

Owen County Commissioners
Meeting Minutes
March 1, 2021

Meeting was called to order by President Gary Burton.

Roll was called, Commissioners Present: Gary Burton, Dale Dubois and Bob Curry.

Public Present: Attorney James Bryan, Marce King, Matt Sward, Cris Lunsford, Greg Melton, Dakota Gibbs, John Parmley and Auditor Sheila Reeves.

Zoom Attendees: Loretta Foster, Sam Hobbs, Levi Miller, Chris Hutson, Rachael Whiting, Kathleen Lamb, EDC Coordinator, Polly Chesser, Donna McElroy, Jack White, Andy Wood, Christine McBride, Diane Stutsman, Matt Miller, Suzanne Simmerman, Janet Rummel, Charles Townsend, Bret Stutsman, Paula Wood, Laura Lane, Bob, iPhone (2), and Patty.

Pledge of Allegiance was said; Prayer given by Cris Lunsford.

A motion to approve the minutes from February 15, 2021 was made by Dale Dubois; seconded by Bob Curry. Motion carried 3-0.

A motion to approve the minutes from the Special Meeting February 4, 2021-Highway was made by Bob Curry; seconded by Dale Dubois. Motion carried 3-0.

A motion to approve the minutes from the Special Meeting February 4, 2021-Claims was made by Bob Curry; seconded by Dale Dubois. Motion carried 3-0.

A motion to approve the minutes from the Special Meeting February 4, 2021-Payroll Presentations was made by Dale Dubois; seconded by Bob Curry. Motion carried 3-0.

A motion to approve the regular cycle claims dated for 03/01/2021 and the out-of-cycle claims dated for 02/08, (4 sets)-02/09, 02/10, 02/11, (2) 02/17 and 02/19 was made by Dale Dubois; seconded by Bob Curry. Motion carried 3-0.

Old Business

Mr. Dubois updated the status for the Coroner's Building. The water and sewer lines were still pending. The door is being moved north to south. Mr. Burton requested for the bids to be put back out as they were all high. He also noted that the Town of Spencer fees have been waived. Mr. Melton was asked if he able to dig the lines; he agreed to do so. The rest of the work could then be done by the maintenance superintendent or hired out if necessary. An update will be provided at the next meeting.

The newly approved Maintenance Superintendent position was reviewed. Mr. Dubois is concerned with the requirements of a high school diploma, maybe not working. It was noted that the job description listed the qualifications. Mr. Burton requested for the Job Ad to be ran one more week as only four applications had been received. The motion to extend was made y Bob Curry; seconded by Dale Dubois. Motion carried 3-0.

New Business

Sheriff's Department requested to be moved to the March 15th meeting with RQAW and Dan Zuerner so they could be present in person as the Courthouse is expected to be open at that time. Request granted.

Highway Superintendent Greg Melton began with the recent Snowstorm. He is preparing a financial report for review of the overall expenses. He thanked all agencies for working together. They did have two accidents during the process; a tandem truck overturned and he himself was rear-ended while plowing.

He provided information regarding a Bridge named Secrest Ferry Bridge #9 built in 1908 (commonly referred to as the Walking Bridge) that is not on the county inventory but in need of repairs. The Bridge has been

placed on the National Historical Registry which will now require working with DNR, Bridge Inspectors and the Historical Registry to bring it up to preservations status. Mr. Melton requested permission to apply for a grant in the amount of \$10000 to make the improvements to preserve it. He also asked to be allowed to set guardrail posts and fix deck boards for safety precautions until further work can be done. Gary Burton made the motion to allow; seconded by Bob Curry. Motion carried 3-0. A special meeting may be called in April for further discussion and status update.

Current excessive rains have caused flooding of roadways throughout the County with seven roads closed at this time. If water continues rising out of there banks; possibly County Line would be included.

Ms. Whiting has been working with John Parmley and Root Insurance following up on a claim from April 2020. Ms. Reeves had found the original signed paperwork and had sent a copy to Attorney Bryan and the insurance company.

Next Mr. Melton presented a request to purchase a Waste Oil 350000BTU that would be cost efficient for the garage. He had received three quotes from Energylogic w/\$300 rebate for \$10508.35, AMB Tool & Equipment for \$11059 and from Thomas \$13645. He agreed to run his own duct work. Attorney Bryan said that under IC36-9-16-2a1 for Building improvements that the Cum Cap Funds could be utilized for the expenses. A motion to accept the bid from Energylogic in the amount of \$10508.35 was made by Dale Dubois; seconded by Bob Curry. Motion carried 3-0.

Next Mr. Melton related that he is having trouble with his fuel tanks and rusting. He has found two tanks for \$3500 each that are double wall/no drip pans, he can use his own pumps and they will meet all IDEM requirements. Mr. Bryan will go look at the tanks and help determine what funds they could possibly be paid from for a total project amount of \$8000.

Mr. Dubois asked if all the old iron bridges that have been closed and not being used could be sold to help with funding. Bridges on Sycamore/Palestine Rd, Ramona over Mill Creek, 67 & Hancock School Rd and one on 246 were named. Mr. Melton was asked to get an inventory list of the bridges and move forward from there. Attorney Bryan related that it would have to be made clear what was required and who was responsible for the disassembly and moving before they were listed on govdeals.com and vacating of the areas left.

Mr. Melton requested to hire one part-time truck driver for summer help (noting he had given up 6 for budgeting purposes); thus, allowing for his three-hole patchers to be running daily. A motion was made by Bob Curry; seconded by Dale Dubois. Motion carried 3-0.

Next Mr. Melton requested for Byerly Rd and Anderson Rd to have weight limit restrictions to be imposed due to the deteriorating conditions from the freeze/thaw/flooding. A ninety-day time limit and roads posted is required. An Ordinance is already in effect for County Roads weight limit restrictions.

Later in the meeting Mr. Melton requested to add another item relating to a Caterpillar Road Grader. The former Auditor had told him that they were purchasing it; however, he had received notice that a Balloon Payment of \$90000 was due in March. He feels that the county should get out of the leasing business. He was to get copies of current leases, prepare a plan and present at the next meeting.

Next order of business came from Marce King with Owen County Chamber of Commerce and Matt Sword with SIDC regarding writing a new Owen County Comprehensive Plan.

Mr. Bryan provided the Indiana Code 36-7-4-501 states that a comprehensive plan shall be approved by resolution in accordance with I.C. 36-7-4-500 et. al. for the promotion of the public health, safety, morals,

convenience, order, or the general welfare and for the sake of efficiency and economy in the process of development. The Plan Commission shall prepare the comprehensive plan.

Pursuant to I.C. 36-7-4-502 the comprehensive plan must contain at least the following elements:

1. A statement of objectives for the future development of the jurisdiction
2. A statement of policy for the land use development of the jurisdiction
3. A statement of policy for the development of public ways, public places, public lands, public structures, and public utilities.

Under I.C. 36-7-4-503 lists the permissible contents of the plan. This is a comprehensive list and Owen County would need to include all these elements in the new comprehensive plan.

The last Owen County Comprehensive Plan was produced in October 2009. It was approved by the Owen County Board of Commissioners on December 7, 2009.

Before the approval of a comprehensive plan, the plan commission must:

1. Give notice and hold one (1) or more public hearings on the plan.
2. Publish, in accordance with I.C. 5-3-1, a schedule stating the times and places of the hearing or hearings.

The schedule must state the time and place of each hearing and state where the entire plan is on file and may be examined in its entirety for at least ten days before the hearing.

I.C. 36-7-4-508 and I.C. 36-7-4-509, the Plan Commission will approve the plan and certify the comprehensive plan to the legislative body. After certification of the comprehensive plan, the legislative body may adopt a resolution, approving, rejecting, or amending the plan. Such a resolution requires only a majority vote of the legislative body.

Ms. King and Mr. Sward related that the overall Grant Project cost to the County would only be \$6700 which is only 10% of the total \$60000 amount being requested. The first step is to do an income survey followed by an RFQ process, appointing a steering committee, and hold a public hearing. The expected Grant submittal date is July 15, 2021. A motion to move forward with the project was made by Dale Dubois; seconded by Bob Curry. Motion carried 3-0. Additional information will be provided each step of the way. It will be determined where to pay the matching funds from at a later.

Director Cris Lunsford had requested for a Fees Ordinance to be established for collecting on copies of medical records to law offices and insurance companies. Attorney Bryan presented and read an Ordinance for consideration. A motion to approve the Ordinance 2021-04 was made by Bob Curry; seconded by Dale Dubois. Motion carried 3-0.

Next Mr. Lunsford requested to have the signatory names changed on the savings account. One name of past commissioner was to be removed, the second was to add a current commissioner. Dale Dubois made a motion to have Mr. Burton be the signer as he is the liaison for EMS; seconded by Bob Curry. Motion carried 3-0.

Mr. Curry noted to watch #1 & 4 of the ordinance closely as they overlapped somewhat. Also Mr. Lunsford is to prepare a run report for the Commissioners at their next meeting.

Mr. Burton noted that the Health & Life Insurance update from Ron Remak will be reported quarterly. John Parmley with EPIC Insurance provided a folder of items that included a Claims Summary Review, Premium Comparisons Report, Property Renewal, Equipment Renewal, Liability and Auto Renewal Workman's Comp Renewal, Crime Renewal, CYBER Premium Coverage Comparison and Application for 2021. The package will be attached for permanent record. Mr. Parmley would like to implement a Training Plan for Workman's Comp with Departments to reduce the loss rate down to 40% or lower, noting that we are currently at a 150% loss rate. He will be contacting the Commissioners to set up some of the trainings.

A motion was made by Gary Burton to sign the Uninsured/Underinsured Motorist Policy was made by Gary Burton; seconded by Bib Curry. Motion carried 3-0.

Attorney Bryan presented an Ordinance to amend the Health Department from 1991-11. The Health Board currently only has two members; the ordinance included who is eligible to serve as members.

Mr. Burton had spoken with the Office Manager-Christine McBride offering names of persons that might be interested. She related that she did in fact have names of three persons that have agreed. She was to check their qualifications and political party affiliations to make sure that they were able to serve per the code requirements. The names will be presented at the March 15th meeting.

A motion to adopt the new Ordinance 2021-05 was made by Dale Dubois, seconded by Bob Curry. Carried 3-0.

Attorney Bryan presented and read a Farm Lease Agreement for consideration for the old Owen County Landfill site. Previously Jerry Newport paid the county \$800 to cut the hay from the property and made repairs. This agreement would now be in exchange for Mr. Newport to maintain the property per IDEM and AECOM requirements with no payments to the county and as a tenant relationship only. A motion to approve the Lease Agreement was made by Gary Burton; seconded by Bob Curry. Motion carried 3-0. It was also decided to add a #9 to the agreement showing that the Highway Department will provide dirt and gravel as/if needed at no cost.

Mr. Bryan will have it prepared for signatures at the next meeting and asking for Mr. Newport to be present.

Regarding the Courthouse Closure, it was decided to re-open the Courthouse beginning on Tuesday March 2nd with the 202-04 Ordinance still in effect requiring temperature monitoring, masks and social distancing.

Mr. Burton noted that during meetings Sheriff Hobbs has agreed to monitor the maximum numbers of persons in the room to maintain the social distancing.

No business or comments from Department Heads or Elected Officials.

Attorney Comments

Mr. Bryan presented a copy of a Resolution to be considered declaring their opposition to House Bill 1381 Land Control of Land Use Decisions was presented and read. A motion to adopt Resolution 2021-13 was made by Bob Curry; seconded by Dale Dubois. Motion carried 3-0.

Auditor Comments

Ms. Reeves noted that paperwork had been received for the dismissal of the J.W. Jones case against the County on February 23, 2021.

Ms. Reeves provided an email of request to schedule a meeting with Granite for the moving of the remaining phone lines. No date was determined at this time.

Mr. Bryan reviewed a notice that had been received regarding an Owen County Building Corporation had been administratively dissolved. It was determined that this was not a necessary organization and no further action is required.

Ms. Reeves presented a Certificate of Liability that had been received for CLR but stating it was for Spencer County. Mr. Bryan will follow-up on the certificate.

Ms. Reeves then presented the Paycor Contract for signatures. Mr. Burton signed the contract; however, he noted that he had already signed it by electronic signature/Edocs.

Lastly, she presented the claims cycle calendar of approval versus the scheduled meeting dates. Specifically, that there was going to be a three-week period in between meeting this next time and therefore requested for claims for individual's payroll to be signed out of cycle. It was agreed to do so.

Commissioner's Comments

Commissioner Curry asked how many County Credit Cards were there. Ms. Reeves stated five Visa Cards with \$2000 limits, Walmart, Sam's Club and Amazon. Ms. Reeves had provided a copy of an email that she had received regarding the Amazon Accounts stating that multiple Amazon Accounts have been opened under employee names. First concern is why-how-who this was possible? Secondly who was receiving the rewards points that are part of the card program? What does the existing County Policy say? Ms. Reeves was to contact her back and find out more information and report back, and Attorney Bryan was going to review the policy. Mr. Curry feels that all points and/or rewards earned should be donated to the Humane Society. Mr. Burton feels that the Sheriff, EMS, and Highway should have their own cards with a limit of \$2500 each. The Auditor's Office should only have one for all other Departments. It was also discussed of using a Purchase Order System. An update will be given at the next meeting.

Mr. Burton requested for Speed Bumps and a Maximum Speed Limit 5 miles/hr. Sign to be placed in the parking lot. Mr. Melton will help with ordering the speed bumps and signs. A motion to approve the request was made by Bob Curry; seconded by Dale Dubois. Motion carried. Attorney Bryan is going to see what funds can be used to pay for the project.

Mr. Burton related that only six out of eight Security Cameras around the Courthouse were working recently. He had obtained quotes; all under \$10000 and chose the one for \$5231.00 and Forthphase installing them. A motion to approve the purchase and be paid from the Cum Cap Fund was made by Bob Curry; seconded by Dale Dubois. Motion carried.

Lastly, he had concern for the Dome Windows wrapped in white plastic and water continuously running in. As the Courthouse had been deemed a Historical Building it limits the process of refurbishing. Possibly fund-raising projects and/or Grants. Mr. Hobbs offered that there were monies in a couple different accounts for the Dome. It will be revisited later with some possible options.

No other business came before the Board.

A motion to adjourn was made by; seconded by. Motion carried.