

**MARSHALL COUNTY
BOARD OF COMMISSIONERS
MEETING MINUTES
FEBRUARY 17, 2025**

The Board of Commissioners of Marshall County, Indiana, met for a regular meeting in the Commissioner's Meeting Room 203, 112 W. Jefferson Street, Plymouth, Indiana at 9:30 a.m., Monday, February 17, 2025. Present were Commissioners, Stan Klotz, President; Jesse Bohannon, Vice President; and Adam Faulstich, Member; County Attorney Sean Surrisi; as well as County Auditor, Angela C. Birchmeier. The meeting was opened, streamed live at <http://www.youtube.com/@MarshallCountyIN>, the Invocation was given by Brandon Richie, the Pledge of Allegiance was given, and the business at hand was heard.

PUBLIC INPUT ON AGENDA ITEMS

No public input concerning agenda items was heard.

HIGHWAY DEPARTMENT

Highway Department Superintendent Jason Peters presented the following right-of-way cut requests from Northern Indiana Public Service Company as follows:

- Work Order # 4000050412: Fir Road, between 7th Road and 8th Road, in Bourbon Township, for the purpose of replacing one utility pole, overhead equipment, and transferring conductors and wires to the new pole.
- Work Order #4000049675: W. 1st Road, between N. Rose Road and N. Redwood Road, in Polk Township, for the purpose of replacing one utility pole, overhead equipment, and transferring conductors and wires to the new pole.

Jesse Bohannon moved, second by Adam Faulstich, to approve both right-of-way requests from Northern Indiana Public Service Company as presented. Motion carried 3-0.

Superintendent Peters provided an update on the following projects:

Bridge 11, Union Road: United Consulting Supplemental #1 Agreement was presented for approval. The original agreement dated August 11, 2023 did not include billing rates for work beyond December 31, 2024. When the original agreement was prepared, it was estimated that the project and Final Construction Record would be completed by the end of 2024. The supplemental does not increase the original agreement not-to-exceed amount but enables United Consulting to invoice at the correct work year rate. The estimated construction completion date is now July, 2025.

Jesse Bohannon moved, second by Adam Faulstich, to approve Supplemental Agreement No. 1 between Marshall County and United Consulting as presented. Motion carried 3-0.

Bridge 1, Ule Road (Local Project): The letting date will be February 2025. The project will be advertised for bids on February 24th and March 3rd, with the bid opening at the March 17th meeting.

Bridge 232, Randolph Street: Laporte Construction will be onsite this week to continue with the bridge demolition. Last week they worked on excavation for the crane pad and ramp, as well as tearing out the old roadway on the south side. Riprap was hauled in and placed along with geotextile on the south bank in areas that will not be affected by construction later.

Bridge 231, Center Street, Bremen: No updates.

Bridge 88, 12th Road east of Olive Trail: The letting date is January 14, 2029. Stage 1 documents will be submitted to INDOT today.

Bridge 108, East 7th Road: The letting date is February 12, 2030.

Bridge Inspections 2022-2025 Phase II: No updates.

Bridge Inspections 2026-2029: Request for proposals are being prepared and will be posted.

Mill Pond Dam Improvements: No updates. Waiting for DNR permit approval.

Call for Projects (Notice of Funding Availability NOFA) – Highway Safety Improvement Program (HSIP) Countywide Striping Initiative: The LPA Consulting Contract between Marshall County and United Consulting was presented for approval. The term is effective upon signing through December 31, 2027 and the maximum amount payable shall not exceed \$60,000. **Adam Faulstich moved, second by Jesse Bohannon, to approve the LPA Consulting Contract between Marshall County and United Consulting, as presented. Motion carried 3-0.**

Call for Projects (NOFA) Safety Grant – Digital Speed Limit Trailer: No updates.

Call for Projects (NOFA) – Safety Guardrail Installation: No updates.

Call for Projects (NOFA) – Linden Road: No updates.

Call for Projects (NOFA) – Michigan Road Bridge #2540: No updates.

Energy Efficiency Conservation Block Grant (EECBG): No updates.

Community Crossings 2025-01: No updates.

Equipment Software: The initial software cost is \$6,840 with a yearly service fee of \$5,690.

Superintendent Peters stated that IT Director Michael Marshall has reviewed and approved the use of the data and software. The subsequent annual costs will be paid by the IT Department.

MARSHALL COUNTY HOPE

Annette Haining explained the needs, objectives, financial resources, and organizational structure of Marshall County HOPE. She outlined the Substance Abuse Needs Assessment and requested the balance of the restricted opioid funds for the program. Discussion was held concerning the budget process and possible revenue loss if Senate Bill 1 passes.

HUMAN RESOURCES

Human Resources Administrator Jennifer Daake stated a request was received for the use of 30 sick bank days. The applicant does meet all the required criteria. **Jesse Bohannon moved, second by Adam Faulstich, to approve the 30-day sick bank request. Motion carried 3-0.**

SHERIFF

Sheriff Matt Hassel stated that on November 3, 2024 approval was given to purchase three 2025 Ford Utility Interceptors from Oliver Ford for \$44,695 each. The Sheriff requested permission for a prepay to Oliver Ford. The vehicles will be ready for delivery this week. **Adam Faulstich moved, second by Jesse Bohannon, to approve the prepayment to Oliver Ford. Motion carried 3-0.**

TREASURER

L & D Mail Masters, Inc.: Treasurer Sandra Dodson presented a Services Agreement between L & D Mail Masters, Inc. and the Marshall County Treasurer's Office for the printing and mailing of the annual property tax forms. **Adam Faulstich moved, second by Jesse Bohannon, to approve the Services Agreement between L & D Mail Masters, Inc. and the Marshall County Treasurer's Office as presented. Motion carried 3-0.**

Postage: Treasurer Dodson requested approval to prepay postage. **Jesse Bohannon moved, second by Adam Faulstich, to approve the prepayment of postage. Motion carried 3-0.**

Security: Treasurer Dodson requested security for the two weeks preceding the tax payment due dates. For spring collection, the dates would be from April 28th through May 12th. The fall collection dates will be October 27th through November 10th. **Jesse Bohannon moved, second by Adam Faulstich, to approve the request for Security Officers for the two weeks preceding tax payment due dates as presented. Motion carried 3-0.**

Ordinance 2025-6: Treasurer Dodson presented Ordinance 2025-6: An Ordinance Establishing Mobile Home Permit Fee Regarding Operations of the Marshall County Treasurer's Office. The purpose and intent of the ordinance is to establish a fee of \$10 for the filing of a mobile home permit. **Jesse Bohannon moved, second by Adam Faulstich, to approve Ordinance 2025-6: An Ordinance Establishing Mobile Home Permit Fee Regarding Operations of the Marshall County Treasurer's Office on first reading. Motion carried 3-0.**

MARSHALL COUNTY COUNCIL ON AGING

Marshall County Council on Aging Executive Director Janis Holiday presented Invoice #1178 for CY2024 Section 5311 Federal Operating Funds in the amount of \$63,049 and for Public Mass Transit Funds in the amount of \$11,647. The applied local match is \$51,402. The 4th Quarter 2024 expenses were \$139,807; revenues received in the amount of \$13,709, for a net expense of \$126,098.

Quarterly Report: Director Holiday reported the quarter statistics with 6,854 trips, 53 in county and 107 out of county denials, for trip total miles of 48,537. In 2024 there were 29,156 trips provided, 224 in county and 441 out of county denials, for trip total miles of 228,627. **Jesse Bohannon moved, second by Adam Faulstich, to approve the Quarterly Report as presented. Motion carried 3-0.**

Jesse Bohannon moved, second by Adam Faulstich, to approve Invoice #1178 in the amount of \$74,696. Motion carried 3-0.

Compliance Review: Director Holiday reported the INDOT 4-year Compliance Review closed January 22, 2025 with zero findings.

INDOT 5339 Motor Vehicle Purchase Agreement: Director Holiday presented the INDOT Motor Vehicle Purchase Agreement. The agreement is for the purchase of two vehicles from Midwest Transit Equipment, Inc. The total amount is \$197,439.80 with \$167,823.83 paid by the federal grant with the remaining \$29,615.97 paid with local match funds. **Jesse Bohannon moved, second by Adam Faulstich, to approve the INDOT Motor Vehicle Purchase Agreement as presented and to allow the Board President to sign. Motion carried 3-0.**

CIRCUIT COURT

Circuit Court Judge Janette Surrisi requested permission to apply for two Title IV-E grants. She explained they are federal grants for public defense in Children in Need of Services cases. The grants require each judge to report quarterly to the Indiana Commission on Court Appointed Attorneys. The first grant will reimburse a small percentage for public defense expenses for Title IV-E representation. The second grant will advance \$16,000 the first year and \$8,000 the second year as an incentive for the courts to engage in training for reporting to receive the grants. All four courts have agreed to participate in reporting.

Jesse Bohannon moved, second by Adam Faulstich, to allow the courts to apply for the Title IV-E grants as presented. Motion carried 3-0.

PLAN COMMISSION

25-PC-01 Husband, James & Mary Susan: President Klotz explained James and Mary Susan Husband requested the creation of a minor subdivision for the purpose of creating one additional lot. The parcel number is 50-42-17-000-116-000-009 for property located on 5th Road in North Township, Plymouth, zoned Agricultural Residential (A-3). Staff, TRC, and Plan Commission recommend approval of this one lot minor subdivision. **Jesse Bohannon moved, second by Adam Faulstich, to open the public hearing on 25-PC-01. Motion carried 3-0.**

No public comment was heard.

Adam Faulstich moved, second by Jesse Bohannon, close the public hearing on 25-PC-01. Motion carried 3-0.

Jesse Bohannon moved, second by Adam Faulstich, to approve James & Mary Husband Minor Plat. Motion carried 3-0.

EMA

EMA Director Jack Garner requested permission to apply for a BRIC grant offered by Department of Homeland Security (FEMA). The grant award would cover installation and start-up costs for a new flood gauge to be placed at State Road 10 and Deep Ditch east of Argos. The creek is prone to flooding, closing county roads and State Road 10. Early notice of rising water levels would allow crews to shut down the road before flooding begins. The expenditure is estimated to be \$10,000, with a 25% local match. **Adam Faulstich moved, second by Jesse Bohannon, to allow the EMA Director to apply for the BRIC Hazardous Mitigation Grant as presented. Motion carried 3-0.**

A discussion was held concerning the need for new chairs in conference room 207.

Jesse Bohannon moved, second by Adam Faulstich, to approve replacing chairs in the conference room. Motion carried 3-0.

HEALTH DEPARTMENT

Memorandum of Understanding (MOU) Closed Point of Dispensing (POD) Regarding Mass Prophylaxis: Emergency Preparedness Coordinator/Environmental Specialist Paul Shumaker explained having the MOU approved is a requirement under the Public Health Emergency Preparedness Grant. Attorney Surrisi has reviewed the agreement and explained that it is a template in the event there is an emergency declaration. In the event the MOU would be required, the details would be ratified by the Commissioners. **Jesse Bohannon moved, second by Adam Faulstich, to approve the Health Department Memorandum of Understanding (MOU) Closed Point of Dispensing (POD) Regarding Mass Prophylaxis template. Motion carried 3-0.**

Katie VanTornhout Service Agreement: The purpose of the agreement was for Katie VanTornhout to speak at the Marshall County Health Department's 2025 Annual Nurses Conference in the amount of \$750. **Jesse Bohannon moved, second by Adam Faulstich, to approve the Service Agreement between Marshall County Health Department and Katie VanTornhout in the amount of \$750 as presented. Motion carried 3-0.**

Tobacco Prevention & Cessation: Administrator Sandy Dunfee requested permission to apply for the Tobacco Prevention and Cessation Grant offered through the Indiana Department of Health. She explained that St. Joseph Regional Medical Center is the current recipient of the grant. The Health Department is currently contributing to the Breathe Easy program with Health First Indiana funding in the amount of \$25,000. She would like to add the local coalition of Breathe Easy Marshall County to the Marshall County Health Department staff to continue the momentum already created with the partnership. The grant request would be \$350,000 to \$400,000 for a two-year period. Funding would be to support two full time position wages, benefits, school programs, and the cargo trailer. The grant application deadline is March 10th. Discussion was held concerning the Personnel Subcommittee providing a recommendation.

Indiana Immunization Coalition, Indiana Rural Health Mini Grant: Administrator Dunfee requested permission to apply for the Indiana Immunization Coalition, Indiana Rural Health Mini Grant in the amount of \$5,000. The grant allows cancer screening services, including mammograms, Prostate Specific Antigen tests for Marshall County residents without health insurance or financial means. **Jesse Bohannon moved, second by Adam Faulstich, to allow the Health Department to apply for the Indiana Immunization Coalition, Indiana Rural Health Mini Grant as presented. Motion carried 3-0.**

IT DEPARTMENT

IT Director Michael Marshall presented a Statement of Work from Hoosier IT Services, Inc., explaining Hoosier IT Services will provide network support in the amount of \$125 per hour. Services may include identifying issues related to efficient operation of IT procedures, equipment, and requirements not limited to but including efficient use of existing equipment and recommend upgrades for County networks and assist client in evaluating all aspects of existing IT infrastructure, procedures, and help to document existing system. **Jesse Bohannon moved, second by Adam Faulstich, to approve the Statement of Work from Hoosier IT Services, Inc. as presented. Motion carried 3-0.**

Discussion was held concerning the July 1st deadline for boards livestreaming meetings and the ability for remote participation.

DUSTIN'S PLACE

Dustin's Place Executive Director Viki Brown explained that last year the Council supported funding in the amount of \$150,000, with the initial payment of \$75,000 for the renovation of LifePlex. She provided an outline of contributions, grants, and requests for support from other sources. President Klotz expressed concern about using tax dollars to upgrade a building that is not owned by Dustin's Place. Ms. Brown stated that they have a ten year lease with the owner, and it has an option for an additional ten year renewal. **Jesse Bohannon moved, second by Adam Faulstich, to support an additional appropriation for \$75,000. Motion carried 2-1, with Stan Klotz voting no.** Attorney Surrisi will prepare an agreement for the Commissioners and Dustin's Place.

BUILDINGS & GROUNDS

J & M Contractor Services: A Contractor Services Agreement with J & M Services for electrical and general maintenance was submitted for approval. The agreement will begin on January 1, 2025 and continue until January 1, 2030. The standard service rate is \$80 per hour and does not charge a service call or bucket truck fee at any time.

Jesse Bohannon moved, second by Adam Faulstich, to approve the Contractor Services Agreement between Marshall County and J & M Services as presented. Motion carried 3-0.

Schoberg & Schoberg: An Agreement for Construction Services with Schoberg & Schoberg for renovation work and painting was submitted for approval. **Adam Faulstich moved, second by Jesse Bohannon, to approve the Agreement for Construction Services between Marshall County and Schoberg & Schoberg. Motion carried 3-0.**

ATTORNEY REPORT

AT&T Tower Lease: Attorney Surrisi reported that he and John Grolich have worked to negotiate the proposed Sheriff's Department tower lease deal with MD7. After making a counteroffer, MD7 came back with a renewed offer of approximately \$275,000. MD7 was instructed to prepare final contract documents to finalize the deal. After reviewing those documents, they will be presented at a future meeting for approval.

Council Litigation Update: Attorney Surrisi stated that the Marshall County Council had previously filed a notice of dismissal of its lawsuit against the Commissioners and Tamarack Solar Energy, LLC. On the court's own initiative, Judge Christofeno scheduled the case for a virtual status hearing on Friday, February 14th. In advance of the hearing, an appearance was filed in the case on behalf of the Commissioners by Attorney Surrisi. The court was concerned about whether the dismissal of the case should be without prejudice (able to later be refiled) or with prejudice (not able to be refiled). Tamarack argued that the case should be dismissed with prejudice, while Attorney Surrisi joined with the Council's attorney in arguing that Indiana Trial Rule 41(a)(1)(A)f requires dismissal without prejudice. Tamarack's attorney further noted that his client views the case as being baseless. He noted that Tamarack is considering filing a motion with the court asking for an award of attorney's fees. The judge noted that he would likely issue a decision in the next 30 days.

Jesse Bohannon moved, second by Adam Faulstich, to terminate the engagement of Ice Miller and confirms Sean Surrisi is the only county legal counsel on this matter. Motion carried 3-0.

AUDITOR REPORT

February 3, 2025 Minutes: **Adam Faulstich moved, second by Jesse Bohannon, to approve the February 3, 2025 minutes as presented. Motion carried 3-0.**

Payroll Claim: **Jesse Bohannon moved, second by Adam Faulstich, to approve the payroll claims as presented. Motion carried 3-0.**

Accounts Payable Claim: **Adam Faulstich moved, second by Jesse Bohannon, to approve the accounts payable claims as presented. Motion carried 3-0.**

PUBLIC COMMENT

No public comment was heard.

COMMISSIONER ITEMS

Bowen Building Purchase: The Board of Health will be meeting on February 18th to consider the approval of the purchase agreement.

A meeting will be held this afternoon to discuss the Public Defenders Council State Program.

ADJOURNMENT

With no further business to come before the board **Jesse Bohannon moved, second by Adam Faulstich, to adjourn the meeting at 11:21 a.m. Motion carried 3-0.**

Stan Klotz, President

Jesse Bohannon, Vice President

ATTEST: _____
Angela C. Birchmeier, Auditor

Adam Faulstich, Member