

DEKALB COUNTY COMMISSIONERS' MEETING

December 14, 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 Veterans Service Officer will be beginning a new position on January 4th but is willing to help train the new VSO to be hired. There are several very qualified candidates who have shown interest. The Veterans Service Officer must be a veteran. The Commissioners would like for Travis Holcomb to review the resumes and come in next Monday to give his opinion as to who are the most qualified candidates since he knows what the job requires.

The Judge-Elect in Superior Court I has decided he will not be retaining one of the employees in the office. Her last day will be January 1st.

The new Soil & Water Director will begin January 4th.

The question has come up whether the Commissioners will require employees to get the vaccine for COVID-19. How would Sunny Meadows be affected? More information will be needed.

Other HR discussion topics: appeal of an appeal of unemployment determination; EEOC issue; employee handbook; possible new holiday/PTO policy and wording; and "State of the Union" e-mail to County employees since Annual Employee Meeting had to be canceled.

MATTER OF PAYROLL

Donald Grogg made a motion to approve payroll for the period November 22-December 5, 2020 as presented. Jacqueline Rowan seconded, and all approved.

MATTER OF MINUTES

Donald Grogg made a motion to approve the minutes dated December 7, 2020. William Hartman seconded, and all approved.

MATTER OF TRAVEL

Commissioner Grogg doesn't agree with today's travel request and thinks it should be part of the job description. However, he doesn't think the Commissioners can prohibit it. With that, Donald Grogg made a motion to approve the following travel request:

- 1) Sandi Wilcox (Treasurer) for travel to and from local financial institutions to conduct banking. The monthly amount will not exceed \$25 and will be paid from Commissioners' travel.

Jacqueline Rowan seconded, and all approved.

MATTER OF COMMUNITY CORRECTIONS GENERATOR CONTRACT

Director Kellie Knauer had submitted a quote from Evapar to add Community Corrections to the County's contract for generator maintenance. The quote was for \$1,278 per year, which is \$800 less per year than WWWilliams. She would like to move forward with Evapar. Furthermore, she also had submitted a second quote from Certified Labs to complete regular fuel sampling and treatment, which came recommended to her by Ben Parker. The quote for this is for \$1,310 and would cover them for a year. She believes it is a really good idea because they otherwise would not cycle through the fuel, and she wants it to be in good shape whenever the generator is needed.

Donald Grogg made a motion to enter into an agreement with Evapar for preventative maintenance of the the Community Corrections generator for \$1,278. Jacqueline Rowan seconded, and all approved. Donald Grogg made a motion to enter into an agreement with Certified Labs for fuel sampling and treatment for \$1,310. Jacqueline Rowan seconded, and all approved. Community Corrections will pay for both of these out of one of their funds.

On another note, Ms. Knauer brought up a couple of outstanding issues that Mosaic needs to address.

MATTER OF APPOINTING NEW MEMBER TO PUBLIC DEFENDER BOARD

Public Defender Mark Olivero explained that Dave Swogger is resigning early from the DeKalb County Public Defender Board and needs to be replaced. Mr. Olivero briefly explained the history of the Board. On December 22, 2014, the Commissioners established a Public Defender Board consisting of three members. At the time, the county executive (commissioners) appointed one member, and the judges who exercise felony or juvenile jurisdiction appointed the other two members by majority vote. Each board member serves a three-year term beginning with the date of the member's appointment. A member appointed to fill a vacancy holds that position for the remainder of the previous member's term. If a successor has not been appointed by the end of a member's three-year term, the current member continues to serve on the board until the current member's successor takes the position. The Commissioners had appointed Dave Swogger, and his initial term expired on December 31, 2015. The second term (first full term) of Dave Swogger expired on December 31, 2018. His current term expires on 12-31-21. The statute that governs the establishment of the public defender board is in Indiana Code 33-40-7-3. Rules have changed a bit such that now the Judges only appoint one member and the Indiana Public Defender Commission appoints the third member in addition to the County Commissioners appointing one board member. Members have terms, but no term limits. They meet once per quarter. There are rules about who cannot serve on the board per Indiana Code.

Mr. Olivero said that Kent Likes is willing to serve on the Board. The Commissioners will take this under advisement until next week when all of the Commissioner appointments will be discussed.

MATTER OF CLAIMS

Donald Grogg made a motion to approve Special Claims for the week of December 14, 2020. Jacqueline Rowan seconded, and all approved.

MATTER OF DRUG FREE DEKALB GRANT CONTRACT GARRETT HIGH SCHOOL

Jacqueline Rowan made a motion to approve the Drug Free Grant contract for Garrett High School. Donald Grogg seconded, and all approved.

MATTER OF MAUMEE RIVER BASIN COMMISSION AWARD PRESENTATION

Rod Renkenberger from the Maumee River Basin Commission presented a plaque for the Special Leadership Recognition Award to Commissioner Grogg. While Commissioner Grogg has served as Commissioner, he has helped secure grants to flood proof the National Automotive and Truck Museum and the Messenger building; this actually kept Messenger from leaving Auburn. He has also helped facilitate the mapping of all of the flood plains in the basin, which is a first for the State of Indiana. He helped secure a grant for the flood study on Cedar Creek. And finally, the Multi-Hazard Mitigation Plan has been completed with his support.

MATTER OF COUNTY FARM RENTAL BIDS FOR CROP YEARS 2021-2023

The Notice to Bidders for the County Farm rental instructed bidders to submit bids as sealed. The bids were supposed to be received 9:30 a.m. today and opened at 10:15 a.m. Bids were opened and read as follows:

Thomas Keller	\$250/acre
Grate Farms Incorporated	\$210/acre

The Commissioners allowed oral bids by Mr. Keller and Mr. Grate for the acreage. Multiple bids would be allowed until the highest was given. However, Mr. Keller and Mr. Grate opted not to make oral bids.

Donald Grogg made a motion to award the 3-year lease to Thomas Keller at \$250/acre and for all three to sign the Farm Cash Rental Agreement. Jacqueline Rowan seconded, and all approved. The term of the lease is for a period of three years beginning March 1, 2021 and ending February 28, 2024. Payments will be made on the first day of April 2021, and on the first day of each October and April thereafter in the amount of \$250 per tillable acre, without the use of the outbuildings. Mr. Keller was present and signed the Farm Cash Rental Agreement as well.

Next, the Commissioners allowed oral bids for the use of the buildings. Anyone from the public was able to bid. Only Tom Fortman bid for use of the buildings, and he bid \$1,500/year.

Donald Grogg made a motion to approve the rental of the County Farm buildings for \$1,500 per year by Tom Fortman. Jacqueline Rowan seconded, and all approved. The term of the lease is for a period of three years beginning March 1, 2021 and ending February 28, 2024. Payments will be made on the first day of April 2021, and on the first day of each October and April thereafter in the amount of \$750 for the use of the County Farm outbuildings. The Farm Building Rental Agreement was not prepared yet and will be signed during next week's Commissioners' meeting.

While on the subject of the County Farm, current lessee, Mr. Keller, notified the Commissioners that someone may be using the County land for hunting. Mr. Keller explained where the deer stand is. The Commissioners will do some checking on this because no one should be hunting on County ground.

MATTER OF DISPOSAL OF PERSONAL PROPERTY

Auditor Bauman reached out to State Board of Accounts to find out which statute governs how the County should dispose of personal property. The code cited is I.C. 5-22-22.

MATTER OF BOND PROJECT FUND

Auditor Bauman informed the Commissioners that the Bond Project Fund 4801 does not have enough cash to cover the final payment to Mosaic if the current retainage balance is paid. The current balance of the Project Fund is \$74,162.88. The current retainage balance is \$77,543.00. A second funding source would need to be used.

MATTER OF HIGHWAY

DeKalb County received the full \$1 million for the Community Crossings Grant.

The Highway's first new truck is here. The truck body should be done by mid-January.

Tim Kummer who lives at 2974 County Road 31 would like 1/3 of \$3,501.86 to assist with some drainage work he has done. Last year the County installed a crossover pipe at County Road 28 and County Road 31. Since then Mr. Kummer hired Gene Clifford to tile his field as well as install a catch basin on his property. The portion he would like assistance with is \$3,501.86. He has reached out to the Town of Waterloo for one third of the \$3,501.86, and they have assisted. He will be asking MetalX for a third. He is now asking the County to help with the other third. President Hartman said Mr. Kummer should not have touched a County drain without speaking to the Drainage Board first. They may not be agreeable since he did the work without permission. Mr. Parker will have Mr. Kummer make an appointment to speak to the Drainage Board.

Mr. Parker is trying to connect with the DNR to talk about the Henderson property.

Commissioner Grogg asked to clarify last week's minutes to reflect that Mary Diehl (only) is supposed to make contact with the DNR regarding the trail that may be created near the Spencerville Covered Bridge. The minutes stated that Mr. Parker and Ms. Diehl were going to contact the DNR.

Commissioner Grogg wanted to tell everyone that during the last Maumee River Basin Commission meeting, Rod Renkenberger expressed how much he appreciates Highway Superintendent Ben Parker. He said he is "top notch and the best around." Mr. Renkenberger works with many counties, so this is quite a compliment.

MATTER OF ENGINEERING CONCERNS FOR PROPOSED 208 EAST 7TH BUILDING

The County originally requested 5 feet of space between buildings so that we would have access to the west wall of 220 East 7th Street. When the County learned that the square footage of the new building depended on the buildings being only 2" apart, the County enlisted the services of Jeremy Bowers to double-check the Michael Kinder & Sons calculations to make sure our building is protected. Mr. Bowers has determined that the footer of the new building could encroach on the County's property, and that is not allowable. He gave a power point presentation and explained his concerns.

Are the buildings going to collide? He ran the calculations, and there will be a couple of inches difference, and buildings tend to move an inch, but they should be fine.

The issues that begin are those due to snow drifting and their accumulations on the roof. There will be a substantial load increase on the new roof. They made building modifications, and Mr. Bowers has added some details that should be there moving forward. He said standard loading is 20 psf, and the expected loading for the new building will be 90 psf. He is not concerned about this due to the extra support they plan to incorporate with additional joists.

A concern of Mr. Bowers' is that they are showing their footer underneath the County's building. The soil type also concerns Mr. Bowers because we don't know what we have for sure for soil. He also is not used to seeing a 0% setback. This concerns him. He has determined that there will be an inch distance between footers, and this is assuming we have a turn-down footer.

To some depth, the County and the new building will be sharing the soil pressure. Then it is even more when you add the weight of snow.

Where the house is currently (that will be torn down), that soil is disturbed. You can only build in disturbed soil with the assistance of a geotech guiding them through. Mr. Bowers has not seen any such plan yet.

President Hartman said there should be documentation of the County building as it is now in case there are problems in the future so there will be a point of reference.

Mr. Bowers will document potential problem areas in his report. He will first need their soil report for the soil boring that was done. Mr. Bowers will need their demolition plan as well. They have not submitted a demolition plan to the State yet.

MATTER OF CAPITAL IMPROVEMENT PLAN

The afternoon session was spent discussing the 2021-2022 Capital Improvement Plan for DeKalb County.

MATTER OF OTHER DISCUSSION

Other discussion topics included: Indiana Code addressing disposal of personal property by County government; getting true data to determine payback period for solar; Visitors Bureau/Tourism Commission amendment to by-laws and appointment next week; PTABOA Board appointment request for alternates; and Township Trustee manual outlining appellate rights of injured party;

William L. Hartman – President

Donald D. Grogg – Vice President

Jacqueline R. Rowan – Vice President

Attest:

Jan Bauman, Auditor