

attorney Wes Schemenaur, auditor Emily Franks, and Chad Aker, president, presiding. The purpose of the meeting was to discuss a job performance evaluation of individual employees per IC 5-14-1.5-6.1(b)(9).

With no further business, Brian McGalliard made a motion to adjourn at 12:05 p.m; Rex Journey seconded the motion and the motion passed by unanimous vote.

**JAY COUNTY COMMISSIONERS**

**Chad Aker**

**Brian McGalliard**

**Rex Journey**

Attest:   
Jay County Auditor

**October 9, 2023**

The Jay County Commissioners met in regular session on Monday, October 9<sup>th</sup>, 2023, in the auditorium in the courthouse. Attending was Rex Journey, attorney Wes Schemenaur, auditor Emily Franks, and Chad Aker, president, presiding. Brian McGalliard, commissioner was absent. Rex Journey made a motion to approve the regular session and executive session minutes from September 25<sup>th</sup>, 2023. Chad Aker seconded the motion and the motion passed by unanimous vote.

**ECI REGIONAL PLANNING**

Nate Kimball, Assistant Director, came to update the commissioners on the HELP! program. He has not heard back from Mike Kleinpeter for the application status with OCRA. He has presented the program to Redkey, Salamonina, and Dunkirk. He has not been able to attend a Pennville Council meeting, as they meet the same time as Salamonina. He will be attending meetings in Portland and Bryant this week. He has looked at upcoming grants including Rural Business Development (RBDG) Funds ranging from \$25,000-\$100,000 for rural business developments. It is mainly used to repair old buildings downtown. Mr. Journey questioned what the match percentage would be for the funds. Mr. Kimball believed it is a 25% match but could double check. Mr. Aker suggested Portland would be very interested in that type of grant.

**JCDC**

Travis Richards, JCDC Director, and Tabby Sprunger, Executive Director, Jay County Chamber of Commerce, came to give an update on current programs. The Launch Jay pitch competition was held over the weekend. The prizes for the last three years were awarded using windfarm funds with a small amount still remaining. They will be coming back to ask for more funding to fund future years. The participates this year included Beauty Bar, Blessings Photography, Scoop Station, Rock Creek Ranch, and Ryzone's food truck. The participants first meet with the small business development center and go through workshops. They then will supply judges with the business plan and financials a week before giving their pitch presentation. This year's winner was Blessings Photography followed by Rock Creek Ranch and Beauty Bar. ECI Small Business Development Center has spent time with last year's winner, who has since doubled their sales. They have also worked with them to get a grant and worked on getting Canada customers their items. Mr. Richards also presented commissioners with the organization's quarterly report.

**READI 2.0**

Mr. Richards updated the commissioners on READI 2.0 program. He has forwarded out an email from Rachel Christenson regarding the information needed for the call for projects starting October 25<sup>th</sup>. The applications are due February 23, 2024 and they will make their selections in March 2024. The information required includes: Project Name, Project Lead, County, Location, Description, and Budget- including the match funding. Preliminary drawings, timeline and the regional priorities it is addressing. The categories of regional priorities are quality of life, housing & infrastructure, childcare & support for families, education & opportunity or other. There was a READI forum held in Muncie week before last by IEDC that they attended.

Mr. Aker would like to see as many projects put forward as possible from all different communities, as examples the Dunkirk Park Project, Trails Program. He asked if there were specific projects addressing housing or daycare. Mr. Richard believed the land purchase, and infrastructure projects could be brought forward. Also, Redkey might make the timeline to get their potential projects included. The largest childcare project is already part of READI 1.0 and would probably not make the deadline for READI 2.0. Mr. Aker asked Mr. Richards if he has any particular programs that he is wanting to bring forward, Mr. Richards stated he did not, but expects projects to begin coming in. He

asked if the commissioners had any ideas for projects to please let him know. Mr. Aker asked he keep elected officials in different municipalities involved in the process.

The discussion turned towards what projects were being looked at by IEDC. Mr. Journey asked for confirmation they are looking at what the region can use, opposed to just a county. Mr. Richards confirmed the more regional the impact, the more the state would like to see a project happen. As an example, Cardinal Greenway is one of the largest trail systems in the state, so if we could connect to another trail that hooks into the Greenway, it could become a regional benefit. The whole process is about growing the region, but as people travel to other counties for work and leisure the project does not directly have to benefit all counties. In conclusion, the higher the regional impact, the higher it will rate on the program.

### **CLERK**

Jon Eads, clerk, came to the commissioners for permission to purchase new computers for his office. His first deputy's computer crashed a few months ago and was unable to be repaired. Representatives from the court software company, Odyssey, informed him he should be budgeting for new computers every 3-4 years. In 2018 he purchased new computers for his deputies but not his own or the front counters. He received two quotes; one from Progressive Del Toro for \$10,566 with custom computers put together by their vendor. He also had a quote from Cleaver Cabling & Consulting for \$10,650 for Dell Computers. Mr. Journey questioned if he had enough money to purchase the computers. Mr. Eads should have enough in his computer account any amount above can be paid out of clerk's perpetuation. Mr. Aker questioned if the quote provided included support. Mr. Eads indicated the quote from Cleaver Cabling & Consulting included the support amount for installation. Rex Journey made a motion to approve the computer purchase from Cleaver Cabling and Consulting for \$10,650. Chad Aker seconded the motion and the motion passed by unanimous vote.

### **SHERIFF**

Larry R. Newton, sheriff, and Ryan Hurt, owner, All Circuit Electric LLC, came to the commissioners to discuss LED lighting at the jail. Mr. Hurt believes they entered an arrangement back in December 2020 to change all the jail lights to LED. There was a rebate agreement with AEP for the LED Work. Mr. Newton believed the work was started by former sheriff Dwane Ford and former Jail commander Matthew Cox. The process was stopped after they hired a jail custodian who was going to complete the work himself. Mr. Hurt stated \$19,340.35 was due for the amount of work already completed. AEP is offering a rebate check of \$8,200 plus a 20% rebate on any work completed by the end of November. They will offer another rebate after the first of the year for any work completed after the November deadline.

Mr. Hurt presented an estimate for the total project at a cost of \$53,376.77 but has already completed \$15,197.70 of the project. The claim of \$19,340.35 included a few other projects including running tv and power to certain cells. Mr. Newton would like to at least pay for the \$19,340.35 in services already provided. However, he has no money remaining in his budget to cover the expenses. Mr. Aker questioned the percentage of work already completed on the project. Mr. Hurt estimated 35% of the project had been completed to date. Rex Journey made a motion to pay the \$19,340.35 out of Cum Cap Development and continue the completion of the original LED project of \$53,376.77. Chad Aker seconded the motion and the motion passed by unanimous vote.

Mr. Newton updated the commissioners on the switch from Comcast to CFS as it is finally complete. He is in the process of closing the Comcast accounts. The department has been enforcing the detour truck routes. There have been a few complaints but he has spoken to the individuals about available alternate routes. Their jail inspection with the Indiana Department of Corrections will start tomorrow at 8:00 a.m. The results will be shared with the commissioners upon completion.

### **HIGHWAY**

Eric Butcher, superintendent, came to the commissioners to give an update on monthly operations. They are patching, berming and grading as weather allows. They now have Truck 123 on the road, Truck 223 is in the shop getting fitted, and Truck 115 has been converted. He presented paperwork for a local detour slated for Spring of 2024 for State Road 18 west of Bryant (Balbec Road) for commissioner approval. They will be putting in a small structure. Rex Journey made a motion to approve and sign the Unofficial Detour for SR 18. Chad Aker seconded the motion and the motion passed by unanimous vote. The highway will have Division Road closed between 300 E and 400 E from October 30<sup>th</sup> - November 3<sup>rd</sup>, 2023. They will also have 125 S between 300 E and 425 E from November 6<sup>th</sup> and November 10<sup>th</sup>. They will be replacing culverts in those areas and the dates are pending any issues with the company.

Mr. Butcher presented two quotes for a new pickup truck for the department. The first quote for a Ford F-250 at Moser Motors in Berne was \$51,970 but could not guarantee an estimate delivery time. A second quote from Glass Capital Chrysler in Dunkirk for \$55,405 with an estimated delivery early

2024. He would like to pursue the purchase from Glass Capital even though it came it at a higher amount due to the estimated delivery date of early 2024 and prefers the ride a Dodge provides versus the Ford. Rex Journey made a motion to approve the truck purchase from Glass Capital Chrysler in Dunkirk for \$55,405. Chad Aker seconded the motion and the motion passed by unanimous vote.

Mr. Butcher presented three quotes for a new BOSS 8.2 plow. The first quote from Lehman's in Berne, Indiana came in at \$9,382.50. The second quote from W/A Jones in Columbia City, Indiana came in at \$9734. The third quote from Kalida Truck Equipment, Kalida, Ohio for \$9650. Mr. Butcher's recommendation was to go with the quote from Lehman's in Berne. Rex Journey made a motion to approve the Boss 8.2 Plow from Lehman's for a total cost of \$9382.50. Chad Aker seconded the motion and the motion passed by unanimous vote.

Mr. Butcher updated the commissioners on the purchase of a MowerMax for \$276,684.65. The amount is minus the trade in value of \$40,000 for the Bush Axe and Boom Mower for a total of \$236,684.65. He would like to go with the 4-year lease option for a yearly payment of \$67,379.66 for a 6.25% interest rate. Their new truck 124 should be delivered in December. He would like to encumber \$90,000 from the 2023 budget to help pay for the truck in January 2024.

Mr. Butcher spoke about the different attachments included in the quote making it a multi-use tool. It would also allow the option to purchase other attachments in the future, such as a stump grinder. Mr. Journey also was present for the demonstration and believed it would be a benefit to the department. However, he questioned if Mr. Butcher believed the purchase would cause budget issues in 2025-2026. Mr. Butcher did not believe it would interfere with other equipment or vehicle purchases needed in upcoming years. He added he would like to continue to see two new dump trucks purchased annually.

Mr. Butcher is still working gathering more quotes for a potential Case loader purchase, but would like permission to go ahead and purchase the MowerMax. He believes with the case loader, they will only be making a combined \$95,000 annually lease payment. Mr. Aker believed some equipment being used was antiquated and felt the MowerMax to be a worthwhile purchase. Rex Journey made a motion to approve the lease purchase in 2024 of the MowerMax. Chad Aker seconded the motion and the motion passed by unanimous vote.

The commissioners were given a picture of the progress for the new above ground fuel tanks. They have completed all the work until the tanks are moved in, estimated for December 2023. The company will be taking away the old tanks as part of the agreement. Mr. Butcher presented quotes for a card reader system of \$21,000 to automate the fuel system. He does not see a benefit other than shared convenience for other departments using the tanks. They currently use daily sheets to track how much fuel was used. All parties present agreed it was not worth the additional cost.

Lastly, Mr. Butcher discussed items the department would like to put in an auction. The items included Truck 104 (2004 old salt truck with transmission issues) Chassis only, Truck 108 International Workstar and is high in mileage, 2 truck beds off trucks 114 and 115 (they are not stainless steel), old straight plow (not is use), diamond 3-point mower with several issues, and mini salt spreader. They would like to get rid of the mini salt spreader as 4 dump trucks are used and the small spreader is not practical. A 2500-gallon poly tank that has not been used in several years and is taking up space in the lot. He would like it to go through the Purple Wave Auction as they advertise nationwide. The company will take the pictures, pick it up, put it on their website and then cut the county a check. Mr. Journey questioned how long before the county would receive proceeds from the sale. Mr. Butcher relayed the auction date was July 26<sup>th</sup>, 2022 and the check was written on August 9<sup>th</sup>, 2022. Rex Journey made a motion to approve the items be sold with Purple Wave Auction. Chad Aker seconded the motion and the motion passed by unanimous vote.

**ANIMAL CONTROL CONTRACT**

Mr. Schemenaur gave an update on the pending animal control contract discussed at the last meeting. The issues have been addressed in the latest version of the contract. The payments will continue to be made quarterly due to the 3-month termination clause. They have defined an “*aggressive*” *dog for after hours as animals that have bitten a human being or are in imminent danger of biting a human being. “Abandoned” animals shall be defined as a situation where law enforcement has arrested an individual, an individual has suffered from a medical emergency, or an individual has died resulting in a dog or cat being abandoned or unattended. Any calls between 4 pm and 8 am Monday through Friday, weekends, or holidays shall constitute after hour calls.*

The last concern regarding the contract was in relation to enforcement. The society will only be authorized to assist law enforcement regarding existing ordinance, laws, and regulations. They could possibly be involved in collecting evidence and court testimony. However, the actual ticket citation will come from law enforcement. After the above issues were addressed, Mr. Schemenaur gave his

recommendation to sign the agreement. Rex Journey made a motion to approve and sign the animal control contract for 2024. Chad Aker seconded the motion and the motion passed by unanimous vote.

**IBB- FUEL BUDGETTING PROGRAM**

An application for the Indiana Bond Bank Fuel Budgeting Program for 2024 was presented for commissioner decision. The county has not seen any savings this year through the program. Rex Journey made a motion to not participate in the program for 2024. Chad Aker seconded the motion and the motion passed by unanimous vote.

**CAPITAL IMPROVEMENT PLAN- ORDINANCE 2023-14**

An updated capital improvement plan was presented for commissioner approval. The plan is in the form of the ordinance and sets out required information for the projects included general description and estimated cost. Mr. Journey questioned if this would affect other municipalities. Mr. Schemenaur explained the other municipalities had not withdrawn from the prior capital improvement plan and were free to create their own plan. The county plan will now be a two-year plan versus a five-year plan.

**ORDINANCE AMENDING THE CAPITAL IMPROVEMENT PLAN  
OF JAY COUNTY, INDIANA**

**WHEREAS**, pursuant to I.C. 6-3.6-7, the economic development income tax (EDIT) has been imposed in Jay County, Indiana (“County”) through action of the Jay County Council;

**WHEREAS**, the Jay County Board of Commissioners has previously approved a capital improvement plan (“Capital Improvement Plan”); and,

**WHEREAS**, the County now desires to make certain amendments to the Capital Improvement Plan.

**NOW THEREFORE BE IT ORDAINED BY THE JAY COUNTY BOARD OF COMMISSIONERS:**

1. The Amended and Restated Capital Improvement Plan of the County, attached hereto as Exhibit “A”, is hereby adopted.
2. This Ordinance shall become effective from and after the date of its adoption.

**EXHIBIT ‘A’**

**ECONOMIC DEVELOPMENT INCOME TAX  
CAPITAL IMPROVEMENT PLAN OF  
JAY COUNTY, INDIANA**

**Introduction**

This document is the Capital Improvement Plan (“Plan”) for Jay County, Indiana. It is intended for adoption by the Board of Commissioners of the County in conformance with I.C. 6-3.6, et seq.

**Term**

The term of the Plan is two (2) years from the date of its adoption.

**Plan Objectives**

I.C. 6-3.6-6-9.5 requires the adoption of the Plan by the Board of Commissioners before the County may receive distribution of the economic development portion of the Local Income Tax revenue, which is allocated solely for economic development purposes. The Plan must specify the uses for which the County proposes to use the economic development portion of the Local Income Tax Revenue, which is allocated solely for economic development purposes.

**Description of Capital Projects (collectively, the “Projects”)**

Project 1:

General Description: Broadband project with Main Stream Fiber to provide approximately 233 of fiber optic internet service to the County.  
Estimated Total Cost: \$10,000,000.00 (\$2,000,000.00 County matching funds)  
Source of Funding: EDIT Funds; ARP Funds; Solar/Wind Farm Funds  
Planning, Development, and Construction Schedule: Initial planning to begin in 2024 with an estimated completion in 2025

Project 2:

General Description: County Highway Department Building Project  
Estimated Total Cost: \$2,200,000.00  
Source of Funding: Issuance of bonds; EDIT Funds; Grant Funds; Solar/Wind Farm Funds  
Planning, Development, and Construction Schedule: Initial planning to begin in 2024 with an estimated completion in 2025

Project 3:

General Description: Jay County Solid Waste Management Building  
Estimated Total Cost: \$1,600,000.00  
Source of Funding: EDIT Funds; USDA Grant; OCRA Grant  
Planning, Development, and Construction Schedule: Fall 2023 (initial planning) to be complete in 2025

Project 4:

General Description: Public Safety/JEMS Building  
Estimated Total Cost: \$3,000,000.00  
Source of Funding: EDIT Funds; USDA Grant; OCRA Grant  
Planning, Development and Construction Schedule: Fall 2023 (initial planning) to be completed in 2025

Project 5:

General Description: Development of County Owned 68 acre parcel for potential housing development  
Estimated Total Cost: \$395,000.00  
Source of Funding: EDIT Funds; ARP Funds; OCRA Grant  
Planning, Development and Construction Schedule: Contract for design and engineering signed Fall of 2023; Conceptual design, schematics, and surveying to be completed mid-2024.

Project 6:

General Description: Transitional Housing/Sober Living Facility  
Estimated Total Cost: \$750,000.00  
Source of Funding: EDIT Funds; Opioid Settlement Funds; Local, State, and Federal Grants; Wind/Solar Farm Funds  
Planning, Development, and Construction Schedule: Fall of 2023 (initial planning) to be completed in 2025.

In accordance with I.C. 6-3.6-6-9(e), the Plan incorporates projects, the cost of said projects is at least seventy-five percent (75%) of the fractional amount of the additional revenue allocated for economic development purposes.

Rex Journey made a motion to approve Ordinance 2023-14 as presented. Chad Aker seconded the motion and the motion passed by unanimous vote.

MISCELLANIOUS BUSINESS

The payroll docket was presented for commissioner approval. Rex Journay made a motion to approve the payroll docket. Chad Aker seconded the motion and the motion passed by unanimous vote.

A quarterly Claim for the Jay County Humane Society for \$13,750 was presented for approval. Rex Journay made a motion to approve the quarterly claim. Chad Aker seconded the motion and the motion passed by unanimous vote.

With no further business, Rex Journay made a motion to adjourn at 10:38 a.m; Chad Aker seconded the motion and the motion passed by unanimous vote.

JAY COUNTY COMMISSIONERS

  
Chad Aker

Brian McGalliard

  
Rex Journay

Attest:   
Jay County Auditor