

Owen County Commissioners
Minutes-February 21, 2022

Meeting was called to order by President Gary Burton.

Pledge of Allegiance was said, Prayer was given by Sheriff Hobbs.

Present: Gary Burton, Bob Curry, and Dale Dubois. Attorney James Bryan and Auditor Sheila Reeves.

Public Sign in sheet attached for permanent record.

A motion to approve the minutes was made by Bob Curry; seconded by Dale Dubois. Motion Carried 3-0.

A brief Financial Review of a Funds Report was given by Mr. Bryan relating that all main funds are operating with a positive balance. Also noting the current General Fund after today's claims amount is \$916,822 and only three grant funds in the red, acknowledging that those are reimbursable funds. A copy of the review report, monthly comparison reports and Treasurers Report were provided.

A motion to approve the Payroll Docket in the amount of \$232,323.17 was made by Bob Curry; seconded by Dale Dubois. Motion carried 3-0.

A motion to approve the Out-of-Cycle Claims in the amount of \$322,888.65 was made by Bob Curry; seconded by Dale Dubois. Motion carried 3-0.

A motion to approve the Regular Claims Docket in the amount of \$14,898.64 a was mad by Bob Curry; seconded by Dale Dubois. Motion carried 3-0.

Old Business

Attorney Bryan gave a brief review of the new rules regarding the ARPA Funds and other options now available for consideration. Primarily there are five buckets/areas of monies with restrictions on usages.

The new Plan Proposal was reviewed by Mr. Bryan.

Premium Pay in the amount of \$300,000 for employees is currently being calculated by the Auditors Office. Commissioner guidelines being set that you had to be an employee on December 6, 2021; full-time receiving \$2000 each and Part-time with a minimum of 800 hours worked for part-time. A motion to approve the premium pay was made by Bob Curry; seconded by Dale Dubois. Carried 3-0. The list will be reviewed, and a final amount will be given at the next commissioners meeting and then to Council on 03/14 for appropriations. Administrative fees in the amount of \$30000 will remain the same as originally proposed. An amount of \$250000 will be set aside for Water and Sewer Projects with a match being given by the Town of Spencer. Per Jon Stantz the Town will be having a meeting on 03/16 to review a plan for funds and brought back to them. Lastly will be a reduction from the last proposal for the Highway from \$3.4 million to \$1.6 million. Mr. Bryan noted that the Highway will have to have a bid process with a specific plan to present to both them and the Council. A motion for the reduction was made by Bob Curry; seconded by Dale Dubois. Carried 3-0. This will leave approximately \$2 million dollars of ARPA funds for consideration of other proposals. The Public present were told they can present proposals at the next meeting. Janet Rummel asked how they wanted them brought to them. Mr. Burton explained that now that they have a Plan and can start receiving/considering them. Additional comments right after the Intertec contract were made about this subject and the Plans from Chris Summitt, specifically why/when did the Highway present a proposal? Mr. Burton related a special meeting had already been called for on the 17th and it was given at that time. Mr. Summit also asked about the "Hot Mike" comment about tabling this and not having to sit here and listen to this shit all night. Who was he referring to Mr. Burton said he doesn't remember that conversation him and Bob and him talked about it? Chris said that he could pull it up right now on you tube. Was he talking about department heads, the taxpayers or business owners? Mr. Burton said it was in the minutes and that they listened to everybody. He's not perfect and neither is he, but the taxpayers all had good comments that were made, and they listened to

them. Mr. Burton asked to the audience if anyone got shut down at the meeting, one reply of No and no other comments were made.

A copy of the adjusted Intertec Contract to add Coroners Building and Storage Units was provided for review. The new amount \$6204 with a 6% discount for one-time annual pay. A motion to approve the contract was made by Bob Curry; seconded by Dale Dubois. Carried 3-0.

New Business

Assessor Dusty White requested an appoint for Debbie Keith to the PTBOA Board. A motion to appoint was made by Bob Curry; seconded by Dale Dubois. Motion Carried 3-0.

Mr. White also had a contract for consideration from Worrell Corporation. It was tabled until further review from the attorney and will be presented at the next meeting.

EMS Director Cris Lunsford only related that he was looking at and would be presenting proposals for raises for his employees as well as bid specs for an ambulance at the next meeting.

Highway-

Surveyor Bill Pursell gave an update on the Ditch/Creek issue with Greene County. Mr. Burton related that he had spoken with others and knows that it is not a County Drainage issue and has saved the county thousands of dollars for his research. It has been confirmed that the county has no regulated ditches.

Mr. Melton presented for review Bridge # 44 and #116 plans and come back to the next meeting for a decision. Copies were passed out to members for review.

Next, he presented information for Beech Church Road and a concrete structure-19-foot section that needs attention at an estimated cost \$50-\$60 thousand dollars.

Mr. Melton then explained that he was working on a Matrix for part-time help as his people were only making 80% of what his full-time employees were and doing the same work. Commissioners agreed to allow him to go to the Council.

Lastly were the RE-Bids for Annual Bids Category#2 Calcium-Chloride, Bio Seals and Others. Mr. Bryan related that due to no bids being received on the first advertisement in December it was necessary to re-bid. It was confirmed by the Auditor that it had been properly advertised on 01/26 and 02/09 and that No Bids had been received. Mr. Melton related that they are going to have to buy on the open market.

911 Dispatch-Kathleen Lamb gave an update for J&K Radio and the construction of the new tower in Freedom is expected to begin on March 2nd. They are still having issues with the CAD Server and service from IT, and that she has sent multiple emails and thinks they are all on the same page now. There is still no connection with the jail and the training server. Mr. Doering says they have had been in contact with central square and they don't get answers for days at a time and thinks it is failing on the App side and now everything has been whitelisted and it is okay. Mr. Doering said the problem is if it is whitelisted it is an application side. Ms. Lamb says that they have continually said that if they need to get another IT Company to get it done, she is not saying they are doing anything wrong but wants a deadline to put on it. A motion to give Forthphaze-IT a thirty-day deadline/leeway until March 21st to complete their side of it was made by Bob Curry; seconded by Dale Dubois. Motion carried. She will get with all those involved to move forward and get it resolved.

Next Ms. Lamb presented the need for a new appointment for the PSAP Board. Mr. Bryan is researching the Policy and Modifications to the current Ordinance, and it will be presented at the next meeting.

Health Department-Mr. Bryan reviewed Indiana Codes for "Public Work and variable Costs for construction work that was needed on the departments building. It was related that five companies had been contacted

and that only two had been received back from Weddle Brothers and Machango Construction. A motion to reject all quotes received and re-advertise was made by Bob Curry; seconded by Dale Dubois. Carried 3-0.

Public Hearing-New Jail (Presenting from RQAW/Garmong/Peter's/Insurance-Parmley)

Sheriff Hobbs began by giving an overview of the need for a new jail and the current condition of the facility has major issues. The Jail is the Counties biggest Liability. A new Jail Tax has been implemented but the Fund has no monies that can be set aside as his entire 2022 budget had been moved to this Fund. Unfortunately, what was a \$14million project seven years ago when this project was presented is now an estimated \$20m+/-.

He ended with, something must be done and asked for support from the county residents.

Mr. Bryan gave a brief outline for the required Hearing-IC36-1-8-19. This meeting was for Feasibility Study and Ischemic Design and/or alternatives for a reconstruction project. A Proposed Book from the prior hearings was used for review and will be included for permanent records/reference. Alternatives: feasible to house multi county jail, future jail needs-characteristics and estimated costs from each county that was given an opportunity to respond. Those counties were Clay, Greene, Morgan, Hendricks, Putnam, and Monroe. Only exception Clay, Morgan, Hendricks, and Monroe who would only if an emergency all others were a stern-no. This is not about a tax increase; it is a hearing for statutory purposes only and the public.

Insurance Agent John Parmley reviewed the current Liability Issues versus long term. Mr. Burton asked what was the projection costs for down the road if no modifications are done at all? Our days are short and if some modifications 2 or 3 years. Mr. Hobbs added that he felt the State lied to them and that actually no jail inspectors are writing reports of infractions as they took their teeth/so to say away from them. From a story projection they review several items and take it out to market for costs. Looking forward need to stand where they are at today. Projections-Do as what has been said and they try to rely on jail inspections. Mr. Hobbs added that the inspectors are no longer aloud to say things on their reports. Responses for #1-definte NO. Responses for #2 Caps was 4-No's, 1-Yes 15Maximum-Greene Co and rates of exchange for transport, medical, and one non-response. RQAW related that a full report was presented in June 2021 but was tabled due to financials, with assessed amounts of \$10.5million to bring the jail up to code. Floor Plans for 120-160 Beds/Pod were explained to have one control point and wouldn't need additional staff for additions/add-ons later at a cost estimate of \$22million, now probably somewhere between \$24-\$26million. (noted cost of increase 8.2% due to inflation) Depending on the next step its an expected thirteen months out for market and operations. There are some options to control the cost with comparing all Construction. Design Plan is \$800000 that would need to be bid out in order to allow Garmong to price the whole project. Plans won't change and flexibility when next step needs to happen. Mr. Bryan to Dan and Eric: No feasibility to have a multi county-No, secondly not to engage process with Greene County-No (written agreement if an emergency is a good idea) #2 estimated number of characteristics, daily population, and gender male/female % will continue to rise. (noted increase in female population) Estimate of costs is hard to do and especially a project for a multi-county is challenging and no possibility of outsourcing. Dan has seventeen counties he's working with right now. No option for outsourcing. Jeff Peters related he has done two fiscal plans for the county. Afford operationally and debt service and adopted full amount to accumulate funds. Needed additional monies and added the PSAP Tax that pulled the Sheriffs budget from the general fund and should now be providing a surplus and have a little money left at the end of 2022. 80% of those costs are personal service. He noted that in six months design to September and October to December to address financing. He further related one alternative was to lower income tax, put on property tax rates on ballot for referendum. Bond Rating fiscal plan-Revise that would give how much needs skimmed off. County reserve consumed, not an option. Another option-ARPA Funds can be rotated into general fund for operating cash balances.

Public Comments

Mike Spinks/Spencer Town Board and Corrections Board feels the need to be careful with a lot of

new/increased taxes due to the elderly population. How do we pay for bonds and existing income taxes? He added that most are willing to pay a fair share but what is that amount.

Mr. Burton related that they are not making a decision tonight and that the county can't handle it.

Mike Sudol ?not here to vote, ?listening to prices and not making a decision is costing more with inflation and now being delayed more. A reality check and decide in a timely manner and this is all on our elected officials. Population base, elderly what we need is to get people to move here to Owen County. Quit kicking the can down the road. Two million has been allocated-do something with it. Mr. Burton noted that due to the previous administration they have been in the red for three years and now are back in the black/positive.

Mr. Peters related that the Correctional Facility Fund has \$600000 with no commitments and \$70000 coming in each month. Mr. Hobbs added we need to get the Design done and stop wasting time. It was offered to possibly only pay a percentage on the contract, delayed fees the first year and can spread costs out over time 1/2-1/2, options of paying half and then wait until bonds are issued for balance. Concern if monies are spent, what happens if an emergency occurs. Bret Stutsman asked for clarification on the ARPA \$2-\$4 million was fundable for general services and virtually for any expenses and direct monies to help handle some general services and could have not reserved it all for the highway and got 4 to 5 years revenue increase in high tax rate. 2019 and 2020 overspent \$3.2 million and could help create some of this cash for other projects.

Mr. Peters believes to be in response to him. Barnes & Thornburg would determine if ARPA monies could be used and how a bucket would be created. He further added he hadn't heard any discussion of this tonight and thinks it's important for the public to know that the four million can be used for a variety of things and should certainly be considered by the council. Mr. Burton stated that is one of the reasons they have left \$2 million in that fund tonight. Mr. Spinks asked when the tax was going to start; Bryan replied it is already being seen.

Jeff Marks feels this started in legislation and has messed up the county, especially with only receiving funds for level 6 felons; with the current %-6. Vigo just built a new jail for twenty-two million. Why can't they just set amount and make it work. Mr. Peters related that a valid number is needed for borrowing bonds.

Chris Summitt asked what the new tax rate was being used for, it was related for the current 2022 budget.

Greg Melton related that he had only spent what he was directed under the commissioners, applied for grants with Jack White/flood event. He is not overspending and to look back at the people in charge in 2019/2020 is some of the current issues as information was not given to departments. Mr. Stutsman commented that he has no argument from him and agrees 100%. He further added that with access to LOW and the auditor for helping, and to Diane Stutsman for bringing it to their attention when the problem went on. He thinks the County is moving forward in a positive manner. Directly to Mr. Peters'—Can we afford and get on our way to fixing. Replied-Not ingrained enough to answer and not comfortable with saying could pay for all of it now.

Again Mr. Hobbs-Move forward with the Design.

Eric-evaluate market conditions, consider option of six months fee and could extend to twelve months.

Mr. Bryan reviewed the current county finances and the general fund with the past several in the red/negative. The numbers are better than they have been and hopeful that by moving the Sheriffs budget out would build a reserve in the general. Need to be cautious and see what the monthly trends are. He furthered added that the Commissioners and Council need to look at it on 03/14. No one wants to hear taxes might go up again, the bucket of ARPA has a wide variety of allowable uses, and it definitely isn't going to be decided tonight and to wait a few more weeks to get a clearer picture of the current financial situation and revenue streams. Mr. Stutsman commented that is it not true that the county has a \$900000 debt owed with \$524000/payroll clearing so it has a lot less positive than it is showing. Mr. Bryan replied at one time the county had seventeen funds in the red, and at some time and the payroll amount and a grant amount of \$448000 funds mentioned will need to be resolved and has been recognized by SBOA. The county went thirteen months in the red. His point was that any use of the ARPA funds needs to be considered what the

actual net balances are and not just what is reported each month and the general fund. Both negative balances are equal to the current balance. Mr. Summitt commented they do have some options: they could pull back the ARPA monies, Sheriff goes back to paying own expenses. He was asking if those funds could alleviate some of the stress on that tax. Mr. Burton noted that PSAP was designed to build a jail and that they had left \$2 million in the ARPA Funds and will consider their usage.

Mr. Sudol clarifying conversation that funds to move to next phase and that the design team is to spread out the expenses of the Design-\$800000. Mr. Melton to Dan if 17 jails have been done or being done are we reinventing the wheel. Dan replied that every design and population cost factor is anticipated. Mr. Burton said that refurbishing is not viable for code standards and that the ten and a half million is for only a sixty-bed facility and are already over maximum capacity.

Barron Barnett he sees it as a principle and to solve the problem for county general to cut 20% and the numbers will come back. The highway, EMS, and Sheriffs Departments are paramount things, and we can't afford what everybody wants. Mr. Pursell added why can't one design/style be done for everybody and not costs eight hundred thousand every time a county builds one. Sheriff says it's because the state wants to recommend them to do a-z and not give them a dime. It's a repeat offense and justice has to be served, lets stand up for the victims and taxpayers!

Mr. Burton gave a brief closing summary and the need to have further review before a final decision is made. No further comments/discussion was made, and the hearing was closed at 8:35pm.

No further comments from the Attorney, Auditor or Commissioners were made.

A motion to adjourn was made by Bob Curry; seconded by Dale Dubois. Motion carried.