

Owen County Commissioners
Minutes-March 7, 2022

Meeting was called to order by Commissioner Burton at 9am.

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

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

Public sign in sheet attached for permanent record. Mr. Burton reminded the audience that other than the public hearings on the agenda no other public comments are on the agenda.

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

A Financial Funds Overview and Claims Docket was given by Mr. Bryan. The current General Fund balance is \$788407.05, and claims were less than receipts this period. Other funds were provided and noting only one negative amount on the report for Hazard Mitigation-\$-11246.15 which is a reimbursable grant. Concern for the increase in product due to inflation is of concern for all departments. Copies of Attorney Balances will be attached for permanent record.

The Claims Docket was presented, and Mr. Burton had a question about a claim in Fund 1169 for AT&T in the amount of \$5947.86. Ms. Reeves reviewed the copy and explained that it was for Lincoln Park Stone-not AT&T but the total amount of claims was still correct. A motion to approve February 25th Payroll in the amount of \$222627.93 was made by Dale Dubois; seconded by Bob Curry. Carried 3-0. A motion to approve Regular Claims with the noted correction above, in the amount of \$233279.61 was made by Bob Curry; seconded by Dale Dubois. Carried 3-0. A motion to approve the Out-of-Cycle Claims were all made by Bob Curry; seconded by Dale Dubois. Utilities-\$36416.69 and \$2450.45, Covid Clinic-\$5200. Motions carried 3-0.

Mr. Burton moved Assessor-Dusty White up on the agenda for a Worrell Contract to be approved/signed.

Mr. Bryan reviewed the contract and noted that it would provide a significant savings of over \$3300. A motion to approve the contract for \$9585.86 was made by Bob Curry; seconded by Dale Dubois. Carried 3-0.

The American Rescue Plan Funds were discussed with the following amounts being approved for ARPA Premium Pay in the amount of \$247000 out of an original appropriation of \$300000. There were still questions on some employee's eligibility. Mr. Burton asked the list to be distributed to Department Heads for a final review. The agreed amounts are two thousand for full time employees and one thousand for part time that worked a minimum of eight hundred hours, the list includes any employees that were working on 12/06/21 and two exceptions were for two employees that qualified as they had worked the number of hours that was appropriated in their budget, no elected officials, contractors, or vendors will be receiving the pay. It will also be reviewed by Barnes and Thornburg and then presented to the Council for the appropriation. A motion to approve all the amounts and list was made by Gary Burton; seconded by Bob Curry. Carried 3-0. All three Commissioners signed the approved copy. Also include is \$1.6 million-Highway and \$30000-Administrative.

Jail Public Hearing Review-Mr. Bryan gave a review from the Hearing. The key purpose of the meeting was to look at a multi-county or transport possibility. Both options don't exist and/or not possible. Mr. Burton related that a twenty-two and half million-dollar jail with 2.7% interest would put the proposed cost of the new jail at \$30.5million and it is not feasible and well outside of the county means. Correctional Facility and Rehabilitation tax has a twenty-two-year time limit and money must be banked. Correctional Facility amount each month is \$71882 with a current balance of \$75039.78 and is considered the seed money. He further added that even going with a lower project it still is not enough. Once the documents would have been signed the money is pledged before all other expenses for the project and on the clock so to say for the twenty years. Mr. Bryan gave a few other options RQAW and Garmond will be presenting another proposal in the next thirty

days with a fifteen-million-dollar plan and the current plan is off the table per Mr. Burton and he does not want a property tax increase as an option.

Following an executive meeting that was held on 02/22 for Maintenance interviews, a motion to appoint Leonard Williams as the new County Maintenance person was made by Gary Burton; seconded by Bob Curry. Motion carried 2-1 Abstention-Dubois.

Mr. Bryan presented information regarding Title VI/ADA Compliance requirements. A letter from INDOT regarding the Highway Department had been received for the County to become ADA compliant. He related that some items required can/will be done in-house but that an outside consultant will necessary also. Mr. Bryan had prepared an updated Personnel Policy #115 Grievance Procedures under the Americans with Disabilities Act. The policy appoints Sheila Reeves as the ADA Coordinator and will be the one to receive complaints, it also includes a Complaint Form that is to be used.

Also presented was a Commitment Letter that would need to be submitted by the Highway Superintendent on their letterhead. A motion to approve the Policy Update was made by Bob Curry; seconded by Dale Dubois. Carried 3-0. A motion to approve the Complaint Form was made by Bob Curry; seconded by Dale Dubois. Carried 3-0. A motion to approve the Highway Letter was made by Bob Curry; seconded by Gary Burton, Carried 3-0. Mr. Melton will provide a copy of the letter to the Auditor.

New Business

Public Library Parking Lot was agreed to take under advisement for further review.

EPIC Insurance-John Parmley was present to review insurance premiums. IPEP had dropped the County for Workman's Compensation Insurance. Mr. Parmley has searched the market to find coverage/companies. With changes in payroll amounts increased to one-million dollars, training with highway, Sheriff, and EMS and the Accident Review Board has allowed for the workman's compensation premium to be decreased but stressed the need to be diligent to keep these rates. Cyber insurance is now required and must be implemented. Renewal rates given were W. Comp \$173810, down from \$207195. Mr. Burton noted that with the current budget being the most real-accurate in a long time has helped with the rates. A Billing Call is to be held on Mach 11th to review the amounts per departments, due dates, and billing cycles. Auditor, EMS, Sheriff, Health, Probation, and Highway will need to be part of the call. A motion to approve the Workman's Compensation and to be signed by Mr. Burton was made Bob Curry; seconded by Dale Dubois. Carried 3-0. Mr. Parmley reviewed rates for buildings, cyber and other accounts for \$600248 with an increase of only 4.4%. Ms. Reeves asked if the approved premium pay would increase the payroll projection. It was agreed it was not part of payroll only a one time premium/non-reoccurring. Mr. Parmley offered to help assist with budgets this year for projection of numbers. Mr. Bryan reviewed with the Department present their amounts required for payment and necessary transfers to make their payments. Copies of insurance premium breakdowns attached for permanent record.

CASA-Beth Eaton spoke up and related that she had been working with Mr. Bryan and had received notice of a donation for a building and wanted to make sure that it could be added to the insurance. Mr. Burton stated that they are aware, and it will be included.

Plan Commission Public Hearing was opened with Mr. Bryan reviewing the required procedural processes per IC36-7-4-603 for them to consider when hearing the Application for Blackwood Solutions-BWS to recycle utility poles. The five areas are the comprehensive plan, current conditions characteristics of structures, most desirable use of the land, conservation of property values, and responsible development. P&Z Director Suzanne Simmerman confirmed that legal public notice was advertised in the paper ten days prior, letters of notice sent to adjacent owners and a sign had been placed at the property site. Mr. Bryan stated that this was

above and beyond the required statute IC5-14-1.55 notice with the ten days notices provided and that all requirements have been met. The Application is to Re-zone the property to Heavy Industrial. The Plan Commission approved 7-0 the application with a stipulation that a fence be put up on the property. Representatives from the property, and EPA were present. They related that the fence has been built and still in the permitting process with IDEM. Sheriff Hobbs asked if they owned or leased the property, they own. Mr. Warner related that from when it was presented, he now has questions on the "Base" whether gravel or asphalt. He asked about leaching and was told it was okay, infiltrate ground water or in the ground and was assured that was not a problem. Jamie related that in conversation with IDEM the shredder must be on an impermeable spot. She further related that Simulated leaching tests had been done and all results were far below acceptable levels. John Reeves with the Health Department asked what chemicals had been tested for? Metals? Creosote by products and EPA has it coming of the market in 2024. He reminded everyone that the Health Department/County had a superfund clean-up north of a Gosport Treating Facility Mr. Burton agreed it was a real concern. Mr. Reeves ask that the Health Department be given a copy of the test results and test the ground water. He further noted that IDEM has a twenty-five item Punch-List. She replied not in place at this time because no permit is needed with a skidder. The Shredding was considered the processing of waste and that is what has now made it necessary for a permit. Mr. Burton added that this is an identified area of development and now with this project is concerned. Mr. Curry feels they've had the wool pulled over their eyes and it was vague in the exact answers given. Public comment (no name given) commented that the material is considered a Carcinogenic known as Cancer causing product and concern that it is probably going in the ditches out there with all the rain that we have had. A motion to table the Application for thirty days was made by Mr. Burton; seconded by Bob Curry. Motion carried. Application attached for permanent record. Mr. Burton closed the hearing for this matter.

The second Public Hearing was opened at 10:27 for Kevin Cooper. Mr. Bryan again reviewed the same Public Hearing Requirements as mentioned above and Ms. Simmerman confirming all notices have been done. Mr. Cooper presented an application 2021-9 to re-zone from Agricultural to Residential Single Family for property commonly known as Mt. Carmel Road-Parcel #60-10-13-400-240.000-027. The application had been presented to the plan commission and approved to bring before the commissioners for final approval. Mr. Cooper related that a drainage study from Abram Moss will be done in a week or so. Surveyor David Meyer noting sink holes, power lines etc. He has worked with the residents in the area and wants to keep neighbors happy and be part of the community. A maximum of 12 homes is projected on the 14.2 acres. Mr. Burton related he had been out there and concerned with the road direction and car lights shining into homes. Mr. Cooper related that they had planned with the owner to put up guardrail, was asked for fence. Public comment was from a gentleman asking why if the county knew they would be taking over roads wasn't there some kind of ordinance that if somebody is going to be putting in, why don't they get involved beforehand. Mr. Burton said they have some direction, and they are in discussions with the Highway at the next level to be doing just that. A motion to approve the Ordinance 2022-011 for a re-zone was made by Bob Curry; seconded by Dale Dubois. Carried 3-0. A motion to accept the findings of the plan commission was made by Mr. Curry; seconded by Mr. Burton. Carried 3-0.

Sheriff Hobbs wanted it noted that the Jail Project was still on the Table, they are only going back to the drawing board, and it was never an intention to tax the public.

He informed them that they had another gas leak, and he is in the process of getting estimates for repairs. He asked if a composite list could be put together and Mr. Burton asked that all departments to provide a list of issues and importance-low to critical.

EMS was not present.

911 Director Kathleen Lamb presented several items. One-she has received a letter from the State, and they are offering to come in and raise awareness for ransom ware and offer a report for free. Two-She is having a Boy Scout Troop along with EMS to do a tour. Three-Move of CAD Server was to happen on Tuesday. Four-J&K was to begin on Wednesday with the Freedom Tower and not expecting to be down long. Five-Thursday and the 800-law enforcement channel should all be able to talk with each other and looking at wrapping up two major projects. Six-Another employee is leaving that is now putting her two down. The employee that was away at Guard Duty is back. She will be going on vacation and assured them things were covered and that Matt Miller and Allan McBride will be covering for her.

Highway Superintendent Greg Melton provided a copy of Storm Costs that included amounts of salt, and stone etc. in the amount of \$47868.26. Another recent storm-flooding has made it necessary for five roads to be closed. He feels he has some culverts and pipe and can use Otterbein Church Road pipe if needed.

He presented an RFP document that needed scored and signed by the commissioners. A motion to approve, and to allow Mr. Burton to sign was made by Mr. Curry; seconded by Dale Dubois. Carried 3-0. Mr. Bryan related that the full evaluation was done at the prior meeting and this document is needed for completion. He next related that they too had a gas leak last week and had Levy Heating & Cooling out to make repairs. He next asked for permission to work with Mr. Bryan on the Vacating of a Road-Davis Rd due to the property being sold and access is needed. Mr. Melton feels it can be done in house and equipment rental quotes Members agreed he and will present at the next meeting.

Mr. Melton then presented Bids in envelopes that he had received via email from SealMaster, Southeastern and MacAllister for a small roller to follow the hotbox. He related that the hole patching has improved, and the purchase is a good thing to do. Ordinance 2019-0031 allows the quote amounts. Mr. Bryan opened each envelope and read the quotes. Seal Master 36'drum roller-\$22225, Southeastern 2021 Bomag bw900-50-\$18500 and two from MacAllister Bomag bw900 \$17950 and WackerRD12ARoller with solid rops \$17500. Following discussion that the highway has other Bomag Equipment and parts chain to deal with it; it was agreed to allow the MacAllister Bid of \$17950. A motion to allow the MacAllister Bid and not be billed until after receipt of his April installment is received, was made by Mr. Dubois; seconded by Mr. Curry. Carried 3-0.

Mr. Bryan related that the Health Department Bids were not ready. Tabled.

Mr. Bryan presented and reviewed the AECOM Contract for the County Landfill and post closure near Patricksburg. It is considered a service contract and governed by IC 5-22-6-1 and Ordinance 2018-002. AECOM will provide semi-annual groundwater monitoring and quarterly methane monitoring and reporting and semi-annual landfill inspection and reporting. The cost us for \$38000 and has been appropriated in fund 1000-.31700-68/Commissioners.

Mr. Bryan presented and read a Health Department Ordinance 2022-012for establishing the policies and procedures for operation of Tattoo, Piercing, and Body Modification Business in Owen County. A motion to approve the Ordinance was made by Mr. Curry; seconded by Mr. Dubois. Carried 3-0. It is required to be published two times.

Next Mr. Bryan provided notice that the Governor has rescinded the COVID-19 Public Health Emergency on March 3, 2022. Based on that the commissioners made a motion to remove the Temperature Control monitors was made by Mr. Burton; seconded by Mr. Curry. Carried 3-0.

Auditor-no comments

Commissioners Comments

It was agreed that Mr. Burton will contact the new Maintenance person.

A motion to adjourn was made by Mr. Dubois.