

**COUNTY COMMISSIONERS**  
**REGULAR SESSION**  
**MONDAY MAY 3<sup>rd</sup>, 2021**

The Grant County Board of Commissioners met in regular session on Monday, May 3<sup>rd</sup>, 2021 at 10:00 a.m. in the Grant County Complex Council Chambers at 401 South Adams Street, Marion, Indiana.

In attendance were Commissioner Mark Bardsley, Commissioner Ron Mowery, Commissioner Mike Burton, County Administrator/HR Director Justin Saathoff, and Auditor Jim McWhirt. Commissioner Bardsley called the meeting to order at 10:05 a.m. Commissioner Burton led the prayer and Commissioner Mowery led the Pledge of Allegiance.

Commissioner Bardsley stated that the county annex will require masks through the month of May, mirroring the Governor's actions. The annex is open for regular foot traffic, but all visitors must wear a mask at all times. County employees must wear masks when interacting with the public or away from their workstations. Governor Holcomb's recent executive order extending the public health emergency through the month of May means the county public meetings can continue to operate as a hybrid of in person and virtual, with board members able to fully participate via WebEx. Recent legislation signed by Governor Holcomb also allows members of public boards to fully participate in meetings electronically if 50 percent of the body is present in person.

**Claims**

**4/26/2021** – preapprovals: general - \$98,831.57, other - \$8,780.12, highway - \$19,520.07 = \$127,131.76. Commissioner Mowery made a motion to ratify the preapproved claims. Seconded with support by Commissioner Burton; motion carried.

**4/28/2021** - Single preapprovals: Cook Excavating 1. \$878.00 for Southern Prong of Dry Fork 2. \$2,475.00 for Pipe Creek.

Commissioner Burton made a motion to ratify the two preapproved claims as presented. Seconded with support by Commissioner Mowery; motion

**5/3/2021** – general - \$139,110.60, other - \$69,357.96, highway - \$16,586.22, = \$225,054.78.

Commissioner Mowery made a motion to approve claims as presented. Seconded with support by Commissioner Burton; motion carried.

**Payroll**

Payroll #9 was preapproved on 4/28/2021 and paid out on 4/30/2021 in the gross amount of \$546,035.31. Commissioner Burton made a motion to ratify payroll #9. Seconded with support by Commissioner Mowery; motion carried.

**Minutes**

Commissioner Bardsley gave a recommendation to approve the minutes from 1/19/2021, 2/1/2021. They have been reviewed and corrected. Commissioner Burton made a motion to approve the minutes from 1/19/2021 and 2/1/2021. Seconded by Commissioner Mowery; motion carried.

**Receipt of Monthly Report, clerk of the Circuit Court Month ending 3/31/2021**

**Receipt of Monthly Report, Weights and Measures 3/16/2021-4/15/2021**

Commissioner Mowery made a motion to receive both reports as presented. Seconded with support by Commissioner Burton; motion carried.

### **Communications & Board Updates (Elected Officials, Boards, Special Committees)**

Grant County Sheriff, Reggie Nevels, updated the Board of Commissioner of the transition of closing the Juvenile Detention Center and the transfer of juveniles to another facility. Sherriff Nevels, Captain Todd Fleece, Lieutenant Georgiana Jones, and Chief Probation Officer Mike Small had the opportunity to go over to the Kinsey Center in Howard County. They met with the director, Jeff Lipinski, and took a tour of the facility to see its day-to-day operations. This facility will have four beds available for our juveniles and as soon as Mr. Lipinski receives approval from his Board of Commissioners, they will open it up for more beds. Under COVID-19 protocols, they can only house so many juveniles. No contract has been signed at this time. Mr. Lipinski proposed reevaluating the current agreement in 30 to 60 days. There is a backup facility with the Youth Opportunity Center in Muncie, Indiana in Delaware County that Mr. Small contacted. The YOC is willing to help Grant County if more beds are needed. Mr. Small stated that "Grant County filled all four beds at Kinsey on the first day. The juveniles were moved out of the detention home late last week. Kinsey is \$137 a day per juvenile and will transport them. The YOC is \$150 a day per juvenile and will not transport them. The transport issue has been resolved with the help of Captain Ed Beaty and Chief Angela Haley of the Marion Police Department through a new policy. Paddock View has agreed to take in the runaways without a court hearing. They will also transport to and from court hearings. This is payable through the Department of Child Services. Commissioner Mowery asked if the Sheriff's Department will do the transportation of the juveniles. Mr. Small responded that they will for the YOC in Muncie. Captain Beaty added that transportation is not an issue. The juveniles and the individual agencies will be responsible for transporting if the individual needs to be placed. If it comes from the courts, that will fall back to the Sheriff's Department. Also, adult/jail staff and juvenile staff receive the same training, they will just need to be brought up to speed on how things work in the adult facility. Commissioner Bardsley added "We appreciate the collaboration that's happened because we felt like we needed to rush to get the kids out of that situation so we could start caring for the building. Thank you to Probation, the Sheriff's Department, and to the institution that are assisting us. Long way to go, but we've taken the first right step".

Bob Jackson, EMA Director, updated the Board of Commissioners on the COVID-19 pandemic. According to the report this morning, these were the numbers from this weekend: new cases reported 13 on Saturday, 11 on Sunday, and 6 today. This brings the total for Grant County to 7,641 positive cases. Grant County is right on the edge of going from blue status back to yellow. Grant County may receive additional federal funding to help defray the cost of COVID-19 related expenses. Mr. Jackson said his office was informed last week that FEMA has assigned the county a case manager to look into the possibility of reimbursing the county for certain emergency response and public health expenditures related to fighting the pandemic. FEMA relief would supply a 100 percent reimbursement of expenses compared to the typical 75 percent reimbursement the agency normally provides. This can include expenses that the county used federal Cares Act money on. Any funds made available by the FEMA reimbursement would require to be reallocated to expenses in the same category it was initially used for. Mr. Jackson added that he would keep the Commissioners, the Council, and the Auditor's office up to date with any new details regarding the potential reimbursement. Mr. Jackson also said that the Grant County Health Department vaccine clinic accepts walk-in patients after 11 a.m. each day and that Marion General Hospital is also accepting walk-ins for vaccination without appointments.

Commissioner Bardsley expressed interest in mirroring the governor's executive order 21-12. This would continue masking for the public and employees through the month of May. Commissioner Burton made a motion to continue to follow the executive order by the governor to be cautious and safe. Seconded with support by Commissioner Mowery; motion carried.

## **IT**

None

### **Highway - David White, Superintendent**

- a. A letter from INDOT was received awarding a Community Crossing grant for a paving project on 900 E going into Delaware County and on State Road 28 to Matthews into Wheeling Pike. The county was awarded \$50,000.00, which must be matched. The contract will be brought to the Board of Commissioners once made available.
- b. The recycle center building was inspected by Clear Span. The estimated cost of the project is \$123,062.00. Mr. White had estimated it closer to the \$140,000 to \$150,000 range due to some sandblasting and painting of some structural pipes. Clear Span does not do that. They did recommend another company that would come in to do that part. They will have to remove a portion of the building and then install new. This is just information at this time. It all depends on budgeting. Commissioner Bardsley asked if it was more cost efficient to rehab than to replace. Mr. White answered affirmatively. The building came with an expectation of a 20 year life span and it is currently at 21 years of age. The entire project will be reviewed and presented at a later time.
- c. The EMS parking lot is nearly finished. Some containers were moved last week.
- d. The soil testing for Bridge #39 (1000 E) will happen today, May 3 of 2021. The hope is to apply for another Community Crossing grant on the 2nd round of this year.
- e. As far as the Community Crossing grant for 600 E, INDOT instructed Grant County that both projects (the north and south of State Road 18) had to be done. Mr. White responded that he did not see that as the case. INDOT is still stating that it is all or nothing. The recommendation is to go ahead and do the entire project so that the county doesn't lose the \$400,000.00. Mr. White recommended to move forward with paving south of State Road 18 (in front of Dunham's) and then from the Marion city limits to the North County Line on 600 E to Huntington County.
- f. Primco was awarded the Washington Street Bridge project. A start date should be given by the next meeting.
- g. The culver pipe was replaced on 400 East.
- h. Mr. White will have the salt quotes for 2021-2022 season by the next meeting.
- i. The Highway Department received uniform quotes from Wildman and one other company. The quotes will be reviewed and presented at the next meeting. Commissioner Bardsley asked if EMS could be included in with the Highway. Mr. White did not foresee a problem with it since all bills go to the Commissioners' office for payment.
- j. The Pennsylvania Bridge project bid is May 5<sup>th</sup>. This is a federal aided job and the estimated cost is \$2.6 million. It is already set that Commissioner Bardsley has approval to sign electronically. The county is required to pay 20% upfront. Mr. White is estimated a closure time September/October through March of 2022.

### **Old Business**

None

### **New Business**

1. Presentation of Community Corrections Grant Extension - Chris Cunningham, Corrections  
Mr. Cunningham requested a 6 month extension due to the COVID pandemic. The state doubled the amount during the time frame. Instead of the \$662,539.00, the county will receive \$1,325,078.00. Mr. Cunningham requested approval to extend the contract for 6 months and for

permission for Auditor McWhirt to sign the contract when it is received from the state. An electronic signature is required. Commissioner Burton made a motion to approve the request. Seconded by Commissioner Mowery; motion carried.

2. Ordinance Creating a New Fund - Mark Bardsley, Commissioner

This ordinance creates a plan on how the American Rescue Plan Act money will be spent. The County Council will be in charge of the appropriation for the items listed in the Commissioners' plan. It takes leadership skills from both boards to work together for the best interest of the community. No action was taken today. The primary goal today was to develop an infrastructure that is acceptable to the ARPA guidelines. The county's objective is to utilize the funds on what the federal government requires and develop plans so that the Council is in agreement.

Commissioner Bardsley asked the Auditor if the ordinance had to be accepted before the money came in. Auditor McWhirt responded, "My reaction would be you can do the ordinance later. The money will put into the fund. If the ordinance is not done, we will still put the money in the fund so that we stay compliant with the state. The county cannot spend the money until the plan is done and the Council has approved the spending." Commissioner Bardsley added that all Council members will receive a copy of the plan to see where the money is being used. Councilman Mike Roorbach spoke in behalf of Council President Shane Middlesworth, "We are satisfied with this and you as Commissioners have addressed the Council's concerns. The Council looks forward to working with the Commissioners."

3. Ratification of Nixle Agreement - Mark Bardsley, Commissioner

Drawn out of the Safety Awareness and Education grant, this grant was given to the county specifically to educate the public. This is a two-year agreement in the amount of \$6,191.64. This was a preapproval from Commissioner Bardsley. Commissioner Mowery made a motion to ratify the Nixle Agreement. Seconded with support by Commissioner Burton; motion carried.

4. Resolution for the Transfer of Tax Sale Certificates - Mark Bardsley, Commissioner

This item was tabled until the next Commissioners' meeting on 5/17/2021 due to the document needing some corrections.

5. Presentation of Wildman Service Agreement - Justin Saathoff, Administrator

Wildman currently does the county's maintenance uniforms and mat services. This is a new service agreement. The county is currently out of contract although services have continued and are being paid on a month to month basis. The last agreement expired in November of 2019. Negotiations of the agreement started right before the beginning of the pandemic. Getting into this contract will save the county money as the pricing has been negotiated lower than the current price. This contract has been reviewed, corrected, and approved by the County Attorney, Kyle Persinger. Commissioner Burton made a motion to accept the contract with Wildman as presented. Seconded by Commissioner Mowery; motion carried. Commissioner Bardsley noted that the EMS should be added to this contract as soon as possible.

6. Review of Payment Requests and Change Order - Todd Durnil, Pyramid

The rising cost of steel has caused an increase in the cost of the Grant County's Public Safety tower project. There are three trade packages with MPX Solutions of Anderson, with two of the trade packages also including change orders to increase the prices. The tower material package of \$266,074 with a \$15,000 allowance included the change order of \$4974.00 TP35TM to bring the contract sum to \$271,084.00. Commissioner Burton made a motion to approve the change order. Seconded by Commissioner Mowery; motion carried. The next package O3C-01 concrete of \$134,612 with a \$15,000 allowance included an increase of \$13,922 to bring the contract sum to a total of \$148,534. Commissioner Burton made a motion to approve the contract with MPX in the sum of \$148,534. Seconded by Commissioner Mowery; motion carried. Then the tower labor package in the amount of \$202,705 with a \$10,000 allowance included. No increase is

needed in this package. Only this particular contract needs approval. Commissioner Mowery made a motion to approve. Seconded by Commissioner Burton; motion carried. Payment request packet #3 includes requests for 03C concrete in the amount of \$23,606.73 and 35TM in the amount of \$48,978.63. There is another invoice that will be table until further clarification is provided. Commissioner Mowery made a motion to approve payment of 03C and 35TM. Seconded with support by Commissioner Burton; motion carried.

7. Grant County Historical Society Payment Clarification - Todd Durnil, Pyramid  
Payments of \$500.00 to the Historical Society and \$5,000.00 to the landowner, Sherry French of 5034 S Strawtown Pike, Marion IN 46953 need authorized. Commissioner Mowery made a motion to approve the two payments. Seconded with support by Commissioner Burton; motion carried. Auditor McWhirt suggested that a copy of the agreement should be attached to the claims since there is not an official invoice.
8. Update EMS garage - Todd Durnil, Pyramid-  
At this time, a meeting with the state inspector for the final inspection is needed.

### **Public**

- a. Gary Bucham of 761 W 600 N, Marion IN, reported drainage issues to the Commissioners. Mr. Bucham has been in the home approximately one year. He states that there is a ditch that runs across the road into the property and when there is rain, all of the water from across the street runs through the culvert drains in direct route to his garage and barn. He also stated that there is a tile in this area where the drain comes through and he assumes that it is plugged. Mr. Bucham commented that he had already contacted the Surveyor and the Highway Department and was told it is his problem. This is ruining everything that is in the buildings and the buildings themselves. Mr. Bucham was informed that the county looked at this four years ago and that the former homeowner did not pursue any solution for this problem. "My concern as a property owner even prior to this is that no one has information on the date in which the culvert was put in and what kind of agreement exists between the two homeowners or the county. It is devastating what it is doing to the property. I'm just trying to find a solution at this point. I did not realize the problem until this spring. The previous owners may have placed stones in front of the culver to slow the water flow down, but the county opened it up. The width of the water is 8 to 10 feet coming from that field. The drain is my property. The culver comes through and it looks like someone built a makeshift reserve so that the water could come through. The drain is off to the corner and it's plugged." Commissioner Bardsley stated that he had spoken with the Highway Superintendent and the Surveyor. It was indicated that it is not a part of the county's inventory as part of a regulated drain. The structure that is there now was put in by the landowner at the time and it needs to be privately maintained. Mr. Bucham asked the board if he could plug it. His thoughts were that if there is no ditch, there is no way for the water to be dispersed on the other side of that property in either direction. There is a creek that runs in back of the other property. There is no sort of ditch line to let the water flow in either direction. It is about to a point where it is critical. There needs to be documentation as to who will maintain that. Highway Superintendent, Mr. David White, volunteered to look at the issue. Mr. Bucham was told that there was an easement and that Fox Station subdivision has a retaining pond that a pipe could be tied into as long as it is regulated. Mr. White is going to look at the problem area and hopefully come up with a solution.
- b. Mike Fedor of 1509 Overlook Road in Shady Hills, Marion IN, 46952, reported drainage issues on his property to the Commissioners. The Highway Department was previously contacted. "They come out and looked at the flooding and was told there is nothing that could be done at that moment. There is a culvert that goes across Beech Street. Overlook has a culvert that goes north

to south and my property is flooded.” The Highway Department was unable to make sure the inlet to the culvert was clear due to the flooding. Mr. Fedor also contacted the Drainage Board. “They looked at the drawings and told me they could not do anything due to there being no easement.” Water can be seen in the manhole on the eastside. Once the water goes down, the Highway Department can come out and run a jet and blow it out. There needs to be a follow up to see where the water is going after the blow out. Mr. White stated that it could possibly be a tile, but is worried about legal ramifications if the right of way was extended or something was on top of it unless it was part of the housing development when they built it. Commissioner Bardsley said the first step is to blow them out. “Maybe the tile is breaking down, which could very well be the issue. Then we have to determine if it is something that is to be maintained privately or by the county and we can go from there.” Mr. White agreed to first run the jet through once the water allows.

In closing remarks, Commissioner Bardsley stated that after every census, the county has the opportunity to review numbers and look at redistricting. Commissioner Mowery agreed that it warrants looking at. It could very well affect some of the county’s status and operations. Commissioner Burton also agreed. Commissioner Bardsley will be speaking with the county attorney and looking at any changes that may need discussed.

This regular session was brought to recess by Commissioner Bardsley at 12:07 p.m. The next scheduled meeting will be held on Monday, May 17, 2021 at 10:00 a.m.