

## DEKALB COUNTY COUNCIL MEETING

July 12, 2021

### The following Council Members were present:

President Richard Ring  
Vice President William VanWye  
Member Eldonna King  
Member Robert E. Krafft  
Member David Yarde  
Member Amy Demske  
Member Amy Prosser

### Others present:

Auditor Jan Bauman  
First Deputy Auditor Susan Sleeper  
Attorney Donald J Stuckey

### **MATTER OF TAX ABATEMENT COMMITTEE MEETING**

The Abatement Committee met this morning at 8:13 a.m. A quorum—Richard Ring and Eldonna King—were present. Paragon Steel, Techo-Bloc, and MCP Investments have each filed a request for a waiver of non-compliance for not having filed their CF-1/PP paperwork by the deadline. They were claiming the stress of the pandemic, and Techo-Bloc's was coming from Canada.

Also, Auburn Renewables, LLC, has submitted an application for real and personal property abatements along with the SB-1 for Real Property and SB-1 for Personal Property. Rudy Eidam was present and was representing the company. Auburn Renewables has an 86-acre site which has 55 usable acres for installing solar panels. The presence of a solar field will be a significant positive impact on the image of the Count in future industrial recruitment and new residents who see this is a positive attribute for a forward-looking community. The company will employ one full time person. It will be a pollinator site. Produce will also be grown under the panels. There is a wetland site to the northwest that will stay 100% in tact. There will be no carbon emissions. The power will be sold back to Auburn Electric. This is a \$17.6 million investment in DeKalb County. There is a foundation tied to the project. This facility will help with the work force side of the foundation. The real property abatement request is for the fencing and security lighting that will be installed.

President Ring said it will come down to whether the Council will want to approve an abatement for something that doesn't have a lot of jobs tied to it. Mr. Eidam is welcome to write a letter to convince Council as to why this project is worthy of an abatement. This will come before Council at the August 2<sup>nd</sup> meeting at 9:30. Eldonna King moved to adjourn the committee meeting at 8:25 a.m. Second by Richard Ring, and all approved.

Eldonna King opened the regular Council meeting with prayer at 8:36 a.m.

### **MATTER OF MINUTES**

David Yarde made a motion to approve minutes dated June 7, 2021. Amy Prosser seconded, and all approved.

## **MATTER OF ADDITIONAL APPROPRIATIONS**

Robert Krafft made a motion to approve the Veterans Service Office's \$12,633.60 additional appropriation request to Part Time (10750) within the County General Fund (1001). Seconded by William VanWye, and all approved.

Eldonna King made a motion to approve the Commissioners' \$22,833.55 additional appropriation request to Courthouse Gas (Natural Gas) within the County General Fund (1001). Seconded by William VanWye, and all approved.

William VanWye made a motion to approve the following additional appropriation requests for Soil & Water: \$2,077.52 to Natural Resource Coordinator (11452) and \$10,036.00 to Part Time (10750) within the County General Fund (1001). Seconded by David Yarde, and all approved.

Jack Smith and Adam Squiller presented an additional appropriation request for an enhancement to the system in Superior Court I. It will allow items to be presented adequately to the jury box and to the court. There will be a capability of doing Teams and Zoom meetings. All of this will allow for a professional and dynamic court room. David Yarde made a motion to approve Information System's \$25,970 additional appropriation request for Computer Equipment (44420) within the Cumulative Capital Development fund for Superior Court 1 audio-visual equipment. Seconded by Amy Demske, and all approved.

Roger Powers said the current tasers are no longer serviceable. David Yarde made a motion to approve the Sheriff's \$6,793.99 additional appropriation request for Equipment (44430) within the Handgun Permits fund. Seconded by Robert Krafft, and all approved.

Eldonna King made a motion to approve Community Corrections' \$88,686 additional appropriation request allocated as follows: \$25,000 to Juvenile Education Coordinator (11443); \$30,000 to Juvenile Program Director (11492); \$10,000 to PERF (12100); \$2,500 to Utilities (33540); \$3,186 to Equipment Rental (33710); and \$18,000 to Lease (34080) within the State Grant CC-Juvenile Fund (9128). Seconded by Amy Demske, and all approved.

David Yarde made a motion to approve Probation's \$41,926 additional appropriation request allocated as follows: \$6,387.50 to Veterans Court Part Time Coordinator-Chief P.O. (11637); \$2,154.50 to Social Security (12300); \$3,125.50 to PERF (12100); \$21,500 to Veterans Court Probation Officer (11638); \$5,058.50 to Insurance (12200); \$2,500 to Travel/Training/Education (34295); \$400 to Incentives (22255); \$600 to Testing Services (33900); \$150 to Food Supplies (22250); and \$50 to Supplies (22720) within the Veteran Court Grant Fund (9153). Seconded by William VanWye, and all approved.

William VanWye made a motion to approve Probation's \$47,246 additional appropriation request allocated as follows: \$6,387.50 to Family Recovery Court Part Time Coordinator – Chief P.O. (11643); \$2,154.50 to Social Security (12300); \$3,125.50 to PERF (12100); \$8,878.50 to Insurance (12200); \$21,500 to Family Recovery Probation Officer (11639); \$2,500 to Travel/Training/Education (34295); \$1,000 to Testing Services (33900); \$500 to Incentives (22255); \$150 to Food Supplies (22250); and \$50 to Supplies (22720) within the Family Recovery Court Grant Fund (9154). Seconded by Eldonna King, and all approved.

*The meeting was suspended in order to conduct the public hearing.*

**MATTER OF PUBLIC HEARING: REQUESTS FOR WAIVERS OF NON-COMPLIANCE**

President Ring opened the public hearing at 9:15 a.m. The purpose of the hearing was to consider requests for waivers of non-compliance due to CF-1 paperwork not being filed on time for Techo-Bloc Midwest, MCP Investments, LLC, and Paragon Steel. He opened it up for public comment and asked if there was anyone who wanted to speak in favor or against

Patrick Pelchat and Myriam Chabot attended electronically on behalf of Techo-Bloc, and Jason Flyte attended in person. No one attended on behalf of MCP Investments, LLC, and Paragon Steel.

Mr. Pelchat explained that that they had been using an external firm to do the filing, and the employee who had filed the form last year left the company, so the form did not get filed. They have invested a lot of money and have operated at a loss for several years. They plan to be in Waterloo a very long time. There are open positions. They need the abatement to offset the losses. When asked if the company has put any safeguards into place so this doesn't happen again, Mr. Pelchat said "Yes." Mr. Pelchat and Myriam Chabot have put reminders in their calendar for next year and can also work with the local office to make sure forms are mailed locally.

With no other comments, the public hearing was closed at 9:25 a.m.

President Ring said that although the last two times Council was presented with waivers of non-compliance requests and he voted "no," he will be voting in favor this year due to the anomaly brought on by COVID.

Councilwoman Demske mentioned that Anton King had considered starting to reach out to the companies each year to remind them to file their forms.

Councilwoman King asked whether companies were given a file stamped copy of their form showing they had filed so Council wouldn't be put in this position.

David Yarde said that he is concerned that exceptions are being made and everyone is going to be making a strong case as to why they have not filed their forms. Everyone has deadlines to meet, and it's their responsibility to know when they are.

Eldonna King made a motion to accept all three waiver requests. Amy Demske seconded. A roll call vote was taken.

|                |     |             |     |
|----------------|-----|-------------|-----|
| Richard Ring   | Aye | David Yarde | Nay |
| William VanWye | Nay | Amy Demske  | Aye |
| Eldonna King   | Aye | Amy Prosser | Nay |
| Robert Krafft  | Aye |             |     |

Motion passed. Attorney Stuckey will prepare a resolution for the next meeting.

**MATTER OF DEKALB COUNTY AIRPORT UPDATE**

Randy Fox distributed a brief of new and old business for the Airport.

The DeKalb County Airport received bids on the grade and drain portion of the runway extension project. The low bid was VTF out of Celina, Ohio, at \$2,230,793. The Airport has applied for the FAA grant for \$3,641,904. It includes engineering and associated costs. Grants are usually awarded in the September timeframe. Grants will be very competitive again this year.

The Airport has been testing several operations counting systems. The State Department of Aeronautics placed a couple at GWB and one in Evansville. The State is very interested in finding a new, better way to count operations and will pay up to \$6,000 for whatever system chosen to be implemented.

The Airport Board has requested to put \$875,000 into the Rainy Day fund to finish the County Road 62 project as well as put \$300,000 into the Cumulative Building fund to purchase the Haley property on County Road 31.

The Airport Board closed escrow last month on the final home needed for the runway extension. Final plans are still in motion for relocation efforts for the homeowner.

There are plans to have a B-25 on the Airport August 14<sup>th</sup>. This will be the EAA's aircraft, and they will be giving tours and selling rides.

Pavement maintenance has begun on the concrete main ramp and the east ramp. This is expected to take another three to four weeks.

The Airport is seeking the Plan Commissions assistance in modifying the DeKalb County Unified Development Ordinance (UDO) in hopes of avoiding further legal issues in the future.

#### **MATTER OF ADDITIONAL APPROPRIATIONS, CONTINUED**

David Yarde made a motion to approve Probation's \$10,000 additional appropriation request allocated as follows: \$5,000 to Travel/Training/Education (34295); \$1,500 to Incentives (22255); and \$3,500 to Testing Services (33900) within the Problem Solving Court Grant Fund (9157). Seconded by Robert Krafft, and all approved (6,0).

#### **MATTER OF TRANSFERS**

William VanWye made a motion to approve Soil & Water's request to transfer \$3,500 from Overtime (11050) to Natural Resource Coordinator (11452) within the County General Fund (1001). David Yarde seconded, and all approved.

Eldonna King made the motion to approve the Sheriff's request to transfer \$5,000 from Other Service Fees (32780) to Operating Supplies (22130) and \$2,000 from Travel/Training/Education (34295) to Equipment (44420) within the Handgun Permits Fund (1156). Robert Krafft seconded, and all approved.

David Yarde made the motion to approve Probation's request to transfer \$250 from Social Security (12300) to Safety Supplies (22160), \$1,100 from Social Security (12300) to Travel/Training/Education (34295), and \$450 from Equipment (44430) to Travel/Training/Education (34295) within the State Grant-Probation Fund (9124). Eldonna King seconded, and all approved.

#### **MATTER OF FINANCIAL REPORT BY FUND**

The Council certified that they have received and reviewed the June 2021 Financial Report by Fund.

#### **MATTER OF RESOLUTION TO ALLOW ATTENDING MEETINGS ELECTRONICALLY**

Attorney Stuckey drafted Resolution No. 2021-RCC-13, A Resolution Establishing the Policy by Which Member of the County Council May Participate by Electronic Means of Communication. President Ring read the resolution. Robert Krafft made the motion to approve Resolution No. 2021-RCC-13. Eldonna

King seconded. There was discussion. Jack Smith has been asked to find out what it would take to put Council meetings online. He is researching further. MA vote was taken, and all approved.

### **MATTER OF CONSOLIDATION OF DRAINAGE BOARD AND SURVEYOR'S OFFICES**

First Deputy to County Surveyor Nathan Frye spoke to Council about how the Commissioner combined the Drainage Board and Surveyor's Offices earlier this year after the Drainage Board secretary retired. The office manager in the Surveyor's office absorbed the duties of the Drainage Board secretary.

The Commissioners have approved a 40-hour work week and a new part time clerical person up to 28 hours per week. Mr. Frye is asking to amend the wage rate ordinance to the new rate for his position as well as Michelle Lassiter's rate. What he is asking for is in accordance to WIS recommendations.

President Ring would like the sub-committee to look at Michelle Lassiter's position now since she has taken on the Drainage Board secretary's duties but wait until 2022 to make any changes to Mr. Frye's wages. In another month, Ms. Lassiter will get an OCRA grant administrative certification. She would be able to apply for OCRA grants, whether for the Surveyor's Office or other department.

The Surveyor's current budget can accommodate the increase in hours from 35 to 40 per week. There is consensus that Mr. Frye's transfers will be approved next month. Councilman Yarde asked if this opens the door for other departments to move to a 40-hour work week, and the answer is yes. But, this is a preferred method for increased productivity without having to add benefits.

### **MATTER OF COMMISSIONERS-COUNCIL DISCUSSION**

**New Jail:** Soil borings have been completed. Elevatus is preparing an updated design based on the last Jail Committee meeting. The next Jail Committee meeting will be July 19<sup>th</sup> at 1:45 p.m. to finalize the architectural design of the floor plan. Choices for the exterior will also be presented at that meeting.

**60-day moratorium on commercial solar fields:** The moratorium was set to expire on July 16<sup>th</sup>. It has been extended another 60 days, which will now be until September 14<sup>th</sup>. The solar ordinance is going to be a fair one for everyone—not a pro or con either way.

**Bidding on County Road 61 properties:** Bidding will be open to the public on July 19<sup>th</sup> at 10:30 a.m. for the two County Road 61 properties. They will be offered separately and together. The minimum bid for the 5.088 acre tract is \$22,000. The minimum bid for the 14.736 acre tract is \$62,000.

**Surveyor's Office:** The Commissioners have changed their work week from 35 hours to 40 hours. They have also given them permission to hire a part time clerical person to help with the extra work load put on to the office manager who absorbed the Drainage Board secretary's position. There are 5 ditches scheduled to be reconstructed this year.

**ARP Fiscal Recovery Funds -** The committee, which is a good cross-section of the community, met for the first time on July 2<sup>nd</sup>. Baker Tilly did a presentation and gave preliminary advice as to what can and cannot be done with the money. The next meeting will be on Wednesday the 14<sup>th</sup> at 6:00 p.m.

**Henderson property:** A wetland delineation report has been prepared by ForeSight and will be presented to the Commissioners this afternoon. It appears to be favorable to what the County would like to do with the property. There's a certain amount around the creek that we won't be able to touch.

### **MATTER OF SHERIFF'S PENSION FUND**

Merit Board member Ron Dicke explained that the Commissioners lowered the retirement age of merit deputies from 55 with 20 years of service to 52 with 20 years of service. The initial rough estimate for cost would be \$4,000 more per year total (not per employee) for the County's contribution to police retirement. The actual cost is closer to \$5,300. The primary reason it's being done is for retention. There's going to be a short double-digit downturn in the market. They are trying to be proactive based on the information they have. William VanWye made a motion that they move forward with the necessary paperwork to reduce the retirement age to 52. Robert Krafft seconded, and all approved.

Roger Powers gave an update on recent openings. He said there were 7 applicants for 3 openings. Only 3 passed the agility test and 1 passed the written test. Ft. Wayne is in the same boat. Once they pass the written test, then it's on to the polygraph, then the Merit Board. Then they work the jail for about 3 months, then on to the academy. It takes about 1.5 years to get through the entire process to become a Merit Deputy.

### **MATTER OF ORDINANCE 2021-OCC-11, LOCAL INCOME TAX RATE MODIFICATION**

President Ring brought up the topic of raising the Correctional Facilities Local Income Tax Rate from .13% to .20% again now that Council has had time to think about it since the June meeting. Whether it passes or fails, it needs to be discussed. President Ring said he would entertain a motion. After a period of silence, President Ring made the motion to approve Ordinance 2021-OCC-11, County Council Ordinance Modifying Local Income Tax Rates Imposed in DeKalb County. Robert Krafft seconded for discussion purposes. President Ring read the ordinance.

David Yarde opened comments by saying it looks like big government with tax and spend. The jail should have been the first priority a long time ago. We're raising a tax when taxes are being raised at the federal level. People can't take much more. Eldonna King believes it is too preemptive. We don't know what other options may become available to help fund the jail. William VanWye agrees. We shouldn't do anything until we have final figures as to what the jail is going to actually cost. Amy Demske believes it is too early. Amy Prosser doesn't want to raise taxes.

President Ring said that if the CF LIT rate is not raised now, we are looking at having to raise our public safety LIT which we are going to have to share with the cities and towns. This means we are going to have to raise that rate higher to get the necessary proceeds for what just the County needs. He explained again that the clock is ticking on the Correctional Facilities Local Income Tax. Raising the CF LIT rate will give the County an opportunity to put money away solely for the purpose of a new jail, otherwise it is going to cost much more. The Commissioners are setting aside some money for the building of a new jail, but it will not be anywhere near \$23 million dollars that we could raise with the CF LIT rate increase.

This would mean a \$39.20 annual increase for a \$56,000 median personal income in DeKalb County. The anticipated increase in income to the County due to a rate increase from .13% to .20% would be roughly \$700,000 annually.

William Hartman believes once the County's current debts are completely paid off, the County will have the money it will need to pay for a jail.

Todd Sanderson said he is scared where the federal government is taking us. We are becoming addicted to free money. He is concerned for the middle class and the poor. Local taxes hurt the middle class and the poor the most.

President Ring commented that if this tax isn't available to us, we're going to have to save even more for a jail. The money is going to have to come from somewhere.

A roll call vote was taken as follows:

|                |     |             |     |
|----------------|-----|-------------|-----|
| Richard Ring   | Aye | David Yarde | Nay |
| William VanWye | Nay | Amy Demske  | Nay |
| Eldonna King   | Nay | Amy Prosser | Nay |
| Robert Krafft  | Nay |             |     |

Motion was defeated.

#### **MATTER OF AMENDED RESOLUTION APPROVING THE TRANSFER OF REAL ESTATE**

Since approving Resolution No. 2021-RCC-8 approving the transfer of the Highway Department property to the City of Auburn, a more current description of the real estate has been provided to the DeKalb County Council. Resolution No. 2021-RCC-14 re-affirms the previous Resolution passed and provides a new description for the real estate as shown on "Exhibit A." Eldonna King made a motion to approve Resolution No. 2021-RCC-14, An Amended Resolution of the DeKalb County Council Approving the Transfer of Real Estate from the County of DeKalb to the City of Auburn, Indiana. Amy Demske seconded, and all approved.

#### **MATTER OF SALARY & HOURLY WAGE AMENDMENT ORDINANCE 2021-OCC-15**

This is to reclassify positions in the Auditor's Office, set on-call pay for Central Communications, reclassify positions in the Clerk's Office as well as the Surveyor's Office. President Ring read the ordinance. There was lively discussion about wages, the WIS study, and the point system WIS uses.

Eldonna King made a motion to approve the 2021 Salary and Hourly Wage Amendment Ordinance 2021-OCC-15 on the FIRST Reading. Robert Krafft seconded, and all approved.

William VanWye made a motion to suspend the rules to pass the 2021 Salary and Hourly Wage Amendment Ordinance 2021-OCC-15 and read by title only on the 2<sup>nd</sup> and 3<sup>rd</sup> Readings. Robert Krafft seconded, and all approved.

William VanWye made a motion to approve the 2021 Salary and Hourly Wage Amendment Ordinance 2021-OCC-15 on the SECOND and THIRD Readings. Robert Krafft seconded, and all approved.

#### **MATTER OF CHANGING MEETING DAYS TO SECOND TUESDAY OF EACH MONTH**

President Ring would like to move the Council meetings from the first Monday of every month to the second Tuesday of every month. The rest of the Council members and attorney agreed with the change. Meeting dates will remain the same through September. The November 1 date will be changed to November 9, and the December 7 date will be changed to December 14. The 2022 meeting schedule has not been created yet. Auditor Bauman will prepare the revised schedule for the next meeting for Council's approval and then send notice to the newspaper of the revisions.

#### **MATTER OF ADJOURNMENT**

Amy Prosser made a motion to adjourn at 12:05 p.m. Second by Amy Demske, and all approved.

DEKALB COUNTY COUNCIL:

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Richard Ring, President

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William VanWye, Vice President

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Eldonna King

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Robert E. Krafft

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David Yarde

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Amy Demske

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Amy Prosser

ATTEST:

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Jan Bauman  
DeKalb County Auditor