

Jennings County Commissioner Meeting
Government Annex Building, Commissioner's Meeting Room
July 23, 2020 6:30 pm

All Commissioners were present. Matt led the Pledge of Allegiance.

Nicci Lucas, HR, reported on the go-live date for the new time clock system is August 24. She reported that the county needs FLSA status for the employees. She cannot find a copy of this if it has been done in the past. The government gives tests that show skills of employees and what is needed within an office. She has consulted with HR directors around the State and compared information. She has presented a proposal to the Commissioners for the time keeping system. Once these are approved or revamped then she will take it to the Council for their approval. Some of the 2020 rates are missing, they need plugged into the Low system. There are some that need changed as there are errors. This will be corrected before the Council meeting. Ellie has had a chance to review this. Matt asked if it has been ran by every department head to be sure that they agree with all the employees under them. Nicci said she has not. Matt would like for this to be done. Nicci will send this out to the department heads tomorrow. Bob made the motion to table this until the next meeting. Dave seconded. Motion passed unanimously.

Jim Reeves from the Highway Dept has some INDOT LPA contracts. They were signed previously but the DUNS# was not in the SAM system. They need to be at Central Office within 30 days so the date needs changed and they need resent. Bob made the motion to re-sign the contracts. Dave seconded. Motion passed unanimously.

Jim also reported that the McKeller Group, (the ones that had trucks run from the airport to the fairgrounds), wants to rent just the paved part of the parking lot to do slide training. They will wet it down and add Dawn dish soap and practice sliding cars. This is to be done on July 30. Matt said Jim should check with the insurance company. Bob made the motion to approve contingent upon the insurance approval and that they have insurance also. Dave seconded. Motion passed unanimously.

Zach Walker was there to discuss county highways and right of ways. He has spoke with a couple of the commissioners to try and resolve this issue and he now brings it to the Commissioners publicly. He said this affects the residents of S County Road 525 E, south of Grayford Road. He thanked the Commissioners for the time. He has a power point for this presentation. He said driving around the county you will see different REMC poles, fiber optic, telephone poles, gas lines, water, septic and many other necessary utilities. Many of these were built using the county road right-of-ways. The residents on S County Road 525 E are the first to lose power in a storm and normally the last to have it restored. He has asked for REMC to look at the history of power outages on 525 E compared to those on Grayford Road. Those on S County Road 525 E are nearly 10 times more likely to be without power than those on Grayford Road. In the last 2 years those on Grayford Road have lost power for 589 minutes, those on S CR 525 E have lost power for 5,838 minutes. He feels this is a simple fix. The solution is for the county to allow REMC to access right-of-way along S CR 525 E coming from Grayford Road. The solution has

County Commissioners

Page 2

July 23, 2020

been tried but failed. REMC told him they have contacted JC Highway Dept about these issues. The highway dept originally granted REMC access until the highway dept realized that new utility poles would be on a certain landowner, who is a commissioner, property. The highway dept then went back on its word. REMC attempted to contact the land owner. He denied them access. Zach, as a neighbor, went to the land owner and attempted the same conversation and was told that the residents on 525 E did not lose power that often. He feels the residents of S 525 E deserve the security of reliable electricity. He has a letter from REMC that says it would "benefit the members along S CR 525 E with improved service reliability and reduced outage time". They also stated that it would "help REMC better maintain this section of power line by allowing REMC's linemen to work from the safety of their bucket truck from the roadway rather than climbing these poles in the woods". He and the other landowners feel this is a simple fix. He presented a map showing where the existing power lines are in blue and the red area is a section from Grayford south on 525 E and would entail 9 poles. REMC said they would put them evenly spaced apart. They also stated that they would put them as close as they could to the ditch, not to impede farming in that area. REMC also said there was concern of tile in the field, they are willing to use their Hydrovac, which is essentially a power wash with a vacuum, in case they would hit any utilities or tiles it would not do any damage, they would refill it and move them farther over to avoid damage. He doesn't want the land owner on 525 E to lose access to his field, he doesn't want to cost him money but he also doesn't want to worry about being without electricity for his family and other residents along 525 E. The residents have looked at getting whole home generators and they are \$4,000.00 each x 6 residents. In order to place these poles it would be approximately 4 square feet per pole, that is 36 square feet of cropland. It would cost the county \$0 to do this. REMC is willing to foot the entire bill of a minimum of \$12,000.00. He has asked the commissioners, who serve the public as representatives, to consider all that he has presented. Matt asked who he spoke with at REMC, Zach said he spoke with Ian Kindler, who is an engineer. Matt also asked why REMC initially went through the woods and now that is not good enough? He said Ian said it was poor planning, not sure why exactly. Dave Lane asked why they hadn't asked the other neighbor on the other side of the road. REMC said that the side they proposed is easier because of trees. Dave also asked why Zach didn't speak to the land owner who this would affect, which is Dave himself. Zach said he did come to the door and tried to speak to him but he shut the door in his face and wouldn't give him the time of day. Dave said Zach must have been at the wrong house then. Zach said he was at the right house. Discussion between Zach and Dave ensued. Matt stopped the discussion and said there will be no vote tonight because he wants to talk to Ian Kindler. Matt said he has issues with REMC on his road also. Matt wants to talk to Ian and see if there is another alternative. He said he appreciates Zach's presentation and he understands. Matt asked Jim Reeves from the Highway Dept if he knew anything about this. Jim said he was contacted by REMC about the right-of-way. This was back in 2017. Zach also said that Ian had e-mailed Dave Lane the same day that he e-mailed Zach on June 23. Discussion was held on land owners rights and public right-of-way for utilities with Ellie. Matt questioned that even if 2 of the 3 Commissioners agreed to go ahead with this, it would still take the land owner to approve. Zach asked

County Commissioners

Page 3

July 23, 2020

Dave if he would approve this for his neighbors. Dave said he would have if they didn't have electricity but they do have electricity. Dave asked how many poles are behind the gates, there are 5 on Zach's side of the creek, Dave said he has 23 and they want to add another 9. Zach said that he feels this is a conflict of interest for Dave to vote on this matter. Zach also asked that it be noted that initially Dave denied knowing anything about this and now he said he has seen these numbers so he obviously knew ahead of time. Matt suggested that this be tabled until Ellie reviews the case law and also if she could contact Ian Kindler at REMC to see if there is another workable solution to this. Bob made the motion to table this. Dave abstained. Matt seconded.

Kathy Ertel from EDC reported that EDC has been trying to do support work, outreach to small businesses due to COVID. In working with the Indiana Office of Community and Rural Affairs they have been made aware that there has been a \$250,000.00 grant that will be available to counties, cities, municipalities within Indiana to help support small businesses. They have gathered information to start the process of an application. They submitted an initial application and have now been invited to complete a full application. They would like to make this a county-wide opportunity. She would first like for the Commissioners to sign a resolution that would allow the EDC to apply to OCRA for the \$250,000.00. They are figuring this will be disbursed between 20-25 small businesses and be from \$5,000.00-\$10,000.00. This is for businesses with up to 50 employees (51% of the employees being low to moderate income), be in Jennings County, be in operation 6 months prior to March 6, gross receipts less than \$1 million and they will have to show the financial impact due to COVID. This is at no cost to the county. There is no match required. There was a sign-in sheet for all public to sign that was at the meeting. Matt asked if they are awarded the grant would the EDC be overseeing who gets the money and how much. She said they have created the Jennings Way Forward Task Force which is made up of different individuals who have been meeting to discuss different options to help support business. That group will do the initial read-through on these. They will then make recommendations to the EDC Board. That will then be submitted to OCRA for the final approval. Bob made the motion to support the resolution and moving forward with the OCRA grant. Ellie has reviewed the resolution. Dave seconded. Motion passed unanimously.

Kathy also said OCRA requires them to have an environmental exemption form to be signed. She also said they have to have a 4 factor analysis to determine if a language access plan for limited English proficiency is needed. Because it is a small business, not a general public grant, the 4 factor is not needed. She asked for any public comments or questions. Barb King spoke on her support of the application. There were no more comments or questions. The applications will open August 28 if successful. They hope to have the entire fund disbursed between October and December.

Michelle Matern, Animal Control, reported that the County Council approved a new truck for Animal Control. She said the Council was leaning towards the diesel as it would last longer plus the camper

County Commissioners

Page 4

July 23, 2020

shell. There are 5 options to choose from. The trucks they have are a 2008 and 2017. They would sell the 2008. She said there are more calls on livestock. They also go to Indianapolis to pick up food, litter, etc. The 1500 truck can't hold that much poundage that they bring back. If dog food is bought here its \$20 a bag, they get a truck full at Indianapolis and only pay \$60. The truck with boxes can't hold that much and she was using her personal vehicle. They are also going to get pig boards to better direct them into a trailer. She said that Rob Ramey helps a lot and takes livestock for them. He doesn't ask for compensation, he likes helping. Rob also helps find homes for the livestock that is picked up. Council approved \$39,785.92 for the truck plus the \$1600.00 for the camper shell. Dave said there is \$10,000.00 difference between the gas and diesel and wondering if they really need a diesel. Discussion is held on the different options. Bob made the motion to approve the 2020 Dodge 2500 for \$30,500.00 from Garlitch with no camper shell. Dave seconded. Motion passed unanimously. The Garlitch quote did not include a camper, side steps, brake control or bed liner. Matt said he really wants to keep this in county and not buy out of county. Matt said they will find a way to cover the camper shell and get it later. The steps will be considered when the truck comes in.

Peggy Roe, Health Department, gave a COVID update as of today at 6 pm. The county has 192 positive cases, we are up about 1-2 per day. The ages range from 18-75. There are 12 positive deaths and 2 probable deaths (not conclusive). They are following the Governor guidelines and doing as he asks. Any event 250 and over must submit a plan to the Health Dept to be approved. Matt asked if the Health Dept notifies the venues in the county about these updates. Nicci reported that there is 1 employee that is sick and was tested on Monday, that test came back negative however that employee is still very ill. Nicci also said a decision needs to be made about the screeners at the Government Center. She wants to know if the Commissioners want to continue that or what to do. She said there is an increasing problem with getting employees to wear masks where they need to and wear them properly. She was asked by a department head what the consequences are for employees not following the guidelines. Nicci and Peggy have come up with some thoughts that tie in to Governor's mandates:

1. All public spaces and/or transportation will require the wearing of masks by people entering county buildings for those over 8 years of age.
2. All work stations must maintain a minimum of 6 feet distance from the public and each other. If work stations are unable to maintain the social distancing, they will be required to wear masks.
3. Employees who are working and stationary and maintain a solidarity working environment while social distancing may remove their mask.
4. When the employee needs to leave their work station to go somewhere else in the building, they must wear their mask.
5. Employees engaged with county business with the public must wear a mask.
6. Employees in vehicles by themselves are not required to wear masks.
7. When outside, if able to maintain social distancing, you do not have to wear a mask.
8. If unable to maintain social distancing, you must wear a mask.

County Commissioners

Page 5

July 23, 2020

9. If unable to wear a mask, you must wear a face shield.

The other issue that Nicci has is she is about out of masks. Jerry Shepherd has found a supplier in Southern Indiana that masks are 45 cents if you buy 5,000. That would be \$22.50. They also have gel sanitizer for \$39.50 with a pump bottle. A 4 gallon case would be \$158.00. She will go to the County Council of where to take the funds. She needs to know if masks will be required in the building and what about employees that don't comply. Peggy said she talked to Dr. Heumann on Wednesday and he still recommends that we have a screener and employees wear masks. Peggy said if any of the workers from her office does not have a mask on in the hallway, etc it is a write-up. The Governor mandated yesterday that anywhere in public you wear a mask if you can't social distance, this begins Monday July 27. Nicci said that she does have someone who could do the screening position starting the first of August but could only do it for 1 month. Bob made the motion to hire the screener through Labor Day, buy 1 lot of (5,000) of the masks and 2 lots of the hand sanitizer. Dave seconded. Motion passed unanimously.

Matt said an employee will be written up if they do not follow the Governor's mandate and also what they have been instructed to do. He said each department head is responsible for disciplining their employees. With that being said they are changing their "strongly recommending" to "mandating". Bob made the motion to mandate masks for employees according to the previous numbered items Nicci mentioned earlier. Dave seconded. Motion passed unanimously.

Tessia gave the Commissioners the Budget 144 Forms so they can make their recommendations to County Council by the August 13 meeting, they are due August 20.

The letter of support from JCSC, the Commissioners have already signed it.

The portion that was in question about the Courthouse elevator repair was taken out. They also provided a copy of the Certificate of Insurance. Ellie said she finds this acceptable. Tessia just needs to sign it after approval. Bob made the motion to allow Greg to get the elevator fixed with the changes in the work order. Dave seconded. Motion passed unanimously.

Children's Advocacy Center of Southeastern Indiana was asking for \$5,000.00, the same amount they asked for last year. Ellie said this is supported by the Prosecutor and Judges. Bob made the motion to allow \$5,000.00 as long as the County Council can find the funds. Dave seconded. Motion passed unanimously.

Ellie said the Culvert Ordinance was presented at the last meeting in June, it was tabled and after the meeting there was some further discussion and she feels the changes are necessary. She wondered if possibly the Highway Dept and Area Plan could add anything to it. Matt asked Jim from the highway dept to explain. Jim said it was an effort to have them police drainage on new culverts. He said they are

County Commissioners

Page 6

July 23, 2020

wanting to take it to new construction, additions, going on/off the roads with any heavy loads (i.e. putting in in-ground swimming pools, pouring concrete, new construction, etc). They are having trouble controlling drainage and this is for some help. Ellie said that Area Plan had a "corresponding" ordinance and the highway had the application so she drafted it based on those 2 things. Ellie said the issue is that when people build and they don't put the culvert in there is a drainage issue, then the pushback was people were coming in to get permits and perhaps didn't get the permit as quickly as they wanted because AP wanted Highway to look at it to check the drainage issues. The Highway Dept works 4-10 hour days and is not available to go out on Fridays and to check this is an issue. Matt asked if Jim felt he could keep up with this pace. Jim said he would like for it to be brought down to heavier construction. Jim said he would like for it to be tabled and look at it again and bring it back later. Bob made this motion. Dave seconded. Motion passed unanimously. Ellie said she could make the modifications if she knows what they are. Jim said he will get with her next week.

The Courthouse awnings were approved and then the green vs. black came up. There is no issue with historic on the colors. Since the roof is red and black would show less dirt, Greg has recommended going with black. The Judges want the black also. Bob made the motion to purchase black awnings. Dave seconded. Motion passed unanimously.

AmVets are asking the Commissioners to advertise in a newspaper they have. Under miscellaneous expenses there is \$4800.00. Matt said he recommends that they do an advertisement something like "Jennings County supports our American Veterans". A 1/3 page ad is \$537.50. It was brought up from someone in attendance that other organizations will most likely come to a meeting asking for a donation. Discussion was held on this. Bob made the motion to table this until another meeting to see if the donation will stay local. Dave seconded. Motion passed unanimously.

Attorney fees that are on the agenda will be held off until August 13.

Zach Walker is asking how long his request is tabled for. Ellie said usually the next meeting. He also brought up that if the Commissioners vote against his request he would like for them to look at Indiana Code 8-20-1-15 and also 15.5 for the county to establish apparent right-of-way establishment. He feels this fits exactly what he talked about earlier. Ellie will check into this.

Amy Thompson, Clerk, asked if they could be more specific on when attorney fees was tabled to and what that encounters. Ellie said the last time this was to be discussed Mark Dove said he wanted to be made aware prior so that is why it will be at the next meeting. Amy asked if he will be made aware, Ellie said it will be on the agenda. Amy said that it was not on her agenda that she printed at work. Ellie

County Commissioners

Page 7

July 23, 2020

said that is why it wasn't discussed tonight. It will be on the agenda for the August 13 meeting. Ellie said that in the Clerk vs. Auditor lawsuit the attorney fees are racking up. Both parties are interested in what the county is going to pay for who and how much and that needs to be decided. Amy said for the record she has not asked for any attorney fees to be paid. Ellie said that Mark said if they were going to pay for any of the Auditors then he would request the same but Amy has not made that request herself. Amy stated she feels there should be a cap on it and Ellie said she feels that is what needs to be decided.

Bob made the motion to approve and sign prior minutes. Dave seconded. Motion passed unanimously. Bob made the motion to sign payroll and claims. Dave seconded. Motion passed unanimously. Bob made the motion to adjourn. Dave seconded. Motion passed unanimously.



Tessia Salsman, Auditor



Matt Sporleder, President



Bob Willhite, Vice-President



Dave Lane