

## **DEKALB COUNTY COMMISSIONERS' MEETING**

July 6, 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 HIGHWAY**

Asphalt Care is looking to do the crack fill and sealant on the 220 East 7<sup>th</sup> Street parking lot on July 9<sup>th</sup> between 8-9 a.m. The employees will need to stay off it that day. On Saturday, July 11<sup>th</sup>, both lots will be painted. Employees will need to be notified of these dates, and barricades will need to be put up to keep vehicles off the lots.

As of now, INDOT has canceled the July call for the Community Crossings grant. They will revisit it in September and evaluate whether they can offer the grant. Many communities are upset because they had waited for the July call before applying this year.

AEP transformers are going to be moved to County Road 55. One will be moved at the end of July, and the second transformer after that.

County Road 11-A microsurfacing is underway. Chip and sealing in the County has begun. The County Road 60 resurfacing began last week. County Road 40 will begin after the County Road 60 project has been completed.

There was discussion about the Schmucker driveway that was disallowed. The lawsuit will be dismissed once the Highway Superintendent approves what the Schmuckers have done.

### **MATTER OF ACCIDENT AT C.R. 17 NEAR C.R. 68 INVOLVING HIGHWAY TRUCK**

Jason Conn, 7525 Garman Road, in Allen County was traveling on County Road 68 toward County Road 17, when a Highway truck backed out into the roadway and was partially in Mr. Conn's side of the road. This was going into a curve. Mr. Conn had a load of gravel in his truck, and when he swerved to miss the Highway truck, his load shifted. He lost \$4,000 worth of gravel and believes the Highway truck driver is to blame. There was no warning or signage. Mr. Conn had contacted Ben Parker but felt there was no resolution. Today Ben Parker explained that the Highway has guidelines to follow when working in a roadway. When the duration of work is less than an hour, the Highway is exempt from traffic control per statute. Attorney McCanna would like to have a breakdown of Mr. Conn's claim before making a recommendation to the Commissioners. Mr. Conn said it cost him approximately \$2,500-\$3,000. Mr. Conn should have his insurance contact the County's insurance; it will be the most expeditious way to get recovery. Attorney McCanna cannot give legal advice to Mr. Conn. Attorney McCanna needs time to do research and come back with a recommendation for the Commissioners.

Mr. Parker stated that the story he got from his driver was different than Mr. Conn's. A comment was made about whether Mr. Conn had proper control of his load and what the speed limit was.

### **MATTER OF MINUTES**

Donald Grogg made a motion to approve the minutes dated June 29, 2020 with correction. Jacqueline Rowan seconded, and all approved.

### **MATTER OF CLAIMS**

Donald Grogg made a motion to approve Bookkeeper and Payroll Claims for the month of June 2020, Special Claims for the week of July 6, 2020, and Claims consisting of warrant #130776 through #130833 in the amount of \$357,370.34, and wire transfer #15308 through #15383 in the amount of \$350,328.82. Jacqueline Rowan seconded, and all approved.

### **MATTER OF TRAVEL REQUESTS**

Donald Grogg made a motion to approve the following travel requests:

- 1) Dotty Miller (HR) to travel to South Bend September 21-24 for the AIC Annual Conference. Estimated cost of \$268 to be paid from Commissioners' travel.
- 2) Thomas Elliott III (Sheriff) to travel to Indianapolis on July 13 for the Physical Fitness Entrance Exam. Estimated cost of \$121 to be paid from Commissioners' travel.

Seconded by Jacqueline Rowan, and all approved.

### **MATTER OF RE-ESTABLISHING THE DEFINED WORK WEEK**

Auditor Bauman explained that two departments indicated to her that this shift in defined work week from Monday-Sunday would cause a financial hardship with overtime because their 12-hour shifts would result in 5 days being worked one week and 2 days worked another week instead of 4 days one week and 3 days another week. Overtime would jump from 8 hours to 20 hours per pay period per person. What the Auditor would like to do is to again redefine the work week, but this time as Sunday-Saturday. This would cause the 12-hour shifts to return to 4 days worked one week and 3 days worked another week, keeping the overtime to what it was originally. Furthermore, Ms. Bauman would like permission to offer employees to be able to use PTO Repository time (only) if they so choose for the transition pay period to make their paycheck whole.

Donald Grogg made a motion to re-establish the Defined Work Week as Sunday-Saturday rather than the Monday-Sunday and to allow employees to use their PTO Repository time to make their transition paycheck whole. Jacqueline Rowan seconded, and all approved.

### **MATTER OF SHERIFF'S JANUARY-JUNE 2020 COMMISSARY REPORT**

The Commissioners acknowledge receipt of the Sheriff's Commissary Report for January-June 2020.

*Jacqueline Rowan left the meeting at 1:30 p.m.*

### **MATTER OF REZONE FOR 4443 & 4415 STATE ROAD 327 & PROPERTY NORTH, AUBURN**

Donald Grogg made a motion to approve Resolution No. 2020-R-14, UDO #66, Zone Map Amendment Located on 4443 & 4415 State Road 327 7 Property North, Auburn, Indiana, from C2-Neighborhood Business to R1-Low Density Residential, and that approval had been given by the Plan Commission. William Hartman seconded, and all approved.

### **MATTER OF MAINTENANCE BOND FOR BROOKS CONSTRUCTION**

Donald Grogg made a motion to approve the Maintenance Bond #K40501770 in the amount of \$19,700 for period June 17, 2020 to June 17, 2023 for Brooks Construction for The Highlands – Highlander Cover, Braveheart Circle – Stone, Asphalt, Curb: rolled. William Hartman seconded, and all approved.

### **MATTER OF NEW REQUIREMENT FOR WITNESS WHEN NOTARIZING DOCUMENTS**

A new statute requires a notary acknowledgement *and* common law witness on documents that will be recorded. The Recorder's Association is recommending that Recorders accept documents that do not have a common law witness signature. Attorney McCanna agrees with this but also suggests that the patron be told that title insurance may not cover the transaction without the witness. Mr. McCanna is going to do a little more research and then send a communication regarding his findings.

### **MATTER OF COMMUNITY CORRECTIONS' GRANT APPLICATION SUPPORT LETTER**

Donald Grogg made a motion to approve the letters of support for the CY 2021 Community Corrections and Probation Grant Applications, and for all three to sign. William Hartman seconded, and all approved. The same amount of money is being requested from last year. Wages have been capped at 1.5%, but benefits came in at about a 6% increase.

### **MATTER OF COMMUNITY CORRECTIONS PUNCH LIST**

Jake Fetters from Mosaic was present to discuss punch list items remaining at the facility. Kellie Knauer stated that the June 30<sup>th</sup> deadline was not met, but they are very close. The edging for flooring on the steps is incomplete. Mr. Fetters stated the materials are due in tomorrow, so work should be completed by this week or next. Ms. Knauer said some concessions were made on the electrical side of things, and as a trade-off, Hi-Tech will be doing some things they originally had not planned to do. Ms. Knauer would like to have a keyed lock for the restroom that is used for urine collections. This change to the lock as well as 3 keys that are keyed alike will cost \$567. Does she have permission to have this done and to begin spending the \$67,000 for soft costs? She needs another locker; there were supposed to be 54 lockers but she has only 53 currently.

There was extensive discussion about utilities costs potentially owed by Mosaic as well as remaining soft costs. Ms. Knauer is going to schedule a meeting with Tony Vie, Jake Fetters, and Jan Bauman to work through all of these costs. Hopefully there will be consensus from the meeting that can be brought back to the Commissioners on Monday, July 13<sup>th</sup> at 10:15 a.m.

### **MATTER OF CENTRAL COMMUNICATIONS' RADIO CONTRACT**

Late last week J&K Communications submitted a Zetron Radio Console Agreement to Attorney Jim McCanna for his review. Mr. McCanna has forwarded it on to Director Brian Humbarger to go through it carefully and see if there are any significant missing or unclear items. The Commissioners will be brought in on the findings next week for discussion.

### **MATTER OF OTHER DISCUSSION**

Other discussion topics included: Family Dollar property tax payment with insufficient postage; the MRBC is not increasing its 2021 allocation request; and Home Depot and Wal-Mart credit cards for Community Corrections.

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William L. Hartman – President

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Donald D. Grogg – Vice President

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Jacqueline R. Rowan – Vice President

Attest:

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Jan Bauman, Auditor