

DEKALB COUNTY COMMISSIONERS' MEETING

January 11, 2021

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

Others Present: Auditor Jan Bauman
 Attorney James P McCanna – ATTENDED ELECTRONICALLY

MATTER OF HUMAN RESOURCES

The bulk of the time was spent discussing open and filled positions, the ongoing age discrimination lawsuit against the County by a former employee, and unemployment claims.

The new employee handbook has been e-mailed to all County employees. Copies are also being printed to be distributed. Employees will need to acknowledge that they have received the handbook and will abide by it.

Open enrollment for health insurance is in June. Now is the time to be thinking about changes if the Commissioners want to explore new avenues for insuring employees.

Ms. Miller thanked Susan Sleeper and Lauren Deutch for their work yesterday to prepare the ACA information for County employees.

MATTER OF COMMUNITY CORRECTIONS AND UPCOMING EXECUTIVE SESSION

The Commissioners would like to have an Executive Session to talk about an employee's performance in the Community Corrections department. Kellie Knauer would like to be able to talk freely and know which employee it is and what the deficiencies are so they can be addressed. The Auditor's Office has been having issues with the employee for years. It is not a new problem. Ms. Knauer said they have built a new building, had a significant increase in the number of employees as a result, delays due to COVID, and outside factors from the State, so she would like grace be given to them. President Hartman explained that she is not the first person to have problems like the ones she is describing.

The Auditor indicated that the request for a meeting about like this was not at her request, although her office is the one that is having so many problems getting correct information from this employee. There has been ongoing frustration dating back several years, and it has finally gotten to the point that the problems need to be corrected. Correct information in a timely manner needs to come to the Auditor's Office rather than the Auditor's Office having to dig for and request it repeatedly. The e-mails with this individual now always include Ms. Knauer and have for a couple of months, so Ms. Knauer knows what each situation is about from the time the very first e-mail is sent. The Auditor's Office does not have this issue with any other department and it is extremely time consuming for her and her staff due to the amount of follow-up necessary.

Attorney McCanna said that one of the Commissioners should notify the employee about being at the Executive Session. Others who should be present are: Kellie Knauer, Dotty Miller, Jan Bauman, Susan Sleeper, and Rick Ring. The Commissioners denied Ms. Knauer's request to bring two others from her department to participate in the Executive Session.

MATTER OF COMMUNITY CORRECTIONS

Ms. Knauer presented the Juvenile Community Based Supervision Grant Application for Fiscal Year 21-22 for \$88,686. Todd Sanderson made a motion to approve the application for the Fiscal Year 2021-2022 Juvenile Community Based Supervision Grant and for all three to sign. Second by Michael Watson, and all approved.

Director Kellie Knauer presented the Firearms Training Agreement. Michael Watson made a motion to approve the Agreement for the Use of the Auburn Police Department Firing Range and Training Facility by DeKalb County Community Corrections for 2021. Todd Sanderson seconded, and all approved.

Ms. Knauer informed the Commissioners that the remaining amount of unused soft costs is \$11,496.15 that is to be used by end of March 2021. The need for more microphones in the housing units in the amount of \$6500.00 from Security Automation Systems will be spent, then the remaining money left will be used for any remaining technology needs.

Commissioner Sanderson asked what causes a student to be placed in the Change Academy. It is for an offense that can be charged and would go through the court system. It is an alternative to expulsion as long as the individual complies with the rules of the program. Mr. Sanderson struggles with the incentives given to students to follow the rules. Ms. Knauer said she struggles with that at times herself, but she follows evidence-based practices which show that the incentives tend to work.

MATTER OF PAYROLL

Michael Watson made a motion to approve payroll for the period December 20, 2020 - January 2, 2021, as presented. Todd Sanderson seconded, and all approved.

MATTER OF MINUTES

Todd Sanderson made a motion to approve minutes dated January 4, 2021 as presented. Michael Watson seconded, and all approved.

MATTER OF CLAIMS

Todd Sanderson made a motion to approve Special Claims for the week of January 11, 2021. Michael Watson seconded, and all approved.

MATTER OF PROCUREMENT POLICY

Auditor Bauman asked the Commissioners if they would like to update their Basic Rules and Policies for Purchasing Ordinance No. 98-11 in light of last week's decision to create a policy regarding purchasing décor for County offices. The State has guidelines they suggest to be incorporated into a procurement policy. The Commissioners passed an ordinance a few years ago that gave guidelines to the Highway Superintendent for purchasing. The Auditor has sent information to departments periodically indicating many purchases that are considered "personal." All of these documents will be sent to the Commissioners so they can begin thinking about what they would like to put into an updated procurement policy for the County.

Todd Sanderson says he doesn't like using personal accounts to make purchases for the County. They should be separate.

MATTER OF HOMELAND SECURITY – INTRODUCTION TO NEW COMMISSIONERS

Homeland Security Director Jason Meek introduced himself and Gabe Creech to the new Commissioners. All will exchange phone numbers. He explained the travel advisory for the State that the County follows: Yellow (advisory), Orange (watch), and Red (warning/emergency declaration). The advisory levels are lined up with the National Weather Service.

The County received 150 doses of the COVID-19 vaccine, and a site has been created in order to give the vaccinations. The group who may receive the vaccine keeps changing.

The year-end report for Homeland Security should be complete by the end of February.

MATTER OF SOIL & WATER

Prior Director Allen Haynes introduced new Director Nellie Peffley to the Commissioners, Auditor Bauman, Attorney McCanna, and Dave Kurtz from the Star.

Also, Mr. Haynes wanted to make plans for the mowing of the Doc Coleman Landing for 2021. Richard Rudolph has done the mowing the past couple of years and is willing to mow again this year. He is paid \$50 each time to mow a couple of acres. Todd Sanderson made a motion to have Richard Rudolph mow the Doc Coleman Landing this summer at \$50 per mow with a maximum of 6 mows per year, and to pay for it out of Other Service Fees in the Commissioners' County General budget. Michael Watson seconded, and all approved.

MATTER OF PLAN COMMISSION APPOINTMENT

There is still an opening on the Plan Commission vacated by Tim Griffin that needs to be filled. Commissioner Watson will have a name to suggest at the next meeting.

MATTER OF AFTER-HOURS EMERGENCY CONTACTS FOR COUNTY BUILDINGS

The emergency contacts need to be updated for County buildings in case there is an emergency after-hours. The City of Auburn likes to have points of contact if necessary. The proposed list from Auditor Bauman was discussed, and some changes were made. It was decided also that each contact on the list would be provided a key to their respective building(s). Auditor Bauman will finalize the list and distribute it to everyone this week, including the City of Auburn.

MATTER OF LATE INVOICE (FROM 2015) FOR SERVER MIGRATION

Central Communications has received a server migration invoice from 2015 that is just now being invoiced for Spillman. Director Brian Humbarger would like guidance on how to pay the \$8,000 bill. Commissioner Sanderson doesn't believe we should have to pay the invoice since it has been so long. Attorney McCanna agrees and said it would be helpful if Mr. Humbarger explained the history of the invoice in written format. Mr. McCanna would like to research the implications of not paying the invoice before a final decision is made to make sure the County is protected from a law suit.

MATTER OF HIGHWAY

The DHPA grant for the covered bridge requires a particular Covenant to be signed since a deed to the covered bridge does not seem to exist. A deed was not the instrument of conveyance when the covered bridge was turned over to County ownership. Attorney McCanna would like a little more time to review the Covenant further to make sure he hasn't missed anything so it can be discussed on Monday. In the

meantime, Ben Parker will ask his contact about the ADA requirements and how those work in conjunction with the historic preservation portion of the Covenant.

If the covered bridge would be damaged again in the future, then the County will have to make repairs according to the State's requirements as part of the Covenant, which could be costly. An option could be that the County could pay the \$50,000 grant back (worst case scenario) and move forward with less costly repairs if the State requirements for the repairs are excessively costly because of the "historic" designation.

Zachrich has removed the flooring of the covered bridge and has delivered it to the Friends of the Bridge for disposal as had been promised by the Commissioners in 2020. Mr. Parker has not heard yet of the engineer's approval for the jacking of the bridge, so the work will be paused until this approval is received. Also, the roof is going to need some attention at some point because it is starting to leak in places. The "historic" designation per the Covenant could affect the type of shingles that can be used on the roof of the covered bridge in the future. Mr. Parker also mentioned that there is a newer paint that is oil-based so graffiti does not adhere to it permanently and is easily washed off.

The January 1-3 snow event cost the County \$55,702.95. The trucks drove a total of 7,466 miles during those 3 days. The cost breakdown was as follows:

6 sets of blades	\$ 1,200.00
Labor (395.5 O/T hours)	\$12,413.59
Fuel (1,654 gallons)	\$ 4,234.24
Sand/Salt (1,451.5 tons)	<u>\$37,855.12</u>
	\$55,702.95

Mr. Parker anticipates having the Commissioners sign the Community Crossings grant on February 1st. Bids for the road projects will be due on February 22nd.

Bridge #9 on County Road 60 over Cedar Creek has had an unfavorable report by USI. The bridge is 127 feet wide. Wood pilings are deteriorating, and the decking is splitting. Federal aid would take 6 years to obtain, and the bridge repairs can't wait that long. It is going to be a very expensive repair. More information on this and why this is unexpected news will be forthcoming.

MATTER OF JAIL COMMITTEE

Representatives from DLZ Indiana made a presentation to the Jail Committee. DLZ specializes in justice architecture and builds many jails.

The architects and engineers work together every day at DLZ and are employed by DLZ. Only 2 consultants would be used if DLZ is chosen as the architect for the new jail.

House Bill 1263m effective July 1, 2018, requires that a feasibility study be done on the current jail. Surrounding counties must be asked if they are interested in a regional jail before a new one is built. As part of the design process workshops and tours of jails would be conducted. For the programming phase, the number and types of spaces are identified. Design progression is next. Throughout the design process, staffing and operations are always at the forefront so that the most efficient design is chosen. Initial cost vs. long term operational and maintenance costs must be balanced. Minutes of meetings and comments are kept organized and easily accessible for DLZ clients. A 3-D view of the proposed jail can be seen which helps catch potential issues that can be addressed proactively. The quality control process occurs throughout the project, not just at the end, and it is a formal and informal process. 3-D views can be utilized so the engineering aspect translates into a practical and logical plan.

DLZ will send to the Commissioners who they are doing projects for that are currently in design and construction phases so the Commissioners have a point of reference.

DLZ's hourly rate is in the contract to accommodate work done outside the agreed upon scope, which would occur on a very rare occasion, if at all.

Construction administration encompasses the pre-construction meeting, review of shop drawings, pay applications, on-site reviews, construction monitoring, and change orders that DLZ would oversee.

There was discussion about a possible basement as well as an elevator for the new jail.

Sheriff Cserep said that the cost of the project is very important to him. He wants to know that the cost they are given is the cost they are given and it will not change after beginning the project.

MATTER OF LIABILITY INSURANCE

Mike Shuherk was here to talk primarily about Sunny Meadows. OneBeacon is willing to continue coverage for the County but is no longer willing to cover Sunny Meadows. The insurance market ebbs and wanes, and it is considered a "hard" market right now: costs are high and coverage is difficult to find. Mr. Shuherk has been contacting other providers, and Liberty Mutual has given verbal commitments that it will cover the exposures that other insurance companies will not cover for this next coverage year. This includes the distribution of medications by non-medical personnel at Sunny Meadows. Other exposures that are becoming issues for the County are the overcrowding at the jail as well as the Change Academy. The Change Academy is an issue because the schools provide the curriculum but they will not assume the liability for the curriculum.

After talking about the various exposures, the Commissioners also talked about whether the coverage is adequate for the covered bridge. A replacement value will be determined so that the covered bridge has the correct amount of coverage.

MATTER OF OTHER DISCUSSION

Other discussion topics included: Permit fee for Red Room renovations to be paid from Commissioners' Other Service Fees account; an age discrimination law suit that Ms. Miller brought up earlier in the meeting has now named Dotty Miller and Michael Lapham to it, but the suit does not seem to have traction; the County received a tort claim notice for accident on I-69, but the County should have zero liability for an accident on a State highway; the Hefty's attorney returned to Jim McCanna a letter and proposed amendment regarding the construction at 208 East 7th Street, but it is unsatisfactory because the Hefty's attorney did not have correct information when he drafted the proposed amendment.

William L. Hartman – President

Michael Watson – Vice President

Todd Sanderson – Vice President

Attest:

Jan Bauman, Auditor