

**MARSHALL COUNTY
BOARD OF COMMISSIONERS
MEETING MINUTES
APRIL 21, 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, April 21, 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 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 three road surface cuts, road bores, and right-of-way cut requests from Miller Pipeline to replace existing gas service for NIPSCO as follows:

1. 3rd Road, between Sea Lane and Channelwood Lane, in German Township.
2. 3rd Road, between N. Olive Road and Oak Road, in North Township.
3. 14695 Lincoln Highway, between Jefferson Street and Pioneer Road, in Center Township.

Jesse Bohannon moved, second by Adam Faulstich, to approve three road surface cuts, road bores, and right-of-way cut requests from Miller Pipeline on 3rd Road, between Sea Lane and Channelwood Lane, in German Township; on 3rd Road, between N. Olive Road and Oak Road, in North Township; and at 14695 Lincoln Highway, between Jefferson Street and Pioneer Road, in Center Township for the purpose of replacing existing gas service for NIPSCO. Motion carried 3-0.

Superintendent Peters presented two requests from Northern Indiana Public Service Company as follows:

1. Work Order #4000064071 – Storm Restoration: Beech Road, between 12th Road and 10B Road, in Bourbon Township, for the purpose of replacing damaged transmission structures and transferring overhead conductors and wires to the new structures.
2. Work Order #4000064071 – Storm Restoration: Cedar Road, between 12th Road and 11A Road, in Bourbon Township, for the purpose of replacing damaged transmission structures and transferring overhead conductors and wires to the new structures.

Jesse Bohannon moved, second by Adam Faulstich, to approve the two requests from Northern Indiana Public Service Company on Beech Road, between 12th Road and 10B Road, in Bourbon Township and on Cedar Road, between 12th Road and 11 Road, in Bourbon Township, for the purpose of replacing damaged transmission structures and transferring overhead conductors and wires to the new structures. Motion carried 3-0.

Superintendent Peters provided an update on the following projects:
Bridge 11, Union Road: No updates.

Bridge 1, Ule Road (Local Project): The Agreement between Marshall County and LaPorte Construction Co., Inc. in the sum of \$706,269.81 for the bridge replacement requires approval and signature.

Bridge 232, Randolph Street: LaPorte Construction Company is planning to re-strike the test pile for pier 2 and then drive the rest of the piling for pier 2. They are also planning to pour the mud seal in the bottom of the cofferdam, followed by the pier footer.

Turley Software Agreement: At the March 3, 2025 Commissioner meeting a truck diagnostic software agreement was approved with an initial cost of \$6,840 and annual service fee of \$5,690. The annual subscription agreement was to be presented to Attorney Surrisi for review. Auditor Birchmeier stated that the agreement has not been received, and the invoice amounts reflect the initial cost of \$5,690 and annual service fee of \$6,840. Discussion was held and the Highway Superintendent will provide clarification at the next meeting.

Bridge 231, Center Street, Bremen: No updates.

Bridge 88, 12th Road east of Olive Trail: The letting date is January 14, 2029. No updates.

Bridge 108, East 7th Road: The letting date is February 12, 2030. No updates.

Bridge Inspections 2022-2025 Phase II: No updates.

Bridge Inspections 2026-2029: The request for proposal has been received by USI Consultants, DLZ, United Consulting, Collins Engineers and letters of interest were received from Lochmueller Group and RQAW Corporation. The rating process for selection is in process.

Mill Pond Dam Improvements: No updates.

Call for Projects (Notice of Funding Availability NOFA) – Highway Safety Improvement Program: HSIP Countywide Striping Initiative: No updates.

HSIP Digital Speed Limit Trailer: No updates.

HSIP 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.

Horse-Drawn Vehicle License Fees: No updates.

2024 Annual Report: **Jesse Bohannon moved, second by Adam Faulstich, to approve the submission of the Annual Operational Report for Local Roads and Streets and Bridges. Motion carried 3-0.**

2025 Road Program: **Adam Faulstich moved, second by Jesse Bohannon, to approve the Road Program 2025 (Draft 1), as presented. Motion carried 3-0.**

Community Crossings 2025-01: Marshall County was awarded \$1.5 million. The Request for Proposals (RFP) have been posted for bids on the following projects:

- 9th Road, Pioneer Road to County Line
- 16C Road, Redwood Road to Pear Road
- 2C Road, King Road to West Shore Drive
- Nutmeg Meadows Subdivision

The bids will be opened at the May 5th Commissioner meeting. The deadline for receipt of bids is 8:15 a.m. on May 5th. It was requested that following the bid opening, they be reviewed and awarded at the end of the meeting. Indiana Department of Transportation is requesting submission as soon as possible so they may issue purchase orders.

Additional Paving Projects: The following projects were included in the Request for Proposals: King Road, Lincolnway to 9A Road; Suter Road, 9th Road to 9A Road; 9th Road, dead-end to Richter Road; Quail Ridge, 12th Road to dead-end; and Kenilworth Road, railroad tracks to Dewey Street.

Additional Funding: The Council voiced support for an additional appropriation of \$1 million for the road program at their April 14th meeting. They did not want to commit an additional \$1 million to continue the road program until the State budget session was complete.

Pugmill Agreement: An agreement between Marshall County Board of Commissioners and Milestone Contractors, LP, was presented for the operation and use of the Marshall County owned pugmill. Milestone agrees to compensate Marshall County \$4.50 per ton of mix run through the pugmill. The final compensation to the County will be applied as a credit to future work to be performed by Milestone. In no event shall such final compensation credit be considered by the County when making decisions regarding the award of any future project subject to competitive bid requirements. The 12,000 tons of dry material will be used for a project at Plymouth Airport and has a value of \$54,000. **Jesse Bohannon moved, second by Adam Faulstich, to approve the Pugmill Agreement between Marshall County Board of Commissioners and Milestone Contractors, as presented and to allow the President to sign on behalf of the Board. Motion carried 3-0.**

Bridge 1, Ule Road (Local Project) - Continued: **Jesse Bohannon moved, second by Adam Faulstich, to approve the Agreement between the Board of Commissioners of Marshall County and LaPorte Construction Co., Inc., as presented earlier in the meeting. Motion carried 3-0.**

Storm Damage: An after action review meeting was held with Marshall County REMC, the Sheriff's Department and EMA.

SHERIFF DEPARTMENT

Jager Elite K9: Sheriff Matt Hassel and 1st Sergeant Nick Lafoon presented a contract between the Sheriff's Department and Jager Elite K9 for the care of the Sheriff K9 when the handler is on vacation. The current rate is \$50 per day but is subject to change. **Jesse Bohannon moved, second by Adam Faulstich, to approve and authorize the Sheriff to enter into the agreement between the Sheriff's Department and Jager Elite K9 through December 31, 2026. Motion carried 3-0.**

LeadsOnline: Sheriff Hassel presented a Subscription Services Agreement between LeadsOnline, LLC, and Marshall County, Indiana. The internet-based software service tracks items being sold that may be stolen property. The contract term is three years, and the initial service cost is \$3,106, the second year is \$3,199.18, and the third year is \$3,295.16, expiring April 30, 2028.

Adam Faulstich moved, second by Jesse Bohannon, to approve the Subscription Services Agreement between LeadsOnline, LLC, and Marshall County, Indiana, as presented. Motion carried 3-0.

Superior Court 1 Judge Tami Napier voiced support for this incredibly valuable tool. She requested an ordinance be passed to mandate pawn shops to upload new inventory daily. **Jesse Bohannon moved, second by Adam Faulstich, to initiate the drafting of a corresponding ordinance mandating pawn shops to upload new inventory daily. Motion carried 3-0.**

Judge Napier also requested consideration of an ordinance mandating vendors of cell phone disposal machines, such as Walmart, to provide data to law enforcement.

Ordinance 2025-14: An Ordinance of the Marshall County Board of Commissioners Regarding Electronic Data Processing Fees (Sheriff): The Sheriff requested an update to the current \$15 rate being charged for response to public records request requiring the collection and provision of electronic data to \$150 for full file materials; or \$30 base fee, which includes up to one hour of staff production time. All staff production times exceeding one hour shall be charged in \$30 per hour increments, not to exceed a total fee of \$150. **Jesse Bohannon moved, second by Adam Faulstich, to approve Ordinance 2025-14: An Ordinance of the Marshall County Board of Commissioners Regarding Electronic Data Processing Fees (Sheriff) on first reading. Motion carried 3-0.**

EMA

April 14, 2025 Emergency Disaster Declaration: **Adam Faulstich moved, second by Jesse Bohannon, to ratify the Disaster Emergency Declaration on April 14, 2025 expiring on April 21, 2025. Motion carried 3-0.**

April 21, 2025 Emergency Disaster Declaration: **Jesse Bohannon moved, second by Adam Faulstich, to approve the Disaster Emergency Declaration on April 21, 2025 expiring on April 28, 2025. Motion carried 3-0.**

EMA Director Jack Garner explained that on April 15th the Governor signed a statewide disaster declaration, which includes Marshall County. The order will expire in 30 days. The purpose of continuing the emergency declaration is to be eligible for state and/or federal assistance. The Emergency Declaration for April 28th is prepared, ready for signature, and will be ratified at the May 5th meeting.

CIRCUIT COURT

Ordinance 2025-15: An Ordinance of the Marshall County Board of Commissioners Regarding Public Defenders: Circuit Court Judge Janette Surrisi and Superior Court 1 Judge Tami Napier explained the funding options for Public Defense. Historically, there are three options: (1) the Judges pick public defenders and enter a contract; (2) the county funds an office; and (3) the Indiana Commission on Court Appointed Attorneys (CCAA) sets standards for public defense and in return for compliance, 40% of the expenditures are reimbursed. Currently 68 of the 92 counties participate in the third model. There are attorneys currently with this model and they would be capped at the number of cases they can take. To begin the process of entering the CCAA model is the establishment of a public defender board. The board shall consist of three members: one member appointed by the Commissioners, one member appointed by the Judges; and one member appointed by the Indiana Public Defender Commission. The board would then prepare a comprehensive plan for providing legal representation to indigent defendants/responders in the county. Misdemeanor cases would not be included in the reimbursement qualifications.

Jesse Bohannon moved, second by Adam Faulstich, to approve Ordinance 2025-15: An Ordinance of the Marshall County Board of Commissioners Regarding Public Defenders be approved on first reading. Motion carried 3-0.

ATTORNEY REPORT

Tower Contract: John Grolich provided Attorney Surrisi with a copy of proposed contracts regarding the sale of an easement for the communications tower located at the jail property. The documents are still being reviewed by Attorney Surrisi, and he will need to have further discussions with the proposed easement purchaser before presenting the documents to the Board.

AUDITOR REPORT

April 7, 2025 Minutes: Jesse Bohannon moved, second by Adam Faulstich, to approve the April 7, 2025 minutes as presented. Motion carried 3-0.

April 7, 2025 Executive Session Minutes: Adam Faulstich moved, second by Jesse Bohannon, to approve the April 7, 2025 executive session minutes as presented. Motion carried 3-0.

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

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

PUBLIC COMMENT

Marshall County Historical Society Board President Mike Miley thanked the Commissioners for the use of the grounds during the celebration commemorating Paul Revere's Ride.

Tim Starr introduced himself as the recently appointed Director of Marshall County Hope. His focus will be on collaboration, education, and communication.

COMMISSIONER ITEMS

Regional Sewer District Appointment: Jesse Bohannon moved, second by Adam Faulstich, to appoint Dean Colvin to the Regional Sewer District Board for a term of four years, ending April 30, 2029. Motion carried 3-0.

Highway Department Fleet Services Module: Commissioner Faulstich explained that he has received information from T-Mobile and Vialytics. The service from Vialytics includes a camera that will detect and log potholes, place them on the GIS, assign a rating, and generate a work order. The cost for Vialytics is \$40,000 per year and T-Mobile is \$4,000 per year. A discussion was held concerning having a Vialytics Representative come to make a presentation for the Board.

The Auction Lot: **Jesse Bohannon moved, second by Adam Faulstich, to approve the Consignment Agreement between The Auction Lot and Marshall County for the sale of county vehicles. Motion carried 3-0.**

Buggy Fees: Discussion was held concerning the tragic accident and potential uses of the buggy fees collected.

ADJOURNMENT

With no further business to come before the board **Jesse Bohannon moved, second by Adam Faulstich, to adjourn the meeting at 11:10 a.m. Motion carried 3-0.**

Stan Klotz, President

Jesse Bohannon, Vice President

ATTEST:

Angela C. Birchmeier, Auditor

Adam Faulstich, Member