

DEKALB COUNTY COMMISSIONERS' MEETING

January 22, 2024

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

Others Present: Auditor Susan Sleeper
Attorney Andrew Kruse

MATTER OF HUMAN RESOURCES

Dotty Miller, HR Director announced the upcoming Safety Committee and gave a brief overview of IPEP claims. Development Services have created schematic maps of the Annex Building to start posting escape routes. Dotty had provided the 2023 turnover rates for the County, that came in at 18.3%. Recruitment around the County was discussed, including a new need for the HR assistant. Dotty would like to schedule an Executive Session in February to have a 6-month review of the Health Insurance. White Collar overtime rule is still on the radar and is being followed to be sure there is not any effect on the County. The wellness program in the past was for the employees and their spouses, with about 30 participating, currently March 26th has been carved out with Parkview. Dotty discussed with APEX on how the Commissioners could incorporate the wellness event as a savings to the employee, and there will be a lot of pieces to put together to make that happen. The 'gym' in the Annex Building needs to be shut down and Dotty understands the Commissioners want to possibly offer a gym membership to those employees that used the 'gym' as well as other employees. Dotty discussed the option of reimbursing an employee for a gym membership after the employee received a report from the facility of the usage with the requirements to be met decided by the Commissioners. Commissioner Hartman would like Dotty to bring in the top two employee replacements for the HR assistant to be brought to the Commissioners in an Executive Session for approval.

MATTER OF YMCA CORPORATE MEMBERSHIP PROGRAM

Michael Watson made a motion to approve and the president to sign the MOU beginning May 2024 with increased rates by \$2.00 for each class. Todd Sanderson seconded by, and motion passed.

Sanderson: aye

Watson: aye

Hartman: aye

MATTER OF PAVING ROAD- JESSE ZEHR

Mr. Zehr thanked Jody and the Auditor for coming to his home to help with the Buggy Plates. Mr. Zehr explained that he is a Funeral Director and had his first funeral for a 7-year old little girl and by the time he had gotten to the body, he had to wash the buggy because the mud was that bad, he is requesting chip & seal on CR 45 from 60-46A or up to ST 8. Mr. Zehr also requested for the buggy plates to be made to the size of motorcycle plates as the buggy's are made to fit the smaller size.

Victor Graber | 5380 CR 45, feels like CR 45 has a lot of traffic with work crews from Allen County and DeKalb County and the road gets pretty rough with the washboard effect. He feels a chip & seal would be nice and is not sure how to accomplish that request. When drivers are hired, they detour around CR 45 due to the shape of the road. Commissioner Hartman explained that the horseshoes have been an issue in the past and will take a look at it, but at the very least increased maintenance if the road needs to remain gravel.

MATTER OF COUNTY FARM BID OPENING

The following bids were received:

Tom Fortman | \$1500/yr for Barn Rent and \$180/acre cash rent for farm ground

Tom Keller | \$220/acre cash rent for farm ground

Tim & Kip Griffin | \$225/acre cash rent for farm ground

Barn Rent:

Commissioners discussed the barn rent bid as being low and the County could use the barn at that price.

Michael Watson made a motion to reject Tom Fortman's bid of \$1500/yr for the Barn Rent. William Hartman seconded, and the motion passed.

Sanderson: aye Watson: aye Hartman: aye

Todd Sanderson made a motion to accept Tom Fortman's verbal offer of \$3,000/yr Barn Rent. Michael Watson seconded, and the motion passed.

Sanderson: aye Watson: aye Hartman: aye

Cash Rent for Farm Ground:

Michael Watson motion to accept the bid for \$225/acre from Tim & Kip Griffen. Todd Sanderson seconded.

Tom Keller explained the Commissioners have always had a policy for submitting bids and then opened to the public for verbal bids in the meeting.

Lynn Reinhart explained the Attorney Kruse reviewed what was in the legal notice and does not understand why the Commissioners would want to reject all bids because the gentleman did not get his bid submitted to the County Auditor's office in time.

Attorney Kruse feels that if the Commissioners wanted to reject the bids and open a verbal bidding process or reject all bids and submit a new notice to accept in 2 weeks.

Michael Watson withdrew his original motion.

Todd Sanderson made a motion to reject all bids and send out a new notice for sealed bids to be submitted in 2 weeks, with verbal option at the meeting. Motion failed for lack of a second. Tom Keller wanted to argue about this, as the Commissioners submitted the Notice and those that put their bids in are here and it should be handled today.

Kellen Dooley feels the Commissioners should go ahead with the process today.

Michael Watson made a motion to reject the sealed bids and open the floor to those that submitted a sealed bid to take verbal bids. Todd Sanderson seconded, and motion passed.
Sanderson: aye Watson: aye Hartman: aye

The Floor was opened for verbal bids:
Tom Keller: \$235/acre
Tim Griffin: \$240/acre
Tom Keller: \$250/acre

Todd Sanderson made a motion to approve Tom Keller's bid of \$250/acre. Michael Watson seconded, and motion passed.
Sanderson: aye Watson: aye Hartman: aye

MATTER OF 2024 RESURFACING PROJECTS

Ben reviewed the bids, verified the bonds, and sent them to Attorney Kruse for verification. Ben Parker advises to award to the lowest bidder of API Construction.

Michael Watson motioned to approve the Highway Superintendents suggestion of awarding the project to API for \$1,523,568. Todd Sanderson seconded, and motion passed.
Sanderson: aye Watson: aye Hartman: aye

MATTER OF CR 56 PROJECT

Ben Parker provided the bid results for the project, showing the lowest bid by Brooks Construction in the amount of \$5,097,966. We should be receiving a letter from INDOT on whether the County wants to move forward. Auditor Sleeper will work on the 20% match plans.

MATTER OF HIGHWAY

Ben had another truck go down last week with a bed issue. Ben went to Kalida Trucking to replace the bed and install it in the amount of \$37,000. Discussion took place on the truck & issues.

Todd Sanderson made a motion for Ben to move forward with the Kalida Truck quote for a Swensen Dump Package in the amount of \$37,000. Michael Watson seconded and motion passed.
Sanderson: aye Watson: aye Hartman: aye

CDL Physicals: Currently only a few doctors are accepted for the physicals, and they range everywhere from lax to very strict. Ben would like to know if the County would put a cap of \$109 reimbursement to the employee for the physical.

Michael Watson made a motion to reimburse Highway Employees for their CDL Physicals up to \$109 with proper documentation. Todd Sanderson second and motion passed.

Sanderson: aye

Watson: aye

Hartman: aye

Misc: update of new facility, change order costs, CR 45 concern | Ben says this has been a mild winter and wet so the gravel roads will be soft and his team has worked on the road a lot, there is also drainage issues on that road that needs to be addressed, it is not that it can't be done, but there would be a lot to work with to get to the point of chip & seal, Ben does agree that CR 45 is a highly traveled road as a cut through. Ben and Mark also plan to focus heavily on the gravel roads and bringing in gravel, etc.

MATTER OF LAKELAND INTERNET

Mark Byler sent an email and handed out a proposal for deployment of Next-Generation Fixed Wireless Network from ARPA funds available in the County. The total cost is \$8,343,480.44, with a request of \$1.6 million of ARPA funds and Lakeland would cover the difference. The proposal is for 10 towers to be deployed. Commissioner Sanderson thinks it would be best for the 3 Commissioners to read the information individually and meet with Mr. Byler with any questions and then have a detailed discussion. Commissioner Watson thinks we should review the procurement limits and process. Sanderson is all for doing the bidding process correctly, but with the outline Mr. Byler has created then we can get a 30-foot view of what is out there and then add the specific County requirements to the RFQ. Attorney Kruse wanted the Commissioners to be mindful of having the entity providing the specs could pose an issue with other vendors as they may not be able to come up with the product. Commissioner Watson is sold on the Tarana technology and was a bit concerned about Mr. Byler putting out his numbers in this public meeting that others may hear. Mr. Byler is not trying to do anything wrong; he is not sure how the process works and wanted to keep the discussion moving. Mr. Byler asked what he could do to keep the process moving forward, and Commissioner Hartman asked him to share the design and they will go forward.

Dave Holt | stated Lakeland can provide publicly the design, amounts, etc. but the Commissioners will need a vendor to put the RFQ together.

MATTER OF 4TH QUARTER DART REPORT

Board of Director: Rod Knox was in attendance for Tracy to give the review.

Review of Past Quarter DCCOA:

- ~Hired 3 new drivers that just completed trainings- starting on their own this week.
- ~Drug & Alcohol compliance was closed with no issues.
- ~Received Transit From 2021 in November!

~Selling transit #15, 2014 Chevrolet, 157,303 Miles, 8 passenger transit – leaky roof & air conditioning issues, 5310 funding – have to sell for less than \$5k.

~Fundraiser, inviting commissioners for support, offering a table of 8 to the event that will take place April 6, 2024 from 5-9, doors open & food trucks onsite at 5pm, Art Auction with center senior's created art and donated art from local artists Expressions Gallery from 5:30-6:30, Speakers from 6:30-7:00, and Dueling Piano Entertainment from 7-9.

Quarterly Invoice to INDOT for 2nd Quarter:

~Expense Report- 4th Quarter Transportation Invoices provided

~FARE totals – Income Report provided

~2023 Year-End DART Commissioner Report provided

~Submitted via email DBE Totals

~Passenger Trips: Q4 2023: 3,883 total compared to Q4 2022: 4,831

~Annual Passenger Trips: 2021-17,126 | 2022-18,119 | 2023-17024

Quarterly Invoice to INDOT for 4th Quarter:

Michael Watson made a motion for the president to sign the 4th Quarter Invoice in the amount of \$113,199. Todd Sanderson seconded and motion passed.

Sanderson: aye

Watson: aye

Hartman: aye

MATTER OF ST. JOE ARPA FUND WATER REPLACEMENT

Daniel Davidhizar explained they had attended the December 18th Commissioners meeting and had approached the Commissioners about possible ARPA funds available for their project and wanted to check on the status of the decision. Commissioner Hartman would like to put this on the topic list in 2 weeks and get a firmer handle on the needs of the remaining ARPA monies.

MATTER OF INSURANCE RENEWAL | RENEAL UPDATE

Kyle Pearson and Michel Shuherk were in attendance to review the insurance update process thus far. Liberty Mutual sent a notice and indicated that they will no longer extend coverage for the County Home and will carve that piece out. Kyle also explained that previously they were not able to find a company willing to cover the County Home. Liberty Mutal is looking at about a 15-18% increase in renewal and that is par around all vendors currently. Michel Shuherk added that last year they were in the same place with renewal amounts and by a miracle ended up with a 2% increase. He also shared that their industry is fluid and has a bell curve depending on the market. February 26th is the renewal date for the County. Commissioner Watson asked if they found any company to cover the County Home, and Kyle said they do have a few companies that said they would cover, but do not have a set-in stone rate at this moment.

MATTER OF WATER SOFTENER QUOTE FOR NEW HIGHWAY | METTERT WATER

Ron Mettert attended as representative of Mettert's. He explained the single tank would soften the office area just fine, but further in the back there is another heater that Ron would hate to see hard water go through, but also is not sure that it is plumbed for the softener. The twin tank

would cover both the front and the back areas of the building. Commissioner Hartman and Ben Parker are both not sure why there is a second heater in the back of the building.

Mettert's Watercare provided quotes for the following water softeners:

WaterRight C43 Single Tank | \$3,090

WaterRight C43 Twin Tank | \$5,450

Commissioner Hartman explained he has another quote coming as well, and will make a decision later on.

MATTER OF PAYROLL

Michael Watson made a motion to approve payroll for the period of December 31, 2023 – January 13, 2024 to be processed on January 26, 2024. Todd Sanderson seconded, and motion passed.

Sanderson: aye Watson: aye Hartman: aye

MATTER OF CLAIMS

Michael Watson made a motion to approve General claims processed on January 22, 2024 in the amount of \$1,349,044.87 consisting of warrant #'s 135012 thru 135017 and wire transfer #'s 27086 thru 27228. William Hartman seconded, and motion passed.

Sanderson: aye Watson: aye Hartman: aye

MATTER OF MINUTES

Todd Sanderson made the motion to approve the minutes dated January 8, 2024. Michael Watson seconded, and motion passed.

Sanderson: aye Watson: aye Hartman: aye

MATTER OF APPLICATION OF COURTHOUSE LAWN

Todd Sanderson made a motion to deny application as written, sidewalk is permitted but not the lawn and to discuss with City of Auburn. Michael Watson seconded, and motion passed.

Sanderson: aye Watson: aye Hartman: aye

MATTER OF COMMISSIONER APPOINTMENTS TO PLAN COMMISSION

Michael Watson motioned to appoint Jerry Yoder to the Plan Commission Board. Todd Sanderson seconded. Commissioner Sanderson would like to appoint Mr. Yoder and have an alternate to learn the position. Discussion took place.

Attorney Kruse looked at the BZA and Plan Commission on the option of having an alternate, with the BZA the alternate could come in if the member would be ill or conflict of interest, but the Plan Commissioner alternate is only if a member is conflicted out. Attorney Kruse feels the Commissioners can still appoint an alternate, but it would not be an overall alternate, only for that appointed position. Commissioner Hartman asked if each member could assign the same alternate, but each alternate would have to fit the same requirements as the person on the board, such as Commissioner Hartman's alternate would have to be Watson or Sanderson because he is

on the board because of his commissioner status. Attorney Kruse read into the meeting IC 36-7-4-223.

Andrew Provines | asked that the code reads 'disqualifications' and asked if there was anything on if someone misses a meeting, Kruse says if they miss 3 meetings then they can be removed. Provines feel that it does not cover if someone was absent and believe 'home-rule ordinance' could be utilized. Andrew knows that Yoder has the experience, and we don't want to lose that but feels we need to have someone involved and learning the ropes. Attorney Kruse explained that if the Commissioners wanted to go the home rule route, then they would be taking the liability in case of a lawsuit.

Michael Watson made a motion to appoint Jared Malcolm as an '**alternate citizen representative**' with voting rights only if they fulfill the requirements by statute of the disqualified citizen representative, only when Jerry Yoder has a conflict of interest but not just because he is not in attendance at the meeting, as Attorney Kruse summarized. Todd Sanderson seconded, and motion passed. Commissioner Watson verified if the political affiliation would matter, and with Jared being an Independent it should be ok.

Lynn Reinhart | voiced that Plan Commission meetings are public meetings and anyone who has an interest in and would like to learn more is welcome to attend. Lynn does not feel that the alternate would be able to participate in discussion unless seated for Jerry Yoder due to a conflict of interest. He also asked if the Commissioners are going to appoint an alternate for one member, why would they not appoint an alternate for the other members. He also wanted to know if the Commissioners had reviewed the local plan commission regulations.

Andrew Provines | does not understand why an appointed alternate would not be allowed to be part of the discussion, not a vote. Elysia Rodgers is an appointed member and does not have a vote but does have the right to be part of the discussion. Attorney Kruse believes the law would look differently on an appointed member, ex-officio member and an appointed 'alternate' and the alternate would be able to be part of the public discussion.

Motion passed:

Sanderson: aye Watson: aye Hartman: aye

MATTER OF COMMISSIONER APPOINTMENTS TO BOARD OF HEALTH

Todd Sanderson made a motion to appoint Tonya Weaver to the Board of Health. Michael Watson seconded, and motion passed.

Sanderson: aye Watson: aye Hartman: aye

MATTER OF VA OFFICE PAINTING QUOTE

Discussion took place on how to handle the request, as there could be future repairs needed or possibly change of ownership. Commissioner Hartman would like to have VA request in their next budget.

MATTER OF ORDINANCE 2024-O-1 | AN ORDINANCE TO PRESERVE THE LOCATION AND PREVENT DAMAGE TO SECTION CORNER MARKERS WITHIN DEKALB COUNTY

Michael Watson made a motion to take no further action on 2024-O-1, due to the fact that it duplicates 2022-R-7. Todd Sanderson seconded and motion passed.

Sanderson: aye Watson: aye Hartman: aye

ACKNOWLEDGEMENT OF RECEIVING 2023 JAIL, HOMELAND SECURITY & PUBLIC DEFENDER'S ANNUAL REPORTS

Michael Watson motioned to acknowledge receipt of the 2023 Jail Report, Homeland Security Report, and Public Defender's Report. Todd Sanderson seconded, and motion passed.

Sanderson commented that Sheriff Thomas is doing a good job at keeping the jail together and keeping the numbers down.

Sanderson: aye Watson: aye Hartman: aye

MATTER OF DRUG FREE DEKALB GRANT AWARD CLAIM

Michael Watson made a motion to approve the Auditor to pay the Drug Free Grant Claim to DeKalb Central Schools in the amount of \$1,300. Todd Sanderson seconded and motion passed.

Sanderson: aye Watson: aye Hartman: aye

MATTER OF SURVEYOR'S POLARIS SIDE BY SIDE

Todd Sanderson made a motion to allow the Surveyor to title the Polaris side by side as a municipal vehicle which will not have a yearly renewal fee. Michael Watson seconded and motion passed.

Sanderson: aye Watson: aye Hartman: aye

MATTER OF OTHER DISCUSSION

Topics Include:

Central Dispatch Treadmill: Commissioner Sanderson feels the part should be sent back and get rid of the treadmill and the Commissioners should continue working on gym membership options. It was also clarified that it is a 24 hour operation, but none of the employees are there the full 24 hours.

Development Services Truck: Proposing a 2021 Dodge Ram from Sanderson Auto Sales with a trade difference of \$9500. Commissioner Hartman would like the vote to be unanimous and if Commissioner Watson feels they should get other quotes, then they will. Commissioner Watson feels that with the amount of money they are dealing with and with Commissioner Sanderson recusing himself from the vote, he does not have an issue with moving forward on this purchase.

Michael Watson made a motion to move forward with the purchase of the 2021 Ram 1500 4x4 double cap pickup VIN# 1C6RR7FG7MS508834 for Development Services. William Hartman seconded, and motion passed (2,1) with Sanderson abstaining from the vote.

Watson: aye Hartman: aye

Weights & Measures Van: Proposing a 2021 Ram Promaster 2500 high top long wheelbase ¾ ton van VIN# 3C6LRVDG8ME522533 in the amount of \$34,500. Commissioner Hartman said that the van would need a bulkhead installed and a trailer hitch. Sanderson said he would put the trailer hitch on for free. Attorney Kruse would like there to be additional quotes, however Commissioner Hartman has a quote from Michigan that came in at a higher price than Commissioners wanted to pay.

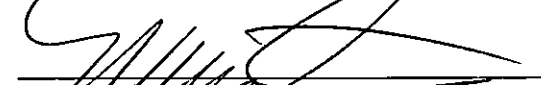
~Consensus of the Commissioners to purchase the 2021 Ram Promaster if another bid cannot be sought or received by January 26, 2024, and the official purchase approval will be made at the February 5th meeting.

Liability Insurance: Commissioner Hartman asked if they were required to get more than one quote. Attorney Kruse does not know there is a requirement for multiple agents. Commissioner Hartman said there is another agent that wants to give a quote and doesn't know how they can't accept that in good conscience. Commissioner Watson believes we can accept the quote if they have time to put one together. Commissioner Sanderson feels that with taxpayer dollars it doesn't hurt to get another quote.

Innkeeper's Penalty: Attorney Kruse brought up the penalty of 10% in the current ordinance and asked the Commissioners if they want him to move forward with enforcing the penalty. The Commissioners are accepting of Attorney Kruse moving forward. Commissioner Sanderson as well as Watson and Hartman are concerned on the exempt status stays the issue hotel is reporting.



William L. Hartman – President

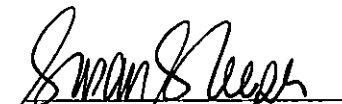


Michael Watson – Vice President



Todd Sanderson – Vice President

Attest:


Susan Sleeper, Auditor