

DEKALB COUNTY COMMISSIONERS' MEETING

December 5, 2022

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

Others Present: Auditor Susan Sleeper
Attorney James P McCanna

MATTER OF HUMAN RESOURCES

Brian Humbarger was in to discuss an employee that was full time, went part time and is returning as a full time employee. Dotty had suggested that Brian put dollars to his request to show how much giving 10 PTO days compared to what it would cost to hire and train a brand new employee. Brian feels giving 10 PTO days far outweighs the latter option. Brian expressed that the prior Commissioners had already set a precedence when hiring at the Highway. Commissioner Hartman explained that as far as the prior Commissioners allowing the other days to be given was under a different handbook and under different Commissioners are the key words. Commissioner Hartman is not totally against granting the 10 PTO days. Commissioners Watson feels Brian gave a very good reasoning for the situation. Commissioner Sanderson feels loyalty goes both ways, and feels this could set the County up for multiple issues in the future. Auditor Sleeper asked the Commissioners what they would do when others come requesting that part time years count toward full time years when going full time to account toward getting PTO. Commissioner Sanderson feels he is a great employee and the Council should pay him a stipend.

Michael Watson made a motion to approve giving 10 PTO days to Aaron with Central Dispatch. Motion dies for lack of second.

Commissioner Hartman feels he should be paid more, and Brian can put him in a Trainer position. Auditor Sleeper will verify all the details before officially moving forward. Commissioner Watson wanted it on record that he has repeatedly expressed that the County employees are the most important part of the County.

Dotty Miller then went on to ask if there was a decision on the Sunny Meadows Interim Director. **Todd Sanderson made a motion to hire Candidate #2 and for Dotty to offer the position. Michael Watson seconded and all approved.**

Next, Dotty briefly discussed the Executive Session taking place later this morning. She then went on to discuss recruitment around the County. Dotty talked a little bit about the panel she was on at the County Commissioner Conference. She then let the Commissioners know the two insurance companies that are involved in self-insurance will be presenting at the next two Commissioner meetings.

MATTER OF ANDREW PROVINES: ABATEMENT/SOLAR/FINANCE

3920 CR 75, Butler, IN 46721 | Andrew Provines does not have a lot today for the Commissioners, but announced that the Stop Solar Committee has a lot of yard signs and flyers going out. Andrew has had many people that did not know what was going on and he has gotten more feedback against the solar farms going in than for it.

Commissioner Hartman handed out a suggestion of: 80 acres max for each solar field with ¼ mile separation between. Can only adjoin non-participating property owner residents on two sides. Property owner with more than 320 acres can only convert a maximum of 25 percent of acres owned to solar. Those owning less than 320 acres can convert up to 80 acres to solar. He then asked for Commissioner discussion. Commissioner Watson said at the first glance the suggestion looks good but would want a strong legal opinion on it and how this would affect already existing agreements. Commissioner Sanderson likes the part about two sides and does feel he has misunderstood what overlays are and would like to allow solar to come and convert to industrial zoning. Attorney McCanna would like to have an input from an expert that the Commissioners have agreed to use as Consultants on this matter to weigh in on this suggestion, the moratorium, and McCanna is not comfortable, as he is not trained on this type of matter. Additional discussion took place on how overlays work. Commissioner Watson feels we may be two years behind on these decisions/changes and is not sure how the already in process situations will be affected and wants that all cleared up before agreeing to something. Commissioner Sanderson said that maybe the Commissioners need to have some special meetings to get some of these questions answered. Commissioner Sanderson is asking if the Commissioners can give a drop-dead date for those solar that are ready to submit and then put a moratorium going forward.

Larry Williams spoke a little on explaining that there are differences on the French government nationalizing vs. French Government ownership, and then discussed if the Counties had and guidance from the State. Larry's point of view is can we impress upon the State to take some kind of emergency action at legislation to help the Counties. Larry also spoke a bit on the Inflation Reduction Act.

MATTER OF NIPSCO GAS EXTENSION AGREEMENT

Ben did reach out to Elevatus and got the approval that they are ok with the Agreements and had sent it to Attorney McCanna. McCanna talked with the Attorney for NIPSCO to iron out a few more details and is waiting on a few clarifications, before the Commissioners taking action on the Agreement.

Michael Watson made a motion to accept and for the president to sign the Settlement Agreement and the NIPSCO Agreement for Extension of Facilities to supply Gas Service at 3942 US 6, Waterloo, IN 46793 under work order #42138-914 contingent on running the gas line to the northeast boundary of the property. Todd Sanderson seconded and all approved.

MATTER OF CLAIMS

Michael Watson made a motion to approve November 2022 Bookkeeper and Payroll claims and General claims processed on December 5, 2022 in the amount of \$996,075 consisting of warrant #'s 133750 thru 133804 and wire transfer #'s 22870 thru 23050. Todd Sanderson seconded and all approved.

MATTER OF MINUTES

Todd Sanderson made the motion to approve the minutes as amended dated November 28, 2022. Michael Watson seconded, and all approved.

MATTER OF TRAVEL REQUESTS

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

- 1) DeKalb County Health Department Routine Travel without Expenses from October 29, 2022 to December 31, 2023.
- 2) Rick Collins to attend Newly Elected Officials Training held at Embassy Suites Event Center on December 6-8, 2022. Estimated cost of \$611.00 paid by State Called unappropriated account.

3) Jessica Stanczak and Bernie Sukala to attend IEHA Monthly Meeting in Allen County on December 15, 2022. Estimated cost of \$0.00 paid by department travel. Todd Sanderson seconded and all approved.

MATTER OF ORDINANCE 2022-R-13: DCC 9-2-2, AN ORDINANCE PROVIDING FOR LICENSE FEES FOR HORSE DRAWN VEHICLES AND HORSE DRAWN TRAILERS AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.

Todd Sanderson made a motion to approve Ordinance 2022-R-13: DCC 9-2-2, An Ordinance providing for License Fees for Horse Drawn Vehicles and Horse Drawn Trailers and providing penalties for violations thereof on **FIRST** Reading. Michael Watson seconded and all approved.

Public Hearing is scheduled for December 12, 2022 at 10:45 a.m.

MATTER OF INDEMNITY, RELEASE AND HOLD HARMLESS AGREEMENT

Todd Sanderson made a motion to approve and for the president to sign the Indemnity, Release, and Hold Harmless Agreement between the City of Butler, Board of Public Works, and DeKalb County Commissioners. Michael Watson seconded and all approved.

MATTER OF ARP COMMITTEE PROPOSAL

The ARP Committee met on December 2nd and is proposing the following uses of the remaining ARPA Funds:

Highway Dept. Project (\$1,250,000), Broadband (\$2,000,000), Spillman Server Upgrade (\$88,000), Watchguard Cloud Conversion year 1 (\$63,106), Sunny Meadows additional funding (\$600,000), Solar Installation at DCCC (\$500,000), Cisco Phone/network switches (\$78,000), DeKalb County Housing Study (\$26,000), Health Dept. COVID pay for exempt staff (\$15,000), Courthouse Generator (\$250,000), Waterloo Sewer Project (\$200,000), Drain/Ditch Engineering (\$600,000), Highway Dept. Construction Contingency (\$461,127), County Dispatch Tower Upgrades (\$500,000), and IT Dept. upgrades/cybersecurity (\$200,000).

Todd Sanderson motioned to approve the ARPA plan proposal from the committee as presented. Michael Watson seconded and all approved.

MATTER OF ORDINANCE 2022-R-21: DCC 12-6-2, AN ORDINANCE ADOPTING THE COUNTY FISCAL SPENDING PLAN FOR DEKALB COUNTY, INDIANA

Michael Watson made a motion to adopt and for all three to sign the Ordinance 2022-R-21: DCC 12-6-2 An Ordinance Adopting the County Fiscal Spending Plan for DeKalb County, Indiana. Todd Sanderson seconded and all approved.

Meeting recessed at 10:30 for Executive Session .

EXECUTIVE SESSION BEGAN AT 10:30 A.M.

The Commissioners conducted interim director interviews, discussed personnel and board appointments in accordance with IC 5-14-1.5-6.1(b)(5) and IC 5-14-1.5-6.1(b)(10). No decisions were made and no other matters were discussed. The Executive Session concluded at 12:30 p.m..

Executive Session adjourned at 12:30.

Regular Commissioner Meeting reconvened at 12:30 to finish prior meeting agenda items.

MATTER OF AGREEMENT REGARDING PAYMENT OF COSTS FOR COUNTY'S USE OF CONSULTANTS

Michael Watson made a motion to approve and for the president to sign the Agreement Regarding Payment of Costs For County's Use of Consultants between Sculpin Solar, LLC and DeKalb County and also between Thalassa Energy Project, LLC and DeKalb County for legal counsel and site inspection. Todd Sanderson seconded and all approved.

MATTER OF ENGAGEMENT LETTERS FOR LEGAL SERVICES

Michael Watson made a motion to accept and for all to sign the Letter of Engagement with Barnes and Thornburgh, LLP in connection with land use, incentive and other matters with respect to possible solar energy development in the County and for the president to sign the Letter of Engagement with Baker Tilly US, LLP to provide property tax impact analysis (Financial Advisory and Consulting Services). Todd Sanderson seconded and all approved.

Made a motion to accept and. Seconded and all approved.

MATTER OF MAINTENANCE

Larry provided quotes for the Annex building furnace that needs replaced from FelgerHart, Inc and Auburn Heating & Air Conditioning, Inc.

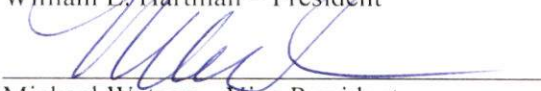
Todd Sanderson made a motion to accept and for the president to sign the quote from Auburn Heating & Air Conditioning in the amount of \$8,580. Michael Watson seconded and all approved.

MATTER OF OTHER DISCUSSION

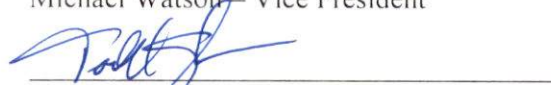
Topics Include: none



William L. Hartman – President



Michael Watson – Vice President



Todd Sanderson – Vice President

Attest:



Susan Sleeper, Auditor