

DEKALB COUNTY COMMISSIONERS' MEETING

August 28, 2023

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

Others Present: Auditor Susan Sleeper
 Attorney Andrew Kruse

MATTER OF HUMAN RESOURCES

Human Resource received a phone call from a local television station wanting to talk with someone from the County on the surrounding companies that are going through a phase-out and those losing jobs, Dotty passed the information along to the Commissioners. Dotty announced the Job Classification sub-committee that will be held tomorrow in the annex building. Recruitment around the County Departments was reviewed. Dotty has been getting feed back from employees about having one less holiday.

MATTER OF DEKALB COUNTY EMERGENCY OPERATIONS PLAN

Jason Meek had emailed the Commissioners and their Attorney the new Emergency Operations Plan, and made any updates as suggested. This plan is replacing the Comprehensive Plan.

Todd Sanderson made a motion to approve and the president to sign the Emergency Operations Plan as provided. Michael Watson seconded and all approved.

MATTER OF EMERGENCY MANAGEMENT

Annual LEPC exercise was held, A damage assessment workshop is scheduled, COAD meeting is on the plan in October, Advisory Meeting set, incident command management class being held for the County and so far have a total of 13 classes scheduled, 2022 Salary Reimbursement was received, and Jason wanted the Commissioners to know that many other Counties hire the work out for the programs and plans that Jason is able to do in house with the expertise of his employees.

MATTER OF LARE GRANT ADVERTISEMENT APPROVAL

Nellie Peffley sent ahead of the meeting the Clean Water Indiana 2024 Competitive Grants Guidance for the LARE submission that is being looked at as the prior LARE cost came back very high. Nellie explained that the City of Auburn will now be able to take the earthwork to a designated location, which will significantly lower the cost for earthwork. With the City accepting all spoils, we would hope to receive a low bid around \$300,000. Nellie will provide the new engineer's estimate as soon as she receives it. Based on the engineers' estimate the cost to the County and to the city would be around \$65,000, but hopefully less if the CWI is received.

After talking with DNR regarding the bare root vs. 5-gallon trees we will be keeping all replacement trees at 5-gallon, which was outlined in the report. Changing the design using bare root would increase the number of trees we would have to plant to follow the DNR habitat mitigation requirements. We also must ensure that the mitigation tree plantings have a minimum survival of 75% or additional trees must be installed per the DNR permit. Nellie has also been discussing the idea with the City of Auburn about apply for a Clean Water Indiana (CWI) grant to further reduce the cost on this project. Nellie needs approval from the Commissioners to advertise for bids on the Cedar Creek Stabilization Project.

Todd Sanderson made a motion to approve Nellie to submit the advertisement for bid. Michael Watson seconded, and motion passed (2,1) with Hartman voting against.

MATTER OF NEW HEALTH FIRST INDIANA FUNDING BUDGET | SEA #4

Commissioner Sanderson has reviewed the entire plan and has no problem with the information going to the State as presented. Commissioner Watson agrees.

Michael Watson motioned to approve Cheryl's budget with the SEA #4 funding to include the FT School Liaison position, to be sent to the State. Todd Sanderson seconded and all approved.

MATTER OF DEVELOPMENT SERVICES

Code Compliance Introduction: Zak Kashmer is the new Code Compliance Officer and was recommended by the previous Officer Paul White. Zak is also on the Fire Department and will have a similar schedule as Paul had.

Public Nuisance Resolution 2023-R-15: DCC 16-7-2

Chris Gaumer had worked with Attorney Kruse on updates/changes that the Public Nuisance Resolution needs to include and had previously talked with the Commissioners on the need to make changes.

Todd Sanderson made a motion to approve and all to sign Resolution 2023-R-15: DCC 16-7-25, A Resolution of Public Nuisance for Properties located within the Unincorporated Jurisdiction of DeKalb County, Indiana on FIRST Reading. Michael Watson seconded and all approved.

Michael Watson made a motion to suspend the rules and pass the Resolution on SECOND and THIRD Reading. Todd Sanderson seconded and all approved.

Michael Watson made a motion to approve and all to Resolution 2023-R-15: DCC 16-7-25, A Resolution of Public Nuisance for Properties located within the Unincorporated Jurisdiction of DeKalb County, Indiana on SECOND and THIRD Reading. Michael Watson seconded and all approved.

MATTER OF CLAIMS

Michael Watson made a motion to approve June Settlement claims from the Auditor's office as presented. Todd Sanderson seconded and all approved.

MATTER OF MINUTES

Todd Sanderson made the motion to approve the minutes dated August 21, 2023. Michael Watson seconded and all approved.

MATTER OF JOHNSON CONTROLS AGREEMENT FOR DCCC

Todd Sanderson hesitantly made a motion to approve the contract and find a better solution later. Michael Watson reluctantly seconded and all approved, reluctantly.

MATTER OF DCCC OTHER ISSUES


Michael Lapham was in to discuss a multitude of issues that remain at Community Corrections that he has zero expertise on, and he is hoping to get some recommendations on how to handle. Auditor Sleeper had suggested Michael Lapham discuss with Commissioner Sanderson. Michael Lapham just wanted to be sure it was acceptable for him to speak directly to Commissioner Sanderson.

MATTER OF ANDREW PROVINES QUESTIONS

Andrew Provines: attended the Sculpin Solar meeting held in Butler and he has a couple questions. Andrew asked the question of how much land they would be covering, and Sculpin said 50% would be covered with panels. Andrew stated that the Ag 1 and Ag 2 in the unified development ordinance states 15-20%. When asked what happened to that 15-20%, and Sculpin responded that their attorney has found a loophole. Andrew asked all the Commissioners if they would hold up to the UDO or allow them to go over the 15-20%. Commissioner Watson feels that until he sees the actual plan/presentation that he cannot decide on that at this time. Commissioner Sanderson agrees he needs to see the plan. Andrew then asked if the UDO says 15-20% will that be held or will they go around it. Andrew then read from the development standards that stated 'supersedes or supplements' and he believes that is the section the Sculpin Attorney is working off and asked the County Attorney his thoughts. Attorney Kruse would never want to say that a loophole cannot be found as an attorney, however he does understand the logic of Andrews statement, but he would need to research everything deeper regarding the question before he can give an official opinion. Sanderson asked Attorney Kruse how possible it would be that the County could be sued by landowners. Commissioner Watson feels Andrews questions are viable, but not until there are both sides of the argument. Andrew was looking for a yes/no answer on if the UDO would be upheld or not and the Commissioners would lean on their County Attorney for guidance. Attorney Kruse expressed that making pre-emptive opinions is not a good idea. Andrew then asked if the County Attorney should look at the UDO very deeply and see if there are any loopholes that could be found, and if the UDO needs updated. Commissioner Sanderson would agree to that work if a new plan were submitted, but not any current plans already in process.

MATTER OF OTHER DISCUSSION

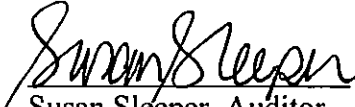
Topics include- airport growth and the airport becoming self-sustaining and not on the taxpayers by having a housing addition by the airport, water lines started at new Highway site, building #2 steel work is very close and ready to have concrete poured, and a letter received from Chris David Curie about fiduciary duties.


William L. Hartman – President


Michael Watson – Vice President


Todd Sanderson – Vice President

Attest:


Susan Sleeper, Auditor