

**MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
JANUARY 7, 2019**

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 8:30 a.m., Monday, January 7, 2019. Present were Commissioners, Kevin Overmyer, President; Mike Delp and Stan Klotz; County Attorney, James Clevenger and County Auditor, Julie A. Fox. The meeting was opened, the Pledge of Allegiance was given and the business at hand was heard.

REORGANIZATION OF THE BOARD OF COMMISSIONERS

Stan Klotz moved, second by Mike Delp, to retain Kevin Overmyer as President of the Marshall County Board of Commissioners for 2019. Motion carried 3-0.

Kevin Overmyer moved, second by Stan Klotz, to nominate Mike Delp as Vice President of the Marshall County Board of Commissioners for 2019. Motion carried 3-0.

COMMISSIONER BOARD APPOINTMENTS

Argos Plan Commission: Mike Delp moved, second by Stan Klotz, to reappoint Dale Blanch to the Argos Plan Commission for a term of four years, from January 1, 2019 to December 31, 2022. Motion carried 3-0.

Bourbon Plan Commission: Stan Klotz moved, second by Mike Delp, to reappoint Patty Kitch and Eric Sechrist to the Bourbon Plan Commission for a term of four years, from January 1, 2019 to December 31, 2022. Motion carried 3-0.

Marshall County Plan Commission: Stan Klotz moved, second by Mike Delp, to appoint Matt Miller to the Marshall County Plan Commission for the remainder of the four year term of Stan Klotz, from January 1, 2019 to December 31, 2019. Motion carried 3-0.

Stan Klotz moved, second by Mike Delp, to appoint Dave Hostettler to the Marshall County Plan Commission for a term of four years, from January 1, 2019 to December 31, 2022. Motion carried 3-0.

Mike Delp moved, second by Stan Klotz, to appoint Stan Klotz to the Marshall County Plan Commission for the remainder of the four year term of Mike Delp, from January 1, 2019 to December 31, 2020. Motion carried 3-0.

ABC Board Appointment: Mike Delp moved, second by Stan Klotz, to reappoint Jan Fisher to the Local Alcoholic Beverage Board for a term of one year, from January 1, 2019 to December 31, 2019. Motion carried 3-0.

Marshall County Drainage Board: Mike Delp, moved, second by Stan Klotz, to reappoint Randy Glinge and Dave Stults to the Marshall County Drainage Board for a term of three years, from January 1, 2019 to December 31, 2021. Motion carried 3-0.

MACOG Board: Stan Klotz moved, second by Mike Delp, to reappoint Kevin Overmyer to the MACOG Board for a term of one year, from January 1, 2019 to December 31, 2019. Motion carried 3-0.

MACOG Regional Economic Development Board: Mike Delp moved, second by Stan Klotz, to reappoint Trend Weldy, Chamber Executive for Town of Bremen, and Joe Martin, Jr., Private Sector Representative, to the MACOG Regional Economic Development Board for a term of one year, from January 1, 2019 to December 31, 2019. Motion carried 3-0.

Sick Bank Board: Stan Klotz moved, second by Mike Delp, to appoint Rhonda Ferguson, Sheriff Matt Hassel and Mindy Relos-Penrose to the Sick Bank Board for a term of one year, from January 1, 2019 to December 31, 2019. Motion carried 3-0.

Safety Committee: Mike Delp moved, second by Stan Klotz, to reappoint Mike Delp, Jason Peters, Doug Masterson, Gary Masterson, Clyde Avery, Janet Howard, Matt Hassel, a representative from Court Security, a representative from the Health Department, a representative from the Surveyor's Office, Clerk Vandemark as the representative of the courthouse, and Human Resources Administrator Tori Stull to the Safety Committee for a term of two years, from January 1, 2019 to December 31, 2020. Motion carried 3-0.

Stan Klotz moved, second by Kevin Overmyer, to appoint Mike Delp as Chairman of the Safety Committee. Motion carried 3-0.

Central Dispatch Committee: Mike Delp moved, second by Stan Klotz, to reappoint Kevin Overmyer to the Central Dispatch Committee for a term of one year, from January 1, 2019 to December 31, 2019. Motion carried 3-0.

Unsafe Building Committee: Stan Klotz moved, second by Mike Delp, to appoint Mike Delp to the Unsafe Building Committee for a term of one year, from January 1, 2019 to December 31, 2019. Motion carried 3-0.

DEPARTMENT HEAD APPOINTMENTS

The Commissioners will be conducting appointed department head evaluations on January 14th, and with no further discussion, made the following motion for 2019 appointments.

Mike Delp moved, second by Stan Klotz, to reappoint Clyde Avery as EMA Director. Motion carried 3-0.

Stan Klotz moved, second by Mike Delp, to reappoint Doug Masterson as Buildings & Grounds Supervisor-Courthouse, County Building & Museum. Motion carried 3-0.

Mike Delp moved, second by Stan Klotz, to reappoint Gary Masterson as Buildings & Grounds Supervisor-Jail. Motion carried 3-0.

Stan Klotz moved, second by Mike Delp, to reappoint Linda Rippey as Museum Director. Motion carried 3-0.

Mike Delp moved, second by Stan Klotz, to reappoint Michael Marshall as IT Director. Motion carried 3-0.

Stan Klotz moved, second by Mike Delp, to reappoint Pam Schweizer-Betz as Veterans Service Officer. Motion carried 3-0.

Mike Delp moved, second by Stan Klotz, to reappoint Chuck DeWitt as Building Commissioner. Motion carried 3-0.

Mike Delp moved, second by Stan Klotz, to reappoint Jerry Huss as Weights & Measures Inspector. Motion carried 3-0.

Stan Klotz moved, second by Mike Delp, to reappoint James Clevenger as County Attorney. Motion carried 3-0.

Stan Klotz moved, second by Mike Delp, to reappoint Jason Peters as Highway Superintendent. Motion carried 3-0.

HIGHWAY DEPARTMENT

Jason Peters, Highway Superintendent, presented a road bore from Marshall County REMC on 6A Road, between Oak Road and Michigan Road, in North Township, to provide electric to new building. **Mike Delp moved, second by Stan Klotz, to approve the road bore from Marshall County REMC on 6A Road, between Oak Road and Michigan Road, in North Township, to provide electric to new building. Motion carried 3-0.**

Mr. Peters presented a road bore from Marshall County REMC on Thorn Road, between 17th Road and S.R. 10, in Union Township, to provide underground electric. **Mike Delp moved, second by Stan Klotz, to approve the road bore from Marshall County REMC on Thorn Road, between 17th Road and S.R. 10, in Union Township, to provide underground electric. Motion carried 3-0.**

Mr. Peters presented a reorganization chart of the Highway Department explaining that upon approval of the 2019 budget, there was no formal establishment of group leaders with updated job descriptions.

The reorganization will be reviewed at the January 22, 2019 meeting.

HEALTH DEPARTMENT

Health Department Administrator Christine Stinson requested permission to apply for a Lead Testing Grant in the sum of \$5,000 - \$10,000, a reimbursable federal grant to increase compliance with federal regulations that children enrolled in Medicaid receive blood lead screenings at ages 12 months and 24 months. The grant allows for advertising while limiting expense of blood lead testing kits. **Mike Delp moved, second by Stan Klotz, to approve the request for the Health Department to apply for the Lead Testing Grant in the sum of \$5,000 - \$10,000. Motion carried 3-0.**

PUBLIC HEARING
ORDINANCE 2018-23; AN ORDINANCE RESTRICTING THROUGH TRUCK
TRAFFIC ON COUNTY ROADS

Marshall County Commissioners have investigated and determined that heavy large commercial trucks have caused excessive wear and tear and wish to restrict truck traffic. Discussion was held on penalty and/or fines and how to enforce them. **Stan Klotz moved, second by Mike Delp, to open the public hearing for Marshall County Ordinance 2018-23: An Ordinance Restricting through Truck Traffic on County Roads. Motion carried 3-0.**

Jeff Gustafson, 18871 4B Road, Walkerton, expressed concerns regarding Section 3. Restriction.

Mike Delp moved, second by Stan Klotz, to close the public hearing for Marshall County Ordinance 2018-23: An Ordinance Restricting through Truck Traffic on County Roads. Motion carried 3-0.

County Attorney James Clevenger to review and revise for January 22, 2019 meeting.

SHERIFF

Sheriff Matt Hassel requested permission to send three employees to attend out-of-state software training in San Antonio, Texas from March 17 to March 20, 2019. Sheriff Hassel explained that the software is used by the jail, dispatch, and CAD. Costs to be covered under the Commissary Fund. **Mike Delp moved, second by Stan Klotz, to allow three employees to travel to San Antonio, Texas from March 17 to March 20, 2019. Motion carried 3-0.**

Sheriff Hassel presented an ordinance to establish a chargeable fee by the Marshall County Sheriff's Department for the processing of convicted inmates in and out of the Marshall County Jail. Sheriff Hassel requested that a fee of \$50.00 shall be charged as an inmate processing fee for each time a convicted person has been booked in the Marshall County Jail.

Sheriff Hassel presented four quotes for Utility Interceptors from two companies: Country Auto Center for 2019 Dodge Durango V8 in the sum of \$131,060 and Country Auto Center for 2019 Dodge Durango V6 in the sum of \$120,356. Oliver Ford for 2020 Ford Utility Interceptor in the sum of \$131,588 and Oliver Ford for 2020 Ford Utility Hybrid Interceptor in the sum of \$143,316. Commissioner Delp suggested consideration of leased vehicles with Enterprise Rentals. Sheriff Hassel would be willing to consider and requested to be placed on the agenda for the January 22, 2019 meeting.

Marshall County Jail Health Care Service Contract with Quality Correctional Care was approved with insertion of Marshall for county name. **Stan Klotz moved, second by Mike Delp, to approve Marshall County Jail Health Care Service Contract with Quality Correctional Care with insertion of Marshall for county name with an annual service fee of \$167,410 in monthly installments of \$13,950.83 from January 1, 2019 to December 31, 2022. Motion carried 3-0.**

BROADBAND PILOT PROGRAM

Shannon McLeod of Priority Project Resources stated that Marshall County was selected by the state to apply for a \$50,000 OCRA Grant for the Broadband Pilot Program with a local match of \$5,500. Ms. McLeod explained that a consultant was hired to work with the County to determine the Broadband Pilot Program plan. **Mike Delp moved, second by Stan Klotz, to open the public hearing for Broadband Pilot Program. Motion carried 3-0.**

No public input was heard.

Stan Klotz moved, second by Mike Delp, to close the public hearing for Broadband Pilot Program. Motion carried 3-0.

Ms. McLeod requested consideration of a commitment for \$5,500 local match at the next public hearing and to allow Commissioner President Kevin Overmyer to sign the Four-Factor Analysis. **Mike Delp moved, second by Stan Klotz, to allow President Kevin Overmyer to sign the Four-Factor Analysis. Motion carried 3-0.**

Stan Klotz moved, second by Mike Delp, to allow Shannon McLeod to proceed on behalf of the Board of Commissioners to apply for the OCRA Grant for the Broadband Pilot Program in the sum of \$50,000, requiring a \$5,500 local match. Motion carried 3-0.

MARSHALL COUNTY ECONOMIC DEVELOPMENT CORPORATION

President Jerry Chavez, along with Lou Pierce from Big Ideas, presented a PowerPoint Presentation on a request to change branding. The budget estimate is \$36,640 - \$41,940.

ATTORNEY REPORT

Old Business:

Industrial Appraisal Agreement: Attorney Clevenger reviewed the proposed Appraisal Agreement with Industrial Appraisal. The contract has an Annual Re-evaluation Service at \$300 each year for 3 years. There is an optional service for equipment modeling approach appraisals for \$1,845. If selected, it must be designated in the contract form. Limitation of company liability is the amount of the contract at \$4,999. This fee is inclusive of all expenses. **Stan Klotz moved, second by Mike Delp, to allow Michael Miley to move forward with the agreement with Industrial Appraisal Company, included the \$4,999 contract base price, \$300 for three years renewal, and \$1,845 equipment appraisal. Motion carried 3-0.**

New Business:

Health Department: There are two litigation matters for the Marshall County Health Department. The first has been pending for a few months. A landlord has not repaired/replaced a failed septic system. The matter is scheduled for court hearing on January 18, 2019. A landlord on Lake Latonka has appealed the Health Board's decision to Marshall Circuit Court concerning the denial of his proposed new septic system permit.

AUDITOR REPORT

December 31, 2018 minutes: Submitted for approval. **Mike Delp moved, second by Kevin Overmyer, to approve the Commissioner minutes of December 31, 2018. Motion carried 2-0-1 with Stan Klotz abstaining.**

January monthly claims: **Mike Delp moved, second by Stan Klotz, to approve the January monthly claims as presented. Motion carried 3-0.**

COMMISSIONER ITEMS

Discussion was held concerning a joint Commissioner and Council work session to discuss the Highway Department funds and to include Dr. Holm to discuss septic issues and Water Task Force, possibly on February 18, 2019.

Commissioner Klotz requested consideration of a policy to allow an Engineer Services Contract.

PUBLIC COMMENT

Ty Adley, Director of Plan Commission, requested the reappointment of Terri Barnhart to the Marshall County Plan Commission for a term of four years, from January 1, 2019 to December 31, 2022. **Stan Klotz moved, second by Mike Delp, to reappoint Terri Barnhart to the Marshall County Plan Commission for a term of four years, from January 1, 2019 to December 31, 2022. Motion carried 3-0.**

Mr. Adley requested the appointment of Matt Miller to the BZA Board for a term of four years, from January 1, 2019 to December 31, 2022. **Stan Klotz moved, second by Mike Delp, to appoint Matt Miller to the BZA Board for a term of four years, from January 1, 2019 to December 31, 2022. Motion carried 3-0.**

ADJOURNMENT

With no further business to come before the board **Mike Delp moved, second by Stan Klotz, to adjourn the meeting at 10:26 am. Motion carried 3-0.**

Kevin Overmyer, President

Mike Delp, Vice President

Stan Klotz, Member

ATTEST: _____
Julie A. Fox, Auditor

**MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
FEBRUARY 4, 2019**

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 8:30 a.m., Monday, February 4, 2019. Present were Commissioners, Kevin Overmyer, President; Mike Delp, Vice President; and Stan Klotz; County Attorney, James Clevenger and First Deputy Auditor, Tori Stull. The meeting was opened, the Pledge of Allegiance was given and the business at hand was heard.

HIGHWAY DEPARTMENT

Jason Peters, Highway Superintendent, presented three road bores from BSM Groups for Cavalier Drive starting at approximately 811' West of Cymax Street, to bore North to provide fiber service at Sand Hill Farms in Union Township; South Shore Drive, between 20B Road and County Road 347 in Union Township, to install cable service; and 17A Road, between State Road 331 and County Road 418 in Tippecanoe Township, to install cable service. **Mike Delp moved, second by Stan Klotz, to approve the three road cuts: Cavalier Drive starting at approximately 811' West of Cymax Street, to bore North to provide fiber service at Sand Hill Farms in Union Township; South Shore Drive, between 20B Road and County Road 347 in Union Township, to install cable service; and 17A Road, between State Road 331 and County Road 418 in Tippecanoe Township, to install cable service.** Motion carried 3-0.

Mr. Peters provided a Highway Department update stating that there were no major issues due to the cold weather; Chris Waidner provided an estimate regarding the drainage and inlets on 2B Road; A request was received by Hansa Meyer Heavy Haul Rig to allow a 286 ton vehicle to travel through the County, stating that they have trouble with State Road 6 and U.S. 31 getting under the viaduct. Commissioners declined the request stating there were alternative routes; and Commissioner Delp clarified that the Highway Department will continue to clear roads on Acorn, Candy, and Oak Drive.

EMA DIRECTOR

EMA Director Clyde Avery was unable to attend this meeting and has been rescheduled to attend the February 18, 2019 meeting.

TREASURER

Treasurer Angie Birchmeier presented the Letter of Authorization from Worrell Corporation stating that the estimated costs for tax bills would be \$10,504.61 and postage costs would be \$10,255.10, based on last year's tax file. Ms. Birchmeier requested the Commissioners sign the Letter of Authorization allowing Worrell Corporation to prepare and mail the 2019 tax bills. **Stan Klotz moved, second by Mike Delp, to approve the Letter of Authorization between Marshall County and Worrell Corporation for 2019 tax billing in the total sum of \$20,759.71. Motion carried 3-0.**

Ms. Birchmeier, on behalf of the Treasurer, Auditor and Assessor, requested permission to extend hours for tax collection as follows: Spring Tax Collection: Saturday, May 4, 2019 from 9:00 a.m. to noon; Thursday, May 9, 2019 from 8:00 a.m. to 6:00 p.m.; and Friday, May 10, 2019 from 8:00 a.m. to 6:00 p.m. Fall Tax Collection: Friday, November 8, 2019 from 8:00 a.m. to 6:00 p.m.; Saturday, November 9, 2019 from 9:00 a.m. to noon; and Tuesday, November 12, 2019 from 8:00 a.m. to 6:00 p.m. **Mike Delp moved, second by Stan Klotz, to approve the spring and fall tax collection extended hours for the Treasurer, Auditor, and Assessor. Motion carried 3-0.**

MARSHALL COUNTY ECONOMIC DEVELOPMENT CORPORATION

President Jerry Chavez stated that Lou Pierce, CEO of Big Ideas, presented the branding presentation to the Commissioners and Council and asked if Commissioners were interested in pursuing as the next round of the Stellar Grants will be due, stating that this will set the County apart. Estimated costs of the project is between \$36,640 and \$41,940. Mr. Pierce has contributed in-kind and Commissioners have already paid \$7,000. **Mike Delp moved, second by Stan Klotz, to continue with the branding project of Marshall County with Lou Pierce and Big Ideas in the amount not to exceed \$41,940. Motion carried 3-0.**

ATTORNEY REPORT

Old Business:

Health Department: The joint work session between the Board of Commissioners and the County Council is scheduled for February 11, 2019 to discuss changing and stricter rules on septic and sewer systems.

Sheriff's Department: Ordinance 2019-06; An Ordinance to Establish a Fee for Convicted Inmate Processing and to Establish a Convicted Inmate Processing Fee Fund was advertised for a public hearing on February 18, 2019 at 10:00 a.m.

New Business:

4-H Fair Board Project: Last April, the Commissioners agreed to sponsor the 4-H Board to construct a multi-purpose building on the fairgrounds. Rob Hurford, 4-H Board President, stated that they had five bidders for the project, all acceptable and one close to budget. The Sub-Recipient Agreement must be approved and signed by February 4, 2019. **Stan Klotz moved, second by Mike Delp, to approve the OCRA Sub-Recipient Agreement between Marshall County, OCRA and the 4-H Board for the construction of a multi-purpose building in Argos on the fairgrounds, with insurance to be covered by the County for the first five years and then turned over to the 4-H Board. Motion carried 3-0.**

Mike Delp moved, second by Stan Klotz, to allow President Overmyer and County Attorney James Clevenger to sign the Sub-Recipient Agreement between Marshall County, OCRA and the 4-H Board. Motion carried 3-0.

Mike Miley stated the Commercial Building on the fairgrounds is deeded to the 4-H Fair Board, further stating that the building is insured by the County and requested clarification on whether the County or 4-H Board will insure the building.

IT Department: IT Director Michael Marshall presented an equipment warranty and replacement agreement between Marshall County and Advanced Products Group to ensure repair and replacement while a new phone system is implemented for the County Building and Courthouse. Discussion was held concerning the automatic renewal provision.

MUSEUM

Director Linda Rippy presented the Marshall County Museum quarterly report from October 1, 2018 to December 31, 2018, stating the new website is 99% complete. The annual dinner is Friday, April 10, highlighting sports. Ms. Rippy made comment that Plymouth High School Senior Annie Keller has been with the Museum for five years as a volunteer and will be graduating.

Commissioner Delp stated the Commissioners are working with Mayor Senter to replace a portion of the sidewalk in front of the Museum.

SHERIFF

Sheriff Matt Hassel presented a request to replace five vehicles: three patrol vehicles, one truck and one vehicle lost in an accident. Discussion was held concerning the quote received from Enterprise for a three year lease with a buyout option. Sheriff Hassel stated patrol cars do not have cap on mileage, but the rates are based on anticipated mileage for three years. Mike Delp requested clarification of maintenance on the vehicles. Sheriff Hassel further stated that he does not have enough money in the budget to purchase five cars until Council approves the additional from the Commissary Fund. Sheriff Hassel has been scheduled for the February 18, 2019 meeting for final determination.

AUDITOR REPORT

January 22, 2019 minutes: Submitted for approval. **Mike Delp moved, second by Stan Klotz, to approve the Commissioner minutes of January 22, 2019. Motion carried 3-0.**

February monthly claims: **Stan Klotz moved, second by Mike Delp, to approve the February monthly claims as presented. Motion carried 3-0.**

COMMISSIONER ITEMS

Unemployment Tracker Contract: First Deputy Auditor Tori Stull presented the Unemployment Claims Tracker Contract. This is a program to assist Marshall County with unemployment claims. **Stan Klotz moved, second by Mike Delp, to approve the contract between Marshall County and UI Steward for the Unemployment Tracker Contract allowing the President of the Board of Commissioners to sign the contract. Motion carried 3-0.**

PUBLIC COMMENT

No public comment was heard.

ADJOURNMENT

With no further business to come before the board **Mike Delp** moved, second by **Stan Klotz**, to **adjourn the meeting at 9:40 a.m. Motion carried 3-0.**

Kevin Overmyer, President

Mike Delp, Vice President

Stan Klotz, Member

ATTEST: _____
Julie A. Fox, Auditor

**MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
FEBRUARY 18, 2019**

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 18, 2019. Present were Commissioners, Kevin Overmyer, President; Mike Delp, Vice President; and Stan Klotz; County Attorney, James Clevenger and County Auditor, Julie A. Fox. The meeting was opened, the Pledge of Allegiance was given and the business at hand was heard.

HIGHWAY DEPARTMENT

Highway Superintendent Jason Peters presented a road bore from NIPSCO on 11th Road and South Maple Road, between Michigan Road and 11B Road, in Center Township, to fix a gas leak under the railroad tracks. **Mike Delp moved, second by Stan Klotz, to approve the road bore from NIPSCO on 11th Road and South Maple Road, between Michigan Road and 11B Road, in Center Township, to fix a gas leak under the railroad tracks. Motion carried 3-0.**

Mr. Peters presented a road bore from Frontier Communications on 5B Road, between Beech Road and County Line Road, in German Township, to provide Telecom service. **Mike Delp moved, second by Stan Klotz, to approve the road bore from Frontier Communications on 5B Road, between Beech Road and County Line Road, in German Township, to provide Telecom service. Motion carried 3-0.**

Mr. Peters provided the following updates: Two distributions were received from the State for 2019: MVH decreased in January from last year while Local Roads and Streets increased for a total decrease from last year of \$42,992.77; MVH and Local Roads and Streets decreased in February from last year for a total decrease from last year of \$17,241.22; Commissioner Overmyer received a letter regarding 7th Road stating Army Corp of Engineers is satisfied with the mitigation site; Two quotes from Republican First National were presented for a Distributor and Chipper Box: a 5 year term for \$119,718.34 and a 7 year term for \$88,612.78.

Commissioner Delp requested the road plan for spring. Mr. Peters will provide an update at the Commissioner's meeting on March 4th. Mr. Peters confirmed that the Highway Department had enough salt and sand to use.

PUBLIC HEARING – ORDINANCE 2019-07

Plan Commission Director Ty Adley presented a PowerPoint presentation requesting a change in the zoning classification for parcel number 50-21-04-000-070.000-013 from A-1, Agricultural District to I-2, Heavy Industrial District. Marshall County Planning Commission conducted a public hearing and did not recommend favorably on the map amendment. Mr. Adley presented an Ordinance to Amend the Zoning Map (Ordinance 2007-10) of the County of Marshall, Indiana, to Change the Zoning Classification of Parcel Located on the West Side of State Road 17, Parcel Number 50-21-04-000-070.000-013, Section 04, Township 32 North, Range 1 East, Union Township, Marshall County, Indiana from A-1, Agricultural District to I-2, Heavy Industrial District.

Stan Klotz moved, second by Mike Delp, to open the public hearing. Motion carried 3-0.

George Hopple, 17036 Tamarack Road, Culver, discussed the possibility of moving recycling to the property. Mr. Hopple stated the shop and materials are to remain at his property in Culver.

Mike Delp moved, second by Stan Klotz, to close the public hearing. Motion carried 3-0.

Stan Klotz moved, second by Mike Delp, to uphold the Plan Commission's recommendation for denial to Amend the Zoning Map (Ordinance 2007-10) of the County of Marshall, Indiana, to Change the Zoning Classification of Parcel Located on the West Side of State Road 17, Parcel Number 50-21-04-000-070.000-013, Section 04, Township 32 North, Range 1 East, Union Township, Marshall County, Indiana from A-1, Agricultural District to I-2, Heavy Industrial District. Motion carried 3-0.

County Attorney James Clevenger stated the Town of Culver voted to take action under statutes and ordinances to cleanup Mr. Hopple's property.

PLAN COMMISSION

Plan Commission Director Ty Adley and Building Inspector Chuck DeWitt presented the 2018 Year End Report stating permits are increasing substantially since 2011. Mr. Adley further stated an 8% decrease in permits sold from 2017, however the valuation increased 28%. Mr. DeWitt stated valuation of commercial permits increased significantly from 2017.

Commissioner Delp expressed concern regarding building permits not being processed in a timely manner.

Mr. Adley requested an amendment to Ordinance 2018-21: An Ordinance to Amend the Zoning Map Ordinance 2007-10 of the County of Marshall, Indiana, to Change the Zoning Classification of Parcel Located on the East Side of Beech Road, Parcel Number 50-54-33-000-001.000-005, Section 33, Township 35 North, Range 4 East, German Township, Marshall County, Indiana from C-2, Highway Commercial District to A-1, Agricultural District, stating that the notice in the paper was correct, however typographical mistakes in the ordinance were made. **Stan Klotz moved, second by Mike Delp, to approve an amendment due to typographical mistakes on Ordinance 2018-21: An Ordinance to Amend the Zoning Map Ordinance 2007-10 of the County of Marshall, Indiana, to Change the Zoning Classification of Parcel Located on the East Side of Beech Road, Parcel Number 50-54-33-000-001.000-005, Section 33, Township 35 North, Range 4 East, German Township, Marshall County, Indiana from C-2, Highway Commercial District to A-1, Agricultural District. Motion carried 3-0.**

PUBLIC HEARING – ORDINANCE 2019-06

Marshall County Ordinance 2019-06: An Ordinance to Establish a Fee for Convicted Inmate Processing and to Establish a Convicted Inmate Processing Fee Fund, to charge an inmate processing fee of \$50.00 for each time a convicted person has been booked into the Marshall County Jail.

Mike Delp moved, second by Stan Klotz, to open the public hearing. Motion carried 3-0.

No public input was heard.

Stan Klotz moved, second by Mike Delp, to close the public hearing. Motion carried 3-0.

Stan Klotz moved, second by Mike Delp, to suspend the rules and pass on second and third reading Marshall County Ordinance 2019-06: An Ordinance to Establish a Fee for Convicted Inmate Processing and to Establish a Convicted Inmate Processing Fee Fund. Motion carried 3-0.

EMA

EMA Director Clyde Avery requested tabling the Promulgation of the County Comprehensive Emergency Management Plan until the Commissioner's March 18th meeting.

SHERIFF

Sheriff Matt Hassel and Communications Supervisor, Matt Pitney, presented Sergeant Brett Reinhold with a pink stork recognition pin for his response during a 911 emergency call. Sergeant Reinhold received a 911 call on February 6th regarding a labor delivery providing the father instructions on how to deliver the baby while Culver EMS was en-route.

Sheriff Hassel presented the Equitable Sharing Agreement and Certification for approval. **Mike Delp moved, second by Stan Klotz, to approve the Equitable Sharing Agreement and Certification allowing endorsement by President Overmyer. Motion carried 3-0.**

Sheriff Hassel presented vehicle quotes from Derek Willard of Enterprise; stating funds were placed into Commissary to decrease the cost. Sheriff Hassel further stated four Dodge Durango vehicles were requested for patrol vehicles at \$817.33 per month for 36 months for a total sum of \$117,760.32 and one Ford F150 was requested at \$649.60 per month for 48 months for a total sum of \$31,180.80. Commissioner Delp requested Mr. Willard attend the March 4th meeting to clarify vehicle quote amounts.

Commissioner Klotz discussed the use of inmates in the County. Sheriff Hassel stated there is no written policy for inmate services in the County.

PROSECUTOR

Prosecuting Attorney Nelson Chipman presented a request to apply for the 2019 Edward Byrne Memorial Justice Assistance Grant in the total sum of \$45,218, which will be used to assist in stopping the importation, manufacturing and sale of illicit drugs in Marshall County. The grant is a one-time Federal Grant that does not require matching funds with \$12,980 to be used for equipment; \$32,238 used for supplies and operating expenses, including \$25,000 in confidential buy money. **Stan Klotz moved, second by Mike Delp, to approve request to apply for the 2019 Edward Byrne Memorial Justice Assistance Grant in the total sum of \$45,218. Motion carried 3-0.**

ATTORNEY REPORT

Old Business:

IT Department: The proposed equipment warranty and replacement agreement between Marshall County and Advanced Products Group has been reviewed. The automatic renewal provision is under discussion.

New Business:

ESCO Communication Proposal: Attorney Clevenger presented the ESCO Communication Proposal for court video conferencing between the Sheriff's Department, Superior Court 1 and Superior Court 2. **Mike Delp moved, second by Stan Klotz, to approve the ESCO Communication Proposal between Marshall County and ESCO Communications for court video conferencing between the Sheriff's Department, Superior Court 1 and Superior Court 2, in the total sum of \$4,716.00. Motion carried 3-0.**

Ordinance 2019-08: EMA Director Clyde Avery requested amendment of Ordinance 2019-08: An Ordinance Amending and Restating Previous Ordinances Concerning Travel Upon County Roads During a Declared Disaster Emergency, to match current practice. **Stan Klotz moved, second by Mike Delp, to approve the amended Ordinance 2019-08: An Ordinance Amending and Restating Previous Ordinances Concerning Travel Upon County Roads During a Declared Disaster Emergency on first reading. Motion carried 3-0.**

Conservation Easement of 13th Road Mitigation Site, Bridge 89: The County can obtain a release for additional monitoring of the mitigation site if a recorded conservation easement/deed restriction is provided to the Army Corp of Engineers. Attorney Clevenger prepared a form for Commissioner approval and signature pending legal description verification.

WIC

WIC Coordinator Evelyn Shields requested clarification on inclement weather closings for WIC stating their office hours do not coincide with the County Building's office hours. Ms. Shields recommended beginning and ending times for closings rather than stating the day of closing. Ms. Shields explained that due to inclement weather she allowed her staff leave on Tuesday evening and is requesting direction for employee lost hours. Commissioner Overmyer explained that the County was closed due to inclement weather on Wednesday and Thursday only. Commissioners will discuss and present a solution to accommodate WIC in County closings.

AUDITOR REPORT

February 4, 2019 minutes: Submitted for approval. **Mike Delp moved, second by Stan Klotz, to approve the Commissioner minutes of February 4, 2019. Motion carried 3-0.**

February mid-month claims: **Stan Klotz moved, second by Mike Delp, to approve the February mid-month claims as presented. Motion carried 3-0.**

Auditor Julie Fox received a letter from Argos Town Clerk Lisa Mullaney stating Dale Blanch will not be renewing his term on the Argos BZA or Plan Commission. Auditor Fox asked the Commissioners for replacement recommendations.

COMMISSIONER ITEMS

Commissioner Overmyer stated Roger Umbaugh, after thirteen years of service, is to resign from the Marshall County Economic Development Corporation (MCEDC) Board effective March 1, 2019. Commissioner Overmyer, Mr. Umbaugh, and MCEDC President Jerry Chavez recommend appointing Jennifer Martin, President and Owner of Country Auto who would bring many assets to the Board and the County in fulfilling Mr. Umbaugh's unexpired term. Commissioner Delp stated that he would have liked to have the information prior to the meeting for review and cannot support the nomination because she does not live in Marshall County. Commissioner Delp stated that he believes Mrs. Martin is not fully invested in Marshall County, as she has a business in the County, but is not a resident of Marshall County and he believes the Marshall County Commissioner appointment should be a resident of Marshall County. **Stan Klotz moved, second by Kevin Overmyer, to appoint Jennifer Martin to the MCEDC Board for the remainder of the three-year term of Roger Umbaugh, from March 1, 2019 to December 31, 2020. Motion carried 2-1, with Mike Delp voting no.**

PUBLIC COMMENT

No public comment was heard.

ADJOURNMENT

With no further business to come before the board **Stan Klotz moved, second by Mike Delp, to adjourn the meeting at 11:16 a.m. Motion carried 3-0.**

Kevin Overmyer, President

Mike Delp, Vice President

Stan Klotz, Member

ATTEST:

Julie A. Fox, Auditor

**MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
MARCH 4, 2019**

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 8:30 a.m., Monday, March 4, 2019. Present were Commissioners, Kevin Overmyer, President; Mike Delp, Vice President; and Stan Klotz; County Attorney, James Clevenger and County Auditor, Julie A. Fox. The meeting was opened, the Pledge of Allegiance was given and the business at hand was heard.

HIGHWAY DEPARTMENT

Highway Superintendent Jason Peters presented a request from Robert Busko to install a 4" or 6" perimeter drain in the right of way, on the east side of Pine Road between 1st Road and U.S. 6, in North Township. The perimeter drain will run from the north side of 1506 Pine Road approximately 400' to 450'. Commissioners expressed concern in allowing the use of a County right-of-way to be used as part of a perimeter drain, requesting clarification and approval from the Health Department. **Mike Delp moved, second by Stan Klotz, to table the request from Mr. Busko for use of a County right-of-way for a perimeter drain to the March 18th meeting pending clarification and review by the Health Department. Motion carried 3-0.**

Superintendent Peters presented a road bore from BSM Groups for Mediacom on Academy Drive, between North Terrace Road and Academy Drive, in Culver, Union Township, to install ducts and coax cable. **Mike Delp moved, second by Stan Klotz, to approve the road bore from Mediacom on Academy Drive, between North Terrace Road and Academy Drive, in Culver, Union Township, to install ducts and coax cable. Motion carried 3-0.**

Superintendent Peters provided the following updates: Highway Department is cleaning up from the wind damage; Bridges #120 and #87; drainage and inlets on 2B Road, Superintendent Peters recommended the County completes the required legal easement, Commissioner Delp requested cost of completion estimate; requested signature for the 5 year term on the Distributor and Chipper Box from Republic Finance, stating the total sum is \$541,300 with the first payment due 2020 and requested making the first payment this year. Commissioner Klotz suggested requesting permission from Council to pay the first payment this year. Superintendent Peters presented information regarding MVH Restricted Fund 1173, stating appropriations and transfers can be placed into the fund, further stating the fund is to be used for construction, re-construction, and preservation. Laurie Johnson, DLZ, stated DLZ submitted exhibit to Army Corp of Engineers for approval for the Bridge #89 mitigation site, the exhibit was approved and will be converted into a description for Attorney Clevenger to file a legal document.

Commissioner Klotz requested placement on the Council Agenda for March 11th with Superintendent Peters regarding Highway funding.

ENTERPRISE – DEREK WILLARD

Derek Willard, Account Manager from Enterprise, clarified the Sheriff vehicles' 3-year lease terms, stating the amount to lease is \$117,760 with an option to buy out the vehicles at the end of the lease for \$4,500 per vehicle. Mr. Willard further stated the County would receive the equity if the vehicles are bought at a price higher than \$4,500. Commissioner Klotz questioned if the cost to purchase the vehicles is less than leasing. Mr. Willard stated if the goal is to purchase the vehicles after the 3-year lease, the County is better off purchasing the vehicles outright. Commissioners discussed the option of leasing or purchasing the vehicles and requested recommendation from Sheriff Hassel. The request is tabled until the Commissioners next meeting.

Joe Martin, Country Auto Sales, stated Country Auto can provide a lease option for the vehicles.

WESLEYAN CHURCH

Reverend Oliver Dongell on behalf of the Plymouth Wesleyan Church requested permission to host the Fifth Annual Responder 5K Run on Saturday, September 14th, explaining that the race route starts at the church and proceeds down Michigan Road to 12th Road, past the race track to the railroad tracks and back. The Plymouth Police, County Sheriff, and Plymouth Fire Department will provide assistance. Reverend Dongell stated that last year \$2,000 was donated to each department assisting and the purpose of the race is to support first responders. **Stan Klotz moved, second by Mike Delp, to allow the Plymouth Wesleyan Church to host the Fifth Annual Responder 5K Run on Saturday, September 14th. Motion carried 3-0.**

ATTORNEY REPORT

Old Business:

Conservation Easement of 13th Road Mitigation Site, Bridge 89: Attorney Clevenger prepared a document for Commissioner approval and signature pending a legal description adjustment to include only the north side of 13th Road.

Ordinance 2019-08: EMA Director Clyde Avery requested amendment of Ordinance 2019-08: An Ordinance Amending and Restating Previous Ordinances Concerning Travel Upon County Roads During a Declared Disaster Emergency. **Mike Delp moved, second by Stan Klotz, to approve the amended Ordinance 2019-08: An Ordinance Amending and Restating Previous Ordinances Concerning Travel Upon County Roads During a Declared Disaster Emergency on second reading. Motion carried 3-0.**

Mike Delp moved, second by Stan Klotz, to approve the amended Ordinance 2019-08: An Ordinance Amending and Restating Previous Ordinances Concerning Travel Upon County Roads During a Declared Disaster Emergency on third reading. Motion carried 3-0.

Equal Employment Opportunity Plan: The Grant application submitted by Nelson Chipman from the Prosecutor's Office on behalf of the Drug Task Force requires submission of a County EEO Plan. The EEO Plan is verbiage direct from the County Personal Policies Handbook adopted as Ordinance 2016-9. **Stan Klotz moved, second by Mike Delp, to ratify Ordinance 2016-9: An Ordinance Restating and Amending the County of Marshall, Indiana Personnel Policies Handbook to and including the following Recruitment and Hiring, Sexual Harassment, Americans with Disabilities Act (ADA) and Problem Resolution and formally approve the Equal Employment Opportunity Plan. Motion carried 3-0.**

Joseph v Sheriff: A copy of dismissal was received from the 2018 case brought on by an inmate against one of the Sheriff Deputies.

New Business:

Jail: Sheriff Matt Hassel requested an intergovernmental agreement to house inmates in a different County with an agreed compensation rate. Attorney Clevenger is to contact Sheriff Hassel regarding which County and the compensation rate amount.

Umbaugh Engagement Letter: A Letter of Engagement for continuing disclosure services was received from H.J. Umbaugh & Associates and provides for the same services as previously provided in 2018. **Stan Klotz moved, second by Mike Delp to approve the Letter of Engagement between Marshall County and Umbaugh in the total sum of \$3,400 and to allow Commissioner Overmyer to sign the letter. Motion carried 3-0.**

AUDITOR REPORT

February 18, 2019 minutes: Submitted for approval. **Mike Delp moved, second by Stan Klotz, to approve the Commissioner minutes of February 18, 2019. Motion carried 3-0.**

March monthly claims: **Stan Klotz moved, second by Mike Delp, to approve the March monthly claims as presented. Motion carried 2-0-1 with Kevin Overmyer abstaining.**

COMMISSIONER ITEMS

Argos Plan Commission: The Commissioners held discussion regarding the replacement of Dale Blanch, whose term ended in 2018.

Safety Committee: Commissioner Delp explained that a quote was requested for doors at the Highway Department. Discussion was held regarding 1st Deputy/Human Resource Administrator Tori Stull's office being moved to the back of the Auditor's Office.

Commissioner Delp requested Highway Department meetings be set up, beginning Friday, March 8th and scheduled for the 2nd and 4th Fridays of each month with one Commissioner and Council members VanVactor and Lukenbill.

PUBLIC COMMENT

No public comment was heard.

ADJOURNMENT

With no further business to come before the board **Mike Delp moved, second by Stan Klotz, to adjourn the meeting at 9:38 a.m. Motion carried 3-0.**

Kevin Overmyer, President

Mike Delp, Vice President

Stan Klotz, Member

ATTEST: _____
Julie A. Fox, Auditor

**MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
MARCH 18, 2019**

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, March 18, 2019. Present were Commissioners, Kevin Overmyer, President; Mike Delp, Vice President; and Stan Klotz; County Attorney, James Clevenger and County Auditor, Julie A. Fox. The meeting was opened, the Pledge of Allegiance was given and the business at hand was heard.

HIGHWAY DEPARTMENT

Highway Superintendent Jason Peters presented a request from Robert Busko to install a 4" or 6" perimeter drain in the right of way on the east side of Pine Road, between 1st Road and U.S. 6, in North Township. Health Director Christine Stinson stated perimeter drains are common in Marshall County, stating the only outlet at this site was the County tile. Ms. Stinson provided a letter to Mr. Peters approving the perimeter drain. **Mike Delp moved, second by Stan Klotz, to approve the request from Mr. Busko for use of a County right of way for a perimeter drain on the recommendation by the Health Department. Motion carried 3-0.**

Mr. Peters stated transfers have been made from Motor Vehicle Highway Fund 1176 to MVH Restricted Fund 1173 to appropriate line items.

Mr. Peters requested permission to make the first installment of \$179,718.34 from the Cum Cap Development Fund to Republic Finance for the Distributor and Chipper Box. **Mike Delp moved, second by Stan Klotz, to allow Mr. Peters to pay the first installment from the Cum Cap Development Fund to Republic Finance in the total sum of \$179,718.34 and to authorize Commissioner Overmyer to sign the purchase agreement in the total sum of \$541,300. Motion carried 3-0.**

Mr. Peters discussed securing dirt and top soil from Carl Stockberger to be stored on Wayne Houin's property for future use.

Mr. Peters requested permission to advertise for the Area Leader position at the Highway Department stating they have an employee leaving, effective March 19, 2019. **Stan Klotz moved, second by Mike Delp, to allow the Highway Department to advertise for the Area Leader position at the Highway Department. Motion carried 3-0.**

Mr. Peters presented a draft of the 2019 Road Program and explained that oil prices went up almost \$0.45 a gallon, increasing the Road Program budget by \$640,000. Mr. Peters stated he will prioritize the roads in the plan and present at a later date.

Commissioner Delp requested a cost estimate for the Chris Waidner 2B Road drainage project.

Commissioner Overmyer requested a count on counties that complete annual highway bids.

DLZ INDIANA, LLC

Zach Dean, Civil Engineer, provided a Bridge #81 Progress Update as follows: Approval of Change Order #6: Take care of cost at the bridge site from water that occurred on Bridge #81 in the sum of \$19,483.36 is requested. **Mike Delp moved, second by Stan Klotz, to approve Change Order #6: Take care of cost at the bridge site from water that occurred on Bridge #81 in the sum of \$19,483.36. Motion carried 3-0.**

The upcoming schedule is as follows: Tree inspections – 75% of trees must survive two growing seasons, First: Around May 1, 2019, Second: Around September 15, 2019.

SHERIFF

Sheriff Matt Hassel requested permission to purchase four 2019 Dodge Durango's and one 2019 Dodge Ram from Country Auto Center. The total price less trade-in value is \$145,341.

Stan Klotz moved, second by Mike Delp, to approve the State bid through Country Auto Center of four 2019 Dodge Durango's and one 2019 Dodge Ram at a total cost of \$145,341 with trade-ins. Motion carried 3-0.

Sheriff Hassel requested permission for an employee to travel out-of-state to attend the INIA Drug/Terrorist Interdiction Training Conference in Miami, Florida, from June 2nd through June 6th. The cost for training will be paid by the Prosecutor with the Sheriff paying all other costs.

Stan Klotz moved, second by Mike Delp, to approve the out-of-state travel request for an employee to attend the INIA Drug/Terrorist Interdiction Training Conference from June 2nd through June 6th in Miami, Florida, with the costs incurred by the Prosecutor and Sheriff. Motion carried 3-0.

Sheriff Hassel received the Intergovernmental Agreement between Fulton County and Miami County to use as a guideline in prepare an agreement with Elkhart County. Sheriff Hassel stated he is reaching out to Starke and St. Joseph County to join the agreement. Attorney Clevenger recommended a meeting to discuss jail overcrowding.

PLAN COMMISSION

ORDINANCE 2019-09: AN ORDINANCE VACATING A PORTION OF POLK STREET AND PORTION OF ADJACENT ALLEY

Director Ty Adley presented a PowerPoint presentation detailing Ordinance 2019-09: An Ordinance vacating a portion of Polk Street and portion of adjacent alley. Mr. Adley explained that Gregory and Sara Frazier petitioned to vacate Polk Street. Approval has been given by the Marshall County Plan Commission. **Stan Klotz moved, second by Mike Delp, to open the public hearing on Ordinance 2019-09. Motion carried 3-0.**

No public comment was made.

Stan Klotz moved, second by Mike Delp, to close the public hearing on Ordinance 2019-09. Motion carried 3-0.

Mike Delp moved, second by Stan Klotz, to approve Ordinance 2019-09: An Ordinance vacating a portion of Polk Street and portion of adjacent alley. Motion carried 3-0.

Stan Klotz moved, second by Mike Delp, to suspend the rules and approve Ordinance 2019-09: An Ordinance vacating a portion of Polk Street and portion of adjacent alley on second and third reading. Motion carried 3-0.

**ORDINANCE 2019-08: AN ORDINANCE AMENDING
ORDINANCE 2007-10 COMMONLY KNOWN AS
THE MARSHALL COUNTY ZONING ORDINANCE**

Mr. Adley requested the Marshall County Zoning Ordinance be amended as follows: Amend Article 6, 060 Fences, Hedges, and Walls, Amend Under C. Restricted Fences to add the words “and the” for clarification. **Stan Klotz moved, second by Mike Delp, to open the public hearing on Ordinance 2019-08. Motion carried 3-0.**

No public comment was made.

Stan Klotz moved, second by Mike Delp, to close the public hearing on Ordinance 2019-08. Motion carried 3-0.

Stan Klotz moved, second by Mike Delp, to approve Ordinance 2019-08: An Ordinance Amending Ordinance 2007-10 commonly known as “The Marshall County Zoning Ordinance”. Motion carried 3-0.

Mike Delp moved, second by Stan Klotz, to suspend the rules and approve Ordinance 2019-08: An Ordinance Amending Ordinance 2007-10 commonly known as “The Marshall County Zoning Ordinance” on second and third reading. Motion carried 3-0.

COMMUNITY CORRECTIONS

Director Ward Byers requested permission to apply for the 2019 NICS Act Record Improvement Program Grant for an iTouch Biometrics fingerprint scanner in the sum of \$20,000 including a three-year extended warranty, to be placed in the Probation Department, further explaining this is a one-time Federal Grant that does not require matching funds. **Stan Klotz moved, second by Mike Delp, to approve the 2019 NICS Act Record Improvement Program Grant application in the total sum of \$20,000. Motion carried 3-0.**

TOWN OF CULVER

Jonathan Leist, Culver Town Manager, requested the Commissioners consent to annex two separate parcels, 1.26 acres for Lambert Family Trust on State Road 10 and 2.67 acres for Cord Associates Ltd. on West Cass Street into the Town of Culver’s municipal limits, as is required by Indiana Code 36-4-3-9.1. Mr. Leist explained both property owners have petitioned the town for voluntary annexation of the following parcels: 502116000010000013 and 502117000046000013. A public hearing was scheduled by the Culver Town Council for Tuesday, March 12, 2019 to consider Ordinance 2019-003 to annex the Lambert Family Trust property and has been scheduled to consider Ordinance 2019-004 on Tuesday, April 9, 2019 to annex Cord Associates Ltd.’s

property. **Mike Delp moved, second by Stan Klotz, to support the Town of Culver Ordinance 2019-003 annexing 1.26 acres of property for Lambert Family Trust into the Town of Culver's municipal limits. Motion carried 3-0.**

Stan Klotz moved, second by Mike Delp, to support the Town of Culver Ordinance 2019-004 annexing 2.67 acres of property for Cord Associates Ltd. into the Town of Culver's municipal limits pending approval by Culver Town Council's April 9, 2019 meeting. Motion carried 3-0.

Commissioner Overmyer requested clarification on maintenance of Jefferson Street and 17C Road in Culver. Mr. Leist stated the Town of Culver would take over maintenance. Attorney Clevenger will draft a policy for review.

EMA

Director Clyde Avery presented the EMA Director's Quarterly Report for December 4, 2018 – March 17, 2019. Mr. Avery submitted the 2018 EMPG Salary Reimbursement Performance Grant through the Indiana Department of Homeland Security explaining that the federal grant reimburses the County for up to 50% of the EMA Director's salary. The total award amount will be 23,339.81.

Mr. Avery presented the updated Marshall County Board of Commissioners Letter of Promulgation for signatures. **Mike Delp moved, second by Stan Klotz, to approve the updated Marshall County Board of Commissioners Letter of Promulgation. Motion carried 3-0.**

Mr. Avery requested permission to attend a no cost Indiana Community Organizations Active in Disasters (COAD) meeting in Elkhart, Indiana on Thursday, April 25, 2019 and to attend a no cost NIPSCO Community Advisory Panel meeting in South Bend, Indiana on Monday, April 29, 2019. **Mike Delp moved, second by Stan Klotz, to allow Clyde Avery to attend the Indiana COAD meeting in Elkhart, Indiana on April 25, 2019 and the NIPSCO Community Advisory Panel meeting in South Bend, Indiana on April 29, 2019. Motion carried 3-0.**

Commissioners requested Mr. Avery draft a letter for Commissioners signature informing county elected officials of the Marshall County Comprehensive Emergency Management Plan.

ATTORNEY REPORT

Old Business:

Conservation Easement of 13th Road Mitigation Site, Bridge 89: Only the portion north of 13th Road and west of the river is the mitigation site and should be in the conservation easement. Attorney Clevenger will contact DLZ for exact legal description for the easement.

2B Road Drainage: Jim Clevenger explained that Judge Bowen indicated that he and his wife would be agreeable to allow a drain tile to run along the west side of his driveway and run into the pond on their property as outlined by Chris Waidner and provided consent to having the surface water flow into the pond pending neighbor Todd Hundt's consent. Attorney Clevenger is to draft the easement and consent pending legal description.

Jail: A draft for the Sheriff's request for an Intergovernmental Agreement with another county or counties has been started, pending determination of the daily fees and other specifics.

AUDITOR REPORT

March 4, 2019 minutes: Submitted for approval. **Mike Delp moved, second by Stan Klotz, to approve the Commissioner minutes of March 4, 2019. Motion carried 3-0.**

March mid-month claims: **Stan Klotz moved, second by Mike Delp, to approve the March mid-month claims as presented. Motion carried 3-0.**

COMMISSIONER ITEMS

Water Task Force: Commissioner Delp discussed placement on Commissioners' April 1, 2019 and Council's April 8, 2019 Agendas to request funding.

Safety Committee: Commissioner Delp discussed high estimates received on Highway doors. Commissioner Delp requested a timeline to report to committee regarding 1st Deputy Auditor /Human Resource Administrator office being moved into the Commissioner's office room. Commissioner Klotz stated the matter should be tabled until summer.

County Vehicles: Commissioner Klotz questioned the use and expense of the GIS System on all County Vehicles. Commissioners Delp and Overmyer stated they receive valuable information using the system and recommend continuation of use.

PUBLIC COMMENT

No public comment was heard.

ADJOURNMENT

With no further business to come before the board, **Stan Klotz moved, second by Mike Delp, to adjourn the meeting at 10:53 a.m. Motion carried 3-0.**

Kevin Overmyer, President

Mike Delp, Vice President

Stan Klotz, Member

ATTEST: _____
Julie A. Fox, Auditor

**MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
APRIL 1, 2019**

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 8:30 a.m., Monday, April 1, 2019. Present were Commissioners, Kevin Overmyer, President; Mike Delp, Vice President; and Stan Klotz; County Attorney, James Clevenger and County Auditor, Julie A. Fox. The meeting was opened, the Pledge of Allegiance was given and the business at hand was heard.

MAINTENANCE

Maintenance Supervisor Gary Masterson presented a quarterly report stating the jail will need a new heating unit and presented a quote from Dynamic Mechanical Services in the amount of \$12,000 for a new five-ton unit to replace the three-ton unit. Mr. Masterson stated Dynamic Mechanical Services will be returning to assess cooling units when needed. Commissioner Delp requested Mr. Masterson provide more than one quote to ensure the County is remaining cost efficient.

VETERANS SERVICE OFFICER

Veterans Service Officer Pam Schweizer-Betz presented a quarterly report from January 1, 2019 to March 31, 2019 explaining the County was able to obtain \$98,000 in back pay for Veterans.

CASA

CASA Director Chastity Keller presented the CASA of Marshall County Progress Report stating CASA had 27 active volunteers and 784 contacts. Ms. Keller further stated the number of Marshall County children deemed abused or neglected increased from 88 in 2017 to 96 in 2018. Ms. Keller stated April is National Prevent Child Abuse Awareness month and invited the Commissioners to attend the 1st Annual walk/run benefiting CASA for Children. The run is to take place on Saturday, April 13th from 8:00 a.m. to 2:00 p.m. at LifePlex Fitness Forum.

IT DEPARTMENT

IT Director Michael Marshall presented a quarterly report stating the IT Department is working on upgrading computers. Mr. Marshall explained the County Jail lost telephone service in January and the Courthouse lost telephone service in February and requested Commissioner approval to contract with Hyper Wave Consulting for wireless internet and voice over internet phone service. Dan Sammartano of Hyper Wave Consulting, provided a copy of the contracts stating payment terms were revised to 45 days for payment with no fees and no interest. Mr. Marshall confirmed the County will receive new handsets. Mr. Marshall discussed giving Hyper Wave Consulting access to the tower at the Jail to run service to the County pending Sheriff approval. **Stan Klotz moved, second by Mike Delp, to allow IT Director Michael Marshall to proceed with Hyper Wave Consulting pending review of contracts from County Attorney Clevenger and Mike Miley. Motion carried 3-0.**

COMMUNITY CORRECTIONS

Director Ward Byers received Community Corrections Advisory Board letters of resignation from Will Hostrawser and Terry Clemens and is requesting that Andy Hartley replace Will Hostrawser as the education administrator and David Hinderlinder replace Terry Clemens as the layperson, each to fulfill the unexpired terms through December 31, 2019. Mr. Byers further recommended Michael VanVactor to fill the vacant ex-offender/former client position.

Stan Klotz moved, second by Mike Delp, to appoint to the Community Corrections Advisory Board Andy Hartley as the Education Administrator appointment and David Hinderlider as the Layperson appointment to the fill the unexpired terms of Will Hostrawser and Terry Clemens through December 31, 2019. Motion carried 3-0.

Mike Delp moved, second by Stan Klotz, to appoint to the Community Corrections Advisory Board Michael VanVactor to the vacant ex-offender/former client position for a four-year term from April 1, 2019 to March 31, 2023. Motion carried 3-0.

ATTORNEY REPORT

Old Business:

Conservation Easement of 13th Road Mitigation Site, Bridge 89: DLZ, LLC is sending the correct legal description for the conservation easement.

2B Road Drainage: The 2B Road drainage project is under discussion.

Jail: The Intergovernmental Agreement is on hold. Prosecutor Nelson Chipman reported that the policies and procedures the Prosecutor and Courts put in place after the last meeting have not yet had time to show results. A Deputy Prosecutor is attending an upcoming seminar on pre-trial release that may provide additional ideas and alternatives. Prosecutor Chipman is to schedule a meeting with the Judges and other County employees for further discussion.

Hyper Wave Consulting: Attorney Clevenger has reviewed the three agreements proposed by Hyper Wave Consulting for wireless internet, phone service and provided revisions to the contracts.

New Business:

Highway: Attorney Clevenger reviewed the five INDOT Agreements for the Local Roads and Bridges Matching Grant for state funding of five road sections in the County.

Hickory Road, Bridge 81 Wetland Mitigation Services: Attorney Clevenger reviewed the proposed wetland mitigation monitoring and maintenance services agreement with Cardno for the wetlands as part of the new bridge project. USACE, IDNR, and IDEM require monitoring, maintenance, and reporting.

Stan Klotz moved, second by Mike Delp, to allow Commissioner President Overmyer to sign the state funded INDOT Agreements for Local Roads and Bridges Matching Grant, EDS #A249-19-LG190085, Dogwood Drive from U.S. 6 to Marshall-St. Joseph County Line, EDS #A249-19-LG190086, 11th Road from U.S. 31 to South Michigan Street, EDS #A249-19-LG190087, Michigan Road from Plymouth City Limits to Veteran's Parkway, EDS #A249-19-LG190088, Dogwood Road from State Road 331 to US 6, and EDS #A249-19-LG190089, 9A Road from Union to County Line, in the total sum of \$997,500 with a County match of \$249,375. Motion carried 3-0.

AUDITOR REPORT

March 18, 2019 minutes: Submitted for approval. **Mike Delp moved, second by Stan Klotz, to approve the Commissioner minutes of March 18, 2019. Motion carried 3-0.**

April monthly claims: **Stan Klotz moved, second by Mike Delp, to approve the April monthly claims as presented. Motion carried 3-0.**

COMMISSIONER ITEMS

Joint Work Session: Commissioner Delp discussed the joint work session scheduled for April 8th following the County Council meeting with Lindie Leary presenting from the Bowen Center and discussion regarding the Water Task Force area sewers.

Highway: Commissioner Delp will not be able to attend the next Friday meeting with the Highway Department. Commissioner Overmyer will attend if meeting is scheduled.

Siemens: Commissioner Delp stated Siemens viewed the County's utility bills and reported cost savings are possible.

Work Release Program: Commissioner Klotz discussed providing copies of the Trustee Work Release to Community Corrections, the Probation Department, the Prosecutor's Office, the Sheriff, Mike Miley, and the Judges for input regarding the work release program for County inmates.

Plymouth Street Projects: Commissioner Delp stated the City of Plymouth will be repaving portions of the sidewalks on Monroe and Walnut Street on the north and west side of the Courthouse and Annex beginning April 15th, weather permitting, and suggested contracting with Walsh/Kelly to upgrade the handicap ramp leading into the Annex on Monroe Street. Commissioner Overmyer stated the repaving is during tax paying and absentee voting. Treasurer Angie Birchmeier confirmed tax bill statements will be mailed April 12th.

Mike Miley requested an update regarding the new multi-purpose building at the 4H Fairgrounds. Commissioner Overmyer stated the bid was awarded to B&B Construction in Nappanee and the building is preparing to commence.

PUBLIC COMMENT

No public comment was heard.

ADJOURNMENT

With no further business to come before the board, **Mike Delp moved, second by Stan Klotz, to adjourn the meeting at 9:17 a.m. Motion carried 3-0.**

Kevin Overmyer, President

Mike Delp, Vice President

Stan Klotz, Member

ATTEST: _____
Julie A. Fox, Auditor

**MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
APRIL 15, 2019**

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 15, 2019. Present were Commissioners, Kevin Overmyer, President; Mike Delp, Vice President; and Stan Klotz; County Attorney, James Clevenger and County Auditor, Julie A. Fox. The meeting was opened, the Pledge of Allegiance was given and the business at hand was heard.

ATTORNEY REPORT

Old Business:

Conservation Easement of 13th Road Mitigation Site, Bridge 89: Legal descriptions for the conservation easement have been obtained, however, part of the easement covers the old road right-of-way that is on land owned by the adjoining landowner. The County is looking to obtain ownership of that area before completion of the conservation easement.

Jail: A draft of the Intergovernmental Agreement between Marshall County and Elkhart County to take inmates if our jail exceeds capacity has been completed. Prosecutor Nelson Chipman indicated he plans to arrange a meeting with the Judges, a Commissioner and the Sheriff to review new procedures and discuss the inmate population at the jail.

Hyper Wave Consulting: The insurance requirements have been met, the agreements have been revised and are ready for the Commissioners' signatures. **Mike Delp moved, second by Stan Klotz, to approve the agreements between Marshall County and Hyper Wave Consulting for leasing tower space on the Jail and Courthouse Towers for voice phone service. Motion carried 3-0.**

New Business:

Wetland Mitigation Services for Hickory Road, Bridge #81: The proposed wetland mitigation monitoring and maintenance services agreement with Cardno have been reviewed with a few minor changes to the contract.

2017 Tax Sale Petitions: A tax sale buyer has filed two petitions for issuance of tax deeds. Treasurer Angie Birchmeier requested Attorney Clevenger object on the Treasurer and Auditor's behalf. The objective is to have the sale certificates available for a Commissioners' sale.

Tort Claim Notices: The County continues to receive tort claim notices on behalf of students injured in the bus crash on US 31 at the railroad crossing. The claims have been referred to GIE and denied as the accident occurred on a state highway. The County has received tort claim notices from inmates involving injuries stemming from fights between inmates that are referred to GIE and denied.

HIGHWAY

Highway Superintendent Jason Peters received the revised agreement regarding Hickory Road, Bridge #81 and a revised contract from First Republic regarding the Chipper and Distributor Box and will send both contracts to Attorney Clevenger for review.

Mr. Peters presented a road bore from Kent Freed at Kent's Excavating on Fir Road, between 7th Road and 8th Road, in Bourbon Township, to bore field tile under the intersection of Fir Road and 8th Road. **Stan Klotz moved, second by Mike Delp, to approve the road bore from Kent's Excavating on Fir Road, between 7th Road and 8th Road, in Bourbon Township, to bore field tile under the intersection of Fir Road and 8th Road. Motion carried 3-0.**

Mr. Peters presented a road cut from James Harrell on 6th Road, between Union Road and Plymouth LaPorte Trail, in Polk Township, to install an irrigation pipe. **Mike Delp moved, second by Stan Klotz, to**

approve the road cut from James Harrell on 6th Road, between Union Road and Plymouth LaPorte Trail, in Polk Township, to install an irrigation pipe. Motion carried 3-0.

Mr. Peters presented a road bore from CenturyLink on 5C Road, between 5C Road and Michigan Road, in North Township, to provide service to a customer. **Mike Delp moved, second by Stan Klotz, to approve the road bore from CenturyLink on 5C Road, between 5C Road and Michigan Road, in North Township, to provide service to a customer. Motion carried 3-0.**

Mr. Peters received a request to reduce the speed limit from 55 mph to 35 mph south of the school on Beech Road from US 6 to Plymouth-Goshen Trail and requested permission to gather traffic counts.

Mr. Peters discussed the Community Crossings Grant and stated the Grant packets can be submitted by May 3rd, with advertising to end on May 17th and bids to open at the May 20th Commissioner's meeting. Commissioner Overmyer requested packets be submitted by April 26th in order to receive bids before June. Commissioner Delp questioned whether the projects would be completed in the 2019 season, stating the Highway Department may receive lower pricing in the 2020 season. Attorney Clevenger suggested bid amounts for completion of projects in the 2019 season and in the 2020 season to compare pricing. Mr. Peters stated he would prefer the projects be completed in 2019.

Mr. Peters presented the 2019 Road Plan for Commissioners to review stating revenues decreased in the MVH Fund and the Local Road and Street Fund, leaving a shortfall of cost to complete the presented road plan by \$400,000. Mr. Peters further stated roads not completed in 2019 will be completed in 2020. Commissioner Overmyer suggested using the turnover funds to help aid the road plan. Commissioner Klotz stated more funds are needed to complete all projects and additional funding will need to be requested from Council to continue to improve roads for the next five to six years. Commissioner Delp asked when Mr. Peters would like to start on the reclaimed roads project, stating he would like to look over the suggested roads prior to proceeding. **Stan Klotz moved, second by Mike Delp, to move forward with the 2019 Road Plan pending Commissioner Delp's review of reclaimed roads. Motion carried 3-0.**

ALICE OYLER

Alice Oyler, 13257 3rd Road, expressed concern regarding the flooding in the pasture on her property, stating the pasture began to flood after the restructuring of US 31 to Michigan Road in 2016 and questioned what her options are moving forward. Commissioner Overmyer stated he will contact Jessica Miller at Indiana Department of Transportation to discuss the issues.

SOIL & WATER

Adam Thada, Director of Ecological Relationships at the Center at Donaldson and Marianne Peters, Marshall County Solid Waste Director, requested a Proclamation from the Board of Commissioners encouraging Marshall County residents to celebrate and participate in Earth Day, on Monday April 22nd and Earth Week, from April 22nd through April 26th, further discussing the activities that will be taking place during Earth Week. **Stan Klotz moved, second by Mike Delp, to approve the Proclamation designating April 22nd as Earth Day and the week of April 22nd through April 26th as Earth Week. Motion carried 3-0.**

SIEMENS

Scott Wood, Siemens Corporation, presented a PowerPoint presentation regarding energy savings for the County Office Building, Courthouse & Annex, County Jail, Museum, and County Highway/Garage stating the highest energy cost for the County is electrical and further stated Siemens can provide an additional \$34,382 in savings.

Commissioner Overmyer stated the maintenance department has been working diligently on updating units or are in the process of updating units and would like to further discuss before allowing Siemens to proceed with the preliminary analysis.

MAINTENANCE

Maintenance Supervisor Doug Masterson presented a quarterly report discussing the status of recently completed and current projects in the Museum, Courthouse, and Superior Court I.

AUDITOR REPORT

April 1, 2019 minutes: Submitted for approval. **Mike Delp moved, second by Stan Klotz, to approve the Commissioner minutes of April 1, 2019. Motion carried 3-0.**

April mid-month claims: **Stan Klotz moved, second by Mike Delp, to approve the April mid-month claims as presented. Motion carried 3-0.**

COMMISSIONER ITEMS

Water Task Force: Commissioner Delp requested discussion on whether the Commissioners wish to proceed to Council for funding for the Preliminary Engineering study concerning area sewers. Commissioner Klotz expressed concern regarding the amount of time the project would take and what the taxpayers should do in the meantime. Commissioner Klotz further discussed acquiring information on State guidelines on area sewers to decrease the cost of septic and septic permits. Commissioner Overmyer declined to move forward with the study at this time.

Inmate Work Release Program: Commissioner Klotz requested Commissioner Overmyer and Delp and Attorney Clevenger look over the program and provide input.

PUBLIC COMMENT

Donald Coffin Jr., 3822 Thorn Road, expressed concern regarding a septic permit for a mobile home on his property located at 3794 Thorn Road, stating the Health Department accepted and issued the permit on April 9, 2019, and then revoked the permit due to IOPA guidelines. Plan Commission Director Ty Adley stated the permit presented by Mr. Coffin is an application and not an approval for a septic system. Commissioner Overmyer stated Mr. Coffin should attend the Board of Health's next meeting to appeal.

ADJOURNMENT

With no further business to come before the board, **Mike Delp moved, second by Stan Klotz, to adjourn the meeting at 11:08 a.m. Motion carried 3-0.**

Kevin Overmyer, President

Mike Delp, Vice President

Stan Klotz, Member

ATTEST: _____
Julie A. Fox, Auditor

**MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
MAY 6, 2019**

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 8:30 a.m., Monday, May 6, 2019. Present were Commissioners, Kevin Overmyer, President; Mike Delp, Vice President; and Stan Klotz; County Attorney, James Clevenger and County Auditor, Julie A. Fox. The meeting was opened, the Pledge of Allegiance was given and the business at hand was heard.

HIGHWAY

Highway Superintendent Jason Peters presented six road bores from Marshall County Fiber LLC on Michigan Road, between 12th Road and 11th Road, in Center Township, for broadband installation. **Mike Delp moved, second by Stan Klotz, to approve the six road bores from Marshall County Fiber LLC on Michigan Road, between 12th Road and 11th Road, in Center Township, for broadband installation. Motion carried 3-0.**

Mr. Peters presented two road cuts from Precision Utility Group on 3B Road, between East County Line and Beech Road; in addition, on Elm Road, between U.S. 6 and Tyler Road, in German Township, to provide CenturyLink service to customers. **Mike Delp moved, second by Stan Klotz, to approve the two road cuts from Precision Utility Group on 3B Road, between East County Line and Beech Road; in addition, on Elm Road, between U.S. 6 and Tyler Road, in German Township, to provide CenturyLink service to customers. Motion carried 3-0.**

Mr. Peters presented a road bore from Precision Utility Group on 7th Road, between King Road and Jarrah Road, in Center Township, to provide service to a customer. **Mike Delp moved, second by Stan Klotz, to approve the road bore from Precision Utility Group on 7th Road, between King Road and Jarrah Road, in Center Township, to provide service to a customer. Motion carried 3-0.**

Mr. Peters presented a road bore from BSM Groups on 5D Road, between 5C Road and 6A Road, in Center Township, to provide service to a customer. **Stan Klotz moved, second by Mike Delp, to approve the road from BSM Groups on 5D Road, between 5C Road and 6A Road, in Center Township, to provide service to a customer. Motion carried 3-0.**

Mr. Peters provided the following updates: All roads that need the No through Trucks Ordinance signage have been mapped for Commissioner review; The Hickory Bridge #81 mitigation site contract between Marshall County and Cardno Environmental Services has been revised and is ready for approval; Notice was placed in all newspapers for advertisement regarding bids for the Community Crossings projects; Notice was placed for the sale of the 1990-821 Case Loader; Mr. Peters discussed high water signs and whether to post temporary signage in roadway when water is most of the way across the road. Commissioners agreed to err on the side of caution and safety and have temporary signs posted for each rain event; Mr. Peters discussed issuing a tonnage or flat fee regarding oversized loads hauled throughout the County, stating currently there is no charge for potential damage. Commissioner Delp suggested discussing with other Counties as well as INDOT for an existing Ordinance or Resolution. Commissioner Klotz expressed concern regarding the No through Truck Ordinance, stating the County cannot let through certain oversized loads and ticket others.

Mr. Peters presented Resolution 2019-10 Authorizing Entering into an Equipment Lease Purchase Agreement between Marshall County Highway and Republic First National for lease of the Chipper and Distributor in the total sum of \$541,300. **Mike Delp moved, second by Stan Klotz, to approve**

Resolution 2019-10 Authorizing Entering into an Equipment Lease Purchase Agreement between Marshall County Highway and Republic First National for lease of the Chipper and Distributor in the total sum of \$541,300. Motion carried 3-0.

Commissioner Delp stated property owners on Lilac Road, from 14C Road to State Road 10, would like to leave the road intact and not reclaim. Commissioners agreed to wait and review Lilac Road in the 2020 Road Plan.

Mr. Peters presented a road bore from Mediacom on 20B Road, between South Shore Drive and East Shore Drive, in Union Township, to install a coax cable. **Stan Klotz moved, second by Mike Delp, to approve the road bore from Mediacom on 20B Road, between South Shore Drive and East Shore Drive, in Union Township, to install a coax cable. Motion carried 3-0.**

OLDER ADULT SERVICES

Director Jackie Wright presented Resolution 2019-01 Authorizing Filing of an Application for a Grant under Section 5311 of the Federal Transit Act, as Amended, which authorizes the Council on Aging to file an application on behalf of Marshall County with INDOT to aid in the financing of transit assistance projects in the sum of \$204,096 of which \$93,300 is for two low floor minivans, which requires a public hearing. **Stan Klotz moved, second by Mike Delp, to open the public hearing. Motion carried 3-0.**

No public comment was made. **Stan Klotz moved, second by Mike Delp, to close the public hearing. Motion carried 3-0.**

Stan Klotz moved, second by Mike Delp, to grant permission to Jackie Wright, Older Adult Services of Marshall County, to apply for the 2020 INDOT Public Transit Grant. Motion carried 3-0.

Stan Klotz moved, second by Mike Delp, to approve Resolution 2019-01 Authorizing Filing of an Application for a Grant under Section 5311 of the Federal Transit Act, as Amended, which authorizes the Council on Aging to file an application on behalf of Marshall County with INDOT to aid in the financing of transit assistance projects in the sum of \$204,096. Motion carried 3-0.

WESLEYAN CHURCH

Pastor Oliver Dongell on behalf of Plymouth Wesleyan Church requested permission to change the Responder 5K Run from Saturday, September 14th, to Saturday, September 21st, stating there is a responder race in Culver on the same day. **Mike Delp moved, second by Stan Klotz, to allow Plymouth Wesleyan Church to change the Responder 5K Run from Saturday, September 14th, to Saturday, September 21st. Motion carried 3-0.**

MARSHALL-STARKE DEVELOPMENT CENTER

President Jodie Smith and Vice President of Adult Programs Pam Landesman presented a quarterly report stating Marshall-Starke received the 5310 Grant the last five years from INDOT to replace multiple vehicles, stating Marshall-Starke pays 20% of the cost of a vehicle, which ranges from \$10,000-\$12,000 per vehicle. Ms. Landesman supervises all transportation and stated Marshall-Starke averages over 700,000 driving miles per year and are provided 89 hours of volunteer work per week.

SHERIFF

Sheriff Matt Hassel stated Country Auto received all four Dodge Durango's and requested pre-payment for the vehicles in the amount of \$120,356 after trade-ins. **Stan Klotz moved, second by Mike Delp, to allow the Sheriff's Department to pre-pay Country Auto in the amount of \$120,356 for the purchase of four 2019 Dodge Durango's. Motion carried 3-0.**

Commissioner Overmyer questioned when the Sheriff's Department would receive the Ford F-150. Sheriff Hassel stated the vehicle may take up to six weeks to receive.

Sheriff Hassel stated the Inmate Work Release contract was sent to Attorney Clevenger for final review and will be presented at the May 20th Commissioner meeting. Sheriff Hassel stated Department Heads will request inmates and inmates will be transported in County vehicles only. Mike Miley stated inmates should be supplied with training and proper equipment. Commissioner Klotz questioned whether inmates should be identified for public knowledge.

Sheriff Hassel requested clarification of the fine schedule for the No through Truck Ordinance, stating the Sheriff's Department is working to create a citation form and suggested one fixed fine to place on the tickets. Attorney Clevenger stated the Ordinance and fee schedule have been revised. Commissioner Overmyer suggested the fines be placed into effect July 1, 2019.

Commissioner Overmyer questioned if the Sheriff's Department had a vehicle to use if the inmate work program is approved and stated MACOG disposes their vehicles and may sell one to the County. Sheriff Hassel stated he plans to use an available Deputy or Detective to drop off and pick up inmates, however, he would be open to receiving one of the MACOG vehicles if available.

ASSESSOR

County Assessor Debbie Dunning presented the Pictometry Data Sharing Agreement between Marshall County and MACOG in the total sum of \$154,881, with a Pictometry connect fee of \$7,425 for 100 seats for users in Marshall County. Pictometry captures aerial photography in three flights which is used to calculate assessment values in the Marshall County Assessor's office. **Stan Klotz moved, second by Mike Delp, to approve the Pictometry Data Sharing Agreement between Marshall County and MACOG on behalf of the Assessor's office in the total sum of \$154,881, with a Pictometry connect fee of \$7,425. Motion carried 3-0.**

ATTORNEY REPORT

Old Business:

Conservation Easement of 13th Road Mitigation Site, Bridge #89: DLZ is to secure the right-of-way parcel that is to become part of the easement.

Sheriff: The Ordinance establishing the Ordinance Violation Bureau has been revised which includes a fine for heavy truck traffic that is in violation of the recently established No through Truck Ordinance. The revised fines are \$100 for first offenses and the County can pursue higher fines where permitted through the Violations Bureau court procedure for repeat offenders. A public hearing is to be scheduled.

New Business:

Inmate Workers Policy: Commissioner Klotz suggested the County adopt an Inmate Workers Policy and procedure to allow no risk County jail inmates to be able to provide manual labor to local governmental departments and certain not-for-profits. Sheriff Hassel submitted a policy, proposed rules, and an inmate waiver for review. Attorney Clevenger recommended revisions.

Mike Delp moved, second by Stan Klotz, to enter into a professional services agreement with Cardno Environmental Services for the Hickory Road Bridge #81 mitigation site in the total sum of \$17,100. Motion carried 3-0.

Attorney Clevenger presented the April 24, 2019 executive session meeting minutes for approval. **Stan Klotz moved, second by Mike Delp, to approve the Commissioner executive session meeting minutes. Motion carried 3-0.**

Attorney Clevenger stated the Annual Marshall County Holding Corporation meeting will be held on June 3, 2019 at 11:00 a.m.

AUDITOR REPORT

Congressional School Fund Annual Report: **Stan Klotz moved, second by Mike Delp, to approve the Congressional School Fund Annual Report, reflecting the fund balance of \$21,222.93. Motion carried 3-0.**

April 15, 2019 minutes: Submitted for approval. **Mike Delp moved, second by Stan Klotz, to approve the Commissioner minutes of April 15, 2019. Motion carried 3-0.**

April 24, 2019 special meeting minutes: Submitted for approval. **Stan Klotz moved, second by Mike Delp, to approve the Commissioner special meeting minutes of April 24, 2019. Motion carried 3-0.**

May monthly claims: **Mike Delp moved, second by Stan Klotz, to approve the May monthly claims as presented. Motion carried 3-0.**

COMMISSIONER ITEMS

Siemens: Commissioner Delp discussed allowing Scott Wood to complete the additional free analysis for the heating and cooling systems at the County. Commissioner Overmyer and Commissioner Klotz agreed to allow Mr. Wood to complete the free analysis.

Commissioner Delp stated the concern regarding a septic permit for Don Coffin's mobile home as discussed in the prior months meeting; stating that laterals of the septic were inspected and full of sand

David's Courage: Commissioner Overmyer thanked Greg Erickson, Ted Hayden and all volunteers for all of their hard work to the David's Courage building.

PUBLIC COMMENT

Gus Kruse, 18344 Chickasaw Trail, Culver, attended the Four Lakes Association meeting last week regarding clean water in Marshall County and stated the County should consider moving forward with the area sewer study.

Commissioner Delp requested thoughts on proceeding to Council for the Preliminary Water Task Force Engineering study. Commissioner Overmyer stated he met with Dr. Holm and Health Department Administrator Christine Stinson to gain more information regarding the area sewer issue and wishes to obtain more information before proceeding, but believes it would be a good complimentary project for Marshall County.

ADJOURNMENT

With no further business to come before the board, **Mike Delp moved, second by Stan Klotz, to adjourn the meeting at 10:04 a.m. Motion carried 3-0.**

Kevin Overmyer, President

Mike Delp, Vice President

Stan Klotz, Member

ATTEST: _____
Julie A. Fox, Auditor

**MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
MAY 20, 2019**

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, May 20, 2019. Present were Commissioners, Kevin Overmyer, President; Mike Delp, Vice President; and Stan Klotz; County Attorney, James Clevenger and First Deputy Auditor, Tori Stull. The meeting was opened, the Pledge of Allegiance was given and the business at hand was heard.

HIGHWAY

Highway Superintendent Jason Peters presented a right of way cut from CenturyLink on Old US Highway 30, between Johnson Road and US Highway 30, in West Township, to place buried fiber to Blueline Services. **Mike Delp moved, second by Stan Klotz, to approve the right of way cut from CenturyLink on Old US Highway 30, between Johnson Road and Old US Highway 30, in West Township, to place buried fiber to Blueline Services. Motion carried 3-0.**

Mr. Peters presented a road bore from Marshall County REMC on 11th Road, between US 31 and King Road, in Center Township, to install conduit for 3-phase electric and internet to new the Kuert Concrete Plant. **Stan Klotz moved, second by Mike Delp, to approve the road bore from Marshall County REMC on 11th Road, between US 31 and King Road, in Center Township, to install conduit for 3-phase electric and internet to new the Kuert Concrete Plant. Motion carried 3-0.**

Mr. Peters provided a road and Motor Vehicle Highway and Local Road and Street revenue update.

PLAN COMMISSION

Director Ty Adley provided a PowerPoint Presentation and presented Ordinance 2019-11 An Ordinance to Amend the Zoning Map (Ordinance 2007-10) of the County of Marshall, Indiana, to change the zoning classification of parcels located on the west side of S. Michigan Street, parcel numbers 50-52-95-202-166.000-010, 50-52-95-202-162.000-010, 50-52-95-202-170.000-010 and 50-52-95-202-174.000-010, Section 95, Township 35 North, Range 2 East, North Township, Marshall County, Indiana from C-1 General Commercial District to T-1 Town Residential District. It was discussed that the property has been cleaned up.

William Cox, 6211 E. North Road, Bremen, Indiana stated that LaPaz is a dying neighborhood and the only commercial property is the liquor store. The property in question had been vacant 8-10 years before the US 31 Bypass and the only street parking is on the other side of the road.

Mike Delp moved, second by Stan Klotz, to open the public hearing. Motion carried 3-0.

No public comment was made. **Stan Klotz moved, second by Mike Delp, to close the public hearing. Motion carried 3-0.**

Stan Klotz moved, second by Mike Delp, to approve Ordinance 2019-11 An Ordinance to Amend the Zoning Map (Ordinance 2007-10) of the County of Marshall, Indiana on first reading. Motion carried 3-0.

Stan Klotz moved, second by Mike Delp, to suspend the rules and pass Ordinance 2019-11 An Ordinance to Amend the Zoning Map (Ordinance 2007-10) of the County of Marshall, Indiana on second and third reading. Motion carried 3-0.

SHERIFF

Sheriff Matt Hassel presented the Marshall County Jail Inmate Workers Outside the Jail Policy and Inmate Worker Waiver for Work Outside of a Secured Area. **Stan Klotz moved, second by Mike Delp, to approve the Sheriff implementation of the Sheriff's Inmate Worker Policy beginning May 20, 2019 or at the discretion of the Sheriff. Motion carried 3-0.**

Sheriff Hassel presented a request to reapply for the 2019 OPO Federal Grant in the sum of \$6,400, which allows the patrolman to work additional overtime hours to enforce traffic laws, specifically occupant protection (seat belts and child restraints) and impaired drivers. **Mike Delp moved, second by Stan Klotz, to allow the Sheriff to apply for the 2019 OPO Federal Grant in the sum of \$6,400. Motion carried 3-0.**

Sheriff Hassel explained that J&M Services presented invoices in early April, which have recently been submitted for payment and is requesting approval for pre-payment for two invoices totaling \$1,090. **Mike Delp moved, second by Stan Klotz, to allow the Sheriff's Department to pre-pay two invoices from J & M Services in the amount of \$1,090. Motion carried 3-0.**

Commissioner Delp explained that he has received several calls regarding the traffic on 7th Road exceeding the posted 30 mph and requested patrol of the area.

ATTORNEY REPORT

Old Business:

Conservation Easement of 13th Road Mitigation Site, Bridge #89: DLZ is to secure the right-of-way parcel that is to become part of the easement.

Sheriff: The Ordinance Amending, Creating or Reaffirming Ordinance Violations. A revision has been made to the Ordinance establishing the Ordinance Violation Bureau. The revised Ordinance includes a fine for heavy truck traffic that is in violation of the No Through Truck Ordinance.

Inmate Workers Policy: Commissioner Klotz suggested the County adopt an Inmate Workers Policy and procedure to allow no risk County jail inmates to be able to provide manual labor to local governmental departments and certain not-for-profits. Sheriff Hassel agrees and has the policy and other paperwork for approval.

Inmate Processing Ordinance: Are still working through some possible issues.

New Business:

Tax Sale Agreements for SRI: The 2019 SRI Tax Sale Contract has been reviewed. SRI is the consultant that assists the Treasurer and Auditor in handling tax sales. They have been of assistance to the County Attorney as well. The new contract is identical to the 2018 except it provides that "County Attorney may consult with SRI legal counsel regarding matters related to the tax sale, IC 6-1.1-24 and IC 6-1.1-25" and the per parcel fee has increased from \$75 to \$100.

Treasurer Angie Birchmeier stated the 2019 Tax Sale is tentatively scheduled for October 9th.

Stan Klotz moved, second by Mike Delp, to approve the 2019 SRI Tax Sale Contract. Motion carried 3-0.

Attorney Clevenger stated there is a scheduling conflict with holding the Annual Marshall County Holding Corporation meeting on June 3, 2019 at 11:00 a.m. so alternative times will be proposed.

AUDITOR REPORT

May 6, 2019 minutes: Submitted for approval. **Mike Delp moved, second by Stan Klotz, to approve the Commissioner minutes of May 6, 2019. Motion carried 3-0.**

Monthly claims: **Stan Klotz moved, second by Mike Delp, to approve the claims as presented. Motion carried 3-0.**

COMMISSIONER ITEMS

Water Task Force: Commissioner Delp asked if there was an update on support for the Water Task Force. Commissioner Overmyer stated that he has attended a few meetings and a recommendation will be made to the Board.

Safety Committee: Commissioner Delp requested a change to the closing time of the County Buildings on September 19th for Safety Committee Training Day from 12:00 p.m. to 11:00 a.m. to allow for employee lunch hours. **Mike Delp moved, second by Stan Klotz, to allow the closing of Marshall County buildings from 11:00 a.m. to 4:00 p.m. on September 19, 2019. Motion carried 3-0.**

Commissioner Delp requested guidance from the Board in use of the personnel ID badges. ID badges will be discussed at a later meeting. Commissioner Delp explained that an AED in the Court House is obsolete and recommended replacement. The cost is estimated at \$1,000. It was suggested that all units be checked prior to replacement.

Right-of-Way Signs: Commissioner Delp stated that he is receiving complaints concerning the ground mounted signs in the right-of-way and the signs should not be placed in the right-of-way.

Fleet Management GPS: Discussion was held concerning the need to continue the Fleet Management GPS and providing a 30-day notice to cancel. **Stan Klotz moved, second by Kevin Overmyer, to discontinue the Network Fleet Management with a 30-day notice. Motion carried 2-1, with Mike Delp voting no.**

PUBLIC COMMENT

Richard Underkofler of Highland, Indiana and John Kindig of Goshen, Indiana are recruiters working for the Census Bureau. They are looking for people to assist with the census and would like to meet with the Commissioners to organize a complete counting.

ADJOURNMENT

With no further business to come before the board, **Stan Klotz moved, second by Mike Delp, to adjourn the meeting at 10:38 a.m. Motion carried 3-0.**

Kevin Overmyer, President

Mike Delp, Vice President

Stan Klotz, Member

ATTEST: _____
Julie A. Fox, Auditor

**MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
JUNE 3, 2019**

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 8:30 a.m., Monday, June 3, 2019. Present were Commissioners, Kevin Overmyer, President; Mike Delp, Vice President; and Stan Klotz; County Attorney, James Clevenger and County Auditor, Julie A. Fox. The meeting was opened, the Pledge of Allegiance was given and the business at hand was heard.

ATTORNEY REPORT

Old Business:

Highway - Conservation Easement of 13th Road Mitigation Site: Still waiting for DLZ to secure the right-of-way parcel that is to become part of the easement.

Sheriff – Ordinance Amending, Creating, or Reaffirming Ordinance Violations: The Amended Ordinance was sent late last week for review and it has not been scheduled for a public hearing. A public hearing should be conducted since the Ordinance includes numerous fines even though the fines were part of separate ordinances that were adopted after public hearing. A public hearing will be scheduled.

New Business:

2019 Tax Sale: The Auditor and Treasurer in conjunction with SRI have scheduled the 2019 Tax Sale for October 9, 2019.

Culver – 17C/West Jefferson Street: Culver has annexed and is in the process of an additional annexation of parcels just west of the town limits north of West Jefferson Street, County Road 17C. The Commissioners previously approved the annexation. Culver wants to improve the street and may have an INDOT grant to assist, but Culver needs evidence that the street is the Town's and not the County's. A resolution for the County and a resolution for the Town have been prepared to acknowledge the transfer of that portion of the road/street that goes along with the annexed areas. If both entities approve the resolutions, we will have them recorded and the Town may proceed with the street improvement. **Mike Delp moved, second by Stan Klotz, to pass Resolution 2019-2: Resolution Transferring 17C Road from Marshall County to the Town of Culver, Indiana. Motion carried 3-0.**

Attorney Clevenger stated that the Holding Corporation will be holding a meeting this morning.

HIGHWAY

Highway Superintendent Jason Peters presented the Annual Operational Report for Local Roads and Streets and Bridges for the year ended December 31, 2018. **Mike Delp moved, second by Stan Klotz to accept the Annual Operational Report for Local Roads and Streets and Bridges for the year ended December 31, 2018. Motion carried 3-0.**

Mr. Peters provided a road progress update.

DAVID STOUGH

David Stough, 4735 N. Maple Road, addressed the Board concerning flooding on Maple Road and 5A Road due to the ditches dug by the County Highway Department. Mr Stough stated that he has been attempting to correct the problem for over a year and is now requesting the Commissioners assistance. Commissioner Overmyer stated that he and Mr. Peters met with INDOT and they will investigate the cause of the flooding.

Mr. Stough stated that the ditch is 40' from the center of the road and requested clarification of property ownership. Commissioner Overmyer agreed that work needs to be completed.

BOURBON TOWNSHIP

Greg Christian, 56412 12th Road, stated that there is a problem with the condition of 12th Road, which has been neglected. Further stating that the road was marked to be completed in prior years, but is still not on the current road plan. Commissioner Overmyer stated that some work will need to be done on 12th Road because the Commissioners have been in discussion with Mr. Christian regarding the condition of 12th Road.

HIGHWAY BIDS

Attorney Clevenger opened bids from Rieth Riley, E&B Paving, Walsh & Kelly and Phend & Brown for the following Community Crossing Projects: Dogwood Road, State Road 331 to US 6; N. Michigan Road, Plymouth City Limits to Veterans Parkway; Dogwood Road, US 6 to County Line Road; 11th Road, US 31 to S. Michigan Road; and 9th Road, Union Road to County Line Road. **Mike Delp moved, second by Stan Klotz, to take the bids under advisement and award the projects at the Commissioner meeting scheduled for June 17th. Motion carried 3-0.**

Disposal and Purchase of Wheel Loader: Attorney Clevenger stated that there were 7 bids received: Clint Pontius, Argos, IN; B & W Equipment Company, Inc., Fort Wayne, IN; Westside Tractor Sales, South Bend, IN; McAlister Machinery, South Bend, IN; McCan, Madison, IL; and Rudd Equipment Company, Fort Wayne, IN. **Stan Klotz moved, second by Mike Delp, to take the bids for the Wheel Loader under advisement for recommendation to the Commissioners. Motion carried 3-0.**

SAFETY COMMITTEE

EMA Director Clyde Avery stated that notification was received concerning an AED in the Annex that is no longer supported by the manufacturer and recommended that it be replaced. Mr. Avery confirmed with the Health Dept. that the two units purchased for the County Building have a life expectancy of 10-12 years. The estimate received for a similar model is \$1,699. Coroner John Grolich stated that they are able to purchase the same type of unit from a different manufacturer with an 8-year warranty and the cost is \$1,000 per unit with an additional cost of \$100 for a cabinet. These are the same units that are in the County patrol cars. Discussion was held concerning the replacement of the unit that was on the third floor of the County Building that had been moved to the Health Department. **Stan Klotz moved, second by Mike Delp, to approve the purchase of two AED units with cabinets, if needed, for the County Building 3rd Floor and Annex. Motion carried 3-0.**

SHERIFF

Sheriff Matt Hassel requested permission to apply for the Indiana Criminal Justice Institute FY2019 Stop Arm Violation Enforcement (SAVE), which is a reimbursable federal grant. SAVE funds may be used for traffic safety initiatives to prevent and reduce traffic injury and/or fatal crashes. **Mike Delp moved, second by Stan Klotz, to allow the Sheriff to apply for the Indiana Criminal Justice Institute FY2019 Stop Arm Violation Enforcement (SAVE) reimbursable federal grant. Motion carried 3-0.**

Discussion was held concerning the jail population, Inmate Work Release Program and pod extensions.

HEALTH DEPARTMENT

Administrator Christine Stinson requested permission to apply for the Emergency Preparedness Grant, which is a federal grant that reimburses the Emergency Preparedness Coordinator's salary in the total sum of \$25,000. **Stan Klotz moved, second by Mike Delp, to allow the Health Dept. to apply for the Emergency Preparedness federal reimbursable grant in the sum of \$25,000. Motion carried 3-0.**

PLAN COMMISSION

Director Ty Adley presented a revision to Ordinance 2019-11, explaining the Ordinance was signed at the last meeting however it contained a typographical error of the owner's name, which has been corrected from Karen Baker to Sandra Lee. **Stan Klotz moved, second by Mike Delp, to approve revised Ordinance 2019-11 to correct the owner's name from Karen Baker to Sandra Lee. Motion carried 3-0.**

AUDITOR REPORT

May 20, 2019 minutes: Submitted for approval. **Mike Delp moved, second by Stan Klotz, to approve the Commissioner minutes from May 20, 2019. Motion carried 3-0.**

June monthly claims: **Stan Klotz moved, second by Mike Delp, to approve the June monthly claims as presented. Motion carried 3-0.**

COMMISSIONER ITEMS

Employee ID Badges: Commissioner Delp would like to discuss at the next meeting.

10:07 a.m. RECESS TAKEN

10:30 a.m. RECONVENED

JONES, PETRIE AND RAFINSKI

Ken Jones of Jones, Petrie and Rafinski and Dr. Byron Holm discussed the need for a County-wide study and to take preventative action after many discussions and meetings with the Water Task Force, installers, Council and Commissioner Members. Mr. Jones has offered to conduct a study with the fees being paid in advance, with an opportunity to offset costs. Mr. Jones further explained that advancing the formation of a sewer district may be years before fully implemented, but areas may rise to the top and those service areas would become priorities. The goal would be to have a better understanding of current conditions, scoring matrix and listing of those that need attention. This is a generational decision and the communities that have made this commitment have a high degree of stewardship and are environmentally active. Jones, Petrie and Rafinski are prepared to begin the project within 30 days and estimate six months to conclude the study. Dr. Holm recommends proceeding with study.

Council member Judy Stone, 12477 Muckshaw Road, Plymouth, requested clarification of the factors affected due to the length of time to install. Mr. Jones stated that there is a good likelihood that technology will change. By completing the study it will put framework of the implementation and organization together. As technology advances the cost becomes more efficient.

Matt Pitney, Tippecanoe Township Trustee stated that a water study has not been conducted in Tippecanoe and they do not know what shape the septic systems are in following the flooding this year. Further stating that residents cannot afford new septic systems and everyone is concerned about the quality of the drinking water.

Mike Delp moved, second by Stan Klotz, to approve the County-wide Study by Jones, Petrie and Rafinski upon approval of funding by Council. Motion carried 3-0.

PUBLIC COMMENT

No public comment was heard.

ADJOURNMENT

With no further business to come before the board, **Mike Delp moved, second by Stan Klotz, to adjourn the meeting at 11:19 a.m. Motion carried 3-0.**

Kevin Overmyer, President

Mike Delp, Vice President

Stan Klotz, Member

ATTEST: _____
Julie A. Fox, Auditor

**MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
JUNE 17, 2019**

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 9:54 a.m., Monday, June 17, 2019. Present were Commissioners, Kevin Overmyer, President; Mike Delp, Vice President; and Stan Klotz; County Attorney, James Clevenger and County Auditor, Julie A. Fox. The meeting was opened, the Pledge of Allegiance was given and the business at hand was heard.

HIGHWAY

Highway Superintendent Jason Peters presented a request for United Telephone DBA Century Link for a directional bore for fiber optics at 12th Road and Muckshaw. **Mike Delp moved, second by Stan Klotz, to approve the directional bore for United Telephone DBA Century Link at 12th Road and Muckshaw. Motion carried 3-0.**

Mr. Peters presented a request for G & B Directional Boring for a bore at 9B Road north of Union and Upas to lay conduit for Ancilla. **Stan Klotz moved, second by Mike Delp, to approve the directional bore for by G & B Directional Boring at 9B Road north of Union and Upas Roads. Motion carried 3-0.**

Mr. Peters provided the following updates: Norfolk Railroad will be using county roads beginning July 15th for two to three days. The highway will be investigating the drainage issue on Michigan Street following the work completed by Rochester Telephone.

Mr. Peters requested the Commissioners sign the Rule 5 Notice of Termination from DLZ for Hickory Road Bridge #81. **Mike Delp moved, second by Stan Klotz, to approve the Rule 5 Notice of Termination from DLZ for Hickory Road Bridge #81. Motion carried 3-0.**

Mr. Peters presented a spreadsheet with a list of projects which includes submitted contractor bids.

Mike Delp moved, second by Stan Klotz, to award the Dogwood Road project from S.R. 331 to U.S. 6 to E&B Paving in the amount of \$122,650.00. Motion carried 3-0.

Stan Klotz moved, second by Mike Delp, to award the North Michigan Street project from Plymouth City limits to Veterans Parkway to Rieth-Riley in the amount of \$249,143.00. Motion carried 3-0.

Mike Delp moved, second by Stan Klotz, to award the Dogwood Road project from U.S. 6 to County Line Road to Walsh & Kelly in the amount of \$334,214.80. Motion carried 3-0.

Stan Klotz moved, second by Mike Delp, to award the 11th Road project from U.S. 31 to S. Michigan to Walsh & Kelly in the amount of \$127,170.31. Motion carried 3-0.

Mike Delp moved, second by Stan Klotz, to award the 9B Road project from Union to County Line to Rieth-Riley in the amount of \$263,543.85. Motion carried 3-0.

Mr. Peters requested permission to purchase a 2015 CAT Loader with 189 hours from McCallister Equipment in the sum of \$19,500 after trade-in. **Mike Delp moved, second by Stan Klotz, to allow the purchase of the 2015 CAT Loader from McCallister Equipment in the sum of \$19,500.00 after trade in allowance. Motion carried 3-0.**

Mr. Peters provided a road and paving project update. Mr. Peters thanked the Marshall County citizens for their continued help with maintaining grass levels and also clearing tiles and beaver dams.

Ross Snider, President of USI Consultants, presented a proposal for oversight on the Community Crossing Projects, cost per project would not exceed 3.5% of the total construction cost (\$45,500). **Mike Delp moved, second by Stan Klotz, to approve the USI Consultants On-Call Agreement for the Community Crossing Projects not to exceed \$45,500.00 with Jason Peters and USI Consultants selecting the level of assistance needed and the contract being signed at the July 1st meeting. Motion carried 3-0.**

BOYS & GIRLS CLUB OF PLYMOUTH & BREMEN

Andrew Fitzpatrick, Chief Executive Officer and Angie Thornton, Bremen President, updated the Commissioners with current member enrollment numbers, daily student averages and summer enrollment program. Mr. Fitzpatrick also spoke of adding more STEAM (Science, Technology, Engineering, Arts, and Math) programming and the goal of incorporating Boys & Girls Club of Culver into Boys & Girls Club of Marshall County in 2020. Mr. Fitzpatrick explained that Ben's Pretzels have agreed to donate 15% four times per year. Upcoming dates: Golf Outing this Thursday at Plymouth Country Club, Movie Nights in Bremen (8/2/19) and Plymouth (8/23/19).

BOYS & GIRLS CLUB OF CULVER

Dana Neer, President, updated the Commissioners on current numbers for the Boys & Girls Club of Culver. Mr. Neer has four goals for the near future: provide better staff training, provide more opportunities for volunteers, provide parents with free parenting classes, and provide more opportunities for board positions (possibly 2-3 more).

PLAN COMMISSION

Ty Adley, Director, presented Ordinance 2019-12: An Ordinance to Amend the Zoning Map Ordinance 2007-10 of the County of Marshall, Indiana, to Change the Zoning Classification of the Parcel of Property Located at 4860 Underwood Road, Walkerton, Indiana, Parcel Number 50-41-07-000-238.000-011, Section 07, Township 34N, Range 1-E, Polk Township, Marshall County, from L-1 Off Water, Lake Residential District to A-1 Agricultural District. The Plan Commission conducted a public hearing on May 23, 2019 and recommended approval. **Stan Klotz moved, second by Mike Delp, to open a public hearing. Motion carried 3-0.**

Property owner Michael Golubski explained that he has chickens on the property.

Mike Delp moved, second by Stan Klotz, to close public hearing. Motion carried 3-0.

Stan Klotz moved, second by Mike Delp, to approve Ordinance 2019-12: An Ordinance to Amend the Zoning Map Ordinance 2007-10 of the County of Marshall, Indiana, to Change the Zoning Classification of the Parcel of Property Located at 4860 Underwood Road, Walkerton, Indiana, Parcel Number 50-41-07-000-238.000-011, Section 07, Township 34N, Range 1-E, Polk Township, Marshall County, from L-1 Off Water, Lake Residential District to A-1 Agricultural District on first reading. Motion carried 3-0.

Mike Delp moved, second by Stan Klotz, suspend the rules and approve Ordinance 2019-12: An Ordinance to Amend the Zoning Map Ordinance 2007-10 of the County of Marshall, Indiana, to Change the Zoning Classification of the Parcel of Property Located at 4860 Underwood Road, Walkerton, Indiana, Parcel Number 50-41-07-000-238.000-011, Section 07, Township 34N, Range 1-E, Polk Township, Marshall County, from L-1 Off Water, Lake Residential District to A-1 Agricultural District on second and third reading. Motion carried 3-0.

EMA

Director Clyde Avery presented the Commissioners with the quarterly report and stated the required documentation for 50% reimbursement of the Directors 2018 salary has been submitted for the sum of \$23,339.81.

Mr. Avery presented the following requests for approval:

The Blueberry Festival Security has requested use of the Emergency Operation Center from August 29, 2019 through September 2, 2019. **Stan Klotz moved, second by Mike Delp, to approve the Blueberry Festival Security use of the Emergency Operation Center. Motion carried 3-0.**

The second request to attend the State Level Training Exercise in Fulton County at the Rochester Fire Department on August 29, 2019 and August 30, 2019 at no cost. **Mike Delp moved, second by Stan Klotz, to approve attending the State Level Training Exercise in Fulton County on August 29th and 30th. Motion carried 3-0.**

The final request to attend the EMAI (Emergency Management Agency of Indiana) Conference in Indianapolis on October 22 through October 25, 2019. Mr. Avery also requested that the conference and hotel fees be prepaid. **Stan Klotz moved, second by Mike Delp, to approve attending the EMAI Conference in Indianapolis on October 22 through 25, 2019 and to prepay the conference and hotel fees. Motion carried 3-0.**

The Commissioners received a letter from Cardinal Services thanking Mr. Avery for his help in reviewing their Emergency Management Plan.

BUILDINGS AND GROUNDS

John Greer, Maintenance Jail Supervisor, updated the Commissioners on the condition of the rooftop air conditioning units at the Marshall County Jail. Discussion was held concerning the replacement of all three units. Mr. Greer explained that lead times are currently 17 to 19 weeks out and quotes will be presented at next meeting.

SHERIFF

Sheriff Matt Hassel requested permission for one officer to attend Internet Training out of state on July 16th and 17th in Ithaca, Michigan. **Mike Delp moved, second by Stan Klotz, to approve one officer attending the Internet Training in Michigan on July 16th and 17th. Motion carried 3-0.**

Sheriff Hassel stated that the jail inmate population is currently at 245.

MARSHALL COUNTY GLASS CO.

Rick and Sharon Styka (owners of Marshall County Glass Company, Inc. and F & K Welding Fritz property) of 7501 N. Michigan Road, Plymouth, explained the current drainage issues on North Michigan where water comes into the driveway and sits due to the new road. The Commissioners agreed to look into the matter.

CITY OF PLYMOUTH

Sean Surrisi requested approval of the Interlocal Agreement between Marshall County and the City of Plymouth regarding the funding of services for the Marshall County Crossroads Stellar Communities Initiative. **Mike Delp moved, second by Stan Klotz, to approve the Interlocal Agreement between**

Marshall County and the City of Plymouth regarding the funding of services for the Marshall County Crossroads Stellar Communities Initiative as presented. Motion carried 3-0.

ATTORNEY REPORT

Old Business:

Highway - Conservation Easement of 13th Road Mitigation Site: Still waiting for DLZ to secure the right-of-way parcel that is to become part of the easement.

Sheriff – Ordinance Amending, Creating, or Reaffirming Ordinance Violations: A public hearing will be conducted on July 1, 2019.

Culver – 17C/West Jefferson Street: Culver prefers to improve West Jefferson St. from the old town limits to Highway 17, not just to the new town limits. This transfer would trigger a need to tax the real estate from two governmental entities. An Interlocal Agreement was proposed that would have Culver responsible for 17C to Highway 17 to avoid real estate taxation problems. This agreement would be satisfactory to both parties. The resolutions will be redone to include the Interlocal Agreement, as well as the transfer of the road that was contemplated in the previous resolution.

New Business:

Ordinance 2019-14: This will amend the 2005-09 ordinance concerning the \$5.00 fee that is required for real property transfers. The Indiana General Assembly increased the fee during the last session to \$10.00. For the Auditor to collect the new fee starting July 1st, the County needs to enact Ordinance 2019-14 on all three readings. **Mike Delp moved, second by Stan Klotz, to approve the 1st reading of the Ordinance 2019-14: An Ordinance Amending Ordinance 2005-09, the Real Property Endorsement Fee for Marshall County, Indiana, as presented increasing real property transfer fee to \$10.00 beginning July 1st. Motion carried 3-0.**

Mike Delp moved, second by Stan Klotz, to suspend the rules and approve Ordinance 2019-14: An Ordinance Amending Ordinance 2005-09, the Real Property Endorsement Fee for Marshall County, Indiana, increasing real property transfer fee to \$10.00 beginning July 1st as presented, on second and third reading. Motion carried 3-0.

Ordinance Codification: Attorney Clevenger recommended having the County Ordinances Codified. A vendor would provide a digital organized listing of our ordinances, allowing easier access to our local laws. Attorney Clevenger will obtain quotes.

AUDITOR REPORT

June 3, 2019 Minutes: Submitted for approval. **Stan Klotz moved, second by Mike Delp, to approve the Commissioner Minutes from June 3, 2019. Motion carried 3-0.**

Claims: **Mike Delp moved, second by Stan Klotz, to approve the claims for payment as presented. Motion carried 3-0.**

COMMISSIONER ITEMS

Kankakee River Basin Commission Board Appointment: **Stan Klotz moved, second by Mike Delp, to appoint Surveyor Craig Cultice to the Kankakee River Basin Commission. Motion carried 3-0.**

Kankakee River Basin Commission Appointment: **Stan Klotz moved, second by Mike Delp, to appoint Commissioner Mike Delp to the Kankakee River Basin Commission. Motion carried 3-0.**

Plymouth Library Board of Trustees Appointment: **Stan Klotz moved, second by Mike Delp, to**

re-appoint Sarah Lukenbill to the Plymouth Library Board of Trustees to a four-year term ending June 30, 2023. Motion carried 3-0.

Commissioner Klotz is coordinating a work session with local State Legislators, Senator Ryan Mishler, Senator Randy Head and Representative Jack Jordan to discuss the future of Marshall County and legislative concerns.

PUBLIC COMMENT

No public comment was heard.

ADJOURNMENT

With no further business to come before the board, **Stan Klotz moved, second by Mike Delp, to adjourn the meeting at 11:32 a.m. Motion carried 3-0.**

Kevin Overmyer, President

Mike Delp, Vice President

Stan Klotz, Member

ATTEST: _____
Julie A. Fox, Auditor

**MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
JULY 1, 2019**

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 8:30 a.m., Monday, July 1, 2019. Present were Commissioners, Kevin Overmyer, President; and Stan Klotz; County Attorney, James Clevenger and County Auditor, Julie A. Fox. Michael A. Delp, Vice President, was not present for the meeting. The meeting was opened, the Pledge of Allegiance was given and the business at hand was heard.

ORDINANCE 2019-13

A public hearing was held to discuss Ordinance 2019-13: An Ordinance Amending Ordinance 2016-07 Creating or Reaffirming Ordinance Violations and Use of the Marshall County Ordinance Violations Bureau with adjusted fines. **Stan Klotz moved, second by Kevin Overmyer, to open the public hearing for Ordinance 2019-13: An Ordinance Amending Ordinance 2016-07 Creating or Reaffirming Ordinance Violations and Use of the Marshall County Ordinance Violations Bureau. Motion carried 2-0.**

The fines are as follows: Abandoned/Junk Vehicle \$50; Animals running at large \$50; Failure to License \$50; Buggy Ordinance \$50; Curfew Ordinance \$50; Home Solicitation Registration \$250; Open Burning \$50; Smoking/Tobacco \$100; Travel during Emergency \$500; Travel on County Roads In Violation of the No-Thru Truck Ordinance \$300.

Stan Klotz moved, second by Kevin Overmyer, to close the public hearing for Ordinance 2019-13: An Ordinance Amending Ordinance 2016-07 Creating or Reaffirming Ordinance Violations and Use of the Marshall County Ordinance Violations Bureau. Motion carried 2-0.

Stan Klotz moved, second by Kevin Overmyer, to approve Ordinance 2019-13: An Ordinance Amending Ordinance 2016-07 Creating or Reaffirming Ordinance Violations and Use of the Marshall County Ordinance Violations Bureau as presented on first reading. Motion carried 2-0.

Stan Klotz moved, second by Kevin Overmyer, to suspend the rules and approve Ordinance 2019-13: An Ordinance Amending Ordinance 2016-07 Creating or Reaffirming Ordinance Violations and Use of the Marshall County Ordinance Violations Bureau on second and third reading. Motion carried 2-0.

HIGHWAY

Highway Superintendent Jason Peters requested approval for the Exclusive Fuel Purchase Agreement with Ceres Solutions Cooperative of Wabash Indiana. Attorney, James Clevenger gave comment about special circumstances guaranteeing a discount on the cost of fuel products at \$0.045 per gallon over rack for diesel and gasoline purchases not requiring fuel to be put out for bids. **Stan Klotz moved, second by Kevin Overmyer, to approve the Exclusive Fuel Purchase Agreement with Ceres as presented under special circumstances based on the fact we already have Ceres equipment on site, guaranteed pricing and great service. Motion carried 2-0.**

Mr. Peters updated the Commissioners on the FEMA funds that have been received and deposited back into the Rainy Day Fund.

Mr. Peters provided the following updates: chip and seal started last week; 12B Road project will continue this week; chip and seal will resume next week.

The On Call Agreement with USI Consultants will be used only if needed. The Commissioners signed the copy of the On Call Agreement that was approved at the June 17, 2019 meeting. A copy will be provided for the Auditor.

Indiana Department of Transportation held a briefing in LaPorte for the Community Crossing Projects.

Mr. Peters updated the Commissioners on a density study that was recently completed.

MUSEUM QUARTERLY REPORT

Director, Linda Rippy and Mike Miley provided the Commissioners with a one-page summary, the staff report and the current newsletter. James Mechling Smith, CMA graduate, was hired as an Intern along with Annie Keller. The Annual Dinner in April had 160 people attend. Upcoming events include the Historical Buildings of Bremen and a Garden Tractor event this month. Linda and Mike thanked the Commissioners for their continued support.

MAINTENANCE

Jail Maintenance Supervisor, John Greer, presented the quotes as requested for the roof top heating and cooling units. Four contractors quoted the replacement of the two 25-ton units and one 20-ton unit. The quotes were as follows: Bowens Tin Shop - \$217,410; Edward White - \$215,962; Dynamic - \$209,731; and OJS - \$204,680. Mr. Greer also presented a quote for one 25-ton unit as requested. The quotes were as follows: Edward White - \$84,654; OJS - \$78,385. Sheriff Matt Hassel updated the Commissioners on the difficulty of moving inmates with other counties being near capacity. The units have long lead times and the prices are increasing. Attorney James Clevenger advised under the extraordinary circumstances a motion could be made. John will report back to the Commissioners on final lead time estimates. John will also request an additional appropriation from the County Council. **Stan Klotz moved, second by Kevin Overmyer, to award the bid to OJS for three units total (Aaon two 25-ton units and Aaon one 20-ton unit) for \$204,680 with funding from LIT Special Purpose. Motion carried 2-0.**

Maintenance Supervisor, Doug Masterson, presented the Commissioners with a quote from DR Masonry to fix the annex exit patio on the east side of the County Building. Out of seven contractors, DR Masonry was the only vendor to quote the job. The County Highway Department will remove the concrete for a savings of \$19,000. The contract will be presented at the July 15th Commissioners meeting. **Stan Klotz moved, second by Kevin Overmyer, to approve DR Masonry to fix the annex exit patio on the east side of the County Building in the amount of \$48,500. Motion carried 2-0.**

BOWEN CENTER REPORT

President and CEO, Kurt Carlson and Senior Vice President, Rob Ryan of the Bowen Center, updated the Commissioners on the Bowen Center and services provided. Lindy Leery, Director of the Plymouth Bowen Center, gave a brief update on the services provided in Marshall County. Ms. Leery is working on a grant for the Opioid Crisis. Currently the Bowen Center has brick and mortar in five counties and offers mobile services to several other counties. President Overmyer thanked the Bowen Center for their service to Marshall County.

ATTORNEY REPORT

Old Business:

Highway - Conservation Easement of 13th Road Mitigation Site: Still waiting for DLZ to secure the right-of-way parcel that is to become part of the easement. President, Kevin Overmyer, explained this is moving forward.

Culver – 17C/West Jefferson Street: Culver prefers to improve West Jefferson St. from the old town limits to Highway 17, not just to the new town limits. This transfer would trigger a need to tax the real estate from two governmental entities. An Interlocal Agreement was proposed that would have Culver responsible for 17C to Highway 17 to avoid real estate taxation problems. This agreement would be satisfactory to both parties. The resolutions will be redone to include the Interlocal Agreement, as well as the transfer of the road that was contemplated in the previous resolution.

Ordinance Codification: Attorney Clevenger recommended having the County Ordinances Codified. A vendor would provide a digital organized listing of our ordinances, allowing easier access to our local laws. Attorney Clevenger will obtain quotes.

Schneider Professional Service Agreement: The Auditor is requesting approval of agreement for mapping/splits/supplemental work. Quote includes a one-time setup fee of \$1,000. The fee will be \$6,060 per year with 2019 being prorated to \$3,030. Attorney Clevenger suggested approval conditional on modifications to the agreement in regards to the interest and the automatic renewal sections. The fees will be covered by the IT Department the first year and the Auditor's office subsequent years. This item will be on the July 15th Commissioner's Meeting Agenda. President Overmyer will review with Michael Marshall.

MARSHALL COUNTY CORONER

Coroner, John Grolich, requested approval of a Mutual Aid Agreement between LaPorte, Kosciusko, and St. Joseph Counties. This agreement would allow the shared services and resources in case of a catastrophic event. Attorney James Clevenger has reviewed this agreement, as well as our insurance carrier and everything is in order. **Stan Klotz moved, second by Kevin Overmyer, to approve the Mutual Aid Agreement as presented. Motion carried 2-0.**

AUDITOR REPORT

June 17, 2019 Minutes: Submitted for approval. **Stan Klotz moved, second by Kevin Overmyer, to approve the Minutes from June 17, 2019. Motion carried 2-0.**

For clarification of the Kankakee River Basin Commission Appointment from the June 17th meeting Stan Klotz moved, Kevin Overmyer, seconded to appoint the Marshall County Surveyor to the Kankakee River Basin Commission for an initial term of two years and four years thereafter. Motion carried 2-0.

For clarification of the Kankakee River Basin Commission Appointment from the June 17th meeting Stan Klotz moved, Kevin Overmyer, to appoint the President of the Drainage Board to the Kankakee River Basin Technical Advisory Committee for an initial term of two years and four years thereafter. Motion carried 2-0.

Claims: **Stan Klotz moved, second by Kevin Overmyer, to approve the claims for payment as presented. Motion carried 2-0.**

COMMISSIONER ITEMS

Commissioner Klotz thanked Andy Bowers, the Lapaz and Polk Fire Departments, as well as all of the first responders who helped with the tornado last week.

Commissioner Klotz presented a contract with Pitney Bowes for approval, which has been reviewed by Attorney James Clevenger. **Stan Klotz moved, second by Kevin Overmyer, to approve the five year lease agreement with Pitney Bowes as presented. Motion carried 2-0.**

President Overmyer presented an Agreement for Broadband Planning and Consulting Services between Marshall County and Data Communications Leader. Attorney Clevenger has reviewed the agreement. **Stan Klotz moved, second by Kevin Overmyer, to approve the Agreement for Broadband Planning and Consulting Services between Marshall County and Data Communications Leader as presented. Motion carried 2-0.**

PUBLIC COMMENT

No public comment was heard.

ADJOURNMENT

With no further business to come before the board, **Stan Klotz moved, second by Kevin Overmyer, to adjourn the meeting at 9:56 a.m. Motion carried 2-0.**

Kevin Overmyer, President

Mike Delp, Vice President

Stan Klotz, Member

ATTEST: _____
Julie A. Fox, Auditor

**MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
JULY 15, 2019**

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 9:45 a.m., Monday, July 15, 2019. Present were Commissioners, Kevin Overmyer, President; Michael A. Delp, Vice President and Stan Klotz; County Attorney, James Clevenger and County Auditor, Julie A. Fox. The meeting was opened, the Pledge of Allegiance was given and the business at hand was heard.

HIGHWAY

Highway Superintendent Jason Peters requested approval for two road cuts.

Stan Klotz moved, second by Mike Delp, to approve the road cut on Menominee Drive, between Peach Road and Holem Lake Road, in West Township for Century Link as presented. Motion carried 3-0.

Mike Delp moved, second by Stan Klotz to approve the road cut on Dewey Street, between West Street and Broadway Street, in Walnut Township for Century Link as presented. Motion carried 3-0.

Mr. Peters requested the contracts for the Community Crossings previously approved at the July 1, 2019 meeting be signed. Mr. Peters stated that he will deliver the necessary paperwork to INDOT so that purchase orders can be issued. The Commissioners questioned when the work would begin. Walsh and Kelly hope to begin working by the end of the month.

Mr. Peters provided the following updates: 12B Road is complete but will need a final coat this fall; chip and seal will start tomorrow using a new patch material with hot oil; No Thru Truck signs have been added to several of our county roads.

FIREWORKS IN COUNTY

Peggy and Larry Gantz of 14775 11th Road, Plymouth, requested something be done about fireworks in the county. Currently, the city has an ordinance regarding fireworks. Vice President Mike Delp suggested contacting the neighbor. Commissioner Stan Klotz suggested they present their request to the Planning Commission regarding implementation of a firework ordinance.

VETERANS' SERVICES

Director Pam Schwiezer-Betz requested guidance from the Commissioners on solicitations to veterans by private businesses. Once the veteran has contacted said private businesses, the County is unable to help the veteran. Attorney Jim Clevenger suggested doing a press release or article for the media to get the word out warning veterans. In addition, Pam has been posting fliers explaining the services the County provides to veterans.

PAT PEARISH

Pat Pearish of 12441 Spear Trail, Lake Latonka requested information about the road condition of 13th Road between Peach and Hwy 17. Mr. Peters confirmed part of 13th Road is scheduled for chip and seal and the other part will be resurfaced between Peach and Hwy 17.

ATTORNEY REPORT

Old Business:

Highway - Conservation Easement of 13th Road Mitigation Site: Progress is being made for procuring a very small parcel of right-of-way so that the County can complete the easement.

Culver – 17C/West Jefferson Street: Culver prefers to improve West Jefferson St. from the old town limits to Highway 17, not just to the new town limits. This transfer would trigger a need to tax the real estate from two governmental entities. An Interlocal Agreement was proposed that would have Culver responsible for 17C to Highway 17 to avoid real estate taxation problems. This agreement would be satisfactory to both parties. The resolutions will be redone to include the Interlocal Agreement, as well as the transfer of the road that was contemplated in the previous resolution.

Schneider Professional Service Agreement: The Auditor had requested approval of an agreement for mapping/splits/supplemental work. The proposed agreement was tabled at the last meeting. Attorney Clevenger updated the Commissioners on a new plan of action that will include slightly different services from Schneider so the first proposal agreement is on further hold.

MARSHALL COUNTY CORONER

Coroner John Grolich, requested the Commissioners consider a building for the Coroner. There are approximately 105 cases per year and 10-12 autopsies per year. Currently, the County does not have a facility and uses facilities in Ft. Wayne and Akron for autopsies. Starke, Pulaski, and Kosciusko counties have facilities within their county. Commissioners requested the investigation into the cost of a facility for the possibility of adding it to the 2020 budget.

MAINTENANCE

Jail Maintenance Supervisor, John Greer, requested to reopen the discussion on the quotes presented and approved at the July 1, 2019 meeting for the roof top heating and cooling units. Due to new information and the time sensitive situation with having the units set the same day, Mr. Greer asked the Commissioners to reconsider the quotes and award the bid to Dynamic Mechanical Services. **Stan Klotz moved, second by Mike Delp, to cancel the contract awarded to OJS at the July 1, 2019 meeting for installation of three roof top units at the jail based on new information and concerns with OJS completing the installation in a timely manner and now award the bid to the second low bidder Dynamic Mechanical Services for three roof top units (Aaon two 25-ton units and Aaon one 20-ton unit) for \$209,731 with funding from LIT Special Purpose. Motion carried 3-0.** Attorney Jim Clevenger stated the benefits of using Dynamic Mechanical Services will exceed the additional cost and risks.

Maintenance Supervisor, Doug Masterson, provided additional information regarding the Annex exit patio project previously approved at the July 1, 2019 meeting. Mr. Masterson stated out of seven contractors DR Masonry was the only vendor to quote the job and originally the County Highway Department was to remove the concrete for a savings, however DR Masonry will complete the project for \$67,500. Mr. Masterson recommended DR Masonry complete the project due to the timing and the current workload of the County Highway Department. **Stan Klotz moved, second by Mike Delp, to approve DR Masonry to complete the Annex exit patio on the east side of the Courthouse in the amount of \$67,500, pending approval of the Marshall County Council. Motion carried 3-0.**

AUDITOR REPORT

July 1, 2019 Minutes: Submitted for approval. **Stan Klotz moved, second by Kevin Overmyer, to approve the Minutes from July 1, 2019. Motion carried 2-0. Mike Delp abstained.**

Claims: **Mike Delp moved, second by Stan Klotz, to approve the claims for payment as presented. Motion carried 3-0.**

COMMISSIONER ITEMS

Commissioner Klotz asked to table the Enterprise Lease Vehicles. **Stan Klotz moved, second by Kevin Overmyer, to table the Lease Agreement with Enterprise. Motion carried 2-1, with Mike Delp voting no.**

President Overmyer stated the Bond will need to be redone for any new jail additions. Ice Miller and Barnes and Thornburg will be asked to submit new bond proposals, if required.

Commissioner Klotz inquired about the Telamon change order for the LED Lighting project at the Courthouse. Vice President Delp explained change orders are covered in the original contract and once the project is complete the yearly cost savings will be an estimated \$30,000.

PUBLIC COMMENT

Don Nunemaker of 14375 Nutmeg Road, Plymouth, inquired about the Health Department PowerPoint presented at the July 1, 2019 meeting in regards to sewage districts and the possibility of water quality boards. The Commissioners discussed the preliminary water study as the first step in this process to be completed by the firm Jones, Petrie, and Rafinski by the end of the year.

President Overmyer reminded the Commissioners of the Work Session planned for Monday, July 23, 2019 at 8:00 a.m.

ADJOURNMENT

With no further business to come before the board, **Michael Delp moved, second by Stan Klotz, to adjourn the meeting at 11:00 a.m. Motion carried 3-0.**

Kevin Overmyer, President

Mike Delp, Vice President

Stan Klotz, Member

ATTEST: _____
Julie A. Fox, Auditor

**MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
AUGUST 5, 2019**

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 8:30 a.m., Monday, August 5, 2019. Present were Commissioners, Kevin Overmyer, President; Michael A. Delp, Vice President and Stan Klotz; County Attorney, James Clevenger and County Auditor, Julie A. Fox. The meeting was opened, the Pledge of Allegiance was given and the business at hand was heard.

JUDGE COLVIN, SUPERIOR COURT II

Judge Dean A. Colvin, along with Interns Matt Aldridge and Makayla DePoy, presented a request to add an additional Jurisdiction Court – Superior Court III. Judge Colvin's request is a result of an initial stakeholder meeting that was held on September 11, 2018 to discuss the overcrowding in the Marshall County Correctional facility and what an additional court might do to reduce those numbers. Several surveys indicate the need for an additional court due to increasing caseloads and time allotment constraints. In Indiana, Marshall County ranks 23rd in severity of need. Judge Colvin will present this request to the County Council at their next meeting. If approved by the State, the earliest a new court could be added would be July, 2020. President Overmyer asked if there would be adequate public defenders if an additional court was added. Judge Colvin indicated there would be enough public defenders with the additional court. Vice President Delp explained he would not be ready to decide today, but the information provided in the presentation was compelling. Commissioner Klotz commented on the length of time it takes to process evidence through lab facilities which is currently about 9 months. The overcrowding in the Marshall County Correctional facility will require multiple solutions. Vice President Delp questioned if courts have ever been decreased in a county if the caseload lessens. A motion will not be made today. President Overmyer publicly supports Judge Colvin's request.

HIGHWAY

Highway Superintendent Jason Peters requested approval for two road cuts.

Mike Delp moved, second by Stan Klotz, to approve the road cut on Union Road, between 6B and 7th Road, in Polk Township for United Telephone dba Century Link as presented. Motion carried 3-0.

Stan Klotz moved, second by Mike Delp, to approve the road cut on East Shore Lane, between Edwards Lane and East Shore Drive, in Union Township for BSM Groups for QC Communications (Mediacom) as presented. Motion carried 3-0.

Mr. Peters requested the Supplemental Agreement No. 1 between USI Consultants, Inc. and Marshall County be approved for Bridge #73, King Road over the Yellow River, as presented. The cost of the study is \$30,000 and the administrative cost is \$7,100 and this additional should be 80% reimbursed with approval from INDOT. **Mike Delp moved, second by Stan Klotz, to approve the Supplemental Agreement No. 1 between USI Consultants, Inc. and Marshall County for the archeological study of Bridge #73, King Road over Yellow River, in the sum of \$37,100 as presented. Motion carried 3-0.**

Mr. Peters updated on the Community Crossings projects. Explaining the bids came in lower than anticipated, Mr. Peters would like to submit a second call for projects for Lake of the Woods. If approved, Mr. Peters will take the request to the County Council. The Commissioners agree to move forward with the 2nd bid process pending the County Council approval.

Mr. Peters provided the following updates: USI Consultants, Inc. to investigate why the north sidewalk of the Baker St. bridge needs repair; chip and seal overall 57 miles complete; 8 miles paved.

Mr. Peters asked permission moving forward to have consultants be prepaid electronically, thereby expediting reimbursements from INDOT. Attorney Clevenger will draft a motion to change the ordinance for prepaids for approval at the next meeting.

Commissioner Klotz suggested Mr. Peters present to the County Council for approval the aggressive road projects for the Spring 2020. The Commissioners approved for Mr. Peters to present to the Council.

Vice President Delp questioned the gravel on 6th Road. Mr. Peters agreed to review the area and respond to the homeowner.

PLAN COMMISSION

Director Ty Adley recommended the approval from the Planning Commission of the EADS Minor Sub Division to acquire additional right-of-way at the intersection of Pretty Lake Trail and Quince Road. Mr. Adley explained this is a re-plat of three total lots. **Stan Klotz moved, second by Mike Delp, to open the Public Hearing for the EADS Minor Sub Division. Motion carried 3-0. Stan Klotz moved, second by Mike Delp, to close the Public Hearing for the EADS Minor Sub Division. Motion carried 3-0. Stan Klotz moved, second by Mike Delp, to approve the 1st Reading of the EADS Minor Sub Division as presented. Motion carried 3-0.**

JUDY BAILEY

Ms. Bailey did not appear due to a family emergency.

THOMAS MONHAUT

Thomas Monhaut of 774 Juniper Road, Bremen, and Mike Stillson of 259 Gumwood Rd, Bremen, requested clarification on an easement on vacant land that is currently being farmed. Mr. Stillson is the property owner and Mr. Monhaut is the lessee. Mr. Monhaut explained a 50' easement off of 1st Road exists and Mr. Monhaut is requesting the use of the easement to access farm ground; the adjacent owner mows the easement and is giving push back for use of the easement; the property can be accessed via Gilbert Lane, but due to parked cars along Gilbert Lane, it is not feasible. Attorney Clevenger indicated that no action should be made by the Commissioners. Mr. Monhaut inquired about adding gravel to the easement. The Commissioners explained that the county will not incur that expense and any request to add gravel to the easement must come before the Commissioners for approval.

TREASURER

Angie Birchmeier did not present due to the final contract not being completed.

REMC

Mark Batman and David Fortin of REMC made a request for an Ordinance to designate Marshall County as an Infrastructure Development Zone for Broadband Deployment. The FCC defines Broadband as 25/3. REMC would like to deploy fiber throughout the county in underserved areas. This would not create any additional burdens on the county, but the deployment of materials is expensive. There will be a Public Hearing set up for the first meeting in September for the adoption of an Ordinance for Infrastructure Development Zone for Broadband Deployment.

SHERIFF REPORT

Sheriff Matt Hassel updated the Commissioners on the inmate numbers, explaining on Friday the inmate number was an all-time high of 282. Currently today there are 278 inmates. Sheriff Hassel updated the Commissioners on the 2020 Quality Control Care Contract. Due to the medical conditions of one inmate,

the amount accumulated for overtime for nurses is \$22,877.50. Sheriff Hassel suggests the county stays the course with the contract until December.

Sheriff Hassel updated on the Merit Board meeting. There was discussion about a 4-year contract for reimbursement of training with a sliding scale for employees who leave early. The Commissioners questioned whether implementing this would decrease applicants.

Sheriff Hassel requested the Commissioners sign the Inter-Governmental Agreement with Elkhart County for housing inmates if necessary due to increasing numbers at a cost of \$40 per day. Currently the State reimbursement is \$37.50 per day. Only inmates that have been sentenced would be moved if needed. **Mike Delp moved, second by Stan Klotz, to approve the Inter-Governmental Agreement between Marshall and Elkhart Counties to house inmates as needed. Motion carried 3-0.**

Sheriff Hassel requested permission to have 3D Structural repair the uneven sidewalks at the entrance of the jail. 3D Structural will make the repairs needed for \$2,000, however 3D does require \$1,000 be prepaid before the repairs begin. **Stan Klotz moved, second by Mike Delp, to approve 3D Structural for leveling the sidewalks at the entrance of the jail with a prepayment of \$1,000 as presented. Motion carried 3-0. Vice President Delp commented this is not a forever fix.**

ATTORNEY REPORT

Old Business:

Highway - Conservation Easement of 13th Road Mitigation Site: Set in motion to complete the easement.

Culver – 17C/West Jefferson Street: Attorney Clevenger presented an Interlocal Agreement that would have Culver responsible for portions of 17C to Highway 17. **Mike Delp moved, second by Stan Klotz, to approve Resolution 2019-3 Inter-Local Agreement between Marshall County and the Town of Culver transferring portions of 17C Road to become West Jefferson Street from Indiana Highway 17 to the town limits as presented. Motion carried 3-0.**

New Business:

Highway – Bridge 73: No. 1 Supplemental Agreement, USI Consultants, Inc. – Due to a low density prehistoric lithic artifact scatter found on a terrace of the Yellow River, an Environmental Phase II is required. USI Consultants, Inc. has proposed the additional services through a subcontractor for \$37,100. The contract form is standard. The additional should be 80% reimbursed with approval from INDOT.

Treasurer – Scanner: Angie Birchmeier submitted a Maintenance Agreement for review as part of a purchase of a new scanner. There were some issues with the agreement. A Master Agreement was entered into with the vendor years ago and there are issues with the unsigned Master Agreement as well.

Sheriff – 2020 Quality Correctional Care Contract: As long as the contract matches the 2019 contract, Attorney Clevenger will be okay with the contract. The agreement must include the indemnification provisions to protect the County from the numerous lawsuits filed by inmates claiming poor medical care.

AUDITOR REPORT

July 15, 2019 Minutes: Submitted for approval. **Mike Delp moved, second by Stan Klotz, to approve the Minutes from July 15, 2019. Motion carried 3-0.**

Claims: Stan Klotz moved, second by Mike Delp, to approve the claims for payment as presented. Motion carried 3-0.

The Commissioners inquired about the Budgets. Auditor Fox explained that all budgets have been turned in, the Budget Hearing is set for August 20th at 9 a.m., and the projected Revenues are forthcoming.

COMMISSIONER ITEMS

Vice President Delp explained the Division of Historic Preservation and Archaeology (DHPA) Grant and Requested Letter of Acceptance for the Clocktower Restoration Project. This is a matching reimbursable grant up to \$50,000. **Mike Delp moved, second by Stan Klotz, to approve the Letter of Acceptance for the Division of Historic Preservation and Archaeology (DHPA) Grant as presented. Motion carried 3-0.**

The Commissioners agreed to have the President of the Commissioners sign the DHPA General Grant Conditions Application for the Clocktower Restoration Project as presented. **Stan Klotz moved, second by Mike Delp, to have the President of the Commissioners sign the DHPA General Grant Conditions Application for the Clocktower Restoration Project as presented. Motion carried 3-0.**

Vice President Delp requested the Commissioners approve the revised Lease Agreement with Enterprise as presented. The new agreement is several thousand dollars less than the agreement that was previously signed in December of 2018. **Mike Delp moved, second by Stan Klotz, to proceed with the revised Lease Agreement with Enterprise. Motion carried 3-0.**

PUBLIC COMMENT

No public comments.

ADJOURNMENT

With no further business to come before the board, **Stan Klotz moved, second by Mike Delp, to adjourn the meeting at 10:27 a.m. Motion carried 3-0.**

Kevin Overmyer, President

Mike Delp, Vice President

Stan Klotz, Member

ATTEST: _____
Julie A. Fox, Auditor

**MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
AUGUST 19, 2019**

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 9:55 a.m., Monday, August 19, 2019. Present were Commissioners, Kevin Overmyer, President; Michael A. Delp, Vice President and Stan Klotz; County Attorney, James Clevenger and County Auditor, Julie A. Fox. The meeting was opened, the Pledge of Allegiance was given and the business at hand was heard.

HIGHWAY

Highway Superintendent Jason Peters requested approval for three road bores.

Mike Delp moved, second by Stan Klotz, to approve the road bore on 18648 10B Road between State Road 17 and Sage Road, West Township, for United Telephone dba Century Link as presented. Motion carried 3-0.

Stan Klotz moved, second by Mike Delp, to approve the road bore on 18122 Lincoln Highway between Rose Road and Lincoln Highway, West Township, for United Telephone dba Century Link as presented. Motion carried 3-0.

Mike Delp moved, second by Stan Klotz, to approve the road bore on 18250 Lincoln Highway between Rose Road and Tulip Road, West Township, for United Telephone dba Century Link as presented. Motion carried 3-0.

Mr. Peters provided the following updates: 5 miles of chip and seal to be completed next week; purchasing a 2011 Dodge Dakota to replace the sign truck; flood repairs permits are in process; North Michigan tile project complete; highway department to remove sidewalk wood planks on the north side of Baker Street bridge then USI Consultants, Inc will inspect the sidewalk wood support structure and make a recommendation on materials to use to replace the wood planks, will be safe for Blueberry; paving and striping will begin next week.

Mr. Peters reported that paving will begin next week for the Community Crossings Projects.

Vice President Delp reported hearing favorable comments from patrons on the chip and seal projects for 12B Road, 6th Road, and King Road. The Commissioners discussed the "No Thru Truck" signage on county roads.

Mr. Peters had inquired at a previous meeting regarding prepayment to consultants. Attorney Clevenger reported that Ordinance 2016-27 allows prepayments to consultants.

ADVANCED IMAGING SOLUTIONS

Matthew Rogers and Kathy Portolese from Advanced Imaging Solutions introduced themselves and explained the services provided. Advanced Imaging Solutions is locally owned and working with several counties to manage their print services by providing supplies and service for equipment. Mr. Rogers and Ms. Portolese requested the Commissioner's support to start the assessment process for the County. President Overmyer suggested Mr. Rogers and Ms. Portolese contact IT Director Michael Marshall.

PLAN COMMISSION

Director Ty Adley recommended approval of 19-PC-08 EADS Minor Sub Division allowing Marc and Teresa Eads 10448 & 10484 to acquire additional right-of-way at the intersection of Pretty Lake Trail and Quince Road. **Stan Klotz moved, second by Mike Delp, to suspend the rules for the 2nd and 3rd reading and approve the 19-PC-08 EADS Minor Sub Division allowing Marc and Teresa Eads 10448 & 10484 to acquire additional right of way at the intersection of Pretty Lake Trail and Quince Road as presented. Motion carried 3-0.**

CHIRP-ICJI GRANT APPLICATION

Sheriff Matt Hassel requested permission to apply for the CHIRP-ICJI Federal Grant as presented. Sheriff Hassel explained this grant is now a countywide grant. Troy Ulch of the Bremen Police Department will manage the grant and the Auditor's Office will maintain the funds for this reimbursable grant. **Stan Klotz moved, second by Mike Delp, for permission to apply for the CHIRP-ICJI Federal Grant as presented. Motion carried 3-0.**

Sheriff Hassel updated the Commissioners on the inmate numbers, explaining over the weekend there was a new record set at 297 inmates. Currently today there are 296 inmates. Sheriff Hassel updated the Commissioners on the Inter-Governmental Agreement to house inmates with Elkhart County.

LAKE LATONKA PROPERTY OWNERS ASSOCIATION, INC.

Mike Maddox, 18159 Hiawatha Trail, and Elizabeth Truelove-McDermott, 18223 Tahoe Trail, presented a request for road maintenance assistance at Lake Latonka. Mr. Maddox explained that the roads are owned by the Lake Latonka Property Owners Association, Inc. Attorney Clevenger advised against the county making improvements since the roads are private property. Mr. Maddox and Ms. Truelove-McDermott expressed concerns at the cost of the road improvements and also the pending sewer liability. Currently, there are approximately 300 lots at Lake Latonka and over 200 homes. The two also inquired about the county taking over the roads and it was explained by the Commissioners that when a sub-division is planned, the engineering and the highway departments are involved to make sure roads meet certain specifications. No motion was made and the Commissioners denied the request.

IT DEPARTMENT – QUARTERLY REPORT

IT Director Michael Marshall, updated the Commissioners on the IT Department. The new phone system is wrapping up, hopefully by the end of the year. There are a couple of fax lines to be ported at the Jail.

Mr. Marshall suggested ransomware insurance may need to be considered. The anti-virus has been upgraded to add an additional layer of protection. Mr. Marshall will be asking to increase the 2020 Cum Cap budget by \$40,000 to upgrade advanced protection threat on emails and to upgrade to Office 365 so that all users have the most current version of the Microsoft Office Suite. Mr. Marshall explained that the department continues to educate employees about the dangers of opening attachments on emails. Mr. Marshall explained hardware continues to be upgraded for performance.

The Commissioners requested Mike Miley review the insurance coverage for ransomware.

SUPERIOR COURT II

Judge Dean A. Colvin requested the support of the Commissioners for the proposed 4th court. **Stan Klotz moved, second by Mike Delp, to support the pursuit of a 4th court by resolution. Motion carried 3-0.**

ATTORNEY REPORT

Old Business:

Highway - Conservation Easement of 13th Road Mitigation Site: The Conservation Easement of 13th Road Mitigation Site has been completed and Attorney Clevenger asked the Commissioners to consider the document for signature. **Stan Klotz moved, second by Mike Delp, to approve the Conservation Easement of the 13th Road Mitigation Site as presented. Motion carried 3-0.**

Culver – 17C/West Jefferson Street: The Town of Culver has adopted a resolution that would have the Town of Culver responsible for portions of 17C to Highway 17.

New Business:

Prepay Ordinance Amendment: Not needed due to existing Ordinance 2016-27 that allows prepayments to consultants.

Ordinance Violation Bureau: A statutory cap exists for collecting fines through the Ordinance Violation Bureau of \$250. The current Ordinance Exhibit A has two fines that exceed the cap. The two fines exceeding the \$250 are Travel During Declared Emergency and No Thru Trucks. Attorney Clevenger recommended amending Exhibit A to the Ordinance to reflect the fines being collected through the Ordinance Violation Bureau for those two violations to \$250. The Ordinance does not need to be amended as it refers to the exhibit listing of violations and fines. The County could still pursue the higher fine amounts through separate litigation so there is no need to amend the underlying Ordinances and the fines for those. **Stan Klotz moved, second by Mike Delp, to amend Exhibit A of Ordinance 2016-7 to reflect the \$250 maximum fines as presented. Motion carried 3-0.**

Upcoming:

Scanning Contract: New scanning contract for the Recorder.

Broadband Infrastructure Zone: A public hearing and consideration of Ordinance 2019-15: An Ordinance Establishing an Infrastructure Development Zone for Marshall County, for personal property tax exemption is scheduled for September 3, 2019 at 9:00 a.m.

Jail Expansion Agreements: Agreements related to jail expansion will need to be completed if the county decides to look at proceeding.

AUDITOR REPORT

August 5, 2019 Minutes: Submitted for approval. **Mike Delp moved, second by Stan Klotz, to approve the Minutes from July 15, 2019. Motion carried 3-0.**

Claims: **Stan Klotz moved, second by Mike Delp, to approve the claims for payment as presented. Motion carried 3-0.**

COMMISSIONER ITEMS

The Commissioners tabled the 2020 Holiday Schedule until the next meeting.

PUBLIC COMMENT

No public comments.

ADJOURNMENT

With no further business to come before the board, **Mike Delp moved, second by Stan Klotz, to adjourn the meeting at 11:10 a.m. Motion carried 3-0.**

Kevin Overmyer, President

Mike Delp, Vice President

Stan Klotz, Member

ATTEST: _____
Julie A. Fox, Auditor

**MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
September 3, 2019**

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 8:30 a.m., Tuesday, September 3, 2019. Present were Commissioners, Kevin Overmyer, President; Michael A. Delp, Vice President and Stan Klotz; County Attorney, James Clevenger and County Auditor, Julie A. Fox. The meeting was opened, the Pledge of Allegiance was given and the business at hand was heard.

HIGHWAY

Highway Superintendent Jason Peters requested approval for a packet of fiber optic road bores for Marshall County REMC and Rochester Telephone. Due to the large number of bores, Mr. Peters will combine the following bores together and label the package "Phase I":

- Road bore on 12B Road, between Hickory Road and Gumwood Road, Bourbon Township
- Road bore on Fir Road, between 11th Road and Lincoln Highway, Bourbon Township
- Road bore at intersection of Fir Road and 11th Road, between 11th Road and US 30, Bourbon Township
- Road bore at Elm Road and 9B Road, between 11th Road and 8A Road, Bourbon Township
- Road bore on 10071 Elm Road, between 10th Road and 11th Road, Bourbon Township
- Road bore on Elm Road, between 10th Road and 11th Road, Bourbon Township
- Road bore on 9B Road, between 8A Road and 10th Road, Bourbon Township
- Road bore on Fir Road, between 8th Road and 8A Road, Bourbon Township
- Road bore on 6B Road, between King Road and Jarrah Road, North Township
- Road bore on King Road, between 12th Road and 10th Road, Center Township
- Road bore on east side King Road, between 11th Road and 12th Road, Center Township
- Road bore on west side King Road, between 11th Road and 12th Road, Center Township
- Road bore on 11th Road, between US 31 and King Road, Center Township
- Road bore on King Road, between 9A Road and 11th Road, Center Township
- Road bore on 10th Road, between Lincoln Highway and 11th Road, Center Township
- Road bore on Lincoln Highway, between 10th Road and US 30, Center Township
- Road bore on King Road, between US 30 and Lincoln Highway, Center Township
- Road bore on King Road, between US 30 and 9A Road, Center Township
- Road bore on King Road, between 8A Road and 7th Road, Center Township
- Road bore on 5C Road, between Pine Road and Michigan Road, North Township
- Road bore at intersection Quince Road and 4th Road, between 3B Road and 4B Road, Polk Township

Mike Delp moved, second by Stan Klotz, to approve the fiber optic road bores labeled as Phase I for Marshall County REMC and Rochester Telephone as presented. Motion carried 3-0.

Mr. Peters requested approval for a two road bores for Century Link.

Stan Klotz moved, second by Mike Delp, to approve the road bore on 18648 10B Road between State Road 17 and Sage Road, West Township, for Century Link as presented. Motion carried 3-0.

Mike Delp moved, second by Stan Klotz, to approve the road bore on 18250 Lincoln Highway between Rose Road and Tulip Road, West Township, for Century Link as presented. Motion carried 3-0.

Mr. Peters requested approval for a road cut for Homestead Dairy, LLC.

Stan Klotz moved, second by Mike Delp, to approve the road cut on 12th Road between Iris Road and Hawthorn Road, Center Township, for Homestead Dairy, LLC as presented. Motion carried 3-0.

Mr. Peters updated the Commissioners on the Community Crossings Projects.

Mr. Peters requested approval of the Supplemental Agreement #2 for \$295,120 between INDOT and Marshall County for bridge replacement, other construction, for Bridge #73, carrying King Road over the Yellow River. **Mike Delp moved, second by Stan Klotz, to approve the Supplemental Agreement #2 between INDOT and Marshall County for bridge replacement, other construction, for Bridge #73, carrying King Road over the Yellow River as presented. Motion carried 3-0.**

Mr. Peters updated the Commissioners on the status of current road construction and also reminded the Commissioners about the call for projects for 2024.

RECORDER'S OFFICE

Recorder Janet Howard requested approval of the Fidlar Technologies contract for a scanning project in the sum of \$27,295 to be paid from the Perpetuation Fund. The contract would include 24/7 access to the County Building to expedite the project. **Stan Klotz moved, second by Mike Delp, to approve the contract with Fidlar Technologies for \$27,295 and to also include the 24/7 access to the County Building as presented. Motion carried 3-0.**

SHERIFF

Sheriff Matt Hassel explained the fifth vehicle has arrived at County Auto. Sheriff Hassel is requested a pre-payment for the vehicle. Currently, Fund 1155–Extradition/Sheriff Assistance has a balance of \$12,244 and Sheriff Hassel would like to take the difference owed from the Commissary and Misdemeanant Funds. The total cost of the vehicle is \$24,985. **Mike Delp moved, second by Stan Klotz, to approve the pre-payment for the vehicle to County Auto as presented. Motion carried 3-0.**

ATTORNEY REPORT

Old Business:

Highway – Supplemental contract agreement #2 with INDOT for Bridge 73, King Road over the Yellow River has been submitted and reviewed. As 80% of eligible costs, the maximum funds to be used are \$295,120.

New Business:

Jail Expansion: RQAW designed the current jail with the idea that the County would need to add beds in the future. As expansion is now being considered, RQAW has proposed a new agreement to design a new pod to add to the existing jail. The proposed agreement also provides for a sister company to provide construction oversight services. An engagement letter will need to be drafted with Todd Samuelson, our financial advisor. Barnes and Thornburg provided a Bond Council Engagement Letter and estimates its fee

at \$50,000, which is reasonable for a project this size. **Mike Delp moved, second by Stan Klotz, to approve the Bond Council Engagement Letter from Barnes and Thornburg as presented. Motion carried 3-0.**

PUBLIC HEARING – DESIGNATE INFRASTRUCTURE DEVELOPMENT ZONE

David Fortin, Attorney for REMC, and Mark Bateman, President of Marshall County REMC, requested tax exemption to be able to provide broadband to the underserved in Marshall County. This would be a personal property tax exemption for the broadband equipment in the unincorporated areas of Marshall County. REMC is partnering with Rochester Telephone to install fiber. The project will likely cost ten million dollars. The Commissioners had discussions about the Infrastructure Development Zone. **Stan Klotz moved, second by Mike Delp, to open the public hearing. Motion carried 3-0.**

No public input.

Mike Delp moved, second by Stan Klotz, to close the public hearing. Motion carried 3-0.

Stan Klotz moved, second by Mike Delp, to approve Ordinance 2019-15 to establish an Infrastructure Development Zone in Marshall County on first reading as presented. Motion carried 3-0.

Mike Delp moved, second by Stan Klotz, to suspend the rules for second and third reading and approve Ordinance 2019-15 as presented. Motion carried 3-0.

RQAW – JAIL PROJECT

Troy Woodruff, President RQAW, and Jillynn Heck, Architect for the project, presented an initial contract for schematic design and to include a feasibility study as required by the State of Indiana. The Commissioners had discussion about the proposed contract and cost of RQAW's initial services. The initial timeline would be approximately five to six weeks for the design phase. Attorney Clevenger stated advantages to begin this process now for bidding and construction purposes. **Stan Klotz moved, second by Mike Delp, to approve the contract with RQAW as presented. Motion carried 3-0.**

HEALTH DEPARTMENT

Director Christine Stinson requested permission to apply for several grants. Ms. Stinson presented the Asthma Grant, a pilot, reimbursable grant for \$2,200. This grant will allow house assessments to determine asthma triggers in the home and will allow for the purchase of mold and ammonia testing equipment. **Mike Delp moved, second by Stan Klotz, to allow Ms. Stinson to apply for the Asthma Grant as presented. Motion carried 3-0.**

Ms. Stinson also requested permission to apply for two federal annual grants. The Local Health Trust Agreement Grant in the amount of \$25,000 and also the Local Health Maintenance Fund Grant in the amount of \$33,000, both help to support the food position salary and the part-time nursing position.

Stan Klotz moved, second by Mike Delp, to allow Ms. Stinson to apply for the Local Health Trust Agreement Grant and the Local Health Maintenance Fund Grant as presented. Motion carried 3-0.

AUDITOR REPORT

August 19, 2019 Minutes: Submitted for approval. **Mike Delp moved, second by Stan Klotz, to approve the Minutes from August 19, 2019. Motion carried 3-0.**

Claims: **Stan Klotz moved, second by Mike Delp, to approve the claims for payment as presented. Motion carried 3-0.**

2020 Holiday Schedule: The Commissioners had discussions regarding the proposed Holiday Schedule for 2020. **Stan Klotz moved, second by Mike Delp, to approve the 2020 Holiday Schedule as presented. Motion carried 3-0.**

2020 Payroll Schedule: **Mike Delp moved, second by Stan Klotz, to approve the 2020 Payroll Schedule as presented. Motion carried 3-0.**

2020 Commissioner's Meeting Schedule: **Mike Delp moved, second by Stan Klotz, to approve the 2020 Commissioner's Meeting Schedule as presented. Motion carried 3-0.**

Resolution 2019-04 Additional Court: Auditor Fox requested the Commissioner's signatures on Resolution 2019-04 for an Additional Court as presented stating it was approved at an early meeting. **Mike Delp moved, second by Stan Klotz, to approve Resolution 2019-04 for an Additional Court as presented. Motion carried 3-0.**

COMMISSIONER ITEMS

The Clock Tower Grant will require some date changes and will be presented for approval at a future meeting.

Commissioner Stan Klotz requested permission to explore health insurance alternatives.

President Overmyer presented an Intergovernmental Agreement between Marshall County and Union Township for the Commissioner's approval. Union Township will provide a \$10,000 match for the Crossroads Stellar Communities Initiative. **Stan Klotz moved, second by Mike Delp, to approve the Intergovernmental Agreement between Marshall County and Union Township for \$10,000 to support the Crossroads Stellar Communities Quality of Life. Motion carried 3-0.**

Commissioner Klotz suggested ransomware coverage be added to our insurance policy. **Stan Klotz moved, second by Mike Delp, to add ransomware coverage to the General Liability Policy. Motion carried 3-0.**

Auditor Fox requested that the amended Exhibit A for Ordinance 2019-13-Violation Bureau Fees be presented for the record. The amended Exhibit A was approved at the last commissioner's meeting on August 19, 2019.

PUBLIC COMMENT

Jerry Chavez, MCEDC, Ginny Munroe, President Culver Town Council, and Sean Surrisi, City of Plymouth Attorney, presented the Quality of Life Plan for Marshall County and the budget plan for the Crossroads Stellar Communities application. The intent of the presentation was to secure the Commissioner's support of \$400,000 over the four-year implementation. The Commissioners had discussions regarding the Quality of Life Plan and the Crossroads Stellar Communities application. Mr. Chavez, Ms. Munroe, and Mr. Surrisi thanked the Commissioners and the Council for their continued support and cooperation. **Mike Delp moved, second by Stan Klotz, to support the Quality of Life Plan and Crossroads Stellar Communities Initiative as presented. Motion carried 3-0.**

ADJOURNMENT

With no further business to come before the board, **Stan Klotz moved, second by Mike Delp, to adjourn the meeting at 10:33 a.m. Motion carried 3-0.**

Kevin Overmyer, President

Mike Delp, Vice President

Stan Klotz, Member

ATTEST: _____
Julie A. Fox, Auditor

**MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
September 16, 2019**

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 9:45 a.m., Monday, September 16, 2019. Present were Commissioners, Kevin Overmyer, President; Michael A. Delp, Vice President and Stan Klotz; County Attorney, James Clevenger and County Auditor, Julie A. Fox. The meeting was opened, the Pledge of Allegiance was given and the business at hand was heard.

HIGHWAY

Highway Superintendent Jason Peters requested approval for a road bore for Century Link. **Mike Delp moved, second by Stan Klotz, to approve the road bore on 11181 12th Road, between US 31 and King Road, Center Township, for Century Link as presented. Motion carried 3-0.**

Mr. Peters requested approval for a road bore for Precision Utilities. **Stan Klotz moved, second by Mike Delp, to approve the road bore on 15438 Menominee Drive between, Peach Road and Holem Lake, West Township, for Precision Utilities as presented. Motion carried 3-0.**

Mr. Peters requested approval for a road bore for United Telephone DBA Century Link to run fiber optic cable to North Central Agri-Power. **Stan Klotz moved, second by Mike Delp, to approve the road bore on Iris Road, between Old US Highway 30 and East 9B Road, Center Township, for United Telephone DBA Century Link as presented. Motion carried 3-0.**

Mr. Peters updated the Commissioners on current road projects. Mr. Peters stated there will be a 2025 call for Projects due in November. Commissioner Klotz received a call from a citizen asking for the speed limit to be lowered on Miami Road. Mr. Peters will contact MACOG for traffic counts.

PLAN COMMISSION

Director Ty Adley requested approval for three Ordinances, Ordinance 2019-16: Vacate part of Boyce Street, South of Walnut Street, between Lots 1 and 2 of Block 15 and Lots 7 and 8 of Block 16, in the Village of Tyner, Polk Township. **Stan Klotz moved, second by Mike Delp, to open the public hearing. Motion carried 3-0.**

No public input.

Mike Delp moved, second by Stan Klotz, to close the public hearing. Motion carried 3-0.

Mike Delp moved, second by Stan Klotz, to approve Ordinance 2019-16: Vacate part of Boyce Street in Tyner, Polk Township, on first reading as presented. Motion carried 3-0.

Stan Klotz moved, second by Mike Delp, to suspend the rules and pass on second and third reading and approve Ordinance 2019-16: Vacate part of Boyce Street in Tyner, Polk Township, as presented. Motion carried 3-0.

Mr. Adley recommended approval of Ordinance 2019-17: Amending Ordinance 2007-10: To remove Article 3, Section 150; and Ordinance 2019-18: Amending Ordinance 2007-10: To amend Article 13 Definitions, under "Lot" last sentence to read: The boundaries of the lot shall be determined by its lot lines. **Stan Klotz moved, second by Mike Delp, to open the public hearing for Ordinance 2019-17 and Ordinance 2019-18. Motion carried 3-0.**

No public input.

Mike Delp moved, second by Stan Klotz, to close the public hearing for Ordinance 2019-17 and Ordinance 2019-18. Motion carried 3-0.

Mike Delp moved, second by Stan Klotz, to approve Ordinance 2019-17: Amending Ordinance 2007-10, To remove Article 3, Section 150 on first reading as presented. Motion carried 3-0.

Stan Klotz moved, second by Mike Delp, to suspend the rules and pass on second and third reading; and, approve Ordinance 2019-17: Amending Ordinance 2007-10, To remove Article 3, Section 150 as presented. Motion carried 3-0.

Stan Klotz moved, second by Mike Delp, to approve Ordinance 2019-18: Amending Ordinance 2007-10, To amend Article 13, Definitions defining “lot” on first reading as presented. Motion carried 3-0.

Mike Delp moved, second by Stan Klotz, to suspend rules and pass on second and third reading; and, approve Ordinance 2019-18: Amending Ordinance 2007-10, To amend Article 13, Definitions defining “lot” as presented. Motion carried 3-0.

DLZ – BRIDGE #81

Zach Dean of DLZ Indiana LLC, provided an update on Bridge #81: Grand Rivers completed their punch list and mitigation site on March 25, 2019; The spring tree inspection occurred on June 6, 2019 and the fall tree inspection occurred on September 3, 2019, both showing 90% survival rate meeting INDOT standards; On September 5, 2019, the final INDOT inspection was rendered and is now requesting Board approval of the INDOT Final Acceptance Report and Inspection for Marshall County Bridge #81 as presented.

Mike Delp moved, second by Stan Klotz, to approve the INDOT Final Acceptance Report and Inspection for Marshall County Bridge #81 as presented. Motion carried 3-0.

EMA

Director Clyde Avery presented a quarterly report for the Emergency Management Agency. The Commissioners discussed the report and thanked Mr. Avery for his services. Commissioner Klotz inquired about the District #2 Healthcare Alliance. Mr. Avery explained this Alliance allows all healthcare agencies in District #2 to come together to discuss disaster strategies.

TREASURER

Treasurer Angie Birchmeier requested approval of the maintenance contract for the new check scanner stating Council has already approved the transfer of funds to purchase the check scanner. Attorney Clevenger had some revisions to the maintenance contract and is waiting on a revised maintenance agreement. Ms. Birchmeier explained the need to order the check scanner before the fall tax statements are due. **Stan Klotz moved, second by Mike Delp, to approve the purchase of the Bank Systems Marketing, Inc. TS-240 check scanner in the amount of \$575 and approve the amended maintenance contract for the check scanner at \$100 per year, pending the approval of the Maintenance Agreement by Attorney Clevenger. Motion carried 3-0.**

RECESS TAKEN AT 10:20 A.M. and RECONVENED AT 10:30 A.M.

STATE RECOGNITION OF LAURIE HAYN

President Overmyer explained that a year ago this Wednesday there was a farming accident in Marshall County. President Overmyer introduced Ms. Laurie Hayn who lost her left arm and leg in that accident. Ms. Hayn credits her faith in God and her family with her survival. Dennis Morrison, who was one of the first on the scene, was in attendance along with Joshua Gaines, Tiffanie Townsend, and Kathy Hart, the Culver EMS responders first on the scene, praising the bravery and courage of Ms. Hayn.

State Representative Jack Jordan presented on behalf of the Indiana General Assembly the following proclamation:

The Indiana General Assembly be it hereby known and proclaimed that Laurie Hayn be recognized for her bravery, courage, and faith in the midst of tragedy. Whereas, Laurie Hayn was tragically injured in a farm accident on September 18, 2018. Whereas, emergency responders and health care providers assisted Laurie in her survival and recovery. Whereas, Laurie's faith in God throughout this trial is an inspiration for us all in Marshall County. Whereas, Laurie has been an important advocate for farm safety. Therefore, be it resolved by the Indiana House of Representatives and the Marshall County Commissioners that Laurie Hayn is a model citizen and through her faith in Christ sets a Godly example for us all.

Ms. Hayn received a standing ovation after she was presented with the recognition by Representative Jordan. Ms. Hayn thanked the community and everyone in attendance, explaining everyone has been so encouraging.

INDOT

Acting Deputy Commissioner Matt Deitchley and District Traffic Engineer Alan Holderread, both of the LaPorte District of the Indiana Department of Transportation, updated the Commissioners on J turn intersections. The LaPorte District covers thirteen counties in northern Indiana, including Marshall. Mr. Holderread defined a J turn and explained how it works to help reduce crashes. Two J turn intersections are proposed in Marshall County for 2023; one at the intersection of Queen Road and US 30, and the intersection of King Road and US 30. INDOT will be hosting public meetings in the near future on both proposed J turns. The Commissioners discussed the proposed J turns, funding, and farming equipment access. Mr. Deitchley and Mr. Holderread requested the Commissioners support. **Mike Delp moved, second by Stan Klotz, to support the proposed J turns by INDOT for Marshall County at the intersection of Queen Road and US 30 and at the intersection of King Road and US 30 as presented. Motion carried 3-0.**

TANNER MEDICAL CLINIC

Nurse Practitioner Dan Tanner presented a health proposal intended to reduce the County's health insurance costs by reducing the number of claims submitted. The proposal outlined the potential savings by paying a flat rate fee per month for each employee to be able to visit the Tanner Medical Clinic as many times as needed, no deductible or claim filings required. This would potentially reduce the number of claims submitted to the health insurance carrier, thus reducing the annual premiums. Mr. Tanner requested the Commissioners allow him to submit a contract for review by the County Attorney. The Commissioners had discussion about the proposal and agreed to have the contract submitted to Attorney Clevenger for further review.

ATTORNEY REPORT

Old Business:

Jail Expansion: Attorney Clevenger recommended the Commissioners approve and sign the Bakertilly Municipal Advisors LLC accounting service agreement. The agreement is similar to previous agreements for accounting services. The Commissioners had discussions about the agreement and the funding. Commissioner Klotz expressed concern about financing the project and the interest charged, further suggesting a review of all Marshall County Unit financials to determine if it is possible to pay for the new pod outright rather than implementing or increasing taxes. **Mike Delp moved, second by Stan Klotz, to approve the Bakertilly Municipal Advisors LLC accounting service agreement as presented.**

Motion carried 3-0.

Timetable Jail Expansion: Bond counsel, accounting, and the architects should have preliminary figures for the jail project by the second meeting in October.

Opioid Litigation: Attorney Clevenger updated the Commissioners on the status of the ongoing opioid litigation and reported that Purdue Pharma has filed bankruptcy. No settlement has been made at this time.

New Business:

Jail Lawsuits: Attorney Clevenger updated the Commissioners on the pending lawsuits related to the jail. Attorney Clevenger will be meeting with Bliss McKnight Governmental Interinsurance Exchange next week and suggested an executive session for further discussion.

AUDITOR REPORT

September 3, 2019 Minutes: Submitted for approval. **Stan Klotz moved, second by Mike Delp, to approve the Minutes from September 3, 2019. Motion carried 3-0.**

Claims: **Mike Delp moved, second by Stan Klotz, to approve the claims for payment as presented. Motion carried 3-0.**

Auditor Julie Fox presented the Letter of Support for the Quality of Life Plan and Crossroads Stellar Communities Initiative for signatures that was previously approved.

COMMISSIONER ITEMS

Courthouse Clocktower – President Overmyer recommended the approval of the Request for Qualifications (RFQ) for the Courthouse Clocktower project. The RFQ's would be due on October 3rd and available for review at the October 7, 2019 Commissioner meeting. **Mike Delp moved, second by Stan Klotz to approve the Request for Qualifications (RFQ) for advertisement as presented. Motion carried 3-0.**

President Overmyer thanked Mike Delp and everyone involved to bring the Vietnam Traveling Wall to Plymouth. He also thanked the County Council for their financial support.

PUBLIC COMMENT

Jim Lockwood, 12747 Peach Road, Plymouth, explained the ditch around his property needs dipped. Highway Superintendent Jason Peters commented that flooding occurs when a significant amount of rain falls in a short amount of time. The Commissioners discussed the ditch with Attorney Clevenger asking if the drain was regulated. President Overmyer stated that he will look at the ditch.

Highway Superintendent Jason Peters presented the signature page of the INDOT Supplemental Agreement #2 for \$295,120 for Bridge #73 previously approved at the September 3, 2019 meeting for endorsement.

ADJOURNMENT

With no further business to come before the board, **Mike Delp moved, second by Stan Klotz, to adjourn the meeting at 12:05 p.m. Motion carried 3-0.**

Kevin Overmyer, President

Mike Delp, Vice President

Stan Klotz, Member

ATTEST: _____
Julie A. Fox, Auditor

**MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
October 7, 2019**

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 8:30 a.m., Monday, October 7, 2019. Present were Commissioners, Kevin Overmyer, President; Michael A. Delp, Vice President and Stan Klotz; County Attorney, James Clevenger and Deputy Auditor, Sandra Dodson. The meeting was opened, the Pledge of Allegiance was given and the business at hand was heard.

HIGHWAY

Highway Superintendent Jason Peters requested approval for a road bore at 7691 4th Road for Precision Utilities on behalf of Century Link. **Stan Klotz moved, second by Mike Delp, to approve the road bore on 7691 4th Road, between E. Shore Drive and Plymouth Goshen Trail, German Township, for Precision Utilities on behalf of Century Link as presented. Motion carried 3-0.**

Mr. Peters requested approval for a road bore at 8345 3A Road for Precision Utilities on behalf of Century Link. **Mike Delp moved, second by Stan Klotz, to approve the road bore on 8345 3A Road between, E. Shore Drive and Plymouth Goshen Trail, German Township, for Precision Utilities on behalf of Century Link as presented. Motion carried 3-0.**

Mr. Peters updated the Commissioners on current road projects: concrete hauling is complete; 13th Road paving complete; 3B Road paving should be completed today; striping is underway and shoulder work to begin soon. Mr. Peters reported that at the MACOG quarterly meeting it was reported the King Road Bridge #73 funding has been pushed back to 2021. USI has completed the 2nd study with no additional findings, presented to INDOT, and has been approved for 2021 with the project to be completed in 2022.

Commissioner Klotz requested the County fund additional patrol officers to police the use of the newly completed roads by heavy trucks that are posted "No Thru Trucks" and to fund the costs using the fees collected. The Commissioners had discussions regarding this issue and Commissioner Klotz will further discuss this issue with Superintendent Jason Peters and Sheriff Matt Hassel.

Vice President Delp requested resolution for property owner Chris Waidner, 2795 2B Road, who is still experiencing water issues. Commissioner Delp explained this has been an ongoing issue for a couple of years and the culvert under the property owner's driveway is starting to collapse. The County will need to secure easements and then send out for bidding, which will be paid from the Highway Department budget. Attorney Clevenger and Commissioner Delp will work on securing the easements.

OLDER ADULT SERVICES

Director Jackie Wright, Older Adult Services, presented the INDOT Grant Agreement and Contract for operational funds to continue public transit. Ms. Wright is requesting the application and purchase order for the vehicle be approved and presented for signatures. **Stan Klotz moved, second by Mike Delp, to approve the INDOT Grant Agreement and Contract and allow the Board President to sign. Motion carried 3-0.**

CLERK'S OFFICE

Clerk, Debbie VanDeMark presented a contract with Capital Recovery Collection Agency to collect outstanding fines and costs. The contract has been reviewed by Attorney Clevenger and adjustments have been made to the termination clause. The County will receive 100% of what is owed and the Agency will collect an additional 30% as their fee with the County's portion being paid first. All three judges support this effort. **Stan Klotz moved, second by Mike Delp, to approve the professional services contract between the Clerk's Office and Capital Recovery Collection Agency as presented. Motion carried 3-0.**

EMA

Director Clyde Avery requested permission to apply for the 2019 EMPG Salary Reimbursement Grant. This grant reimburses up to 50% of the EMA Director's salary payable in 2020. **Mike Delp moved, second by Stan Klotz, to allow Mr. Avery to apply for the 2019 EMPG Salary Reimbursement Grant as presented. Motion carried 3-0.**

COMMUNITY CORRECTIONS

Director Ward Byers requested permission to apply for the Justice Partners Addictions Response Grant, which provides funding to identify those with substance abuse disorders to provide necessary services and utilize diversion. This grant is for \$60,000 per year to fund two part-time employees and could be renewed for a 2nd year. One position would be at the jail and would provide initial screening. The other position would be a peer recovery coach or specialist to assist with the release plan and make sure individuals attend treatment. Both positions would be paid at a rate of \$15 per hour. The remainder of the grant funding would be used for staff training and community outreach. The Commissioners had discussion about the logistics of payroll and job descriptions that would need to be created. Attorney Clevenger stated the plus side of individuals receiving addiction services. **Stan Klotz moved, second by Mike Delp, to allow Mr. Byers to apply for the Justice Partners Addictions Response Grant in the amount of \$60,000. Motion carried 3-0.**

LAW CLERK CONTRACT

Attorney Clevenger presented a Law Clerk Contract prepared by Judge Colvin for review. The contract would allow the courts to utilize law clerks as independent contractors at a rate of \$16 per hour. **Stan Klotz moved, second by Mike Delp to approve the Law Clerk Contract to be utilized by the Marshall County Judicial System. Motion carried 3-0.**

BUILDINGS AND GROUNDS

Maintenance Supervisor Doug Masterson reported on the lighting project in the Courthouse. Employees and public have voiced concerns that the Telamon lighting project is not complete in Superior Court I and Superior Court II. Mr. Masterson is requesting guidance on this issue. Vice President Delp suggested contacting Bruce Breeding at Telamon. Commissioner Klotz suggested having a local contractor provide a quote to complete the project. The Telamon Contract will need to be reviewed by Attorney Clevenger. President Overmyer suggested Mr. Masterson contact Jimmy Griewank to secure a price to complete the job.

ATTORNEY REPORT

Old Business:

Jail Expansion: Bond counsel, accounting and the architects are working on preliminary figures for the project and hope to have good estimates and options at the October 21, 2019, Commissioner's meeting.

RQAW: Currently preparing for the feasibility study. A public hearing will be required near the end of the process. No date for the public hearing has been set at this time.

New Business:

Jail Lawsuits: Attorney Clevenger updated the Commissioners on the pending lawsuits related to the jail. ALCU filed an overcrowding suit with injunctive relief to stop the overcrowding. Insurance provides no coverage for relief defense. Attorney Clevenger is recommending a contract for legal counsel with Betty Knight to assist in the case. Ms. Knight's hourly fee is \$165 per hour. **Stan Klotz moved, second by Mike Delp, to approve the Legal Services Agreement with Betty Knight in the case against ACLU at a rate of \$165 per hour. Motion carried 3-0.**

Attorney Clevenger reminded the Commissioners of the Executive Session today.

Interlocal Agreement with Elkhart County: Attorney Clevenger recommended approval of the amended agreement, however the amended agreement does not state a daily rate. Given the pending litigation with regards to overcrowding at the jail, Attorney Clevenger suggested the Commissioners approve the agreement subject to some parameters on the daily fee. **Stan Klotz moved, Mike Delp seconded, to approve the amended Interlocal Agreement with Elkhart County pending the approval of the daily rate by all parties. Motion carried 3-0.**

The press will be notified of the rate once the agreement is finalized.

Opioid Litigation: Attorney Clevenger recommended the Commissioners motion to be in the "Negotiations Class" which will comprise of most of the counties and cities that are part of the multi-district litigation and will likely include other counties, cities, and towns that will be part of a class action case that will be consolidated with our cases. The deadline to "opt out" is November 22nd. **Mike Delp moved, Stan Klotz seconded, to remain in the "Negotiations Class" on the Opioid litigation as presented.**

Motion carried 3-0.

Attorney Clevenger received the Tax Sale Order. The tax sale is scheduled for Wednesday, October 9, 2019 and will include 56 parcels.

AUDITOR REPORT

September 16, 2019 Minutes: Submitted for approval. Commissioner Delp requested two dates be amended for the RFQ's for the Courthouse Clocktower. The minutes were amended to read the RFQ's would be due on October 18th and available for review at the October 21, 2019 Commissioner meeting. **Stan Klotz moved, second by Mike Delp, to approve the Minutes from September 16, 2019 with the above revision. Motion carried 3-0.**

Claims: **Stan Klotz moved, second by Mike Delp, to approve the claims for payment as presented. Motion carried 3-0.**

COMMISSIONER ITEMS

Commissioner Delp explained that Enterprise would like to meet with the Commissioners to talk about current lease vehicles that will be coming due and the possibility of extending the lease another year.

PUBLIC COMMENT

Racheal Filley, 5742 Jarrah Road, Plymouth, on behalf of Crossroads Church of Plymouth, requested permission to hold a prayer meeting on October 28th at 9:00 a.m. on the grounds of the Sheriff's Department in honor of National 1st Responder Day. **Stan Klotz moved, second by Mike Delp, to allow Crossroads Church of Plymouth to hold a prayer meeting on October 28, 2019 at 9:00 a.m. on the grounds of the Sheriff's Department in recognition of National 1st Responder Day. Motion carried 3-0.**

ADJOURNMENT

With no further business to come before the board, **Stan Klotz moved, second by Mike Delp, to adjourn the meeting at 9:50 a.m. Motion carried 3-0.**

Kevin Overmyer, President

Mike Delp, Vice President

Stan Klotz, Member

ATTEST: _____
Julie A. Fox, Auditor

**MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
October 21, 2019**

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, October 21, 2019. Present were Commissioners, Kevin Overmyer, President; Stan Klotz; County Attorney, James Clevenger and Auditor, Julie A. Fox. The meeting was opened, the Pledge of Allegiance was given and the business at hand was heard.

President Overmyer started the meeting with a public "thank you" to Mike Delp for serving as a Marshall County Commissioner. With the resignation of Mike Delp, the position of Vice President will need to be filled. **Kevin Overmyer moved, second by Stan Klotz, to appoint Stan Klotz to Vice President of the Board of Commissioners for Marshall County. Motion carried 2-0.**

HIGHWAY

Highway Superintendent Jason Peters updated the Commissioners on current road projects. Mr. Peters presented a list of projects for 2020. The request for bids will be advertised on November 19, 2019 and November 26, 2019 with bids to be awarded on December 2, 2019 at 1:30 p.m.

Vice President Klotz reported after talking with Sheriff Matt Hassel, patrol officers will be used to patrol the newly completed roads by heavy trucks that are posted with "No Thru Trucks" signage.

President Overmyer requested Mr. Peters provide a recap of the Community Crossings Projects completed over the past three years, including the amount of funding invested by the Commissioners and Council for the next meeting.

PLAN COMMISSION

Plan Director, Ty Adley and MACOG Executive Director, James Turnwald presented the Brownfields Coalition Memorandum of Agreement as a result of a resolution passed by the Commissioners in 2018. The FY 2019 U.S. EPA Brownfields Coalition Assessment Grant provides funding for Brownfields inventories, planning, environmental assessments, and community outreach for properties contaminated or potentially contaminated by hazardous substances or petroleum and is an opportunity for the property owner to be tested for free if a site access agreement is on file from the property owner. **Stan Klotz moved, second by Kevin Overmyer, to approve the Brownfields Assessment Coalition Memorandum of Agreement and to authorize signature by the Board President. Motion carried 2-0.**

Mr. Adley presented a request received for property re-zoning from A-1 to C-1 on behalf of the property owners, Fouad & Raja Liddawi. The current use of the property is a car dealership. Mr. Adley explained the Plan Commission voted to deny the request 6-0 with 1 abstaining.

Stan Klotz moved, second by Kevin Overmyer, to open a public hearing for the proposed request. Motion carried 2-0. President Overmyer asked if anyone would like to speak about the property.

The property owner, Fouad Liddawi, requested to speak and the Commissioners and property owner had discussions about the proposed request.

Stan Klotz moved, second by Kevin Overmyer, to close the public hearing. Motion carried 2-0.
Stan Klotz moved, second by Kevin Overmyer to deny the request for re-zoning the property from A-1 to C-1 following the recommendation of the Plan Commission. Motion carried 2-0.

Mr. Adley, along with Building Inspector, Chuck DeWitt, presented the Commissioners with a commemorative placard on behalf of the U.S. Department of Energy for Marshall County and the City of Plymouth being recognized as one of 300 in the nation encouraging the growth of solar energy and removing barriers to solar market development. Marshall County and the City of Plymouth, along with Elkhart County, received the SolSmart Gold designation, the highest level that could be earned.

TREASURER

Treasurer, Angie Birchmeier, presented two agreements authorizing sharing of information between the Marshall County Treasurer and the Indiana Department of Revenue and between Marshall County Treasurer and Marshall County Tourism. Both of these agreements would share information regarding Innkeepers revenue. Attorney Clevenger has reviewed both of the agreements. **Stan Klotz moved, second by Kevin Overmyer, to approve the agreement between Marshall County and the Indiana Department of Revenue as presented. Motion carried 2-0.**

Stan Klotz moved, second by Kevin Overmyer, to approve the agreement between Marshall County and Marshall County Tourism as presented. Motion carried 2-0. Stan Klotz moved, second by Kevin Overmyer, to allow the President to sign both of the approved agreements. Motion carried 2-0.

Mrs. Birchmeier also presented an agreement with L & D Mail Masters, Inc. to have the tax bills printed and mailed. Mrs. Birchmeier explained that the majority of counties are using L & D Mail Masters, Inc. located in New Albany, Indiana for this service. Attorney Clevenger has reviewed the agreement and requested two minor changes which have been made to the agreement regarding payment and service charges. The County should see a cost savings as a result of implementing this agreement. **Stan Klotz moved, second by Kevin Overmyer, to approve the agreement with L & D Mail Masters, Inc. with the corrections on payment and service charges as presented. Motion carried 2-0.**

Mrs. Birchmeier reminded the Commissioners the fall installment of taxes are due on November 12th and explained the DLGF is requiring all 92 counties to have unified tax bills, beginning next year.

HYPER WAVE TECHNOLOGIES

Dan Sammartano, Hyper Wave Technologies, and Gene Crusie, Surf Air Wireless, LLC updated the Commissioners on the sale of the wireless portion from Hyper Wave Technologies to Surf Air Wireless, LLC, explaining that Hyper Wave will still be servicing the phone system. Surf Air Wireless, LLC will spend about a half million dollars to bring fiber to Nutmeg Road, Nutmeg Knoll, and Carriage Hills in the near future. President Overmyer thanked Hyper Wave and Surf Air for their continued investment in our County.

ATTORNEY REPORT

Old Business:

Jail Expansion: Bond counsel, accounting and the architects are working on preliminary figures for the project. We are still waiting on final construction estimates.

Jail Lawsuits: Attorney Clevenger updated the Commissioners on the pending lawsuits related to the jail. The County is working with the Knight Law Firm on defense of the Pro Se damage claims and the ACLU class action case. A meeting is scheduled with the Judges, Prosecutor and others to discuss housing inmates at the Elkhart County Jail and other options.

Interlocal Agreement with Elkhart County: The Interlocal Agreement with Elkhart County has been revised and will be presented for signatures once it is received.

New Business:

October 7, 2019 Executive Session Minutes: Under Auditor Report.

Vice President Klotz requested Attorney Clevenger review the contract with Telamon on the lighting project. Attorney Clevenger will review contract and contact Mr. Breeding at Telamon to discuss the light projects in need of completion.

COMMISSIONER ITEMS
COURTHOUSE CLOCK TOWER – RFQ

Preservationist, Kurt Garner, who is serving as the investigator for the Courthouse Clock Tower project, presented the three packets received for the RFQ. Mr. Garner reported there were four interested firms who toured the Courthouse. Mr. Garner explained the Commissioners would need to rank the firms and then he will submit them to the State for approval hopefully by the end of the week. The three firms submitting are: WJE Wiss, Janney, Elstner Associates, Inc.; Ratio Architects, Inc.; and Rowland Design. The timeline goal is to have the contract awarded at the first meeting in November. **Stan Klotz moved, second by Kevin Overmyer, to take the three firms under advisement. Motion carried 2-0.**

Mike Delp was serving on the Courthouse Clock Tower project and with his resignation, **Stan Klotz moved, second by Kevin Overmyer, to appoint Kevin Overmyer as the Project Manager of the Courthouse Clock Tower project. Motion carried 2-0.**

AUDITOR REPORT

October 7, 2019 Minutes: Submitted for approval. **Stan Klotz moved, second by Kevin Overmyer, to approve the Minutes from October 7, 2019 as presented. Motion carried 2-0.**

October 7, 2019 Executive Session Minutes: Submitted for approval. **Stan Klotz moved, second by Kevin Overmyer, to approve the Executive Session Minutes from October 7, 2019 as presented. Motion carried 2-0.**

Claims: **Stan Klotz moved, second by Kevin Overmyer, to approve the claims for payment as presented. Motion carried 2-0.**

PUBLIC COMMENT

Highway Superintendent, Jason Peters, requested approval for a road cut at 14507 Lincoln Highway between Pioneer Road and Oak Drive for Comcast Cable. **Stan Klotz moved, second by Kevin Overmyer, to approve the road cut at 14507 Lincoln Highway, between Pioneer Road and Oak Drive, Center Township, for Comcast Cable as presented. Motion carried 2-0.**

ADJOURNMENT

With no further business to come before the board, **Stan Klotz moved, second by Kevin Overmyer, to adjourn the meeting at 10:27 a.m. Motion carried 2-0.**

Kevin Overmyer, President

Stan Klotz, Vice President

ATTEST:

Julie A. Fox, Auditor

**MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
NOVEMBER 4, 2019**

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, November 4, 2019. Present were Commissioners, Kevin Overmyer, President; Stan Klotz, Vice President and Mike Burroughs; County Attorney, James Clevenger and Auditor, Julie A. Fox. The meeting was opened with a moment of silence in remembrance of Judge Michael D. Cook, the Pledge of Allegiance was given and the business at hand was heard.

JUDGE MICHAEL D. COOK

The Commissioners and Attorney Clevenger recognized former Marshall County Judge Michael D. Cook for all of the contributions he has made to Marshall County and the State of Indiana.

HIGHWAY

Highway Superintendent Jason Peters provided a road progress update and stated that No Thru Truck signs have been stolen twice.

Mr. Peters presented a road bore from Century Link at 11212 Hawthorn Road, between 11A Road and 12th Road, in Center Township, to service the customer. **Stan Klotz moved, second by Mike Burroughs, to approve the road bore from CenturyLink at 11212 Hawthorn Road, between 11A Road and 12th Road, in Center Township. Motion carried 3-0.**

Mr. Peters presented a road bore from Marshall County REMC on 7B Road, between Woodbury Drive and McLiver Drive, in Center Township, to replace bad underground primary electric. **Stan Klotz moved, second by Mike Burroughs to approve the road bore from Marshall County REMC on 7B Road, between Woodbury Drive and McLiver Drive, in Center Township. Motion carried 3-0.**

Mr. Peters stated that the 2020 Road Program will be presented at the next Commissioner meeting and provided a brief overview of the Community Crossings projects since the initial application process in 2016. President Overmyer requested Mr. Peters provide a recap of the Community Crossings Projects completed over the past three years, including the amount of funding invested by the Commissioners and Council for the next meeting.

TAX BILLING

Jim Hulse, 15777 4B Road, Plymouth explained that there was a form that he did not file in a timely manner and his not-for-profit business, Towers for Jesus, Inc. has been turned over to a collection agency by the Marshall County Treasurer for \$37.51, which includes the principal balance, collection fee and interest due. Mr. Hulse explained the reasons for the oversight in lack of payment.

RQAW - MARSHALL COUNTY JAIL EXPANSION PROJECT

Jillynn Heck, Justin Fly and Eric Wafflin of RQAW presented the Marshall County Jail Addition Schematic Design Report and requested authorization to move forward with the second phase of the project, which is design development. RQAW is anticipating completion of phase two by year end and financials ready in January, 2020. **Stan Klotz moved, second by Mike Burroughs, to allow RQAW to begin the second phase of the Jail Expansion Project. Motion carried 3-0.**

ATTORNEY REPORT

Old Business:

Jail Expansion: Bond counsel, accounting and the architects are still working on preliminary figures for the project. More specific construction estimates are needed in order to complete options and the bonding documents. Telephone conferences continue by the finance working group.

Jail Lawsuits: ACLU lawsuit is driving the Jail Expansion Project and communication continues with Betty Knight, Judges, Prosecutor and Community Corrections to use all options to bring inmate count down. Transportation has not begun with Elkhart County because the Sheriff needs to seek funding from Council.

Damage Claim Lawsuits: Four cases have been filed by inmate Pro-se plaintiffs. GIE hired the Knight Law Firm to defend the Jail on the claims for monetary damages made by the inmates. Attorney Lisa Baron will likely be handling those cases. These cases will go through a long process before being resolved.

Courthouse Tower: The Commissioners scoring selected Rowland Design Group. **Stan Klotz moved, second by Mike Burroughs, to continue contract negotiations with Rowlands Design Group for Courthouse Tower Project Renovation. Motion carried 3-0.**

New Business:

East Shore Conservancy District: An email has been shared concerning a petition to establish a conservancy district on the east shore of Lake Maxinkuckee. The purpose is to establish a sewer collection system that will transport sewage to the Town of Culver plant. A public hearing is scheduled for December 10, 2019 at 2:00 p.m. at the Depot Community Center in Culver if the County wants to take a position concerning the establishment of the conservancy district.

AUDITOR REPORT

October 21, 2019 Minutes: Submitted for approval. **Stan Klotz moved, second by Kevin Overmyer, to approve the minutes of October 21, 2019. Motion carried 2-0-1, with Mike Burroughs abstaining.**

Claims: **Stan Klotz moved, second by Mike Burroughs, to approve the monthly claims as presented. Motion carried 3-0.**

COMMISSIONER ITEMS

BOARD OF HEALTH APPOINTMENTS

Administrator Christine Stinson requested the reappointment of John Larson, M.D. and Georgette Samuelson, DMV, both to a four year term beginning January 1, 2020 and ending on December 31, 2023. Ms. Stinson also explained that Dr. Byron Holm's term is also ending and has requested to be reappointed. **Stan Klotz moved, second by Mike Burroughs, to reappoint Georgette Samuelson, DMV and John Larson, MD to the Marshall County Health Board for a four year term, beginning January 1, 2020 and ending December 31, 2023. Motion carried 3-0.**

Stan Klotz moved, second by Mike Burroughs, to reappoint Byron Holm, MD as Health Officer of the Marshall County Board of Health for a four year term, beginning January 1, 2020 and ending on December 31, 2023. Motion carried 3-0.

CRC AGREEMENT

Health Department Administrator Christine Stinson submitted a 1st Amendment to Lease Agreement between Community Resource Center of Marshall County and Board of Commissioners for an additional storage space. However, the agreement is incorrect and awaiting revision. Ms. Stinson explained that the

funds have been appropriated in the 2020 budget for the additional storage. A new agreement will be submitted for approval at a future meeting.

SICK BANK BOARD RECOMMENDATION

The Sick Bank Board, Matt Hassel, Rhonda Ferguson and Mindy Relos-Penrose, have submitted the 2020 Sick Bank recommendations as follows: All newly joining employees to follow the established guidelines and no days to be donated for existing employees to remain a member of the Sick Bank. It was noted that in 2019, ninety-eight (98) sick bank days were used, 122 days were collected and the current balance is 1,229 days. **Mike Burroughs moved, second by Stan Klotz to accept the recommendation of the Sick Bank Board, having all newly joining employees follow the established guidelines and existing employees do not need to donate any days to remain a member.** Motion carried 3-0.

2020 HEALTH INSURANCE

Commissioner Overmyer explained that effective January 1, 2020 the County will move to United Health Care for medical insurance. Explaining there are added benefits for employees and reduced costs for dependent coverage. United Healthcare offers an In-motion Program, allowing employees to receive an incentive if daily step goals are met. **Stan Klotz moved, second by Mike Burroughs, to move forward with United Healthcare for the 2020 Health Insurance plan.** Motion carried 3-0.

OCRA STELLAR INTERLOCAL AGREEMENT

Stan Klotz moved, second by Michel Burroughs to approve the OCRA Steller Inter Local Agreement. Motion carried 3-0.

BZA BOARD APPOINTMENT

Commissioner Overmyer explained that Trent Bennett resigned from the BZA Board last month and Jeff Kutch has expressed an interest in serving. Commissioner Overmyer recommended appointing Jeff Kutch to fill the unexpired term of Trent Bennett through December 31, 2020. **Stan Klotz moved, second by Mike Burroughs, to appoint Jeff Kutch to the Marshall County Board of Zoning Appeals to fill the unexpired term of Trent Bennett, ending December 31, 2020.** Motion carried 3-0.

Commissioner Klotz stated that he is not in favor of renewing the Enterprise Lease for the Probation Department due to the high cost. Commissioner Klotz recommended advertising for bids for two mid-sized sedans. **Mike Burroughs moved, second by Stan Klotz, to allow Stan Klotz to advertise an RFP for two vehicles for the Probation Department, returning three vehicles to Enterprise.** Motion carried 3-0.

Commissioner Klotz requested that all three Commissioners be involved in the discussions concerning the jail expansion project.

PUBLIC COMMENT

No public comment was heard.

ADJOURNMENT

With no further business to come before the board, **Stan Klotz moved, second by Mike Burroughs, to adjourn the meeting at 9:41 a.m. Motion carried 3-0.**

Kevin Overmyer, President

Stan Klotz, Vice President

Mike Burroughs, Member

ATTEST: _____
Julie A. Fox, Auditor

**MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
NOVEMBER 18, 2019**

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, November 18, 2019. Present were Commissioners, Kevin Overmyer, President; Stan Klotz, Vice President and Mike Burroughs; County Attorney, James Clevenger and Auditor, Julie A. Fox. The meeting was opened, the Pledge of Allegiance was given and the business at hand was heard.

HIGHWAY

Highway Superintendent Jason Peters presented a road progress report; stated bids will be opened at the next meeting; the application deadline for the 2025 Call for Projects is December 13th. Dependent upon the City of Plymouth, an application may be made for two projects: extending Veterans Highway and the Randolph Street Bridge Project. Community Crossings first call is January 6, 2020, due by January 31, 2020 and the second call will be in July, 2020, the plan is to complete N. Michigan from the roundabout to 3A Road; MVH Distribution in November, 2019 was \$368,870.92 and November, 2018 distribution was \$349,615.67, an increase of \$19,255.25; however the year-to-date distribution is \$3,893,686.36 down from last year by \$359,965.30; Local Road Street distribution in November, 2019 was \$67,350.21 and November, 2018 distribution was \$60,616.85, an increase of \$6,733.36; however the year-to-date distribution is \$691,627.90, down from last year by \$10,534.77. Mr. Peters presented a draft of the 2020 Road Program for the Commissioners review and requested approval at the December 16th meeting.

CIRCUIT COURT

Circuit Court Judge Curt Palmer explained that the Supreme Court has ruled that each court shall develop and implement a Courthouse Security Committee. The Committee would have a Commissioner appointment, have one or two organizational meetings and hold an annual meeting. **Mike Burroughs moved, second by Kevin Overmyer, to appoint Stan Klotz to the Courthouse Security Committee. Motion carried 3-0.**

RECORDER

Recorder Janet Howard presented an addendum to the Marshall County Recorder's Computer System and Software License Sales Agreement dated September 6, 2017 between Marshall County Commissioners and Fidlar Technologies. The new Bastion Hosting Service replaces the need for an on-site server for Fidlar's AVID Land Record software. The hosted infrastructure provided by Bastion alleviates the need and cost of an onsite application server, obligatory software licensing fees and backup procedures. Ms. Howard stated that IT Director Michael Marshall has reviewed and approved the change. Ms. Howard explained that there is a \$5,000 integration charge for installation, conversion and training services and an annual fee of \$10,600, which will be billed quarterly.

MUSEUM

Director Linda Rippy presented the Quarterly Report stating that the Museum is featured in Country Woman Magazine six times per year; approximately 200 individuals tour Bremen historical and the school tours are starting to increase. Ms. Rippy stated that they received a lot of items from the Presbyterian Church and the Kiwanis Club donated \$300, which is used for the school programs and Kids Day. Ms. Rippy is hoping to reach 10,000 visitors this calendar year.

ATTORNEY REPORT

Old Business:

Jail Expansion: Our financial advisors have figures and recommendations for a couple of different scenarios. RQAW has completed the feasibility study. Both consultants are prepared to report to the Commissioners and the Council at a joint session that is scheduled for November 26, 2019 at 9:00 a.m.

Jail Lawsuits: Attorney Clevenger continues to work with Betty Knight on the lawsuits. A meeting is scheduled with the Marshall County Judges for this afternoon. The inmate population is currently down at the jail. Ms. Knight is arranging a meeting with lawyers from the ACLU. The Elkhart County Jail would not take any of our prisoners because Wabash County is transferring prisoners and Elkhart County does not have room for Marshall County prisoners. We have seven pending federal lawsuits by Pro Se inmate plaintiffs. GIE hired the Knight Law Firm to defend the jail on the claims for monetary damages made by inmates.

Courthouse Tower: The Owner/Architect Agreement with Rowland Design, Inc. has been reviewed and some revisions were made. The agreement is ready for approval. **Stan Klotz moved, second by Mike Burroughs, to approve the Agreement between Marshall County and Rowland Design, Inc. for the Marshall County Courthouse Building Envelope Study & Tower Restoration in the sum of \$39,110, with an initial payment of ten percent (\$3,911). Motion carried 3-0.**

East Shore Conservancy District: Discussion was held concerning the Commissioners taking a position on the establishment of a Conservancy District on the east shore of Lake Maxinkuckee. Commissioner Overmyer expressed support of this project in light of work done by the Water Taskforce. Discussion was held concerning the possibility of connecting to the existing collection system, but was determined that it was not cost effective. The public hearing is scheduled for December 10th. **Mike Burroughs moved, second by Stan Klotz, to allow Attorney Clevenger to draft a letter of support to the Department of Natural Resources for the establishment of the East Shore Conservancy District. Motion carried 3-0.**

Commissioner Klotz requested that Attorney Clevenger provide an overview of the Commissioners responsibilities and explanation of the Home Rule Legal Opinion.

New Business:

Mr. Christopher Scott made a complaint of excessive force and the complaint will be sent to GIE.

SHERIFF

Sheriff Matt Hassel requested permission for Patrolman Cullen Smith to travel out-of-state to attend Drug Recognition Expert (D.R.E.) School in Jacksonville, Florida from March 2, 2020 through March 18, 2020. Sheriff Hassel explained that if Patrolman Smith successfully completes a 9-day training class sponsored by the Indiana State Police on January 13, 2020 through January 24, 2020 in Indianapolis, he will then be eligible to go to Florida for the second part of the training. **Stan Klotz moved, second by Mike Burroughs, to allow Sheriff Deputy, Cullen Smith, to travel to Jacksonville, Florida March 2, 2020 through March 18, 2020 to attend Drug Recognition Expert (D.R.E.) School on the condition of passing the classes in January, 2020. Motion carried 3-0.**

AUDITOR REPORT

November 4, 2019 Minutes: Submitted for approval. **Stan Klotz moved, second by Mike Burroughs, to approve the Minutes from November 4, 2019 as presented. Motion carried 3-0.**

November 8, 2019 Executive Session Minutes: Submitted for approval. **Stan Klotz moved, second by Mike Burroughs, to approve the Executive Session Minutes from November 8, 2019 as presented. Motion carried 3-0.**

Claims: **Mike Burroughs moved, second by Stan Klotz, to approve the claims for payment as presented. Motion carried 3-0.**

COMMISSIONER ITEMS

Lake of the Woods Regional Sewer District: Lake of the Woods Regional Sewer District submitted a letter requesting reappointment of Jonathon Oswald to the Lake of the Woods Regional Sewer District for a four year term beginning January 1, 2020 ending December 31, 2023. Mr. Oswald appeared in person explaining that he has been serving in this capacity for 16 years, with 15 years as Treasurer. **Stan Klotz moved, second by Mike Burroughs, to approve the reappointment of Jonathon Oswald to the Lake of the Woods Regional Sewer District for a four year term, beginning January 1, 2020 ending December 31, 2023. Motion carried 3-0.**

2020 Employee Benefits Insurance Costs: **Mike Burroughs moved, second by Stan Klotz, to approve the 2020 Employee Benefits Insurance Costs as presented. Motion carried 3-0.**

Enterprise: Commissioner Klotz stated that eleven new trucks were ordered last year and does not believe we need five of the vehicles. Three of the Community Corrections vehicle are up for renewal and suggested waiting to make a decision pending an upcoming meeting with Enterprise.

Department Head Evaluations: Department Head evaluations will be scheduled for Monday, December 16th beginning at 1:00 p.m.

Joint Council and Commissioner Meeting: Commissioner Overmyer explained that Commissioners will be holding a Joint Meeting with Council on November 26, 2019 at 9:00 a.m. to discuss the Jail Expansion Project.

Human Resources Administrator: Commissioner Overmyer explained that an Executive Session was held on November 8th to interview four candidates for the Human Resources Administrator position. **Mike Burroughs moved, second by Stan Klotz, to extend an Offer of Employment to Ann Anglin. Motion carried 3-0.**

Commissioner Burroughs requested clarification from Attorney Clevenger regarding bonds set for inmates. Attorney Clevenger explained that the bonds are set by the Judge with input from the Prosecutor. The Indiana Supreme Court has a rule which encourages Courts to release inmates without bonds or with lowered amounts. It has been the practice of our Judges to set cash bonds.

PUBLIC COMMENT

No public comment was heard.

ADJOURNMENT

With no further business to come before the board, **Mike Burroughs moved, second by Stan Klotz, to adjourn the meeting at 10:33 a.m. Motion carried 3-0.**

Kevin Overmyer, President

Stan Klotz, Vice President

Mike Burroughs, Member

ATTEST: _____
Julie A. Fox, Auditor

**MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
DECEMBER 2, 2019**

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 8:30 a.m., Monday, December 2, 2019. Present were Commissioners, Kevin Overmyer, President and Stan Klotz, Vice President; County Attorney, James Clevenger and Auditor, Julie A. Fox; Mike Burroughs was not present. The meeting was opened, the Pledge of Allegiance was given and the business at hand was heard.

HIGHWAY

Highway Superintendent Jason Peters presented a road bore from Precision Utilities on 425 N. Ule Trail, between Tyler Road and 1st Road, in Polk Township for the purpose of providing CenturyLink service. **Stan Klotz moved, second by Kevin Overmyer, to approve the road bore from Precision Utilities at 425 N. Ule Trail, between Tyler Road and 1st Road, in Polk Township for the purpose of providing CenturyLink service. Motion carried 2-0.**

Mr. Peters presented a road cut from BSN Groups for QC Communications at 7236 Lincoln Highway, between 11th Road and 11A Road, in Bourbon Township, for the purpose of installing a hand hole on a power pole for the customer. **Stan Klotz moved, second by Kevin Overmyer, to approve the road cut at 7236 Lincoln Highway, between 11th Road and 11A Road, in Bourbon Township, for the purpose of installing a hand hole on a power pole for the customer. Motion carried 2-0.**

Mr. Peters presented a road bore and road cut from United Telephone Company d/b/a Century Link on W. 9B Road, between Union Road and County Line Road, in West Township, for the purpose of placing fiber to Ancilla College for service upgrade. **Stan Klotz moved, second by Kevin Overmyer, to approve the road bore and road cut from United Telephone Company d/b/a Century Link on W. 9B Road, between Union Road and County Line Road, in West Township, for the purpose of placing fiber to Ancilla College for service upgrade. Motion carried 2-0.**

Mr. Peters provided a Highway Department update, and stated that Veterans Parkway extension will not be included in the 2025 Call for Projects, but will include Bridge #11, North Union Road over Sarber Ditch, along with the Randolph Street Bridge.

7th ROAD EXTENSION MITIGATION UPDATE

CHA representative, Summer Elmore, PWS, Senior Environmental Scientist presented the Year Four Monitoring Report for 7th Road Extension Project, 7th Road Stream and Wetland Mitigation Site for Marshall County.

JIM HULSE

Jim Hulse, 15777 4B Road, Plymouth, read a statement regarding supplying Bibles to the inmates at the jail. Stating that the Sheriff's Department does not permit outside Bibles at the jail because the inmate may try to hide contraband and would appreciate the Commissioners assistance in changing this policy.

EMERGENCY MANAGEMENT AGENCY

Director Clyde Avery presented the Quarterly Report, September 16, 2019 – December 1, 2019, stating that grant requirements include Cyber Security and has been working with Michael Marshall concerning the policies and procedures; met with Scott Pelath regarding the Kankakee River Basin and Yellow River Basin

Development Commission; working with various aspects of the One Protocol Program and met with Judge Palmer to discuss development of court safety and Continuity of Operations Plan.

ATTORNEY REPORT

Old Business:

Jail Expansion: Attorney Clevenger summarized the Joint Commissioner and Council Meeting, which went well and both bodies decided to proceed. Barnes & Thornburg is drafting the bond ordinance and additional appropriation ordinance.

Jail Lawsuits: Continuing to work with Betty Knight, in contact with ACLU lawyers and working to reach an agreement. Still need to reduce the inmate population on the short term basis.

Damage Claim Lawsuits: The number of cases continue to grow.

East Shore Conservancy District: A general letter in support from the Marshall County Commissioners has been mailed to the Department of Natural Resource Commission. A meeting is scheduled for December 10, 2019 at 2:00 p.m. at the Railroad Depot in Culver.

New Business:

Highway Bids will be opened this afternoon at 1:30 p.m.

County Council meeting with bond counsel on December 9th, we were given instructions to proceed with a general obligation bond issue and not to exceed amount.

Department Head Evaluations are scheduled to begin on December 16, 2019.

AUDITOR REPORT

November 18, 2019 Minutes: Submitted for approval. **Stan Klotz moved, second by Kevin Overmyer, to approve the minutes of November 18, 2019. Motion carried 2-0.**

November 26, 2019 Minutes: Submitted for approval. **Stan Klotz moved, second by Kevin Overmyer, to approve the minutes of November 26, 2019. Motion carried 2-0.**

Claims: **Stan Klotz moved, second by Kevin Overmyer, to approve the monthly claims as presented. Motion carried 2-0.**

UNITED WAY

United Way: **Stan Klotz moved, second by Kevin Overmyer, to allow Brenda Harper to serve as the United Way liaison and contact employees for the United Way campaign. Motion carried 2-0.**

PLYMOUTH PUBLIC LIBRARY

Stan Klotz moved, second by Kevin Overmyer, to reappoint Diane Eveland to the Plymouth Public Library Board for a four year term, beginning January 1, 2020 and ending December 31, 2023. Motion carried 3-0.

SHERIFF

Sheriff Matt Hassel, Communication Supervisor Matt Pitney and Bookkeeper Alyssa Niles stated that this year they raised \$1,500 for Ounce of Prevention Breast Cancer Awareness and presented the check to Jenny Oliver. Ms. Oliver thanked everyone for their support.

Out of State Travel Request: Sheriff Hassel requested permission to allow four employees, Jordan Rans, Ryan Schori, Andrew Holcomb and Matthew Pitney, to attend CentralSquare 20/20 CAD/RMS/JMS

Conference, March 17-20, 2020, in Las Vegas, Nevada for software training. **Stan Klotz moved, second by Kevin Overmyer, to allow four employees to attend CentralSquare 20/20 CAD/RMS/JMS Conference, March 17-20, 2020, in Las Vegas, Nevada for software training. Motion carried 2-0.**

Commissioner Overmyer explained Mr. Hulse was in attendance earlier and asked the Sheriff to respond to Mr. Hulse's questions. Sheriff Hassel explained that there are stipulations as to the requirements for bringing in books for inmates. Bibles are available through the Jail Chaplain, who is available to meet and pray with inmates. Inmates do have access to Bibles explaining that 75 – 80% of the inmates attend Sunday service.

COMMISSIONER ITEMS

Commissioner Klotz stated that bids were solicited from three vendors with specifics for Probation vehicles. Mr. Klotz informed Enterprise that the current leased vehicles are being returned. One bid was received from Oliver Ford, for a 2020 Ford Fusion sedan in the sum of \$18,399, with a 48-month lease payment option. Chief Probation Officer James Pheibush explained that the two vehicles are driven by Counselors. Steve Keyser, Fleet Vehicle Sales for Oliver Ford explained the timeframe to receive a vehicle is 48-hours. **Stan Klotz moved, second by Kevin Overmyer, to take the quote from Oliver Ford under advisement and make a determination on December 16, 2019. Motion carried 2-0.**

PUBLIC COMMENT

No public comment was heard.

ADJOURNMENT – MORNING SESSION

With no further business to come before the board **Stan Klotz moved, second by Kevin Overmyer, to adjourn the meeting at 9:18 a.m. Motion carried 2-0.**

RECONVENE

Commissioner Overmyer reconvened the meeting at 1:30 p.m.

2020 HIGHWAY BIDS

The bids for 2020 materials and supplies for the Marshall County Highway Department were received and opened. The Highway Department will maintain, review and prepare a bid book which will be provided at the next Commissioner meeting. **Stan Klotz moved, second by Kevin Overmyer, to take all bids under advisement to allow the Highway Department time to review and to make recommendations at the December 16, 2019 meeting. Motion carried 3-0.**

ADJOURNMENT

With no further business to come before the board, **Stan Klotz moved, second by Kevin Overmyer, to adjourn the meeting at 2:03 p.m. Motion carried 2-0.**

Kevin Overmyer, President

Stan Klotz, Vice President

Mike Burroughs

ATTEST:

Julie A. Fox, Auditor

**MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
DECEMBER 16, 2019**

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, December 16, 2019. Present were Commissioners, Kevin Overmyer, President; Stan Klotz, Vice President and Mike Burroughs; County Attorney, James Clevenger and Auditor, Julie A. Fox. The meeting was opened, the Pledge of Allegiance was given and the business at hand was heard.

HIGHWAY DEPARTMENT

In lieu of Highway Superintendent Jason Peters absence, President Overmyer presented a road cut from East Shore Corporation on Queen Road, between 18B Road and 18th Road, in Union Township, for the purpose of installing a sewage force main for the East Shore Corporation to pump to Culver. **Stan Klotz moved, second by Mike Burroughs, to approve the road cut from East Shore Corporation on Queen Road, between 18B Road and 18th Road, in Union Township, for the purpose of installing a sewage force main for the East Shore Corporation to pump to Culver. Motion carried 3-0.**

President Overmyer presented a road cut from East Shore Corporation on Queen Road, between West 18th Road and State Road 10, in Union Township, for the purpose of installing a sewage force main for the East Shore Corporation to pump to Culver. **Mike Burroughs moved, second by Stan Klotz, to approve the road cut from East Shore Corporation on Queen Road, between West 18th Road and State Road 10, in Union Township, for the purpose of installing a sewage force main for the East Shore Corporation to pump to Culver. Motion carried 3-0.**

President Overmyer presented a road cut from CenturyLink at 8550 Lincoln Highway in Center Township, to install new conduit at existing site. **Mike Burroughs moved, second by Stan Klotz, to table the request from CenturyLink for a road cut at 8550 Lincoln Highway, in Center Township, pending further investigation. Motion carried 3-0.**

President Overmyer provided a Highway Department update concerning projects, 2025 Call for Projects and Community Crossings.

President Overmyer stated that the Highway Department has reviewed and accepted all the bids. **Stan Klotz moved, second by Kevin Overmyer, to accept all the 2020 Highway bids submitted for the annual bid process. Motion carried 2-0-1, with Mike Burroughs abstaining.**

Mike Burroughs moved, second by Stan Klotz, to approve the 2020 Road Plan. Motion carried 3-0.

Vice-President Klotz stated that Bliss-McKnight will be providing snow plow simulator training at the Highway Department on January 7 and 8, 2020.

TOWN OF BOURBON ARCHITECTURE TOUR

Karen Rettinger on behalf of the Town of Bourbon and Marshall County Museum, presented a Concurrence for Temporary Use of City or County Streets or Roads for the Detouring of Traffic from a State Highway, explaining they would like to detour State Road 331 traffic to Elm Road on July 26, 2020 from 2:00 p.m. to 4:00 p.m. for the Architecture Tour for the Town of Bourbon.

Stan Klotz moved, second by Mike Burroughs, to allow a traffic detour from State Road 331 to Elm Road on July 26, 2020 from 2:00 p.m. to 4:00 p.m. Motion carried 3-0.

BROADBAND READY COMMUNITY COMMITTEE

Town of Culver Director, Jonathan Leist, a member of the Marshall County Broadband Committee, explained that in order to certify Marshall County as a Broadband Ready Community an Ordinance needs to be adopted. The goal of the Committee is to increase the percentage of County residents receiving broadband over the next five to ten years. Mr. Leist further explained that an OCRA grant was awarded for this project in the sum of \$50,000. **Stan Klotz moved, second by Mike Burroughs, to approve Ordinance 2019-27: An Ordinance Designating Marshall County as a Broadband Ready Community on first reading. Motion carried 3-0.**

President Overmyer recognized Mr. Leist for all of the work he does for the County.

EXTENSION OFFICE

Karen Richey, Health and Human Sciences Educator; Robert Yoder, Agriculture and Natural Resources Educator and Kelsey Guadarrama, 4-H Youth Development Educator presented an overview of the services provided in Marshall County. Ms. Richey stated that the Extension Office 2020 Budget was approved by Council with some adjustments and presented the 2020 Contractual Services Agreement for approval. Attorney Clevenger stated that the Extension Office is required to provide an annual report.

Mike Burroughs moved, second by Stan Klotz, to approve the Extension Office Contractual Services Agreement between Purdue University and Marshall County in the sum of \$114,500 for the period of January 1, 2020 through December 31, 2020 and accept the report. Motion carried 3-0.

PLAN COMMISSION

Director Ty Adley presented Ordinance 2019-24: An Ordinance Amending Ordinance 2007-10 commonly known as "The Marshall County Zoning Ordinance" to amend Section 6.040.J Environmental Standards Surface Water, for approval, which was favorably approved by the Marshall County Plan Commission on November 21, 2019. Discussion was held concerning citizens and building contractors stating it is difficult to work with Marshall County due to all of the regulations. Member Klotz stated that Marshall County is not competitive. **Stan Klotz moved, second by Mike Burroughs, to deny Ordinance 2019-24: An Ordinance Amending Ordinance 2007-10 commonly known as "The Marshall County Zoning Ordinance" to amend Section 6.040.J Environmental Standards Surface Water. Motion carried 3-0.**

Director Adley presented Ordinance 2019-25: An Ordinance Amending Ordinance commonly known as "The Marshall County Zoning Ordinance 2007-10" to amend Exhibit "A" Article Three, Permitted Uses - Utilities, Solar Energy System, for approval, which was favorably approved by the Marshall County Plan Commission on November 21, 2019. Discussion was held concerning the costs surrounding the decommissioning costs, valuing the land to return it to its original state and whether the solar energy will benefit Indiana residents. **Mike Burroughs moved, second by Stan Klotz, to approve Ordinance 2019-25: An Ordinance Amending Ordinance 2007-10 to amend Exhibit "A" Article Three, Permitted Uses - Utilities, Solar Energy System. Mike Burroughs withdrew the motion in order to open the public hearing.**

Mike Burroughs moved, second by Stan Klotz, to open the public hearing. Motion carried 3-0.

Debbie VanDeMark, 14750 Tulip Road, Culver, Indiana stated that she has been approached by two vendors who offered to pay \$800 an acre to lease the ground for solar farming for 25 years with an automatic renewal for an additional 25 years. The proposal was refused; however, three surrounding farms have signed lease agreements and Ms. VanDeMark is concerned about the future property value, the

decommissioning of solar farms as costs would fall upon the County and whether statutorily A-1 agriculture has to be included.

Mike Miley, 1232 W. Washington Street, Plymouth, Indiana stated that as an insurance consultant he has concerns over the bonding process and strongly suggests talking to an insurance representative concerning the bonding process.

Stan Klotz moved, second by Mike Burroughs, to close the public hearing. Motion carried 3-0.

Mike Burroughs moved, second by Stan Klotz, to pass Ordinance 2019-25: An Ordinance Amending Ordinance 2007-10 to amend Exhibit "A" Article Three, Permitted Uses - Utilities, Solar Energy System on first reading. Motion carried 3-0.

Director Adley presented Ordinance 2019-26: An Ordinance Establishing Fees Required by "The Marshall County Zoning Ordinance", in Article 11, Section 010, C, Application Amending Fee Ordinance (Ordinance 2012-17) (this Ordinance replaces Ordinance 2015-02 and Ordinance 2017-32), which was favorably approved by the Marshall County Plan Commission on November 21, 2019.

Stan Klotz moved, second by Mike Burroughs, to open the public hearing. Motion carried 3-0.

No comments were heard.

Mike Burroughs moved, second by Stan Klotz, to close the public hearing. Motion carried 3-0.

Stan Klotz moved, second by Mike Burroughs, to approve Ordinance 2019-26: An Ordinance Establishing Fees Required by "The Marshall County Zoning Ordinance", in Article 11, Section 010, C, Application Amending Fee Ordinance (Ordinance 2012-17) on first reading, noting a change to reflect per acre is per panel acre. Motion carried 3-0.

JON WOLFF

Jon Wolff was not present.

SHERIFF DEPARTMENT

Sheriff Matt Hassel explained that four quotes were received for four 2020 vehicles from Oliver Ford and Country Auto Center. Sheriff Hassel recommended purchasing three 2020 Dodge Durango Pursuit V-8 from Country Auto Center in the sum of \$98,845 and one 2020 Dodge Ram 1500 Crew Cab 4x4 5.7L Hemi in the sum of \$26,491, less trade-in allowance of \$9,300 for a total sum cost of \$104,083.

Mike Burroughs moved, second by Stan Klotz, to allow the purchase of the four vehicles from Country Auto Center in the total sum of \$116,036. Motion carried 3-0.

Sheriff Hassel requested permission to allow 1st Sergeant Jeff Snyder to attend the OffenderWatch Sex Offender Registry Symposium in New Orleans, LA from April 6, 2020 through April 8, 2020.

Mike Burroughs moved, second by Stan Klotz, to allow 1st Sergeant Jeff Snyder, to travel to New Orleans, LA, April 6, 2020 through April 8, 2020, to attend the Offenderwatch Sex Offender Registry Symposium. Motion carried 3-0.

BREMEN POLICE DEPARTMENT

Matt Schnaible requested approval to hold a one mile fun run and a 5K run on April 18, 2020 at 8:00 a.m. for Dustin's Place, which is a non-profit peer support center for grieving children and their families. Mr. Schnaible explained that Sheriff Hassel has offered to assist with traffic control.

Mike Burroughs moved, second by Stan Klotz, to allow Dustin's Place to hold a one mile fun run and a 5k run on county roads on April 18, 2020 from 8:00 a.m. to 9:00 a.m. Motion carried 3-0.

MARSHALL COUNTY ECONOMIC DEVELOPMENT CORPORATION

President Jerry Chavez presented a Purchase Agreement between Marshall County Economic Development Corporation and Marshall County for a ten-acre lot located at 2809 Jim Neu Drive, Plymouth.

Mike Burroughs moved, second by Stan Klotz, to approve the Purchase Agreement between Marshall County Commissioners and Marshall County Economic Development Corporation in the sum of \$263,250 to construct a shell building. Motion carried 3-0.

ATTORNEY REPORT

Old Business:

Jail Expansion: The County Council approved the bond ordinances for financing the jail addition on first reading at the December 9th meeting. Public hearing and second reading are scheduled for January 13, 2020. The Council requested holding a joint public hearing with the Commissioners prior to the January 13th meeting, but a date has not been established.

Jail lawsuits:

ACLU – Continue to work with Betty Knight on the case.

Damage Claim Lawsuits – The number of cases continues to grow.

Attorney Clevenger stated that Department Head Evaluations are scheduled for this afternoon.

AUDITOR REPORT

December 2, 2019 Minutes: Submitted for approval. **Stan Klotz moved, second by Kevin Overmyer, to approve the Minutes from December 2, 2019 as presented. Motion carried 2-0-1, with Mike Burroughs abstaining.**

Claims: **Stan Klotz moved, second by Mike Burroughs, to approve the claims for payment as presented. Motion carried 3-0.**

COMMISSIONER ITEMS

Marshall County Crossroads Stellar Community Initiative: An Intergovernmental Agreement between Marshall County and Walnut Township regarding the funding of services for the Marshall County Crossroads Stellar Communities Initiative for implementation of the Marshall County Quality of Life Plan was presented for signature in the sum of \$2,500. **Stan Klotz moved, second by Mike Burroughs, to approve the Intergovernmental Agreement between Marshall County and Walnut Township regarding the funding of services for the Marshall County Crossroads Stellar Communities Initiative for implementation of the Marshall County Quality of Life Plan in the sum of \$2,500. Motion carried 3-0.**

ABC Board Reappointment: **Mike Burroughs moved, second by Stan Klotz, to reappoint Jan Fisher to the ABC Board to a four-year term, beginning January 1, 2020 and ending December 31, 2023. Motion carried 3-0.**

Marshall County Convention & Visitors Bureau Board Reappointment: **Stan Klotz moved, second by Mike Burroughs, to reappoint Linda Rippy to the Marshall County Convention & Visitors Bureau to a four-year term, beginning January 1, 2020 and ending December 31, 2023. Motion carried 3-0.**

Probation Department Vehicle Bid: **Stan Klotz moved, second by Mike Burroughs, to approve the purchase of two vehicles from Oliver Ford in the sum of \$18,399 per vehicle, pending approval of the County Council on January 13th. Motion carried 3-0.**

Inmate Population: Vice President Klotz suggested charging inmates a per diem as a deterrent. County Attorney Clevenger stated that an indigent inmate cannot be charged.

PUBLIC COMMENT

No public comment was heard.

ADJOURNMENT

With no further business to come before the board, **Mike Burroughs moved, second by Stan Klotz, to adjourn the meeting at 11:47 a.m. Motion carried 3-0.**

Kevin Overmyer, President

Stan Klotz, Vice President

Mike Burroughs, Member

ATTEST: _____
Julie A. Fox, Auditor

**MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
DECEMBER 31, 2019**

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 8:30 a.m., Monday, December 31, 2018. Present were Commissioners, Kevin Overmyer, President; Stan Klotz, Vice President; Mike Burroughs, member; and, County Auditor, Julie A. Fox. County Attorney, James Clevenger was not present. The meeting was opened and the business at hand was heard.

AUDITOR REPORT

December 16, 2019 Commissioner Minutes: Submitted for approval. **Stan Klotz moved, second by Mike Burroughs, to approve the Commissioner Minutes of December 16, 2019. Motion carried 3-0.**

December year-end claims: **Mike Burroughs moved, second by Stan Klotz, to approve the December year-end claims as presented. Motion carried 3-0.**

Annual Compliance – Nepotism & Contracting Disclosure: Auditor Fox reported that all required forms have been returned by Elected Officials. **Stan Klotz moved, second by Mike Burroughs, to approve the Nepotism & Contracting Disclosure received by the Marshall County Auditor. Motion carried 3-0.**

COMMISSIONER ITEMS

The Commissioners acknowledged all of the hard work done by the communities, stating there were many positive achievements in 2019, ending the year with the Stellar Designation and are looking forward to the many projects in 2020.

Marshall County Crossroads Stellar Communities Initiative: An Intergovernmental Agreement between Marshall County and North Township regarding the funding of services for the Marshall County Crossroads Stellar Communities Initiative for implementation of the Marshall County Quality of Life Plan was presented for signature in the sum of \$3,000. **Stan Klotz moved, second by Mike Burroughs, to approve the Intergovernmental Agreement between Marshall County and North Township regarding the funding of services for the Marshall County Crossroads Stellar Communities Initiative for implementation of the Marshall County Quality of Life Plan in the sum of \$3,000. Motion carried 3-0.**

PUBLIC COMMENT

No public comment was heard.

ADJOURNMENT

With no further business to come before the board **Stan Klotz moved, second by Mike Burroughs, to adjourn the meeting at 8:34 a.m. Motion carried 3-0.**

Kevin Overmyer, President

Stan Klotz, Vice President

Mike Burroughs, Member

ATTEST: _____
Julie A. Fox, Auditor