

## DEKALB COUNTY COMMISSIONERS' MEETING

July 27, 2020

Commissioners Present: President William L. Hartman  
Vice President Donald D. Grogg  
Vice President Jacqueline R. Rowan

Others Present: Auditor Jan Bauman  
Attorney James P McCanna

### **MATTER OF HUMAN RESOURCES**

The Commissioners received information from the State Health Department that indicates the Weights and Measures position may need to be a full time position. They are going to seek clarification.

The AIC Factbook arrived last week, and Dotty Miller is starting to review it as a comparison to DeKalb County wages and salaries.

The CDC has changed the requirement regarding being fever free from 72 hours to 24 hours before returning to work if an employee has COVID symptoms. Ms. Miller reviewed the rules for EPSL and EFML for employees with school aged children.

The County needs to train employees on harassment for liability purposes. HR has found software that can do that training for a very reasonable cost. I.T. will be consulted before implementing it.

Governor Holcomb issued a mask mandate beginning today for all public places. The Commissioners clarified what they expect of employees. Most of the workstations allow for 6 feet of social distancing.

The Commissioners plan to announce the following:

On Thursday, July 23, 2020, the Governor signed an executive order which mandates the wearing of masks in certain areas and at certain times. A mask is defined as a face covering which may be factory-made, sewn by hand, or improvised from household items such as scarfs, bandanas and t-shirts. The mouth and nose should be covered. A face shield is equivalent to a mask per the Executive Order.

In order to follow the Governor's executive order, the Commissioners are implementing the following standards.

1. All public spaces will require the wearing of masks by people entering County buildings for those age 8 and older.
2. All employees must maintain a minimum of six feet distance from the public and each other. If work stations are unable to maintain the physical distancing, employees will be required to wear masks.
3. Employees who are working and stationary and maintaining a solitary working environment while physical distancing may remove their masks.
4. When employees need to leave their work station to go somewhere else in the building, even within their own office, they must wear their mask if there is a potential that social distancing cannot be achieved.
5. Employees engaged in County business with the public must be masked.
6. Employees in vehicles by themselves are not required to wear masks.

- a. Employees in a vehicle with another employee on County business are required to wear masks.
  - b. Once an employee exits a vehicle, if they are unable to maintain physical distancing, they are required to wear masks.
7. When outside, if able to maintain physical distancing, employees do not have to wear a mask. If unable to maintain social distancing, employees must wear a mask.
8. Sheriff Department employees, in the performance of official duties, are exempt from the masking guidelines. The Sheriff has discretion to implement policies for his employees regarding masking. Auditor Bauman will get this information out to employees on behalf of the Commissioners.

Also, now that the DeKalb County Fair has been canceled, the question has come up whether the County holiday for Fair Friday should be revoked. Fair Friday is given in lieu of Columbus Day, so it will remain as a holiday for employees.

#### **MATTER OF PAYROLL**

Donald Grogg made a motion to approve payroll for the period July 7-18, 2020 as presented. Jacqueline Rowan seconded, and all approved.

#### **MATTER OF MINUTES**

Donald Grogg made a motion to approve the minutes dated July 20, 2020. Jacqueline Rowan seconded, and all approved.

#### **MATTER OF 2<sup>ND</sup> QUARTER DART REIMBURSEMENT REQUEST**

Meg Zenk is required to have a Commissioner do a visit onsite to review records and to see the vehicles. President Hartman will work out a time to do the onsite visit with Ms. Zenk.

The DART program suffered significantly during the time when only essential trips were allowed. DART is allowed now to do transporting for all types of reasons again. The schools are telling parents to call DART to transport their children due to COVID-19 changes for students this fall. Ms. Zenk has concerns about being able to socially distance inside a low-floor minivan, and because of the mandate to socially distance, DART will not be able to accommodate very many people at a given time.

CARES funding will be supporting almost 100% of the DART program. It is for the 18-month period from July 1, 2020-December 31, 2021.

The Center requires an appointment by patrons. At the door, each person has his or her temperature taken, uses hand sanitizer, and wear a mask. Drivers have requirements for wearing masks and using hand sanitizer throughout the day.

The Senior Bash, Christmas Bazaar, and huge rummage sale have all been canceled.

Ms. Zenk will be retiring soon after 37 years of service. She expressed her gratitude to the Commissioners for their wholehearted support over the years and that she will miss them.

Meg Zenk presented the 2<sup>nd</sup> Quarter DART reimbursement grant request application for signature. Donald Grogg made a motion for the President to sign the 2020 Section 5311 Rural Transit 2<sup>nd</sup> quarter grant application. Jacqueline Rowan seconded, and all approved.

### **MATTER OF CLAIMS**

Jacqueline Rowan made a motion to approve Special Claims for the week of July 27, 2020. Donald Grogg seconded, and all approved.

### **MATTER OF NEW POND WITHIN AIRPORT OVERLAY AT 2471 COUNTY ROAD 64**

When Randy Fox first got on the Airport Board, the County and the Airport Board were in the middle of a law suit because of someone who had been given permission to dig a pond for a property located with the Airport overlay. The Airport at that time could not contest a zoning determination. Since the law suit involving the Speedway pond, the law has changed which allows the Airport Board to appeal decisions made by the BZA.

Mr. Jeff Barkhaus (2471 County Road 64) recently went to the Building Department to see if he could build a pond on his property. Chris Gaumer had told Mr. Barkhaus that he would need to talk to the Airport. In the Commissioners' meeting Mr. Fox asked, "Why?" Mr. Gaumer could have pulled out the Airport overlay (per the Unified Development Ordinance) and shown Mr. Barkhaus that his property is within the overlay and cannot have a pond over 400 square feet. Instead, Mr. Gaumer sent a letter to Mr. Barkhaus explaining that as long as he is extracting minerals, he may. Mr. Gaumer didn't even mention anything about the Airport overlay.

Mr. Barkhaus did attend an Airport Board meeting and during the meeting said he did not want to have to drain the water.

There is a 30-day window for an appeal to the Zoning determination per this letter, but the Airport doesn't know when the Board of Zoning Appeals is going to meet next. The Airport's attorney is writing a letter to the BZA's attorney to express their dissatisfaction with the BZA's determination. They are concerned that on day 31, Mr. Barkhaus will begin digging his pond. A recreational pond retains water, whereas the process of extracting minerals does not create standing water.

Commissioner Grogg wanted to know if the Commissioners could put a cease and desist order in place so Mr. Barkhaus may not begin to dig the pond. Attorney McCanna said the Commissioners approved the UDO, so they have authority to issue such an order. Mr. Fox said the UDO defines Enforcement Official (pg. 11-14, letter E of the UDO) as the County Commissioners, the Plan Commission, the Board of Zoning Appeals, the Zoning Administrator, or the attorney.

Mr. Fox said the last possible thing the Airport wants to do is to file a law suit.

The Commissioners completely agree with the Airport. Attorney McCanna will speak to Chris Gaumer this week and have Mr. Gaumer compose a letter.

### **MATTER OF PERMISSION FOR AIRPORT TO SELL TAX ID #06-10-19-200-011**

With their meeting packet, the Commissioners had been given a map, property record card, and the two required appraisals for property with Tax ID #06-10-19-200-011. It is 5 acres and is currently assessed at \$49,300. Appraisals came in at \$60,000 and \$57,000. The property is no longer used and is costly to maintain. It was part of the crosswind runway that is no longer necessary per the FAA. The property has access on County Road 27. Jacqueline Rowan made a motion to allow the Airport to sell 06-10-19-200-011. Donald Grogg seconded, and all approved.

#### **MATTER OF VISITORS BUREAU'S COMPLIANCE WITH STATE BOARD OF ACCOUNTS**

Amber Jackson from the Visitors Bureau spoke to the Commissioners about how they have come in compliance with State Board of Accounts. Ms. Jackson distributed a list of necessary documents for Tourism Commissioners and Not-For-Profits. Included on the list is an ordinance that creates the Tourism Commission. Ms. Jackson also distributed a proposed ordinance that Attorney McCanna will review for next week's meeting. Ms. Jackson said that during this process, she learned 95% of the Visitors Bureaus in Indiana have been noncompliant, and State Board of Accounts is now trying to get them all into compliance.

#### **MATTER OF COMMUNITY CORRECTIONS' UTILITIES**

Donald Grogg made a motion that the County does not pay any more funds from the retainage until the utility bills are rectified and until all the punch list items are rectified. And there must be a meeting between Mosaic, Elevatus, the Commissioners and Community Corrections to get everything resolved on either August 10, 17, or 24. Jacqueline Rowan seconded, and all approved. Attorney McCanna will send a letter to Mosaic to this effect and will copy Elevatus and Community Corrections so they are also informed. Jacqueline Rowan seconded, and all approved.

#### **MATTER OF FIREARMS ORDINANCE**

Donald Grogg made a motion to approve Resolution Number 2020-R-15, Resolution of DeKalb County Commissioners Establishing a County Policy Regarding Firearms in the DeKalb County Central Communications Center, and all three to sign. Jacqueline Rowan seconded, and all approved. This is allowing a select few of Central Communications' employees to be able to carry weapons at the Central Communications facility.

#### **MATTER OF CONTRACT FOR CENTRAL COMMUNICATIONS RADIO UPGRADE**

Attorney McCanna explained how payment will work. He read a resolution that is embedded in the contract for the Commissioners regarding a lease agreement. We can pre-pay at any time with no pre-payment penalties.

Jacqueline Rowan made a motion for the Commissioners to approve the resolution and to authorize the President to sign the Motorola lease and contract. Donald Grogg seconded, and all approved.

#### **MATTER OF IPEP DESIGNATED REPRESENTATIVE**

Donald Grogg made a motion for the President to sign the IPEP form designating Frank T. Short to represent DeKalb County at the Annual Meeting for the Plan's membership. Jacqueline Rowan seconded, and all approved.

#### **MATTER OF COVERED BRIDGE GRANT FOR SPENCERVILLE COVERED BRIDGE**

DeKalb County has finally received official word that we have received a \$50,000 grant for the Spencerville Covered Bridge. Commissioner Grogg mentioned that County Historian John Bry helped a great deal with securing of the grant. A donation fund for the covered bridge is also being drafted. The Commissioners will review it during a later meeting. The fund is needed so the County can receive monetary donations to help with the rehabilitation of the covered bridge. Ben Parker will research when covered bridge project can be let out to bid. The total cost of the bridge should be a maximum of \$220,000.

### **MATTER OF HIGHWAY**

The Surveyor is going to install the pipe at the culvert north of County Road 43 if the Highway will pay for the pipe. The estimate for the pipe is \$7,100 to \$7,600. A pump is being removed at that location. Donald Grogg made a motion to authorize Ben Parker to get the piece of crossover pipe agreeable to Mr. Parker and the Surveyor with a cost not to exceed \$7,700, and to pay for it out of LITED #48, Infrastructure Improvements. Jacqueline Rowan seconded, and all approved.

Mr. Parker is having issues on getting contractors to come out and give quotes to repair the back wall of one of his Highway buildings that stores the trucks and also has the restrooms and break room. One contractor, Feters Construction, gave a quote, but it was very high—approximately \$35,000.

Commissioner Grogg said that just north of 5860 County Road 31, a farmer did some damage to the road. Mr. Parker will look at it to see how much damage was done.

### **MATTER OF FUNDING TO REROUTE A PORTION OF THE FRED GROSCUP DRAIN**

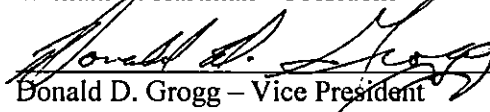
The Fred Groscup drain is alongside State Road 8. The County's pond overflow is too much for the drain to handle. Commissioner Grogg would like to see the Fred Groscup drain capped off and to reroute the water to the Peckhart drain. The runoff would no longer go under I-69. The cost is expected to cost \$65,000-\$70,000. Donald Grogg made a motion to use a portion of LITED #24, Administrative Fund, to reroute a portion of the Fred Groscup drain to the Peckhart drain for benefit to DeKalb County's infrastructure. Jacqueline Rowan seconded, and all approved.

### **MATTER OF OTHER DISCUSSION**

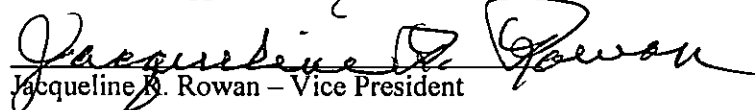
Other discussion topics included: Council-Commissioners' discussion topics for August 3 Council meeting; a drainage easement to be on record for Klink property if the County decides to pursue its purchase for Highway grounds; draft EMS agreement to be negotiated and concern about 180 day notice clause for canceling; use of Commissioners' allocation toward DART; and the Surveyor's Office and Prosecutor's Office are making plans to swap offices in January 2021.



William L. Hartman – President

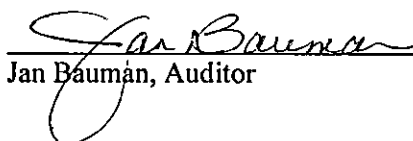


Donald D. Grogg – Vice President



Jacqueline B. Rowan – Vice President

Attest:



Jan Bauman, Auditor