

same PHP Plan. The estimated cost for the alternate plan would be \$147,393.96 for an estimated difference of \$46,330.68. Ms. Franks questioned if the county should contribute to the employees' HSA to get them started. Mrs. Clayton stated companies did contribute annually, quarterly or monthly to employees' accounts. She recommended payments be made monthly or quarterly as an incentive to retain employees. Mr. McGalliard liked the idea of using the cost savings between the two plans to help those on the HDHP. Mrs. Clayton explained as an example most companies would offer \$200 to individuals and \$400 Employee/Spouse, Employee/Children and Family Coverage. Ms. Franks will look at the numbers and see what the county could contribute with the additional \$46,000 in savings.

The commissioners reviewed all the positives and negatives for both plans in regards to employees. The positive for staying on the current plan would be the smaller deductible for employees. However, the large majority of employees do not currently meet the \$1,500 deductible. The alternate plan would have a higher deductible but a lower in network max. It would also allow the employee to have an HSA, if desired. The county could help offset expenses by offering money towards an employee's HSA. Mrs. Clayton recommended an onsite discussion of benefits during the open enrollment window to help explain any new options.

Rex Journey made a motion for the county to have employees pay the same premiums as the current year and offer the alternate PHP plan for 2024 with the HSA option and county contribution to be determined. Brian McGalliard seconded the motion and the motion was approved by unanimous vote. Mrs. Clayton asked the commissioners if they would like to include Short Term Disability to the offerings from Principal for 2024. Brian McGalliard made a motion to add short term disability as an optional insurance to employees. Rex Journey seconded the motion and the motion passed by unanimous vote.

With no further business, Brian McGalliard made a motion to adjourn at 3:21 p.m; Rex Journey seconded the motion and the motion passed by unanimous vote.

**JAY COUNTY COMMISSIONERS**

Chad Aker  
12/11/2023

Brian McGalliard

Rex Journey

Attest: Cindy Franks  
Jay County Auditor

**NOVEMBER 8<sup>TH</sup>, 2023 EXECUTIVE SESSION**

The Jay County Council and Commissioners met in joint executive session on Wednesday, November 8<sup>th</sup>, 2023, at 5:15 PM, in the auditorium at the Jay County Courthouse. Attending from the council was Harold Towell, Cindy Bracy, Matt Minnich, Randy May, Faron Parr, Dave Haines, attorney Wes Schemenaur, auditor Emily Franks, and Jeanne Houchins, presiding. Attending from the commissioners was Brian McGalliard and Rex Journey with Chad Aker, presiding. The purpose of the joint session was for interviews and negotiations with industrial or commercial prospects or agents of industrial or commercial prospects by. IC 5-14-1.5-6.1(b)(4).

**NOVEMBER 13, 2023**

The Jay County Commissioners met in regular session on Monday, November 13, 2023, in the auditorium in the courthouse. Attending was Rex Journey, Brian McGalliard, attorney Wes Schemenaur, auditor Emily Franks, and Chad Aker, president, presiding. Rex Journey made a motion to approve the minutes from October 23, 2023, the executive session from October 25, 2023 and the special session from November 1, 2023. Brian McGalliard seconded the motion and the motion passed by unanimous vote.

**LIFESTREAM**

Kevin DeCamp, transportation manager, came to the commissioners for their approval of a claim related to the purchase of four new buses. Federal funds were diverted to cover since no new buses have been purchased since 2020. The total claim for the four new buses was \$458,456. Brian McGalliard made a motion to sign and approve the claim for the new buses. Rex Journey seconded the motion and the motion passed by unanimous vote.

**IECRPD- OWNER OCCUPIED REHAB**

Nate Kimball, Assistant Director of Regional Economic Development & Planning ECI-RPD, came to the commissioners to give them an update on various items. Mr. Kimball will be establishing office hours for community members to meet with him. He updated the board on the OCRA Owner Occupied Rehab program and the timeline. Mr. Journey questioned what would be the procedure if more residents qualify than are funds available. Mr. Aker also questioned if all applications would be

approved by the commissioners before submission. Mr. Kimball clarified if a homeowner meets all the requirements, it would be on a first come, first serve basis. The commissioner review process could be discussed but at this time they will be grouped by quadrant and category for the bidding process.

The last topic discussed was in regards to the READI 2.0 call for projects. Mr. Aker believed the county's big project would be the land purchase and asked for Mr. Kimball's assistance. Mr. McGalliard stated they have been working with Rundell Erstenberger Associates (REA) and will meet with them again on Thursday. He clarified the READI 2.0 portal asks if the project is a county priority project. Rex Journey made a motion to set the county's priority project as the 68 A land development for the READI 2.0. Brian McGalliard seconded the motion and the motion passed by unanimous vote.

**ELECTION WORKSHOP**

Ashley Drees, Purdue Extension Jay County Extension Educator-Health & Human Sciences and Jon Eads, county clerk, came to discuss an upcoming election workshop open to the public. The workshop will be held January 9<sup>th</sup>, 2024 at 5:30 p.m. in the Jay County Courthouse Auditorium which is the night before the window opens to run for election. It will help those present understand the requirements better, the logistics of running for office and what is required of those in office. There will be a panel of current elected officials including school board, city and county council and commissioners. Mrs. Drees asked if a commissioner would be available to participate in the workshop, Mr. Aker volunteered to participate as a commissioner representative. Mrs. Drees also informed commissioners, Purdue University has started a broadband availability initiative they hope residents will participate in.

**HIGHWAY**

Eric Butcher, superintendent, came to the commissioners to update them on operations. They have been grading and berming as long as the weather will allow. The new estimated delivery date on the 2024 dump truck chassis is December 19<sup>th</sup>, 2023. The 2024 pickup has been picked up and the new snowplow was installed last week. The Mowernax delivery date is now estimated to be mid-February 2024. Once the Mowernax has been delivered, they will pick up the mowers being traded in.

Mr. Butcher presented two quotes for additional lights on the new pickup truck. The first quote was from Safety Systems out of Richmond, Indiana for \$3,500.60 and includes a five-year warranty. The second quote was from American Eagle Equipment out of Noblesville, Indiana for \$4,136.76 and includes a ten-year warranty. Mr. Butcher would like to go with American Eagle for the 10-year warranty. Mr. Journey questioned if the department would keep the truck more than five years and Mr. Aker questioned if the money was available in his budget. Mr. Butcher confirmed yes to both. Rex Journey made a motion to approve the quote from American Eagle Equipment for \$4,136.76. Brian McGalliard seconded the motion and the motion passed by unanimous vote.

Lastly, the first fuel has been put in the new fuel tanks today, but had to stop because it started leaking in a joint on the top (diesel). The company is working on the correction now and hopes it be resolved by the end of the day today. The old fuel tanks will be dug up and decommissioned tentatively next week. The pumps and barricades out front will also be removed. They are hoping the soil samples are good and no further remediation will be required. Mr. Butcher has obtained his ERC and Bridge Inspection Certification for another year. He will be attending commissioners conference the week after Thanksgiving.

**BUILDING & PLANNING**

John Hemmelgarn, director, came to the commissioners to give a quarterly update on operations. The commissioners asked for an update on the former Bailey Building. Mr. Hemmelgarn informed the board they had a two-week waiting period, due to a family emergency, they plan to now start on November 20<sup>th</sup>, 2023. The Juan Marentes' property set for demolition is pending review from the Portland Redevelopment Commission. They are looking at possible ways to save the building including hiring a structural engineer and architect. The option might be prohibited due to cost and transfer of ownership. They have so many days to pay the bill. If they tear down or make repair, the current owner will have so many days to pay before it becomes a lien against the property. Mr. Hemmelgarn wanted to make it clear he had been in contact with the owner for six years to clean up the building. He added he believes taking action against the derelict building is working to warn other properties owners in similar situations.

**RETIREMENT CENTER COMMITTEE**

Jeanne Houchins, council president, came to give an update from the retirement center committee. They have ~~met~~ in three different meetings with an average of seven in attendance. After reviewing information provided by the county attorney regarding county homes, the committee recommends

creating a board. The Indiana statute is in relation to populations over 250,000 and would answer to the home and commissioners. They would be required to do an onsite walk through at least four times a year and must be 4 of a political party and three of another.

The committee believed if the facility was run properly it would come close to breaking even. The board could spend more time overviewing the facility, operations and budget. However, ultimately the budget would be the council decision and the commissioners would have the ultimate say in any repairs, large expenditures, etc. Mr. Journey questioned how the board would affect the feasibility of the committee. Ms. Houchins clarified the board would replace the committee and have direction by the end of June 2024. The committee has recommended the following members: Chris Nixon, Bob Ford, Becky Thornburg, Virginia Burkey, Nancy Cline, Harold Towell, with Cindy Bracy as president. Mr. McGalliard asked for the county attorney to come up with by-laws related to responsibilities. This would include who can fix salaries, determine a director, improvements, and review the budget, but a final decision will be decided by the council. Mr. Schemenaur will work on an ordinance forming the boards creation for commissioner approval.

## **2024 INSURANCE**

Emily Franks, auditor, provided commissioners with options related to the HSA employer portion for 2024. She was unable to figure complete numbers because open enrollment had not completed but offered two choices. If the enrollment numbers remained constant from 2023, the county could afford to offer \$400 for a single plan or \$800 for the employee/child, employee/spouse and family plan. If there is much movement, extra monies might be required to cover the difference. The savings between the two plans would unquestioningly cover \$300 for the single plan or \$600 for the employee/child, employee/spouse and family plan would cover it. Rex Journey made a motion to approve the 2024 employer HSA portion of \$300 for a single plan and \$600 for the employee/child, employee spouse, and family plan. Brian McGalliard seconded the motion and the motion passed by unanimous vote.

## **68 A LAND USE-FARM RENT**

Brian McGalliard informed the board REA believes the county should go ahead and rent out the 68 A farm ground for 2024. Mr. Schemenaur suggested the agreement be year to year until plans are decided. The notice was sent to the prior owner that they would be allowed to submit a bid for the land. Rex Journey made a motion to approve advertising for a one-year lease agreement. Brian McGalliard seconded the motion and the motion passed by unanimous vote.

## **HEALTH DEPARTMENT**

Heath Butz, administrator, came to the commissioners to discuss the annual attorney contract for the Jay County Health Board. They have been utilizing Coldren & Frantz, now doing business as Sprunger and Sprunger since the 1980s. He would recommend maintaining their current contract with Josh Atkinson from Sprunger and Sprunger. Mr. Butz researched if local counties utilized the county attorney or hired outside counsel and found it both ways. Mr. McGalliard questioned if the attorney would be responsible for educating the commissioners on the new health funding. Mr. Aker echoed his sentiments adding there is so much coming down through the new health initiative. Mr. Butz felt confident Mr. Atkinson could educate or communicate with the county attorney. Rex Journey made a motion to approve Sprunger & Sprunger, Josh Atkinson, for the Jay County Health Board attorney for 2024 Mr. McGalliard seconded the motion and the motion passed by unanimous vote.

Mr. Journey asked if there were any updates on the IDEM issue with Redkey discussed at the drainage board meeting October 23, 2023. Mr. Butz reported they were working on the issue. The two homes in question are connected together and are about 300 feet from their sewer line. They both just have tanks that discharge. If that doesn't fix it, he will look at more causes for the issue. The state has voided that portion of the county ordinance and which require commissioners' approval after approval from the state.

## **SHERIFF DEPARTMENT**

Larry R. Newton, sheriff, came to the commissioners to discuss new radios for the department. Barry Ritter, owner Ritter Strategic Services LLC, came to discuss services he could provide the county. He is a former state 911 director based out of Wayne County, Indiana who helps counties and municipalities navigate public safety issues. He would help the county decide the best configuration for the radio upgrade looking at efficiencies in coverage and modernization to the system as a whole. It would include a system assessment for all those who use the communication system, site assessments, inventory of the infrastructure and mapping of the topography. He would then bring back an assessment and recommendations to the county. It would then be up to the county on how they move forward based on the information.

Mr. Journey questioned if the services would include reviewing bids received by the county. Mr. Ritter stated that would be in the second phase of the contract. The contract would be based on time

and hours spent for project management. He did not believe the county would be required to solicit bids for some parts of the project but would follow local legal counsel. Mr. Journey clarified phase one would only include the assessment and recommendation. The county could then decide how they would move forward including retaining him for the second phase. He then questioned the typical cost of the initial phase. Mr. Ritter is completing a comprehensive assessment in Wayne County currently at \$80,000, however 2 years ago a smaller county cost \$63,000.

Mr. Aker believed the county needed a consultant to help facilitate in the decision. The county has been looking at upgrading the system for a while and would like to ensure the system is updated correctly. He mentioned there had been issues paging out on the current 800 MHz system and questioned if the problem had been fixed. Mike Weitzel, Portland Fire Chief, stated the system was antiquated but was currently working sufficiently, but there will come a point in time when it is not fixable. Mr. Newton stressed he is not wanting to leave any local unit out of the upgrade and would try to help them find grant solutions. He would like to make a decision quickly and do something now for the sheriff's office.

Mr. Journey questioned the time period for the assessment. Mr. Ritter was hesitant to say because it depends on the responsiveness at the local level, but around six months for a final report. Mr. McGalliard questioned since the evaluation included cities and towns, if they would be willing to help fund the cost. Mr. Newton and Ms. Rhodehamel, EMA director, had reached out to local units but had not had much receptiveness. He asked the commissioners to overlook the fact that we will have two different systems for a while as the county needed the system regardless of financial help.

Mr. Ritter added counties handle this differently depending on county. The county will usually take care of the infrastructure, PSAP, using local dollars. They are not going to buy mobiles or radios for local volunteer and small departments. However, other counties are using ARPA dollars and cover the whole cost. Mr. Ritter's recommendation would not come back with only one methodology. Mr. Aker made a suggestion that a contract be drawn up and run through Mr. Schemenaur before approval. Mr. McGalliard questioned if there were any other firms that could provide the service to the county. Mr. Newton was unaware of other firms but trusted Mr. Ritter as he had worked with him previously.

October 15, 2023 a sheriff vehicle was involved in an accident and was deemed a total loss. The insurance company will be submitting a check of \$27,000 minus a \$1,000 deductible. The driver responsible for the crash will reimburse the \$1,000 to the county. Mr. Newton will be looking for another vehicle and will have the title signed by commissioners. All quotes previously received are going to need to be resubmitted.

Mr. Newton asked vacation, personal and flex time be rolled over to 2024 due to being short staffed. The matron has over 200 hours of flex time and will need it extended. We are short staffed the last few months, rolling over vacation and personal time until next year. Ms. Franks stated she would not recommend rolling over the time for two reasons. The first would be related to a payout of time. It would be paid out at the new rate for 2024. Also, if it is a challenge to use the time, would moving the deadline really change the circumstances. Mr. Schemenaur recommended a deadline be given on the time to keep from accumulating excessive time. Rex Journey made a motion to carry over flex, vacation, personnel time and overtime to June 1, 2024, with the stipulation that it must be used as time off and not paid as overtime. Brian McGalliard seconded the motion and the motion passed by unanimous vote.

Lastly, Mr. Newton, updated commissioners on several items. He submitted meal reports for September and October 2023. On October 10, 2023 he had a jail inspection and October 23, 2023 the state fire marshal had three items that were corrected and reinspected November 1, 2023. The new water softeners have been installed and the water pressure is good enough to remove the three booster pumps. In November 2022 the boilers did not pass inspection, but have since replaced two relief valves in the water heaters. The insurance on the boilers provides their own inspector and they finally passed in September 2023. The permits had not been paid for 2020-2022 and 2022-2024 and required payment of fine. All Circuit has been changing the lights out and are about 40% done. The dishwasher is only 2 years old but the control panels went out. They replaced the panel for \$3,308, but it did it again. The booster heater was leaking down into the controls but it is covered under warranty. Mr. Newton is trying to get in contact with Hobart to get a new part with issues, so he might look at getting another dishwasher down the road.

## COURTHOUSE

Bruce Sutton, superintendent, came to the commissioners to discuss a few issues in various buildings. The furnace in the Extension Office building needs replaced. He has a quote from Laux Plumbing and Heating for the purchase and installation of \$6,640. Rex Journey made a motion to approve the purchase and installation from Laux Plumbing and Heating out of infrastructure. Brian McGalliard seconded the motion and the motion passed by unanimous vote. Mr. Sutton is waiting on NuFlow to

get back with them in regards to a leak in the circuit court jury room bathroom. It has been leaking into the clerk's office and the facilities are shut off until it can be resolved.

**ORDINANCE 2023-15 HORSE DRAWN VEHICLE- BUGGY PLATES**

The ordinance increased the fee from \$60 to \$120 and added a late penalty to deter late registrations. Rex Journey made a motion to approve ordinance 2023-15. Brian McGalliard seconded the motion and the motion passed by unanimous vote.

**ORDINANCE 2023-15**

**ORDINANCE AMENDING CHAPTER 110 OF THE JAY COUNTY CODE OF ORDINANCES**

**BE IT ORDAINED** that chapter 110, horse-drawn vehicles, is hereby amended as follows.

Section 110.03 (A) is amended as follows: There is imposed upon each horse drawn vehicle using the highways or roads in the county a license fee in the sum of \$120.00.

Section 110.03(B) is amended as follows: Each owner of each horse-drawn vehicle shall pay the license fee attributed to the horse-drawn vehicle, as set forth by this chapter, to the Jay County Auditor on or before May 15 of each year and each owner shall receive from the Auditor a numbered metallic tag for each horse-drawn vehicle. Each owner who shall fail to pay the license fee set forth herein before May 15 of each year shall be assessed a late fee of \$25.00 in addition to the license fee set forth in paragraph A, above.

All other provisions not amended hereby shall remain in full force and effect.

**RETIREMENT CENTER**

Melissa Blankley, director, came to the commissioners to give an update on operations. Mr. Journey asked for an estimate on the number of attendees to the haunted house. She was unsure as some went back through the house but estimated a couple hundred. Mr. Aker who attended the event thought it was a very nice event. He asked them to make sure next year they get an entertainment permit and have the fire inspector complete a walk through. Ms. Blankley spoke about an opportunity through RCAP for left over ARCH monies. She believes it will be \$20,000 for the home and \$2,500 per resident and was available October 1, 2023. The money is required to be used by June 2024. The commissioners had several questions in regard to the use of the money. Ms. Blankley will do some more research and get back to them.

Ms. Blankley informed the board she would like her last day to be December 22, 2023. She has been utilizing a part time employee to help her with her workload. She asked if the commissioners would consider naming Kristy Delaney as interim director. If so, she will continue to train her on various departmental items. The commissioners asked someone be trained regardless of naming a director. Rex Journey made a motion to authorize Kristy Delaney to approve and sign claims, Brian McGalliard seconded the motion and the motion passed by unanimous vote.

Lastly, the topic of donations from the haunted house was discussed. Ms. Blankley first wanted to know if it were permissible take out \$200 as a gift to the gentleman who created the event. It was decided that would not be a permissible use of the donation monies. Ms. Blankley then requested \$742 be approved by the commissioners to be receipted into the retirement center donation fund. Rex Journey made a motion to approve the money from the Halloween Haunted House. Brian McGalliard seconded the motion and the motion was passed by unanimous vote. Once remitted to the auditor's office, it was discovered only \$634 of donations were available. The department had reimbursed the purchase of pizza out of the original \$742.

**RESOLUTION 2023-07- CERTIFICATE SALE**

A resolution establishing the intent to conduct a commissioner's sale to sell tax sale certificates for property not sold at the fall tax sale. The tentative date for the sale will be March 13, 2024. Rex Journey made a motion to approve resolution 2023-07. Brian McGalliard seconded the motion and the motion passed by unanimous vote.

**MISCELLANEOUS BUSINESS**

The payroll docket was presented for commissioner approval. Rex Journey made a motion to approve the payroll docket. Brian McGalliard seconded the motion and the motion passed by unanimous vote.

The Jay County Country Living monthly report for September and October was presented for commissioner's review. Brian McGalliard made a motion to approve the monthly reports. Rex Journey seconded the motion and the motion passed by unanimous vote.

A letter for appointment to the Wabash River Heritage Corridor Commission was presented to commissioners. Mr. Journey believed there would be no benefit to the county for attendance as it was mostly centered in southern Indiana. He recommended to appoint no member to the commission. Rex Journey made a motion to not appoint a representative to the commission. Brian McGalliard seconded the motion and the motion passed by unanimous vote.

A lease agreement with the City of Portland for 118 S Meridian St. Suite D was presented for commissioner approval. The lease agreement will be for office space for the community coordinator position. Brian McGalliard made a motion to approve the lease. Rex Journey seconded the motion and the motion passed by unanimous vote.

A claim for the Indiana Bond Bank Fuel Budgeting Program of \$899.40 for the month of October was presented for commissioners' approval. Rex Journey made a motion to approve the claim to IBB. Brian McGalliard seconded the motion and the motion passed by unanimous vote.

A claim to Milestone Contractors for \$56,878.25 in relation to the community crossings grant was presented for commissioner's approval. Rex Journey made a motion to approve the milestone claim. Brian McGalliard seconded the motion and the motion passed by unanimous vote.

A \$50,000 claim to Brandeis for the purchase of the Komatsu Excavator was presented for commissioner approval. Rex Journey made a motion to approve the claim. Brian McGalliard seconded the motion and the motion was passed by unanimous vote.

The 2024 calendar was presented for commissioner approval. After a brief discussion, commissioners agreed to look at removing election day from the holiday schedule for 2025. Rex Journey made a motion to approve as presented. Brian McGalliard seconded the motion and the motion passed by unanimous vote.

With no further business, Brian McGalliard made a motion to adjourn at 11:13 a.m; Rex Journey seconded the motion and the motion passed by unanimous vote.

#### JAY COUNTY COMMISSIONERS

Charl Aker

Brian McGalliard

Rex Journey

Attest:

Jay County Auditor