project 10	\$15,215.00	\$14,024.75
Total 7-10	\$233,896.46	\$238,990.39
Total 1-10	\$1,528,036.92	\$1,514,377.00

Michael Watson made a motion to allow Ben Parker, Highway Superintendent to take these bids under advisement until the March 13, 2023 Commissioners Meeting, when he will then make a recommendation. William Hartman seconded, and all approved.

MATTER OF MINUTES

Michael Watson made the motion to approve the minutes as dated February 27, 2023. William Hartman seconded, and all approved.

MATTER OF PAYROLL

Michael Watson made a motion to approve payroll for the period of February 12-25, 2023. William Hartman seconded, and all approved.

MATTER OF CLAIMS

Michael Watson made a motion to approve February 2023 Bookkeeper, Payroll claims and Special claims as submitted. William Hartman seconded and all approved.

MATTER OF TRAVEL REQUESTS

Michael Watson made a motion to approve the following travel requests:

- 1) Richard Ring to attend the NE County Council Association District Meeting in Columbia City on March 7, 2023. Estimated cost of \$71.60. Paid from Department travel.
- 2) Robert Krafft & Rick Collins to attend NE County Council District Meeting in Columbia City on March 7, 2023. Estimated cost of \$25.50, paid by department travel.
- 3) Effie Campbell to attend Camp Counselor Training held in Columbia City on March 7, 2023. Estimated cost of \$27.00, paid for by department travel.
- 4) Mike Watson to attend the Maumee River Basin Commission Meeting held at the Allen County Soil & Water Office, in Fort Wayne on March 9, 2023. Estimated cost of \$17.40, paid for by department travel.

William Hartman seconded, and all approved.

MATTER OF CORONER TAHOE TITLE

Michael Watson made a motion for the President to sign the title for the 2010 Chevrolet Tahoe that is being traded in for a new transit van for the Coroner Department. VIN#1GNUMKAE06AR209709. William Hartman seconded, and all approved.

MATTER OF HIGHWAY TRUCK TITLE

Michael Watson made a motion for the President to sign the title for the 2015 Dodge Ram that is being traded in for the purchase of a Ford Truck for the Highway Department from 2022. William Hartman seconded, and all approved.

MISCELLANEOUS TOPICS

Andrew Kruse began by discussing the TORT Claim that was filed against a DeKalb Co. Probation Officer. Judge Grimm sent Notice to the County by forwarding a copy to Andrew, and because the

Probation employees are "State" employees for all lawsuit issues against them, those lawsuits are actually suing the State. Andrew has turned the paperwork into Liberty Mutual, and they were considering contacting the Attorney General. Andrew went further and said if DeKalb County was named in the Lawsuit, that our Insurance Company would hopefully step in, and say the we are not responsible.

Andrew then moved to County Road 51 Drive Way Situation and Mr. Land, and stated he received a letter from Jordan Huttenlocker, as well as notes from Ben Parker on his recommendation for an Independent Engineer. Andrew asked if the Commissioners would like him to respond on behalf of the County. Commissioner Hartman, as well as Commissioner Watson agreed that Andrew should respond to opposing Council. Discussion took place, and all agreed with Ben Parker's recommendation that Mr. Land hires an Independent Engineer to engineer the road. Commissioner Watson asked for clarification in the letter whatever needs done, that the landowner engineers it, and it will be at Mr. Land's expense, and that it will need to be professionally engineered and have approved specifications of the DeKalb County Highway Superintendent, Ben Parker.

Lastly, Andrew informed the Commissioners of the Eminent Domain - Schweigel Case – Andrew explained the case as an eminent domain where DeKalb County has been sued for a temporary easement on roadwork. Andrew stated that the homeowner is getting \$1,000.00 for eminent domain for temporary, 1-year usage of their property. DeKalb County was sued in case and there are real estate back taxes owed. Andrew does not believe that the County has any ownership in this property and does not believe the County will lose anything, as this is simply eminent domain action. Both Commissioner Watson and Commissioner Hartman agreed for Andrew to sign off on the Agreed Judgement on behalf of the County.

MATTER OF WOOD-LAND-LAKES RC & D

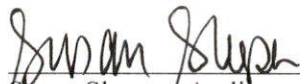
Wood-Land-Lakes RC & D sent a request to have one of the DeKalb County Commissioners regularly attend their meetings, and be on their Board of Directors. Discussion took place.

Michael Watson made a motion to appoint Commissioner Hartman to the Wood-Land-Lakes RC & D Board. William Hartman seconded, and all approved.

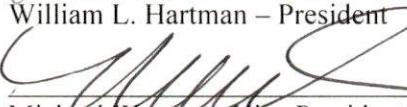
MATTER OF OTHER DISCUSSION

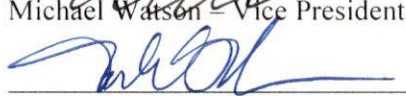
Topics Include: Drainage Board & Regulated Drains; House Bill 1167-Recording Requirements and Retention for Committees/Bodies meeting in the Commissioners Court; EPA Lawsuit & Dekalb County Drains; Public Comment-Cell Phone's in the Courthouse;

Attest:


Susan Sleeper, Auditor


William L. Hartman – President


Michael Watson – Vice President


Todd Sanderson – Vice President