MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
JANUARY 4, 2021

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 4, 2021. Present were Commissioners, Kevin Overmyer, President; Stan Klotz, Vice President; Mike Burroughs, Member; 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

Mike Burroughs moved, second by Stan Klotz, to retain Kevin Overmyer as President, Stan Klotz as Vice President and Mike Burroughs as Member of the Marshall County Board of Commissioners for 2021. Motion carried 3-0.

COMMISSIONER DEPARTMENT HEAD APPOINTMENTS

The Commissioners made the following motions for 2021 Department Head appointments.

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

Mike Burroughs moved, second by Stan Klotz, to reappoint John Greer as Buildings & Grounds Supervisor-Jail. Motion carried 3-0.

Stan Klotz moved, second by Mike Burroughs, to deny the reappointment of Chuck DeWitt as Building Commissioner. Motion carried 3-0.

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

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

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

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

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

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

Mike Burroughs moved, second by Stan Klotz, to reappoint Ann Anglin as Human Resource Administrator. Motion carried 3-0.

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

HIGHWAY DEPARTMENT

Highway Superintendent, Jason Peters, was unable to attend the meeting. Attorney Clevenger stated two bids were received for the Tile Project just east of 331 on 2B Road at 2795 2B Road: Langfeldt Excavating, LLC in the sum of $32,370 and Thomas Excavating & Welding, Inc. in the sum of $34,429. **Stan Klotz moved, second by Mike Burroughs, to take both bids under advisement to allow the Highway Department time to review and to make a recommendation. Motion carried 3-0.**

PLAN COMMISSION

Plan Commission Director, Ty Adley, presented Ordinance 2020-14: An Ordinance Amending Ordinance 2007-10 Commonly Known As "The Marshall County Zoning Ordinance", as amended for approval. Attorney Clevenger stated the Ordinance has been reviewed and all the items requested have been inserted into the amended Ordinance. **Mike Burroughs moved, second by Stan Klotz, to approve Ordinance 2020-14: An Ordinance Amending Ordinance 2007-10 Commonly Known As "The Marshall County Zoning Ordinance", as amended on second reading. Motion carried 3-0.**

ATTORNEY REPORT

Old Business:

Maintenance Building – Plum Street: Attorney Clevenger sent a proposed purchase agreement to the three owners of the real estate at 716 Plum Street, Plymouth, Indiana, which included conditions related to zoning and environmental approvals. Attorney Clevenger continues to follow up on both those conditions while waiting for a return of a signed agreement. One of the landowners is out of the country so it may take some time before the paperwork is returned.

Ordinance 2020-14 Solar Amendment: This item was addressed previously in the meeting.

Ordinance 2020-26 Personnel Policies Handbook: Human Resource Administrator, Ann Anglin, is working with Waggoner, Irwin & Scheele and a printer to produce and circulate the updated handbook to all Marshall County employees. Attorney Clevenger requested HR include a form for employees to sign in which the employee acknowledges receipt of the revised handbook.

New Business:

COVID-19: A resolution extending the Emergency Declaration another seven days has been prepared. **Mike Burroughs moved, second by Stan Klotz, to approve Resolution 2021-01: Public Health Disaster Emergency Declaration effective January 5, 2021. Motion carried 3-0.**

Ordinance 2020-27 Fixed Asset Policy: The Ordinance has been reviewed and was approved at the December 31, 2020 meeting.

Superior Court III: Governor Holcomb's Office intends to post notice for taking applications starting in mid-February 2021 for the new Judge position. The process normally takes 90 days. The Governor plans to make the appointment well ahead of the July 1st opening date to give the new Judge time to plan for the new position and to arrange staff.

AUDITOR REPORT

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

COMMISSIONER ITEMS

No Commissioner items were heard.

PUBLIC COMMENT

Greg Hildebrand representing the Marshall County Economic Development Corporation, introduced Laura Walls, the new President/CEO. Ms. Walls stated the priority for 2021 will be to work with existing industries.

ADJOURNMENT

With no further business to come before the board **Stan Klotz moved, second by Mike Burroughs, to adjourn the meeting at 9:03 am. Motion carried 3-0.**

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Kevin Overmyer, President

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Stan Klotz, Vice President

_____
Mike Burroughs, Member

ATTEST: _____
Julie A. Fox, Auditor

MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
JANUARY 19, 2021

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., Tuesday, January 19, 2021. Present were Commissioners, Kevin Overmyer, President; Stan Klotz, Vice President; Mike Burroughs, Member; 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, stated he has reviewed and accepted both bids for the Project at 2795 2B Road. The bids were received from Langfeldt Excavating, LLC in the sum of $32,370 and Thomas Excavating & Welding, Inc. in the sum of $34,429. **Stan Klotz moved, second by Mike Burroughs to award the Project at 2795 2B Road to Langfeldt Excavating, LLC in the sum of $32,370. Motion carried 3-0.**

Superintendent Peters presented a road bore request from CenturyLink at 2995 Tamarack Road, between 2C Road and 3B Road, in Polk Township for the purpose of providing service to the customer. **Stan Klotz moved, second by Mike Burroughs, to approve the road bore request from CenturyLink at 2995 Tamarack Road, between 2C Road and 3B Road, in Polk Township for the purpose of providing service to the customer. Motion carried 3-0.**

Superintendent Peters presented a road bore and right of way cut request from Maplenet on 7B Road, between Veterans Parkway and Michigan Road, in Center Township for the purpose of providing high speed internet to local homeowners. **Mike Burroughs moved, second by Stan Klotz, to approve the road bore and right of way cut request from Maplenet on 7B Road, between Veterans Parkway and Michigan Road, in Center Township for the purpose of providing high speed internet to local homeowners. Motion carried 3-0.**

Superintendent Peters presented a road bore request from Marshall County REMC on Thorn Road, between 17th Road and State Road 10, in Union Township for the purpose of installing a pipe. **Stan Klotz moved, second by Mike Burroughs, to approve the road bore request from Marshall County REMC on Thorn Road, between 17th Road and State Road 10, in Union Township for the purpose of installing a pipe. Motion carried 3-0.**

Superintendent Peters provided a road and department update: A preconstruction meeting will be held on January 12th at the Highway Department to discuss bridge scour repairs. The work has been completed on the Community Crossings 2020-2 projects: Plymouth-Goshen from US 6 to County Line; Elm Road from US 30 to Lincolnway and Michigan Road from 1st Road to Tyler Road. The Community Crossings Matching Grant Application, 2021 CCMG-01 Call for Projects is due by January 29th.

The following projects are being submitted for consideration, noting the State matches up to $1 million:

Project	Total Project Cost	INDOT Funds Requested	Local Matching Funds
S. Michigan US 31 to City Limits	$386,475.00	$289,856.25	$96,618.75
West Shore City Limits to South Shore	$164,000.00	$123,000.00	$41,000.00
South Shore West Shore to 20B	$265,000.00	$198,750.00	$66,250.00
3A Road East Shore to Ply-Goshen	$219,327.00	$164,495.25	$54,831.75
Muckshaw 13th to 14th	$148,475.00	$111,356.25	$37,118.75
Sycamore US 6 to 4B	$325,500.00	$244,125.00	$81,375.00
Total	**$1,508,777.00**	**$1,131,582.75**	**$377,194.25**
75% / 25% Match & Excess		**$1,000,000.00**	**$508,777.00**

Stan Klotz moved, second by Mike Burroughs, to approve the Community Crossings Matching Grant Application, 2021 CCMG-01 Call for Projects, in the total project cost of $1,508,777. Motion carried 3-0.

Superintendent Peters stated Quarterly Tracking for all federal aid projects, Bridges 232, 11, 73, 87, 120 and Bridge Inspections were due to MACOG by December 31, 2020 and then to be submitted to INDOT by January 20, 2021.

Discussions were held concerning legislation pertaining to MVH and MVH-Restricted funding. The 2021 Road Project will be presented at the next Commissioner meeting.

OLDER ADULT SERVICES

Executive Director, Janis Jeffirs Holiday, presented the Quarterly 5311 Operating CARES Claim and Operating Expense Report for the 2nd Quarter 2021. Further stating the trips are starting to increase after being down 26% last year. **Mike Burroughs moved, second by Stan Klotz, to approve the Quarterly 5311 Operating CARES Claim in the sum of $90,040 and Operating Expense Report for the 2nd Quarter 2021. Motion carried 3-0.**

PLAN COMMISSION

Plan Commission Director, Ty Adley, presented Ordinance 2020-14: An Ordinance Amending Ordinance 2007-10 Commonly Known As "The Marshall County Zoning Ordinance", as amended for approval on third reading. **Mike Burroughs moved, second by Stan Klotz, to ratify and approve Ordinance 2020-14: An Ordinance Amending Ordinance 2007-10 Commonly Known As "The Marshall County Zoning Ordinance", as amended on third reading. Motion carried 3-0.**

Discussion was held concerning Ordinance 2020-10: An Ordinance to Establish a Moratorium Concerning the Development of Solar Farms on Property within Marshall County, Indiana, which was approved on February 17, 2020. **Mike Burroughs moved, second by Stan Klotz, to end the Moratorium Concerning the Development of Solar Farms with the passing of Ordinance 2020-14 on all three readings. Motion carried 3-0.**

Discussion was held concerning Ordinance 2020-22 requesting to update the Marshall County Zoning Ordinance Article 6 010 A and Article B Shipping Containers. **Mike Burroughs moved, second by Stan Klotz, to deny Ordinance 2020-22: An Ordinance Amending Ordinance Commonly Known As "The Marshall County Zoning Ordinance", as amended. Motion carried 3-0.**

CLERK

Clek Deb VanDeMark presented the 2021 Infinity Voting System Annual Maintenance Agreement in the sum of $12,000. Noting the only item changed within the contract from last year is the date. **Mike Burroughs moved, second by Stan Klotz, to approve the 2021 Infinity Voting System Annual Maintenance Agreement in the sum of $12,000. Motion carried 3-0.**

ATTORNEY REPORT

Old Business:

Maintenance Building – Plum Street: The three landowners have signed the prepared Purchase Agreement. The zoning is not going to be a problem and a phase one environmental is being arranged. **Mike Burroughs moved, second by Stan Klotz, to approve and execute the Contract for the Purchase and Sale of Real Estate, 716 N. Plum Street, Plymouth, Indiana, in the sum of $39,500. Motion carried 3-0.**

Solar Ordinance Amendment 2020-14: This item was addressed earlier in the meeting.

Storage Containers Ordinance 2020-22: This item was addressed earlier in the meeting.

New Business:

COVID-19: Resolution 2021-01(3) was presented extending the Emergency Declaration another seven days and upon approval would be effective January 19, 2021. **Mike Burroughs moved, second by Stan Klotz, to approve Resolution 2021-01(3): Public Health Disaster Emergency Declaration effective January 19, 2021. Motion carried 3-0.**

Clerk Infinity Voting System Agreement: This item was addressed earlier in the meeting.

Ratify Resolution 2021-02: **Mike Burroughs moved, second by Stan Klotz, to ratify Resolution 2021-02: Extension of Emergency Paid Sick Leave. Motion carried 3-0.**

Jail Overcrowding Cases: Lisa Baron with Betty Knight's Office advised six more overcrowding cases have been ruled upon by different federal judges. The Judges ruled on the merits of the case and concluded dismissal was warranted and therefore granted.

Recorder: Attorney Clevenger and Recorder Janet Howard are continuing to negotiate with attorneys for Zillow and may recommend a modification to the bulk user agreement on one provision.

Parker vs. Highway: Mediation is scheduled for Thursday.

SHERIFF

Sheriff Matt Hassel stated it has been recommended the new K9, Diesel, not attend any public meetings until training is complete.

Sheriff Hassel presented two estimates for three 2021 police vehicles. Oliver Lincoln Ford quoted $33,401 per vehicle less a $6,000 trade in value for a total cost of $94,203. Country Auto quoted $34,544 per vehicle less a $6,500 trade in value for a total cost of $97,132.
Mike Burroughs moved, second by Stan Klotz, to approve the purchase of three 2021 police vehicles from Oliver Ford in the sum of $94,203. Motion carried 3-0.

AUDITOR REPORT

December 31, 2020 Minutes: **Mike Burroughs moved, second by Stan Klotz, to approve the December 31, 2020 minutes as presented. Motion carried 3-0.**

January 4, 2021 Minutes: **Stan Klotz moved, second by Mike Burroughs, to approve the January 4, 2021 minutes as presented. Motion carried 3-0.**

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

Statement of Revenue and Expenditures: Auditor Fox stated the revenues received as of December 31, 2020, for all funds were $29,184,764.51 and the total expenditures for all funds were $27,528,521.87.

Auditor Fox stated this is a very busy time in the Auditor's Office with the preparation of the Annual Financial Report, W2's, 1099's and 100R.

COMMISSIONER ITEMS

Drainage Board: It was clarified for the record the Marshall County Drainage Board term for Randy Glingle is January 1, 2019 through December 31, 2021.

Argos Public Library: **Mike Burroughs moved, second by Stan Klotz, to appoint Debra Haschel to fill the unexpired term of Luella Earl, beginning January 1, 2021 and ending December 31, 2022.**

Board of the Development Authority: **Stan Klotz moved, second by Mike Burroughs, to ratify the appointment of Timothy D. Sexton to the Board of Development Authority. Motion carried 3-0.**

Unsafe Buildings and Premises Board: **Mike Burroughs moved, second by Stan Klotz, to appoint Kathy Schwenk to the Unsafe Buildings and Premises Board for a term of one year from January 1, 2021 through December 31, 2021. Motion carried 3-0.**

MACOG Regional Economic Development District: **Mike Burroughs moved, second by Stan Klotz, to reappoint Trend Weldy, Chamber Executive for the Town of Bremen and Joe Martin, Jr., Private Sector Representative to the MACOG Regional Economic Development District Board for a term of one year, from January 1, 2021 through December 31, 2021. Motion carried 3-0.**

Resolution 2021-01(2): **Mike Burroughs moved, second by Stan Klotz, to ratify Resolution 2021-01(2): Public Health Disaster Emergency Declaration executed on January 11, 2021. Motion carried 3-0.**

PUBLIC COMMENT

Mike Burroughs questioned Stan Klotz about his road program since no additional comments or requests have been made after going through the budget process. Stan Klotz confirmed he would like to commit additional monies from the General and Rainy Day Funds to the Highway Department with Highway Superintendent Peters creating the list of roads for the road program and encourages more collaboration with Council. Discussion was held concerning early payoff of the jail bond, how to continue to fund the jail with the key being to keep the inmate population down.

Kevin Overmyer stated he has received a couple of calls from legislators concerning the Joint Resolution signed by the Board of Commissioners and Council in December 2020, to continue using the Special LIT revenues for jail expenses because new Council Members have contacted the legislators to have the bill removed without coming to the local boards first.

ADJOURNMENT

With no further business to come before the board **Mike Burroughs moved, second by Stan Klotz, to adjourn the meeting at 10:41 am. Motion carried 3-0.**

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Kevin Overmyer, President

_____
Stan Klotz, Vice President

_____
Mike Burroughs, Member

ATTEST: _____
Julie A. Fox, Auditor

MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
FEBRUARY 1, 2021

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 1, 2021. Present were Commissioners, Kevin Overmyer, President; Stan Klotz, Vice President; Mike Burroughs, Member; 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 right of way cut request from NIPSCO on 5D Road, between Michigan Road and East of Michigan Road, in North Township, for the purpose of providing new gas service to 13456 5D Road. **Mike Burroughs moved, second by Stan Klotz, to approve the right of way cut request from NIPSCO on 5D Road, between Michigan Road and East of Michigan Road, in North Township, for the purpose of providing new gas service to 13456 5D Road. Motion carried 3-0.**

Superintendent Peters provided a road and department update: Notice to Proceed will be issued for the flood damage repairs, the contractor plans to begin as soon as possible. The Community Crossings 2021-01 Application was submitted with a few minor changes to meet INDOT requirements. All federal aid project vouchers (Bridge Inspections, Bridges #232, #11, #73, #87 and #120) have been submitted to the State. Bridge #5 and #9 preliminary plan packages are ready to be reviewed and submitted. The crew continues cutting brush, berming and plowing.

Superintendent Peters discussed heavy equipment causing damage to the roads under I.C. 9-21-8-47 with the possibility of individuals paying for damages. Attorney Clevenger indicated proof of damage would need to be provided and will review the Indiana Code.

Superintendent Peters and Katie McLear, USI Consultants, presented an Agreement between Marshall County and USI Consultants, Inc. for Marshall County Bridge #120, Upas Road (DES #1702838) for Additional Design and Right-of-Way Engineering for a total fee not to exceed $15,000. Further explaining the request is being made due to public input and by utilizing local funding it will keep the project moving on time and will result in an overall cost savings of $10,000 to $20,000. **Stan Klotz moved, second by Mike Burroughs, to approve the Agreement between Marshall County and USI Consultants, Inc. for Marshall County Bridge #120, Upas Road (DES #1702838) for Additional Design and Right-of-Way Engineering for a total fee not to exceed $15,000. Motion carried 3-0.**

WIC

WIC Coordinator, Evelyn Shields, submitted the WIC Certified Professional Authority contract for approval explaining this was previously an employee position and will now be a contracted position. Further stating the State has approved the contract and funding for up to 29 hours of work per week. **Mike Burroughs moved, second by Stan Klotz, to approve the use of the WIC Certified Professional Authority Contract. Motion carried 3-0.**

BUILDINGS & GROUNDS

Maintenance Supervisor, Doug Masterson, presented an estimate from Dynamic Mechanical Services for the replacement of the existing heat recovery in the sum of $31,336 and for a new heat pump in the Courthouse Annex in the sum of $18,811. **Stan Klotz moved, second by Mike Burroughs, to accept the quote from Dynamic Mechanical Services for replacement of the existing heat recovery in the sum of $31,336. Motion carried 3-0.**

Maintenance Supervisor Masterson presented an estimate from Dynamic Mechanical Services for a new heat pump in the court's entry hallway in the sum of $18,811. **Mike Burroughs moved, second by Stan Klotz, to accept the quote from Dynamic Mechanical Services for a new heat pump in the sum of $18,844. Motion carried 3-0.**

Commissioners noted the claims associated with remodeling Superior Court III have been budgeted and are to be paid from the Rainy Day Fund.

Discussion was held concerning the possibility of rescinding the Plum Street contract and moving Buildings & Grounds to the Civil Defense Building.

GIBSON INSURANCE

Gibson Insurance Risk Advisor, Chris Niezer, stated the annual insurance review meeting was held last week with the Commissioners, after requesting estimates from the marketplace it was recommended to continue insurance coverages with Travelers, Bliss McKnight and IPEP with a five percent premium increase. Advisor Niezer thanked the County for the continued partnership. Insurance Advisor, Mike Miley, commended Chris Niezer and team for holding the premium and claim experience down. **Stan Klotz moved, second by Mike Burroughs, to approve the Insurance Services Agreement with Gibson Insurance Agency, Inc. and renew the insurance coverages for 2021 with Travelers, Bliss McKnight and IPEP.**
Motion carried 3-0.

ATTORNEY REPORT

Old Business:

Maintenance Building – Plum Street: This item was addressed earlier in the meeting.

Storage Containers Ordinance 2020-22: Since this was originally referred to the Plan Commission for modification and then revisited at the last meeting, to be sure the statute does not cause a problem later, it was suggested to deny the proposed amendment again. Commissioner Klotz stated the Plan Commission voted to deny by a vote of 8-1.

Campbell vs Sheriff: Campbell is now being held at the Indiana Department of Corrections. A motion to dismiss the claim for injunctive relief has been filed.

New Business:

COVID-19: The County is currently in the yellow category and Commissioner Overmyer stated if the County remains in the yellow category for 14 days, long term care facilities can receive visitors. Resolution 2021-01(5) was presented extending the Emergency Declaration another seven days and upon approval would be effective February 1, 2021. **Mike Burroughs moved, second by Stan Klotz, to approve Resolution 2021-01(5): Public Health Disaster Emergency Declaration effective February 1, 2021. Motion carried 3-0.**

Attorney Contact: The Attorney Contract for calendar year 2021 was presented for approval, noting it is the same terms as last year. **Mike Burroughs moved, second by Stan Klotz, to approve the Attorney Contract for calendar year 2021. Motion carried 3-0.**

Treasurer: Attorney Clevenger explained the property owner of 415 Lakeshore Drive, Culver, was able to receive a stay on the Sheriff's Sale. The unpaid real estate taxes are in the sum of $35,503.59. Discussion was held concerning pursuing legal services, specialized in bankruptcy, for the reinstatement of the Sheriff Sale as the property owner has filed Chapter 13.

AUDITOR REPORT

Beacon Forms: Auditor Fox presented a Professional Services Agreement with Schneider explaining exemption and deduction forms will be available online providing ease of access to County residents. Auditor Fox stated the initial cost is $13,270 and the cost for year two is $4,860, which may be paid from the Plat Mapping Fund. Commissioner Overmyer would encourage individuals to do business online and stated the County has had a longstanding relationship with Schneider. **Mike Burroughs moved, second by Stan Klotz, to approve the Professional Services Agreement between Marshall County and Schneider Geospatial, LLC for March 1, 2021 through December 31, 2021 in the sum of $13,270 and $4,860 in 2022. Motion carried 3-0.**

January 19, 2021 Minutes: **Stan Klotz moved, second by Mike Burroughs, to approve the January 19, 2021 minutes as presented. Motion carried 3-0.**

January 25, 2021 Special Called Meeting Minutes: **Mike Burroughs moved, second by Stan Klotz, to approve the January 25, 2021 Special Called Meeting minutes as presented. Motion carried 3-0.**

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

COMMISSIONER ITEMS

Ratify Resolution 2021-01(04): **Mike Burroughs moved, second by Stan Klotz, to ratify Resolution 2021-01(04): Public Health Disaster Emergency Declaration effective January 26, 2021. Motion carried 3-0.**

Morgue – HVAC Proposal: Laurie Johnson, PE, Vice President of DLZ presented a professional services Letter Agreement Proposal to provide Engineering Services for the Heating, Ventilation, and Air Conditioning (HVAC) system for the Autopsy room in the new Coroner Building. DLZ

proposes a lump-sum fee of $4,000 for development of the Construction Documents and an additional $1,250 for Construction Administration services. **Mike Burroughs moved, second by Stan Klotz, to approve the Professional Services Letter Agreement as presented in the total sum of 5,250. Motion carried 3-0.**

Building Inspector: Clarification was provided concerning the former Building Inspector contracting with towns not having an affect on the Unsafe Buildings.

Pre-Payment: Coroner John Grolich requested permission to pre-pay Crossroads Ambulance of Middlebury, Indiana, for the new vehicle in the sum of $37,217. Commissioner Overmyer stated the cost is included in the Commissioners' COVID-19 budget line item. **Mike Burroughs moved, second by Stan Klotz, to approve the request for pre-payment to Crossroads Ambulance in the sum of $37,217 for a new vehicle. Motion carried 3-0.**

Road Program: **Stan Klotz moved to support additional funding for the 2021 road program. Motion died for a lack of second.** Mike Burroughs stated a plan is needed to know how it will be funded.

Mobile Medical Unit: Commissioner Overmyer stated the mobile medical unit has been delivered. The Winnebago is state of the art and one of a kind in the State of Indiana.

PUBLIC COMMENT

Mike Miley acknowledged the Health Department in doing a great job scheduling and administering his COVID vaccination.

A Joint Commissioner and Council Work Session is scheduled for Thursday, February 4th at 9:00 a.m.

ADJOURNMENT

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

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Kevin Overmyer, President

_____
Stan Klotz, Vice President

_____
Mike Burroughs, Member

ATTEST: _____
Julie A. Fox, Auditor

MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
FEBRUARY 15, 2021

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 15, 2021. Present were Commissioners, Kevin Overmyer, President; Stan Klotz, Vice President; Mike Burroughs, Member; 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 request from Marshall County REMC on Tamarack Road, between 3B Road and 4B Road, in Polk Township, for the purpose of providing electric service to 3580 Tamarack Road. **Stan Klotz moved, second by Mike Burroughs, to approve the road bore request from Marshall County REMC on Tamarack Road, between 3B Road and 4B Road, in Polk Township, for the purpose of providing electric service to 3580 Tamarack Road. Motion carried 3-0.**

Superintendent Peters presented a road bore and right of way cut request from Lumen (Systems One Holding) on East County Line Road, between 4th Road and 4B Road, in German Township, for the purpose of installing new cable. **Stan Klotz moved, second by Mike Burroughs, to approve the road bore and right of way cut request from Lumen (Systems One Holding) on County Line Road, between 4th Road and 4B Road, in German Township, for the purpose of installing new cable. Motion carried 3-0.**

Superintendent Peters presented a right of way cut request from United Telephone of Indiana d/b/a Lumen on North Queen Road, between Tyler Road and North Street, in Polk Township, for the purpose of pulling copper back off Bridge #9 and leash to existing aerial cable.
Mike Burroughs moved, second by Stan Klotz, to approve the right of way cut request from United Telephone of Indiana d/b/a Lumen on North Queen Road, between Tyler Road and North Street, in Polk Township, for the purpose of pulling copper back off Bridge #9 and leash to existing aerial cable. Motion carried 3-0.

Superintendent Peters provided a road and department update: The contractor will begin the bridge scour repairs on A Road February 11th. The environmental permit application has been submitted on Bridge #73, King Road. Level 2 design exception request has been made for Bridge #87, 11th Road.

Mike Burroughs moved, second by Stan Klotz, to approve the Level 2 Design Exception between Marshall County and USI Consultants, Inc. for Marshall County Bridge #87, 11th Road over Yellow River (DES #1702839), for bridge clear roadway width.
Motion carried 3-0.

Superintendent Peters stated Community Crossings 2020-02 second call work has been completed, information submitted and is waiting on a purchase order. Community Crossings 2021-01 first call grant application has been submitted.

Superintendent Peters presented a draft letter to be mailed to homeowners when a complaint is made concerning a damaged mailbox or other related damages due to maintenance of county roads or right-of-ways.

TREASURER

Treasurer, Angie Birchmeier, presented the Services Agreement between L & D Mail Masters, Inc. and the Marshall County Treasurer for the printing and mailing of annual property tax forms. **Stan Klotz moved, second by Mike Burroughs, to approve the Services Agreement between L & D Mail Masters, Inc. and Marshall County Treasurer for printing and mailing of annual property tax forms. Motion carried 3-0.**

Treasurer Birchmeier requested permission to extend office hours during Spring Collection, which is due May 10, 2021, and during Fall Collection, which is due November 10, 2021. The extended hours are as follows:

Spring Collection: Friday, May 7, 2021 from 8:00 a.m. to 6:00 pm; Saturday, May 8, 2021 from 9:00 a.m. to 12:00 p.m. and Monday, May 10, 2021 from 8:00 a.m. to 6:00 p.m.

Fall Collection: Saturday, November 6, 2021 from 9:00 a.m. to 12:00 p.m.; Tuesday, November 9, 2021 from 8:00 am to 6:00 p.m. and Wednesday, November 10, 2021 from 8:00 a.m. to 6:00 p.m.

Mike Burroughs moved, second by Stan Klotz, to approve the extended office hours for spring and fall tax collection as presented. Motion carried 3-0.

Treasurer Birchmeier stated two weeks prior to the tax due date (Spring-April 26, 2021; Fall-October 27, 2021) collection points will be at the following locations: All TCU locations, First Merchants Bank in Bourbon, First Farmers Bank and Trust in Culver and the Town of Bremen Clerk-Treasurer's Office.

BUILDINGS & GROUNDS

Maintenance Supervisor, Doug Masterson, presented an estimate from Dynamic Mechanical Services for a new heat pump in the Courthouse east entry hallway in the sum of $15,730. **Mike Burroughs moved, second by Stan Klotz, to accept the quote from Dynamic Mechanical Services for a new heat pump in the Courts east entry hallway in the sum of $15,730. Motion carried 3-0.**

DUSTIN'S PLACE

Viki Brown stated Dustin's Place is preparing to host the 2nd Annual Join the Journey 5k and one-mile family fun run in support of grieving children. Explaining the 5k road race is professionally timed with staggered start lines to allow for social distancing. The race will be held April 17th at 8:00 a.m. The route will begin and end at Dustin's Place, 11802 Lincoln Highway, from here racers will run west into town on Lincoln Highway to Pennsylvania, to Liberty, then LaPorte to Kingston and back onto Pennsylvania; from this loop, the racers will enter Lincoln Highway, run east passing Dustin's Place, enter the housing addition behind that

location. They will continue running from Lincoln Highway to McQueen, Lawndale, and Meadow Lane up to Greenlawn and then Sunnyside to Lincoln where they will finish the 5k back at Dustin's Place. **Mike Burroughs moved, second by Stan Klotz, to allow Dustin's Place to use a portion of the road off Lincoln Highway to host the 2nd Annual Join the Journey 5k race on April 17, 2021 at 8:00 a.m. Motion carried 3-0.**

CORONER

Coroner, John Grolich, presented a request for pre-payment to the Postmaster in the sum of $134 for rental fees of a post office box. **Stan Klotz moved, second by Mike Burroughs, to approve the pre-payment request of $134 to the Postmaster for rental of a post office box. Motion carried 3-0.**

ATTORNEY REPORT

Old Business:

Maintenance Building – Plum Street: Attorney Clevenger is working on this item.

Treasurer-415 Lakeshore Real Estate Taxes: An Intergovernmental Agreement between Marshall County and the Town of Culver has been prepared to share in the attorney fees for Mark Adey, Barnes & Thornburg. The Town of Culver is agreeable and is expected to sign the agreement on February 23rd. Attorney Adey is currently working on the appropriate motion to be filed in the bankruptcy case that involves the real estate in Culver. **Stan Klotz moved, second by Mike Burroughs, to approve the Intergovernmental Agreement between the Town of Culver and Marshall County for Legal Fees associated with real estate at 415 Lakeshore Drive, Culver. Motion carried 3-0.**

New Business:

Ratify Resolution 2021-01(6): **Mike Burroughs moved, second by Stan Klotz, to ratify Resolution 2021-01(6): Public Health Disaster Emergency Declaration effective February 8, 2021. Motion carried 3-0.**

Resolution 2021-01(7): **Mike Burroughs moved, second by Stan Klotz, to approve Resolution 2021-01(7): Public Health Disaster Emergency Declaration effective February 15, 2021. Motion carried 3-0.**

Treasurer: Attorney Clevenger has reviewed the L & D Masters, Inc. Service Agreement and it was addressed earlier in the meeting.

Resolution 2021-04: Resolution of the Board of Commissioners of Marshall County, Indiana Expressing Support for Local Control of Land Use Decisions. The Commissioners, by approving Resolution 2021-04, are expressing opposition to House Bill 1381 (which communities would be compelled to allow wind and solar projects under conditions directed by others living outside the community) and any other legislation that disenfranchises local citizens of the right to make local planning decisions and direct the future of their own communities. **Mike Burroughs moved, second by Stan Klotz, to approve Resolution 2021-04: Resolution of the Board of Commissioners of Marshall County, Indiana Expressing Support for Local Control of Land Use Decisions. Motion carried 3-0.**

SHERIFF

Sheriff, Matt Hassel, requested permission to allow two officers to attend out-of-state training in Nashville, TN, October 12-13, 2021. **Mike Burroughs moved, second by Stan Klotz, to approve out-of-state travel for two officers to attend training in Nashville, TN, October 12-13, 2021. Motion carried 3-0.**

Sheriff Hassel presented a Letter of Authorization to Indiana Communication Service Providers, which authorizes Ritter Strategic Services, LLC (RSS) to receive information regarding Marshall County. RSS is under contract with the Indiana Statewide 911 Board and is authorized to receive information related to 911 call delivery services and costs for our agency. In accordance with I.C. 36-8-16.7-24, the Indiana Statewide 911 Board is responsible for developing, implementing, and overseeing the statewide 911 system. The implementation of the Next Generation 911 (IN911) network in Indiana operated by AT&T and Indigital is designed to modernize 911 call delivery services and allocate costs of those services to the Board.

Sheriff Hassel expressed sympathies to the family of Captain Daniel Butt who passed away unexpectedly last Friday. Johnson-Danielson Funeral Home is handling the arrangements with a viewing on Thursday and the funeral will be held Friday at the Wesleyan Church.

TROYER GROUP

Ginny Munroe informed the Board that a Public Hearing was held in September 2020 regarding the COVID Phase II Grant the Marshall County Economic Development Corporation was implementing and she received notification the public hearing was publicized incorrectly. Therefore, a public hearing was republished for today.

COVID Grant – Phase II

Mike Burroughs moved, second by Stan Klotz, to open the public hearing for Marshall County's Application for COVID, Phase II funding to aid small businesses in Marshall County. Motion carried 3-0.

No public comment was presented.

Mike Burroughs moved, second by Stan Klotz, to close the public hearing for Marshall County's Application for COVID, Phase II funding to aid small businesses in Marshall County. Motion carried 3-0.

Stan Klotz moved, second by Mike Burroughs, to allow the Board President to sign a letter expressing consent for Ginny Munroe of the Troyer Group to conduct and transcribe minutes for the public hearing for Marshall County's Application for COVID, Phase II funding to aid small businesses in Marshall County. Motion carried 3-0.

COVID Grant – Phase III

Mike Burroughs moved, second by Stan Klotz, to open the public hearing for Marshall County's Application for COVID, Phase III funding to aid small businesses in Marshall County and to provide funding for food banks in Marshall County. Motion carried 3-0.

No public comment was presented.

Ginny Munroe further explained the initial OCRA grant was awarded in the sum of $250,000. The Phase III application is being requested in the sum of $250,000 with $58,000 to aid small business and $192,000 to provide funding for food banks in Marshall County. United Way, as a subrecipient, will provide a local match in the sum of $50,000 for the food bank and administration fees. A subrecipient agreement will be required between Marshall County Commissioners and United Way and will be presented at the March 1st Commissioner meeting.

Mike Burroughs moved, second by Stan Klotz, to close the public hearing for Marshall County's Application for COVID, Phase III funding to aid small businesses in Marshall County and to provide funding for food banks in Marshall County. Motion carried 3-0.

Mike Burroughs moved, second by Stan Klotz, to allow the Board President to sign a letter expressing consent for Ginny Munroe of the Troyer Group to conduct and transcribe minutes for the public hearing for Marshall County's Application for COVID, Phase III funding to aid small businesses in Marshall County and to provide funding for food banks in Marshall County. Motion carried 3-0.

AUDITOR REPORT

February 1, 2021 Minutes: **Mike Burroughs moved, second by Stan Klotz, to approve the February 1, 2021 minutes as presented. Motion carried 3-0.**

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

COMMISSIONER ITEMS

SuiteOne Media, Inc Pre-Payment. **Stan Klotz moved, second by Mike Burroughs, to approve a pre-payment to SuiteOne Media, Inc. in the sum of $1,495 for onsite training. Motion carried 3-0.**

Argos Plan Commission: **Mike Burroughs moved, second by Stan Klotz, to appoint Melanie Dean to the Argos Plan Commission for a four-year term, beginning January 1, 2021 through December 31, 2024. Motion carried 3-0.**

PUBLIC COMMENT

Don Nunemaker, Jr., 1425 Nutmeg Road, Plymouth, Indiana, requested Marshall County be designated as a 2nd Amendment sanctuary, protecting the 2nd Amendment rights of County residents.

Attorney Clevenger stated a county resolution may not have much bearing if the Federal Government implements regulations.

Sheriff Hassel and Commissioners Overmyer, Klotz and Burroughs stated they are all in favor of supporting the request. Attorney Clevenger will prepare a Resolution.

Tim Hackett, 17626 Filbert Road, Argos, Indiana stated gun owners view their gun rights as an encore to the other nine rights.

ADJOURNMENT

With no further business to come before the board **Mike Burroughs moved, second by Stan Klotz, to adjourn the meeting at 10:37 am. 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
MARCH 1, 2021

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 1, 2021. Present were Commissioners, Stan Klotz, Vice President; Mike Burroughs, Member; County Attorney, James Clevenger; and County Auditor, Julie A. Fox. Kevin Overmyer, President was absent. The meeting was opened, the Pledge of Allegiance was given and the business at hand was heard.

Vice President Klotz expressed deepest sympathies to the family of Marshall County employee, Pam Lagenour.

COURTHOUSE RESTORATION BID OPENING

Auditor, Julie A. Fox, stated bids were accepted for the Marshall County Courthouse Building Envelope and Clock Tower Restoration through February 23, 2021 at 11:30 a.m. Bids will be opened today, and selection of a bidder will occur at the Commissioner meeting on March 15, 2021 at 9:30 a.m.

Attorney, James Clevenger, opened the five bids received:

Bidder	**Base**	**Alt. 1**	**Alt. 2**	**Alt. 3**	**Alt. 4**	**Alt. 5**	**Alt. 6**
Advanced Restoration Contractors, Inc. Indianapolis, IN	$915,000	$29,000	$40,000	$20,000	$8,000	$9,500	$8,000
Completion: March 15, 2021 – October 15, 2021							
Berglund Beyond Building Chicago, IL	$1,350,000	$35,000	$60,000	$24,000	$2,500	$165,000	$25,000
Completion: Unknown							
Midwest Maintenance, Inc. Piqua, OH	$1,266,435	$27,600	$35,000	$18,500	$1,700	$112,700	$35,000
Completion: 180 days after Notice to Proceed Issued							
Slatile Roofing & Sheet Metal Co. South Bend, IN	$1,390,000	$11,200	$48,000	$33,900	$4,250	$145,000	$84,147
Completion: Within 300 calendar days after Notice to Proceed Issued							
Ziolkowski Construction South Bend, IN Bid withdrawn due to mathematical error							

Mike Burroughs moved, second by Stan Klotz, to accept the bids and refer to Rowland Design to take under advisement. Motion carried 2-0.

HIGHWAY DEPARTMENT

Highway Superintendent, Jason Peters, presented a road bore request from Marshall County REMC on Douglas Road, between C Road and U.S. 6, in German Township, for the purpose of providing electric service to 1460 Douglas Road, Bremen. **Mike Burroughs moved, second by Stan Klotz, to approve the road bore request from Marshall County REMC on Douglas Road, between C Road and U.S. 6, in German Township, for the purpose of providing electric service to 1460 Douglas Road, Bremen. Motion carried 2-0.**

Superintendent Peters presented a right of way cut request from NIPSCO on 5D Road, between Michigan Road and East of Michigan Road, in North Township, for the purpose of providing gas service to 13456 5D Road. **Mike Burroughs moved, second by Stan Klotz, to approve the right of way request from NIPSCO on 5D Road, between Michigan Road and east of Michigan Road, in North Township, for the purpose of providing gas service to 13456 5D Road. Motion carried 2-0.**

Superintendent Peters presented a right of way cut request from United Telephone of IN, d/b/a Lumen, on N. Tamarack Road, between Tyler Road and W. 1st Road, in Polk Township, for the purpose of removing a bridge attachment from the existing structure prior to Marshall County construction project. **Mike Burroughs moved, second by Stan Klotz, to approve the right of way request from United Telephone of IN d/b/a Lumen on N. Tamarack Road, between Tyler Road and W. 1st Road, in Polk Township, for the purpose of removing a bridge attachment from the existing structure prior to Marshall County construction project. Motion carried 2-0.**

Superintendent Peters presented a road bore and right of way cut request from NIPSCO on County Line Road, between W. 1st Road and U.S. 6, in Polk Township, for the purpose of installing a new gas main. **Mike Burroughs moved, second by Stan Klotz, to approve the right of way request from NIPSCO on County Line Road, between W. 1st Road and U.S. 6, in Polk Township, for the purpose of installing a new gas main. Motion carried 2-0.**

Superintendent Peters presented a revised letter to homeowners concerning inspection to damaged mailbox for approval, stating Attorney Clevenger has reviewed the letter.
Mike Burroughs moved, second by Stan Klotz, to approve the letter to homeowners concerning inspection of damaged mailboxes.

Superintendent Peters explained the Bridge Scour Projects have been bid and came in under budget and requested Commissioner support to request the balance, approximately $250,000 from the Rainy Day Fund, be appropriated by Council to extend the maintenance side of the repairs. Marshall County has 117 bridges on the NBIS (National Bridge Inspection Standards), which are required to have inspections completed.

Superintendent Peters provided a recap of the leases paid from the Cum Cap Development Fund and is requesting Commissioner support to present the 2021-2026 lease plan to Council.
Vice President Klotz stated a grant rebate may be available for the trucks.
Mike Burroughs moved, second by Stan Klotz, to support the Highway Department in presenting the 2021 -2026 lease plan to Council. Motion carried 2-0.

Superintendent Peters requested consideration to purchase a MowerMax Boom Mower from ATMax Equipment Co. in the sum of $170,000.

Superintendent Peters discussed the revenues, budgeting information for the Highway Department and additional funding for the 2021 Road Program. Further requesting the Commissioners support the submission of an additional appropriation of $500,000 in the Motor Vehicle Highway Fund and $300,000 in the Local Road & Street Fund. **Mike Burroughs moved, second by Stan Klotz, to support the Highway Department in submitting an additional appropriation of $500,000 into the Motor Vehicle Highway Fund and $300,000 into the Local Road & Street Fund for Council's consideration. Motion carried 2-0.**

Discussion was held concerning the Highway Department adjusting the work schedule in the spring to a ten-hour day, four days per week. The schedule will be presented at a future meeting for approval.

EXTENSION OFICE

County Extension Director, Kelsy Guadarrama, presented the 2020 Purdue Extension Impact Report and Extension Express Bulletin, noting Abigail Powell is highlighted on page 14 for an Emerging Women in Ag Leadership award. Explaining the department is working on their public relations and have expanded their reach due to technology. The Fair Board has removed the 4-H name from the Fair Board title to have flexibility in fund raising. The board is preparing to have an in-person fair and camps.

PROBATION DEPARTMENT

Chief Probation Officer, James Bendy, presented a request to apply for the 2021-2022 Pretrial Services Grant through the Indiana Office of Court Services (IOCS). The funding cycle is July 1, 2021 to June 30, 2022. **Mike Burroughs moved, second by Stan Klotz, to allow the Probation Department to apply for the 2021-2022 Pretrial Services Grant through the Indiana Office of Court Services (IOCS). Motion carried 2-0.**

SHERIFF DEPARTMENT

Sheriff, Matt Hassel, provided the Marshall County Police Department Statistics-2020. The Sheriff and 20 Merit Officers statistics include staff assignments, traffic related items, criminal case investigations, drug task force, and vehicle crashes.

Sheriff Hassel introduced handler, Blake Bennitt, and K-9, Diesel. Diesel was certified on January 30, 2021 and is the second K-9 on the department. Handler Bennitt stated in the 16 shifts they have worked together they have had 33 deployments recovering cash, illegal firearms, and various narcotics. Handler Bennitt and Diesel provided a demonstration.

TROYER GROUP

Ginny Munroe came before the Board to formally request permission to apply for the COVID Phase III Grant through OCRA. Explaining the request is for $250,000 and if awarded, $58,000 will aid small business and $192,000 will provide funding for food banks. Upon award of the grant, subrecipient agreements will need to be executed between Marshall County and Marshall County Economic Development Corporation and with United Way. **Mike Burroughs moved, second by Stan Klotz, to allow Ginny Munroe to apply for the COVID Phase III Grant through OCRA in the sum of $250,000. Motion carried 2-0.**

ATTORNEY REPORT

Old Business:

Maintenance Building – Plum Street: Attorney Clevenger continues to work on this item.

Treasurer-415 Lakeshore Real Estate Taxes: Culver agreed to share the fees with the County for Mark Adey of Barnes & Thornburg and his special bankruptcy representation. Attorney Adey is coordinating with counsel for First Federal Bank of Huntington to obtain a hearing date with the plan to lift the bankruptcy stay so Culver can reschedule the Sheriff's sale and the Treasurer can collect the unpaid real estate taxes. The landowner might avoid another Sheriff's sale by paying the taxes.

MCEDC / United Way Sub-Recipient Agreement OCRA Phase II & III: Attorney Clevenger has reviewed the sub-recipient agreements with MCEDC and with United Way for the additional OCRA grant funds. The agreements were the standard agreement forms and the attachments matched the explanation provided by Ginny Munroe of the Troyer Group.

Courthouse Restoration Bid Opening: The bids were opened earlier in the meeting and taken under advisement. The awarding of the bid will be March 15th at 9:30 a.m.

Recorder & Zillow: Following extended negotiations an agreement has been reached between the Marshall County Recorder and Zillow. The Recorder will make minor adjustments to the Bulk User Agreement. Attorney Clevenger continues to work on the agreement which will be presented for Commissioner review and approval.

New Business:

COVID-19: Upon the recommendation of Dr. Holm, the County Health Officer, the Commissioners did not extend the Emergency Declaration last week. Positive cases were down, the hospital has bed space and the rules for nursing homes and assisted living facilities have been relaxed. The Governor's Executive Order has been extended and individuals are encouraged to wear masks when in confined spaces and follow the best practice protocols.

South West Lake Maxinkuckee Conservancy District Appointment: John Crist, Chairman of the Board of SWLMCD submitted a letter indicating there was no election for the Director of Area 5 due to the fact no nomination form was filed within the time prescribed by I.C. 4-33-5-3. Therefore, pursuant to I.C. 14-33-5-8 is requesting the Commissioners appoint James Purucker to the Director of Area 5, who previously served as Director of Area 5 and meets the

qualifications. **Mike Burroughs moved, second by Stan Klotz, to appoint James Purucker to fill the vacancy of Director of Area 5, term ending February 28, 2025. Motion carried 2-0.**

The Commissioners clarified masks are still required to be worn per the Governor's Order.

AUDITOR REPORT

February 15, 2021 Minutes: **Mike Burroughs moved, second by Stan Klotz, to approve the February 15, 2021 minutes as presented. Motion carried 2-0.**

March claims: **Mike Burroughs moved, second by Stan Klotz, to approve the March monthly claims as presented. Motion carried 2-0.**

COMMISSIONER ITEMS

LED Message Board Claim Request: **Mike Burroughs moved, second by Stan Klotz, to approve the LED Message Board claim request payable to Graycraft Signs in the sum of $30,000 for grant number CV-19-114. Motion carried 2-0.**

Culver-Union Township Public Library Appointment: **Mike Burroughs moved, second by Stan Klotz, to appoint Mary Banfield to the Culver-Union Township Public Library, to fill the unexpired term of Valerie Cultice ending December 31, 2021. Motion carried 2-0.**

Resolution 2021-05 Honoring Austin Dilts: Whereas, Austin Dilts, a resident of Culver, Marshall County, Indiana, and a member of Boy Scout Troup 730, has become an Eagle Scout, having earned 43 merit badges, and serving the troop in a variety of leadership roles. Austin has completed community service projects including creating a flag retirement site for Culver's VFW Post 6919. **Mike Burroughs moved, second by Stan Klotz, to approve Resolution 2021-05 Honoring Austin Dilts. Motion carried 2-0.**

PUBLIC COMMENT

Denny Bottorff, 127 College Ave, Culver, IN, voiced strong opposition to the Resolution concerning the 2nd Amendment.

Joseph Roush, 15936 Yarlett Street, Culver, IN, stated he was surprised to see individuals not wearing a mask at the Ace Hardware in Culver. Mr. Roush stated he called the Indiana State Department of Health and was informed the local health department is not investigating or enforcing the mask mandate and requested clarification.

The Commissioners explained since the County did not renew the emergency declaration, the county cannot issue fines or impose restrictions. The Commissioners appreciate the residents and businesses, acknowledging people have suffered. Further asking and encouraging residents to follow the Governor's mandate.

ADJOURNMENT

With no further business to come before the board **Mike Burroughs moved, second by Stan Klotz, to adjourn the meeting at 9:55 am. Motion carried 2-0.**

Kevin Overmyer, President

Stan Klotz, Vice President

Mike Burroughs, Member

ATTEST:

Julie A. Fox, Auditor

MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
MARCH 15, 2021

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 15, 2021. Present were Commissioners, Kevin Overmyer, President; Stan Klotz, Vice President; County Attorney, James Clevenger; and County Auditor, Julie A. Fox. Mike Burroughs, Member was absent. The meeting was opened, the Pledge of Allegiance was given and the business at hand was heard.

COURTHOUSE RESTORATION BID OPENING AWARD

On Monday, March 1, 2021 bids were publicly opened and read aloud for the Marshall County Courthouse Building Envelope and Clock Tower Restoration. Five contractors submitted bids for the project. Ziolkowski Construction withdrew their bid due to a mathematical error prior to the bid opening. The low bid base was submitted by Advanced Restoration Contractors, Inc. from Indianapolis, IN, in the amount of $915,000 ($1,029,500 including six alternates). The second lowest bid was submitted by Midwest Maintenance, Inc., Inc. from Piqua, Ohio, in the amount of $1,266,435 ($1,496,935 including six alternates).

Rowland Design reviewed the bids and discovered Advanced Restoration Contractors, Inc.'s bid amount for Alternate #5 was significantly lower than the rest of the bidders and after contacting Advanced Restoration Contractors, Inc. they submitted a verified conditional bid withdrawal letter due to a clerical error.

Rowland Design conducted a Contractor Bid Scope Review with Midwest Maintenance, Inc. and believes their bid to be responsive and complete and the County may wish to award a contract to Midwest Maintenance, Inc., Inc. in the amount of $1,496,395.

Commissioner Klotz stated concerns have been raised concerning Midwest Maintenance, Inc. and has contacted other units that have conducted business with Midwest Maintenance, Inc. and received high recommendations.

Commissioner Overmyer stated $1,000,000 was budgeted for this project in the Rainy Day Fund and additional appropriations will be required.

Stan Klotz moved, second by Kevin Overmyer, to award the Marshall County Courthouse Building Envelope and Clock Tower Restoration Project contract to Midwest Maintenance, Inc., Inc. in the sum of $1,496,935, including six alternates, upon final review of the bid documents and contract by County Attorney Clevenger. Motion carried 2-0.

Scott Calentine, 3190 Cottonwood Lane, Bremen resident and Representative of Indiana/Kentucky/Ohio Regional Council of Carpenters voiced concerns about Midwest Maintenance, Inc. apprenticeship and training. Mr. Calentine also expressed concerns that the company is out of state and will not utilize local union employees.

HIGHWAY DEPARTMENT

Highway Superintendent, Jason Peters, stated Council voiced support of the following requests: $250,000 additional appropriation from the Rainy Day Fund to extend bridge maintenance projects since the Bridge Scour Project bids came in under budget; continue with the truck lease program; and to support an additional appropriation of $800,000 for road funding.

Superintendent Peters stated the Highway Department is planning to adjust employee work hours from five 8-hour days to four 10-hour days beginning May 5th.

Superintendent Peters presented a chart displaying Marshall County population by township.

PLAN COMMISSION

Director Ty Adley presented 21-PC-02: Mills, Angela: A request for vacation of the alley west of Lot 5 Teegarden; located adjacent to 16478 1st Road, Walkerton, Polk Township, Zoned T-1. **Stan Klotz moved, second by Kevin Overmyer, to open the public hearing on 21-PC-02. Motion carried 2-0.**

No public comment was heard.

Stan Klotz moved, second by Kevin Overmyer, to close the public hearing on 21-PC-02. Motion carried 2-0.

Stan Klotz moved, second by Kevin Overmyer, to approve 21-PC-02 Mills, Angela and Ordinance 2021-06: An Ordinance Vacating the Alleyway East of Lots 1, 2 & 4 and West of Lot 5 in OP Teegarden, Polk Township, Marshall County, Indiana on first reading. Motion carried 2-0.

Stan Klotz moved, second by Kevin Overmyer, to suspend the rules and pass 21-PC-02 Mills, Angela and Ordinance 2021-06: An Ordinance Vacating the Alleyway East of Lots 1, 2 & 4 and West of Lot 5 in OP Teegarden, Polk Township, Marshall County, Indiana on second and third reading. Motion carried 2-0.

Director Adley presented 21-PC-04: Behrens Subdivision: A request for a 2 Lot Minor Subdivision (Behrens East Shore Drive) 4302 E. Shore Drive, Bremen, German Township, Zoned L-1. Explaining the request is for a 20' dedication of right-of-way road for the lots. **Stan Klotz moved, second by Kevin Overmyer, to open the public hearing on 21-PC-04. Motion carried 2-0.**

Robert Suhanoski, 407 Lake Shore Drive, voiced concern as to how the two lots would have access to the lake without the third lot. Commissioner Klotz stated the lots may not be developed without Plan Commission approval.

Stan Klotz moved, second by Kevin Overmyer, to close the public hearing on 21-PC-04. Motion carried 2-0.

Stan Klotz moved, second by Kevin Overmyer, to approve 21-PC-04: Behrens Subdivision and accept the 20' road right-of-way dedication on first reading. Motion carried 2-0.

Stan Klotz moved, second by Kevin Overmyer, to suspend the rules and pass 21-PC-04: Behrens Subdivision and accept the 20' road right-of-way dedication on second and third reading. Motion carried 2-0.

HEALTH DEPARTMENT

Public Health Nurse, Lisa Letsinger, stated the mobile medical unit has been utilized at the jail and Plymouth High School to administer vaccinations to inmates and school staff members. Stating the unit works beautifully and beginning Thursday will be visiting local schools implementing vaccines and is preparing to visit the Amish Community.

SHERIFF DEPARTMENT

Sheriff, Matt Hassel, presented a request for approval of a pre-payment to Oliver Ford in the sum of $69,000 for the purchase of three vehicles, stating the balance of the purchase will be paid from the Commissary Fund. **Stan Klotz moved, second by Kevin Overmyer, to approve the pre-payment to Oliver Ford in the sum of $69,000 for the purchase of three vehicles. Motion carried 2-0.**

ATTORNEY REPORT

Old Business:

Maintenance Building – Plum Street: The purchase is on hold until a Phase I environmental study is completed. The Commissioners approve moving forward with the study.

Treasurer-415 Lakeshore Real Estate Taxes: Bankruptcy counsel, Mark Adey, indicated ten days ago that he hoped to file a motion to lift the stay the end of last week. A copy or confirmation has not been received and Attorney Clevenger has reached out to Attorney Adey.

Courthouse Restoration Bid Opening: This item was addressed earlier in the meeting.

New Business:

Haines and Yoder vs. Sheriff: A complaint against the Sheriff was filed last Wednesday stemming from the Deputy Sheriff July 20th collision with an off-road vehicle. The complaint has been referred to our liability insurance carrier.

Highway Department: Attorney Clevenger is working with the Highway Department on a contract for mowing services.

Park Department: Attorney Clevenger is working with the Park Department on a nature project and a waiver of liability form required by a vendor assisting in the project.

AUDITOR REPORT

March 1, 2021 Minutes: **Stan Klotz moved, second by Kevin Overmyer, to approve the March 1, 2021 minutes as presented. Motion carried 2-0.**

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

Auditor Fox stated the Department of Local Government Finance approved the abstract last week and the tax bill will be provided timely, noting the Kankakee River Basin will be reflected in the tax bill as imposed by the State. Further stating Kayla Krathwohl has accepted the Settlement Deputy position and Jennifer Daake started today in the Payroll Deputy position.

COMMISSIONER ITEMS

No Commissioner items were heard.

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 10:24 am. Motion carried 2-0.**

_____
Kevin Overmyer, President

_____
Stan Klotz, Vice President

_____
Mike Burroughs, Member

ATTEST: _____
Julie A. Fox, Auditor

MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
APRIL 5, 2021

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 5, 2021. Present were Commissioners, Kevin Overmyer, President; Stan Klotz, Vice President; Mike Burroughs, Member; 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 request from Frontier Communications on 18B Road, between Elm Road and Fir Road, in Tippecanoe Township, for the purpose of restoring service to customer. **Stan Klotz moved, second by Mike Burroughs, to approve the road bore request from Frontier Communications on 18B Road, between Elm Road and Fir Road, in Tippecanoe Township, for the purpose of restoring service to customer. Motion carried 3-0.**

Superintendent Peters provided a department update stating the chassis have been ordered for new truck leases; clarified the department will begin May 3rd working four ten-hour days; and quarterly track reports are due.

VETERANS SERVICE OFFICER

Veterans Service Officer, Pam Schweizer-Betz, presented a quarterly report explaining the number of veterans served, the process and time frame in assisting a veteran in receiving financial benefits.

DON NUNEMAKER

Don Nunemaker, 14375 Nutmeg Road, Plymouth, read a statement voicing support of Marshall County becoming a Constitutional Sanctuary County. Providing several supporting documents, along with a copy of the Kosciusko County Commissioners adopted resolution.

PLAN COMMISSION

Plan Commission Director, Ty Adley, presented the 2020 Plan Commission Annual Report. Highlighting a 15-Year Comparison of the number of permits reflecting 397 in 2006 to 997 in 2020 and explained BZA appeals, Plan Commission cases and violation cases have all increased.

Commissioner Klotz attended the legislative session last week and discussion was held concerning House Bill 1381, commercial wind and solar standards, and the ability to be grandfathered if an Ordinance is in place for wind and solar by June 30th.

TROYER GROUP

Ginny Munroe explained Marshall County needed to go through the procurement process to appoint a grant administrator for the OCRA COVID Phase 2 Grant, Marshall County Economic Development Corporation Micro-Loan Program.

Stan Klotz moved, second by Mike Burroughs, to approve the Agreement between Marshall County and Troyer Group in the sum of $6,000 for grant administration services to aid Marshall County and Marshall County Economic Development Corporation with the implementation of a COVID grant award that will bring funding to small businesses. Motion carried 3-0.

Ginny Munroe and Greg Hildebrand stated OCRA has officially approved the COVID Phase 2 Grant in the sum of $243,750 for economic development. Further explaining the process, a claim will be presented to request funds from OCRA, once the funds have been received by the County, the Auditor will issue a check to MCEDC within five business days.

Mike Burroughs moved, second by Stan Klotz, to request OCRA funding in the sum of $243,750 for small business microloans. Motion carried 3-0.

PRIORITY PROJECTS

Shannon McLeod explained the purpose of the Phase I COVID LED Message Board Project hearing is to provide information to the public. $150,000 was awarded to the County to purchase six LED Message Boards, the project contract was awarded in November 2020 to Graycraft Signs. The signs are integrated to communicate a countywide message in emergency situations. Priority Projects waived the administrative fees for this project.

Mike Burroughs moved, second by Stan Klotz, to open the COVID Phase 1 LED Message Board Project Public Hearing. Motion carried 3-0.

No public comment was heard.

Mike Burroughs moved, second by Stan Klotz, to close the COVID Phase 1 LED Message Board Project Public Hearing. Motion carried 3-0.

Stan Klotz moved, second by Mike Burroughs, to approve the close out of Grant Number CV-19-114, the COVID Phase 1 LED Message Board Project. Motion carried 3-0.

Mike Burroughs moved, second by Stan Klotz, to allow Commissioner Overmyer to sign the Closeout Form. Motion carried 3-0.

Ms. McLeod explained the purpose of the Owner-Occupied Rehabilitation Project through Stellar Project is to assist underserved homeowners. The County was awarded $500,000, $425,000 is allocated for projects and $75,000 for fees and miscellaneous costs. The maximum award per homeowner is $25,000. Brent Martin headed a committee to review the projects. Sixty-two individuals applied for the program, all applications were scored by the Housing Committee and points were awarded largely based on financial need, other factors include age, veteran status, disability, and demographic breakdowns. Fifteen homeowners were notified of

the award. Five additional homeowners are pending award, depending upon fund availability. Noting a local match is not required.
Mike Burroughs moved, second by Stan Klotz, to open the Owner-Occupied Rehabilitation Project Public Hearing. Motion carried 3-0.

No public comment was heard.

Mike Burroughs moved, second by Stan Klotz, to close the Owner-Occupied Rehabilitation Project Public Hearing. Motion carried 3-0.

MARCUS DRUMMOND

Marcus Drummond, 19406 Lincoln Highway, Plymouth read into the record a prepared statement supporting the 2nd Amendment Preservation Resolution and the Constitution of the United States.

MUSEUM

Museum Director Linda Rippy and Historical Society Board President Mike Miley presented the Quarterly Report. Highlighting the Museum is reopening tomorrow, suggesting patrons wear a mask and maintain social distancing. Ten windows have been replaced utilizing the remaining Crossroads Museum Grant funding. The Historical Society is updating computers.

ATTORNEY REPORT

Old Business:

Maintenance Building – Plum Street: Phase I is complete and waiting for the formal report.

Treasurer – 415 Lakeshore Real Estate Taxes: Before our counsel could file a motion to lift the stay, VanHawk dismissed his bankruptcy filing. The Sheriff's Sale is being rescheduled.

Courthouse Restoration Bids: The contract has been revised and is ready for signature except for nailing down the contractor insurance coverage. Once the additional appropriation is approved by the Council on April 12th the contract will be presented for approval. The start date is May 1, 2021 and is to be completed within 180 days, October 29th.
Mike Burroughs moved, second by Stan Klotz, to approve the contract between Marshall County and Midwest Maintenance, Inc., contingent upon insurance coverage and approval of the additional appropriation. Motion carried 3-0.

Haines and Yoder vs Sheriff: Attorney Matt Knight has been assigned to represent the Sheriff Deputy in this case.

Bridge 73 King Road over Yellow River: The Auditor's Office is processing the last of two small parcels. All the rights-of-way will be acquired for the project.

Recorder/Zillow: Minor revisions to the Bulk User Agreement were agreed upon and a new contract with Zillow is being entered into by the Recorder.

New Business:

Establish County Commissioner and Council Districts: All County Commissioners must adopt an Ordinance not later than December 31, 2021 to establish new county commissioner and county council districts pursuant to I.C. 36-2-2-4 and I.C. 36-2-3-4, noting district lines cannot split precincts.

AUDITOR REPORT

March 15, 2021 Minutes: **Stan Klotz moved, second by Kevin Overmyer, to approve the March 15, 2021 minutes as presented. Motion carried 2-0, with Mike Burroughs abstaining.**

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

Tax Bills: The Indiana General Assembly passed legislation in 2019 to form the Kankakee River Basin and Yellow River Basin Development Commission to address over a century of mounting flood and erosion problems. Yellow River/KRBC Assessment will be included on this year's tax bill with a spring and fall assessment. The State Legislature set the assessments: $7 per residential parcel, $1.00 per agricultural acre parcels, $50 per commercial parcel with structure, $2 per commercial acre parcel without structure and $360 per industrial or public utility parcel.

COMMISSIONER ITEMS

Resolution 2021-06 Second Amendment Preservation: Discussion was held, and all Commissioners voiced support of individuals legally owning guns and support of the Second Amendment. The Commissioners are responsible for buildings, personnel, and roads. The Commissioners have taken an Oath to support the Constitution of the United States and the Constitution of the State of Indiana. Commissioner Klotz supports Resolution 2021-06 Second Amendment Preservation. Resolution 2021-06 Second Amendment Preservation dies for lack of a formal motion.

American Rescue Plan Act of 2021: Auditor Julie Fox stated federal funding is available to Marshall County in the sum of $8,971,000 with the requirement of Commissioners establishing a fund. Commissioner Overmyer suggested holding a joint Commissioner and Council work session to discuss use of the funding. Attorney Clevenger stated lost revenue may be restored utilizing these funds and AIC is working closely with state agencies. The funds will be disbursed in two installments, the first draw will be received within the next 45 days directly from the federal government and the second draw will be in 2022. Funds must be expended by December 31, 2024.

211 W. Jefferson Street Property Demolition: Discussion was held concerning Buildings and Grounds obtaining proposals for demolition of the 211 W. Jefferson Street, Plymouth, property.

Attorney Clevenger stated Marshall County's vaccination centers have performed very well.

Marshall County Economic Development Corporation (MCEDC) Board: Commissioner Overmyer stated Jennifer Martin is the current Commissioner appointee to MCEDC Board and

she has submitted a letter of resignation effective immediately. **Mike Burroughs moved, second by Stan Klotz, to accept Jennifer Martin's resignation to the MCEDC Board effective immediately. Motion carried 3-0.**

Stan Klotz moved, second by Mike Burroughs, to appoint Loretta Schmitt to the Marshall County Economic Development Corporation Board to fill Jennifer Martin's unexpired term, ending December 31, 2023. Motion carried 3-0.

The Governor's mask mandate is being lifted effective 12:01 a.m. tomorrow. Discussion was held to remove the mask signs from the entry doors. Attorney Clevenger will prepare a Resolution to end the Marshall County mask mandate.

Commissioner Burroughs commended the Health Dept. and applauded their efforts in the vaccination process utilizing the mobile medical unit.

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 10:21 am. 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
APRIL 19, 2021

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 19, 2021. Present were Commissioners, Kevin Overmyer, President; Stan Klotz, Vice President; Mike Burroughs, Member; 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 request from CenturyLink on 13th Road, between 13th Road and Olive Trail, in Center Township, for the purpose of providing upgraded DSL to local customers. **Mike Burroughs moved, second by Stan Klotz, to approve the road bore request from CenturyLink on 13th Road, between 13th Road and Olive Trail, in Center Township, for the purpose of providing upgraded DSL to local customers. Motion carried 3-0.**

Highway Superintendent Peters presented a road surface cut and right-of-way cut request from NIPSCO on 7th Road, between Jarrah Road and 7B Road, in Center Township, for the purpose of installing a new gas main. **Stan Klotz moved, second by Mike Burroughs, to approve the road surface cut and right-of-way cut request from NIPSCO on 7th Road, between Jarrah Road and 7B Road, in Center Township, for the purpose of installing a new gas main. Motion carried 3-0.**

Highway Superintendent Peters presented a road bore request from CenturyLink at 290 E. Marshall Street, between N. Maple Street and Railroad Street, in Walnut Township, for the purpose of providing service to customer. **Stan Klotz moved, second by Mike Burroughs, to approve the road bore request from CenturyLink at 290 E. Marshall Street, between N. Maple Street and Railroad Street, in Walnut Township, for the purpose of providing service to customer. Motion carried 3-0.**

Highway Superintendent Peters presented a road bore request from Ferguson Michiana, Inc. on 9B, 9C and Union Roads, between 9B Road and 9C Road, in West Township, for the purpose of installing fiber for Ancilla College. **Stan Klotz moved, second by Mike Burroughs, to approve the road bore request from Ferguson Michiana, Inc. on 9B, 9C and Union Roads, between 9B Road and 9C Road, in West Township, for the purpose of installing fiber for Ancilla College. Motion carried 3-0.**

Highway Superintendent Peters presented a road bore request from Marshall County REMC on 14B Road, between Upas Road and W. County Line Road, in Union Township, for the purpose of installing electrical conduit. **Mike Burroughs moved, second by Stan Klotz, to approve the road bore request from Marshall County REMC on 14B Road, between Upas Road**

and W. County Line Road, in Union Township, for the purpose of installing electrical conduit. Motion carried 3-0.

Superintendent Peters provided a department update discussing the possibility of leasing additional equipment: brush chopper mower, front end loader and vac truck. Quarterly Track Reports have been submitted to INDOT. The department is preparing for the 2021 Road Program. Notice to Bidders has been published for the sale of Highway Department equipment, the bids will be opened on May 3rd at 8:30 a.m.

The Highway Department entered into a Contract for Mowing Services with S&M Contractor in the sum of $72,744 for the period of May 3, 2021 through September or October.
Mike Burroughs moved, second by Stan Klotz, to add S&M Contractor to our pre-payment list and approve the pre-payment of invoices. Motion carried 3-0.

Highway Superintendent Peters stated Additional Appropriations have been submitted to the Auditor for Council approval at the May meeting.

RECORDER

Recorder Janet Howard presented a contract between Fidlar Technologies and Marshall County in the sum of $7,422.37 to scan and index Cemetery Deed Books (Vol. 1-4 dated 1925-1969), Will Books (Vol. 1-8 dated 1892-1969) and Tax Title Deed Books (Vol. 1-3 dated 1874-1963).
Mike Burroughs moved, second by Stan Klotz, to approve the contract between Marshall County and Fidlar Technologies in the sum of $7,422.37. Motion carried 3-0.

SHERIFF

Sheriff Matt Hassel requested permission to allow Communication Supervisor Matt Pitney to attend the APCO National Conference in San Antonio, Texas from August 13th through August 18th. **Mike Burroughs moved, second by Stan Klotz, to allow Matt Pitney to attend the APCO National Conference in San Antonio, Texas from August 13th through August 18th. Motion carried 3-0.**

Sheriff Hassel requested permission to apply for the Comprehensive Highway Injury Reduction Program (CHIRP). CHIRP is a federally funded grant through NHTSA and allows for officers to work additional hours focused on traffic violations, occupant protection laws, and impaired driving enforcement, all to make Marshall County roadways safer. This grant is worked by all agencies in Marshall County. The partnership includes the Bremen, Bourbon, Argos, Culver, Plymouth and Marshall County police departments. The Bremen Police Department is the host agency, and the Marshall County Auditor's Office is requested to be the fiscal agency to distribute funds received from ICJI to participating departments. **Mike Burroughs moved, second by Stan Klotz, to allow the Sheriff to apply for the CHIRP federal grant. Motion carried 3-0.**

Sheriff Hassel requested permission to apply for the Marine Patrol Assistance Grant to provide on the water law enforcement for Lake Maxinkuckee. The total grant is $10,000 funded in equal shares by the State of Indiana and Federal Government.

Mike Burroughs moved, second by Stan Klotz, to allow the Sheriff to apply for the Marine Patrol Assistance Grant in the sum of $10,000. Motion carried 3-0.

Commissioner Overmyer stated an email was received from Matt Pitney following a Central Dispatch meeting regarding EMS Services. A meeting is scheduled for May 13th in the Commissioners Room 203 at 7:00 p.m. to preliminary discuss Countywide Emergency Management Services.

BOYS & GIRLS CLUB OF MARSHALL COUNTY

Director Andrew Fitzpatrick presented the Annual Report emphasizing they were able to get through a difficult year by the generosity of donors and with the biggest challenge of having to downsize the number of attendees due to social distancing requirements.

I.T.

IT Director Michael Marshall explained there was a fiber outage, and 911 lines were down. They are anticipating a 10-hour outage again this upcoming weekend.

Dan Sammartano of Hyper Wave Consulting explained the possibility of utilizing three carriers, stating if one provider's service goes down, service will automatically connect to another provider. An estimate was provided at a of cost $22,250.70. Further explaining there would be an annual IP address fee of $350.

IT Director Marshall explained the agreement between the Marshall County Sheriff and the Kosciusko County Sheriff will remain in effect for backup services. **Mike Burroughs moved, second by Stan Klotz, to accept the Hyper Wave Consulting estimate in the sum of $22,270 for the County redundancy program and approve the $350 annual cost for IP addresses. Motion carried 3-0.**

CORONER

Coroner John Grolich presented two estimates to complete the negative air pressure system as designed by DLZ: Bowman Tin Shop of Plymouth in the sum $17,745 and Core Mechanical Services, Inc. of Warsaw in the sum of $17,985. **Mike Burroughs moved, second by Stan Klotz, to accept the proposal from Bowman Tin Shop for the negative air pressure system in the sum of $17,985. Motion carried 3-0.**

Stan Klotz moved, second by Mike Burroughs, to authorize a 50% down payment on the equipment as a pre-payment in the sum of $8,872.50 to Bowman Tin Shop. Motion carried 3-0.

Coroner Grolich explained the autopsy table will be delivered tomorrow and requested approval for pre-payment in the sum of $3,572.93 to FERNO. **Mike Burroughs moved, second by Stan Klotz, to approve the pre-payment to FERNO in the sum of $3,572.93 for the autopsy table. Motion carried 3-0.**

MAINTENANCE DEPT.

Maintenance Supervisor Doug Masterson presented four estimates for the demolition of 211 West Jefferson Street property: Langfeldt Excavating, LLC in the sum of $18,270; Jerry Reed's Excavating in the sum of $18,500; Jackson Demolition Services Enterprises, LLC in the sum of $35,000 and Chain of Lakes in the sum of $35,000. Further stating S&S Tree Service will be removing the trees this week and locates have been requested. **Mike Burroughs moved, second by Stan Klotz, to award the estimate to Langfeldt Excavating, LLC in the sum of $18,270. for the demolition of the 211 West Jefferson Street property. Motion carried 3-0.**

MARSHALL COUNTY ECONOMIC DEVELOPMENT CORPORATION

MCEDC President/CEO Laura Walls provided a Marshall County Economic Development project update and grant apprenticeship programs update.

Greg Hildebrand provided updates concerning manufacturing and Lifelong Learning Network and explained the Veteran's Portal should be live in the next day or two, which provides local employers post job openings.

MOUNTAIN BIKE TRAILS

Risk Management Consultant Mike Miley learned of the prospect of Marshall County Parks Department having a mountain bike trails and researched possible insurance issues. Consultant Miley provided Bliss-McKnight's Immunity for Extreme Sport Areas brochure and does not foresee an increase in insurance premiums. Discussing the importance of maintenance and inspection of the trails. Further stating signage should include a contact number to report issues.

Marshall County Park & Recreation Board President Greg Hildebrand stated there are fundraising efforts underway to cover the costs for signage.

ATTORNEY REPORT

Old Business:

Maintenance Building – Plum Street: The Phase I Environmental Report has been received. **Mike Burroughs moved, second by Stan Klotz, to continue to move forward with purchase of Plum Street property upon the condition of the Phase I Report being reviewed by the County Attorney. Motion carried 3-0.**

Treasurer – 415 Lakeshore Real Estate Taxes: The Sheriff's Sale is being rescheduled for June 22, 2021 at 1:00 p.m.

Courthouse Restoration Bids: The completed contract documents were returned to Midwest Maintenance and advised them to proceed with the start date of May 1, 2021. Midwest Maintenance has been advised to be in contact with Maintenance Supervisor Doug Masterson regarding arrangements.

Opioid Litigation: Most of the major defendants have joined together and are suggesting a possible global settlement, much like what was done in the tobacco litigation many years ago. The Indiana Attorney General apparently has prompted legislation in anticipation of receipt of settlement proceeds by Indiana. The legislation was inserted at the 11th hour of this General

Assembly into the budget bill. It insures State control of settlement proceeds. Our attorneys and the AIC are trying to eliminate or least modify the proposed terms to make it more fair to those cities and counties in Indiana that elected to participate in the MDL.

New Business:

Recorder- Fidlar Technologies: This item was addressed earlier in the meeting.

Overmyer Drive Deed: If the County intends to transfer a small parcel of real estate along Overmyer Drive to the adjoining landowner, it must determine the real estate to be of no value. The deed has been prepared to the named title owners of the adjacent real estate. Attorney Clevenger spoke with Ty Adley and Ralph Booker at Plymouth about combining the parcel with the adjacent parcel. **Mike Burroughs moved, second by Stan Klotz, to find Parcel B has no value, to transfer ownership to the adjoining property owner and the Board President allowed to sign all paperwork as needed for the transaction of this parcel. Motion carried 3-0.**

American Rescue Plan Funding: Ordinance 2021-05(2), Creating New Fund for the receipt of Funding from the American Rescue Plan has been prepared.

Unsafe Building Ordinance: Attorney Janette Surrisi and Attorney Clevenger wish to propose an amended Unsafe Building Ordinance. It will streamline procedures and may avoid County exposure where the impetus for cleaning up a property in a town is that of the town.

AUDITOR REPORT

April 5, 2021 Minutes: **Stan Klotz moved, second by Mike Burroughs, to approve the April 5, 2021 minutes as presented. Motion carried 3-0.**

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

COMMISSIONER ITEMS

Resolution 2021-07: Closing and Restricting Public Access to County Facilities:
Mike Burroughs moved, second by Stan Klotz, to ratify Resolution 2021-07: Closing and Restricting Public Access to County Facilities effective April 6, 2021. Motion carried 3-0.

Continuity of Operations: Auditor Fox explained the Continuity of Operations Plan (COOP) is being created with the assistance of BOLD Planning and because it is a living document will need to be continually updated. Auditor Fox submitted a joint letter from the Board of Commissioners and Council to support the development and the vital importance of the Continuity of Operations Plan. All offices, departments and related organizations providing critical services or perform essential functions are directed to participate in this countywide planning effort. The Boards are responsible for providing services to our citizens and we must be prepared to continually meet these responsibilities in the face of a major disaster or terrorist attack, as well as smaller, routine disruptions. **Mike Burroughs moved, second by Stan Klotz, to allow the Board President to sign the COOP letter of support. Motion carried 3-0.**

American Rescue Plan Act of 2021: Discussion was held concerning the creation of a board and appointments to the board. **Mike Burroughs moved, second by Stan Klotz, to appoint Kevin Overmyer to serve as the Representative of the American Rescue Plan Board. Motion carried 3-0**.

Stan Klotz moved, second by Mike Burroughs, to appoint the Auditor, Health Officer and two Council Members to the American Rescue Plan Board. Motion carried 3-0.

Ordinance 2021-05(2): Creating a New Fund for the Receipt of Funding from the American Rescue Plan as Adopted by Congress in 2021. **Mike Burroughs moved, second by Stan Klotz, to approve Ordinance 2021-05(2): Creating a New Fund for the Receipt of Funding from the American Rescue Plan as Adopted by Congress in 2021. Motion carried 3-0.**

Mike Burroughs moved, second by Stan Klotz, to suspend the rules and pass Ordinance 2021-05(2): Creating a New Fund for the Receipt of Funding from the American Rescue Plan as Adopted by Congress in 2021 on second and third reading. Motion carried 3-0.

Commissioner Klotz stated he would like to have discussions with Council concerning long term funding for the jail. Further stating he believes the tax rate can be cut 25% to 30%, still fund the jail and maintain a balance.

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 11:18 am. 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
MAY 3, 2021

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 3, 2021. Present were Commissioners, Kevin Overmyer, President; Stan Klotz, Vice President; County Attorney, James Clevenger; and County Auditor, Julie A. Fox. Mike Burroughs, Member was not present. The meeting was opened, the Pledge of Allegiance was given and the business at hand was heard.

HIGHWAY DEPARTMENT

Highway Superintendent, Jason Peters, opened bids for the sale of the following Highway Equipment:
(1) 6405 John Deere Tractor with side mount mower (Unit 2002-04) Bid: Clint Pontius in the sum of $4,551; Gene Muffett in the sum of $5,000.
(1) 6405 John Deere Tractor with side mount mower (Unit 2002-03) Bid: Clint Pontius in the sum of $4,551; S&M Contractor in the sum of $10,000
(1) TS 100 New Holland Tractor with side mount mower Bid: Lloyd Rosander in the sum of $3,685.
(1) T-6020 New Holland Tractor with Brush chopping Boom Attachment Bid: Clint Pontius in the sum of $5,750; Gene Muffett in the sum of $1,500; Mike VanDeMark in the sum of $6,500.
(1) Econoline Tandem Trailer 12-ton Backhoe Pro Bid: Lloyd Rosander in the sum of $1,250.
(1) 1984 Ford 1-ton pickup 2wd Bid: Joe Obrochta in the sum of $100; Mark Rogers in the sum of $101; William Marsh in the sum of $751.
(1) 1995 Chevrolet 1500 pickup Bid: Mark Rogers in the sum of $101.
(1) 1999 Ford Ranger Bid: Robert Ringer in the sum of $125; Mark Rogers in the sum of $150; William Marsh in the sum of $1,001.
(3) Dodge Dakota (2002-2005) Bid: Mark Rogers in the sum of $101 for each; William Marsh in the sum of $401.
Stan Klotz moved, second by Kevin Overmyer, to take the bids under advisement. Motion carried 2-0.

Superintendent Peters presented a road surface cut and right of way cut request from Jeffrey Schmaltz on Center Street, between Polk Street and North Street, in Polk Township, for the purpose of trenching electrical conduit from pole to house for underground electric hookup. **Stan Klotz moved, second by Kevin Overmyer, to approve the road surface cut and right-of- way cut request from Jeffrey Schmaltz on Center Street, between Polk Street and North Street, in Polk Township, for the purpose of trenching electrical conduit from pole to house for underground electric hookup. Motion carried 2-0.**

Superintendent Peters presented a road bore request from Marshall County REMC at 13177 Jarrah Road, between 12B Road and 14th Road, in Center Township, for the purpose of installing underground electric service. **Stan Klotz moved, second by Kevin Overmyer, to approve the road bore request from Marshall County REMC at 13177 Jarrah Road, between 12B Road**

and 14th Road, in Center Township, for the purpose of installing underground electric service. Motion carried 2-0.

Superintendent Peters stated Republic First National Corporation has provided 3-year and 5-year lease estimates and payment schedules for the additional equipment under consideration. The 3-year payment is $128,656.58 totaling $366,500 (2.63% interest rate) and the 5-year payment is $128,717.94 totaling $594,000 (2.73% interest rate).

Superintendent Peters requested a prepayment for the purchase of a ¾-ton pickup truck with snowplow from Lincoln Auto Body in the sum of $13,500. **Stan Klotz moved, second by Kevin Overmyer, to allow a pre-payment to Lincoln Auto Body in the sum of $13,500 for the purchase of a Chevrolet pickup with snowplow. Motion carried 2-0.**

Road Program Update: The following roads were reclaimed last week: Elm Road from 7th to US 30; 3rd Road from Fir to Grape; Miami Road from Plymouth-Goshen to SR 106; and, 1st Road from LaPaz Town limits to Quince.

This week will work on the following roads: Finish 1st Road; Queen Road from north of Teegarden to County Line Road; 7B Road from Oak to Pine; Rose Road from 13th to 14th; 14th Road from Muckshaw to US 3; and Queen Road from 18B to 20th.

Stan Klotz moved, second by Kevin Overmyer, to approve the 2021 Road Program as presented. Motion carried 2-0.

Superintendent Peters stated Marshall County was awarded the 2021-1 Community Crossings Grant in the sum of $1 million for the following projects: Sycamore Road from 4B to US 30; 3A Road from Plymouth-Goshen to East Shore; West Shore Drive from Culver Town limits to South Shore; South Shore Drive (Culver) from West Shore to 20B Road; Muckshaw Road from 13th to 14th; and Michigan Road from US 31 to Argos Town Limits.

Superintendent Peters discussed the opportunity to tie additional projects into the above projects while contractor is onsite to reduce costs.

OLDER ADULT SERVICES

Janis Jeffirs Holiday presented the Older Adult Services Quarterly Report, along with the reimbursement request to INDOT in the sum of $81,219 for CARES Funds 5311 Operating Funds. **Stan Klotz moved, second by Kevin Overmyer, to accept the Quarterly Report from Marshall County Council on Aging and the request for reimbursement from INDOT in the sum of $81,219. Motion carried 2-0.**

Ms. Holiday presented a letter from INDOT serving as the Grant Close-out and De-Obligation Notification for the completed 2020 FTA 5311 Operating, 5339 Capital, and State PMTF Transit Funds. INDOT will re-program these unused funds for other 5311/5339 program projects. Ms. Holiday requested approval of the De-Obligated Amount in the sum of $118,249 for the 5311 Operating Funds. **Stan Klotz moved, second by Kevin Overmyer, to approve the**

De-Obligation Notice of the 5311 Operating Funds in the sum of $118,249 and allow the Board President to sign the letter. Motion carried 2-0.

Ms. Holiday requested permission to apply for the Marshall County Council on Aging Operating grant (Section 5311) and Capital grant (Section 5339) for calendar year 2022. In addition to operating funds, the request includes one low-floor minivan ($47,000) as well as scheduling and dispatching software ($80,000) to provide and improve public transportation for the County. The total budget for calendar year 2022 is $552,426, with a federal share of $276,213, a state share of $57,99 and local match of $276,213. All local match funds will be secured by Council on Aging. **Stan Klotz moved, second by Kevin Overmyer, to allow Marshall County Council on Aging to apply for the 5311/5339 Rural Transit Grant for calendar year 2022 in the sum of $552,426. Motion carried 2-0.**

Stan Klotz moved, second by Kevin Overmyer, to approve Resolution 2021-08: Resolution Authorizing Filing of an Application for Grant Under Section 5311/5339 of the Federal Transit Act, as Amended. Motion carried 2-0.

TOWN OF CULVER

Culver Town Manager Ginny Munroe presented a request to the Lake Max Trail Phase 3 Route right-of-way request, amending Resolution 2018-11. Explaining Jonathon Leist previously requested and received permission to work in the right-of-way of Academy Road. Culver Academies is now requesting Academy Road not be used and would like consideration of using another route. INDOT has granted permission to review for consideration a different route. Discussion was held concerning the Commissioners need for a written agreement with Culver Academies prior to the consideration of an alternate route. Attorney Clevenger is working with Culver Academy on an agreement for their share of the additional costs.

UNSAFE BUILDING

Building Inspector Steve Howard was present for the opening of bids for 440 Lincoln Highway, Bourbon and 4241 East Shore Drive, Bremen Demolition Projects.

The following bids were received for the demolition of 440 Lincoln Highway: Langfeldt Excavating LLC in the sum of $25,375; Jackson Demolition Services Enterprises LLC in the sum of $63,000.

The following bids were received for the demolition of 4241 E. Shore Drive: Jackson Demolition Services Enterprises LLC in the sum of $13,000; Langfeldt Excavating LLC in the sum of $12,845.

Discussion was held concerning liens being placed on the properties to have the ability to recover costs.

Stan Klotz moved, second by Kevin Overmyer, to take the demolition project bids under advisement and allow the Unsafe Building Board to award the contract.
Motion carried 2-0.

HEALTH DEPARTMENT

Auditor Julie Fox, on behalf of Public Health Nurse Lisa Letsinger, explained the request to apply for additional Cares Funding for the Moderna Vaccine Outreach Project. It is anticipated Marshall County would receive $14,040.08 for services rendered to administer 800 Moderna vaccination doses. **Stan Klotz moved, second by Kevin Overmyer, to allow the Health Department to apply for additional CARES funding for the Moderna Vaccine Outreach Project under the Immunizations and Vaccine for Children in the sum of $14,040.08. Motion carried 2-0.**

ATTORNEY REPORT

Old Business:

Plum Street – Maintenance Building: Attorney Clevenger is coordinating the closing on real estate with Marshall County Title and the Marshall County Auditor.

415 Lakeshore Real Estate Taxes: The Sheriff's Sale is rescheduled to June 22, 2021 at 1:00 p.m. for an online auction.

Opioid Litigation Update: Attorney Clevenger has been advised that for Ohio, Arizona, and most other states, rather than the Attorney General having legislations passed without input from local governments, the Attorney Generals in those states made deals with the local governments about a more equitable way of sharing settlement proceeds in the event of a global settlement with the Opioid industry. Indiana now requires dismissal of all local government lawsuits unless the local government "opts out" of the Attorney General settlement by June 30, 2021. There is no settlement yet and there is not a MOU about a settlement. The major manufacturers, distributors, and pharmacies want a global settlement. The Indiana Attorney General filed suit with several other state Attorney Generals over a year after Marshall County filed suit and after it became clear that plaintiffs nationwide were going to share in a great deal of money. The Indiana Attorney General did not sue all the manufacturers and distributors and did not sue any pharmacies. So, Indiana's portion of the global settlement will not be funded by every defendant and thus, not as big as the states that filed against all the defendants. If there is a settlement and Marshall County does not opt out, the State gets and has control over 85% of the settlement proceeds. Marshall County would share based upon population of the unincorporated areas since Plymouth and the Towns did not file suit and would be receiving funds from the State based upon population. If Marshall County opts out and most of the other local governments opt out as well, the State's share of the global settlement will be reduced significantly. Our counsel recommends we opt out. A Resolution should be adopted to opt out at the June 21st meeting, ahead of the June 30th deadline.

New Business:

Gov. Holcomb v General Assembly: Legislation was passed curbing the Governor's Emergency Powers and the provisions that allow for the General Assembly to call a special session. The Indiana Constitution provides only the Governor may call a special session. The Governor has challenged the constitutionality of the legislation.

AUDITOR REPORT

April 19, 2021 Minutes: Commissioner Overmyer requested clarification from Commissioner Klotz concerning comments referencing the tax rate being cut 25% to 30%.
Commissioner Klotz stated he was referring to the LIT Special Legislation tax rate.
Stan Klotz moved, second by Kevin Overmyer, to approve the April 19, 2021 minutes as presented. Motion carried 2-0.

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

COMMISSIONER ITEMS

Highway Bids: Following Highway Superintendent Peters review of the bids**, Stan Klotz moved, second by Kevin Overmyer, to accept the bid from S&M Mowing Contractors in the sum of $10,000 for the John Deere 6405. Motion carried 2-0.**

Stan Klotz moved, second by Kevin Overmyer, to accept the bid from William Marsh for in the sum of $751 for the 1984 Ford 1-ton pickup. Motion carried 2-0.

Stan Klotz moved, second by Kevin Overmyer, to accept the bid from William Marsh in the sum of $1,001 for the 1999 Ford Ranger. Motion carried 2-0.

Stan Klotz moved, second by Kevin Overmyer, to accept the bid from Mike VanDeMark in the sum of $6,500 for the New Holland T-6020 Tractor. Motion carried 2-0.

Highway Superintendent Peters will contact INgov to place an online auction for the balance of the equipment for sale.

Commissioner Overmyer would like to thank the following individuals who volunteered answering telephone calls related to the Coronavirus: Janet Meyer, Georgette Rader, Rita Large, Susie Clevenger and Barb Holcomb. Their contribution was a tremendous help to the Health Department.

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 9:53 am. 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
MAY 17, 2021

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 17, 2021. Present were Commissioners, Kevin Overmyer, President; Stan Klotz, Vice President; Mike Burroughs, Member; 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, provided a department update stating they are still reviewing estimates and payment options for the purchase of equipment. One of the Dodge Dakota trucks was posted for sale on the state auction site last week and as of this morning the bid is $450. The 2021 Road Program dust control and reclaim process has been completed and will be finishing with spraying calcium.

Superintendent Peters presented the Local Roads and Bridges Matching Grant Agreement, Contract #A249-21-LG210126, between Marshall County and the Indiana Department of Transportation (INDOT) for the purpose of awarding the Community Crossings 2021-1 Grant, in the sum of $1 million, representing 75% of the eligible costs. The County will provide local matching funds equal to not less than 25% of the estimated project cost.
Stan Klotz moved, second by Mike Burroughs, to approve the Local Roads and Bridges Matching Grant Agreement between Marshall County and the Indiana Department of Transportation in the sum of $1 million upon review by County Attorney and to allow the Board President to sign the Agreement. Motion carried 3-0.

EMA

EMA Director Clyde Avery presented a Semi-Annual Report for the period December 6, 2020 through May 16, 2021. The 2020 EMPG (salary reimbursement grant) Program Report and Fiscal Report have been submitted to Indiana Department of Homeland Security (IDHS) for approval and payment. The Blueberry Festival Committee has requested use of the Emergency Operations Center in Room 207 from September 2nd through September 6th.
Mike Burroughs moved, second by Stan Klotz, to allow the Blueberry Festival Committee use of the Emergency Operations Center in Room 207 from September 2nd through September 6th. Motion carried 3-0.

Discussion was held concerning the Continuity of Operations Planning and the need to have all three Commissioners present in planning meetings. The meetings will need to be posted as Executive Sessions for the purpose of Continuity of Government.

COMMUNITY CORRECTIONS & EMA

Community Corrections Director Ward Byers and EMA Director Clyde Avery provided a demonstration of the Marshall County new smartphone app. The app will serve as a new way for

the county to connect with Marshall County residents and visitors, providing information quickly and efficiently to anyone with a smartphone. Some of the features included are news and events, road conditions, public health, emergency management, instant push notifications, and a protected channel for County employees. Commissioner Burroughs stated local government agencies can use the push notifications to relay a message utilizing the LED Message Boards.

PLAN COMMISSION

Director Ty Adley presented 21-PC-06 FORSYTHE, Robert & Colleen, a request for an amendment to change parcel zoning from C-1 to T-1; located at 320 S. Michigan Street, LaPaz, IN, North Township, Zoned C-1.

Stan Klotz moved, second by Mike Burroughs, to open the public hearing on 21-PC-06 Forsythe, Robert & Colleen. Motion carried 3-0.

No public comment was heard.

Mike Burroughs moved, second by Stan Klotz, to close the public hearing on 21-PC-06 Forsythe, Robert & Colleen. Motion carried 3-0.

Stan Klotz moved, second by Mike Burroughs, to approve Ordinance No. 2021-07: An Ordinance to Amend the Zoning Map (Ordinance 2007-10) of the County of Marshall, Indiana, to Change the Zoning Classification of Parcel #50-52-95-204-308-000-010 Located on the West Side of Michigan Road LaPaz Indiana, Lot 27 of Thayer's Addition to LaPaz, in North Township, Marshall County, Indiana from C-1, General Commercial District to T-1, Town Residential District. Motion carried 3-0.

Mike Burroughs moved, second by Stan Klotz, to suspend the rules and pass Ordinance No. 2021-07: An Ordinance to Amend the Zoning Map (Ordinance 2007-10) of the County of Marshall, Indiana, to Change the Zoning Classification of Parcel #50-52-95-204-308-000-010 Located on the West Side of Michigan Road LaPaz Indiana, Lot 27 of Thayer's Addition to LaPaz, in North Township, Marshall County, Indiana from C-1, General Commercial District to T-1, Town Residential District on second and third reading. Motion carried 3-0.

COMMUNITY CORRECTIONS

Community Corrections Director Ward Byers requested permission to grant unpaid leave to a new employee for vacation that was planned prior to date of hire. **Stan Klotz moved, second by Mike Burroughs, to approve the unpaid leave for new hire's planned vacation. Motion carried 3-0.**

HEALTH DEPARTMENT

Administrative Assistant/Environmentalist, Faith Chapman, explained the Health Department is eligible to apply for an additional $50,000 in funding for direct COVID-19 testing services for Marshall County. As of June 30, 2021 St. Joseph Regional Medical Center will no longer be partnering with Marshall County Health Department. This financing will help sustain COVID-19 free testing for Marshall County.

Mike Burroughs moved, second by Stan Klotz, to allow the Health Department to apply for an additional $50,000 in SARS-COV-2 Community Based Testing Grant.
Motion carried 3-0.

ATTORNEY REPORT

Old Business:

Maintenance Building – Plum Street: A new power of attorney is needed by one of the landowners who is residing out of the country. Continuation of work with Marshall County Title to obtain title insurance and to have Marshall County Title close when all the paperwork is in place.

Treasurer-415 Lakeshore Real Estate Taxes: The Sheriff's Sale is scheduled for June 22, 2021 at 1:00 p.m.

Courthouse Restoration: A Midwest Maintenance representative is scheduled to appear at the June 7th Commissioner meeting.

ARPA Funding: The US Treasury Department has issued regulations. It appears for the County to obtain its first half of funding County Officials will have to complete the necessary paperwork through an online portal.

Commissioner Overmyer stated there is consideration to hire Baker-Tilly to assist in creating a planning committee for the ARPA funding and interest in inviting the cities and towns to join the committee to allow the grant dollars to stretch further.

Amended Unsafe Building Ordinance: The notice of public hearing for the Amended Unsafe Building Ordinance has been published for hearing scheduled on Monday, June 7, 2021 at 9:00 a.m.

New Business:

Hyper Wave Consulting Agreement: Attorney Clevenger has reviewed the proposed Hyper Wave Consulting Agreement. Note the agreement calls for a pre-pay in advance the beginning of each month, presuming the pre-pay is for the 20 hours minimally expected to be provided under the agreement. The Tier 1 services rate is $50 per hour. Thus, we will incur at a minimum $1,000 per month during the 1-year term of this agreement. If there are Tier 2 and Tier 3 services or services required for the shorter response time, those will be invoiced promptly and due within 30-days of the invoice. **Mike Burroughs moved, second by Stan Klotz, to approve the Hyper Wave Consulting LLC Pre-Paid Services Agreement effective June 1, 2021 in the sum of $1,000 per month. Motion carried 3-0.**

Mike Burroughs moved, second by Stan Klotz, to allow the Board President to sign the Hyper Wave Consulting LLC Pre-Paid Services Agreement. Motion carried 3-0.

AUDITOR REPORT

May 3, 2021 Minutes: **Stan Klotz moved, second by Kevin Overmyer, to approve the May 3, 2021 minutes as presented. Motion carried 2-0-1, with Mike Burroughs abstaining.**

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

Ordinance 2021-08: An Ordinance Amending Ordinance 2019-14 the Real Property Endorsement Fee for Marshall County, Indiana: Auditor Julie A. Fox requested approval of Ordinance 2021-08, which changes the $10 transfer fee collected from per document to per parcel. The funds collected are used to support maintaining the plat books.
Mike Burroughs moved, second by Stan Klotz, to approve Ordinance 2021-08: An Ordinance Amending Ordinance 2019-14 the Real Property Endorsement Fee for Marshall County, Indiana effective July 1, 2021. Motion carried 3-0.

Stan Klotz moved, second by Mike Burroughs, to suspend the rules and pass Ordinance 2021-08: An Ordinance Amending Ordinance 2019-14 the Real Property Endorsement Fee for Marshall County, Indiana on second and third reading. Motion carried 3-0.

COMMISSIONER ITEMS

Kankakee River Basin Committee (KRBC) Appointment: **Stan Klotz moved, second by Mike Burroughs, to reappoint Marshall County Surveyor Craig Cultice to the Kankakee River Basin Committee to a four-year term, beginning July 1, 2021 and ending June 30, 2025. Motion carried 3-0.**

Mike Burroughs moved, second by Stan Klotz, to reappoint Marshall County Commissioner Kevin Overmyer to the Kankakee River Basin Committee to a four-year term, beginning July 1, 2021 and ending June 30, 2025. Motion carried 3-0.

PUBLIC COMMENT

Amy Millar, 11684 4A Road, Plymouth, explained in March 2020 they applied for a building permit. The Building Inspector denied the permit but did not notify the homeowner. A contractor was hired who presented himself to be licensed, chartered, and bonded and the homeowners later discovered those credentials were obtained fraudulently. The contractor did later obtain a bond. Plan Commission Director Ty Adley provided the bond information in February 2021 to Ms. Millar, who is now seeking assistance in filing a claim with the insurance carrier. The Commissioners asked Mrs. Millar to have her attorney contact County Attorney Clevenger for further guidance.

Marshall County Economic Development Corporation, Executive Director Laura Walls, stated Governor Holcomb announced a $5 million initiative, with applications due by the end of August. A steering committee has been formed and the County may have the ability to utilize ARPA funds for the 20% local match.

Coroner John Grolich stated AT&T is interested in renting tower space at the Sheriff department. The contract will be sent to Attorney Clevenger for review.

Auditor Fox informed the Board with newly legislation passed through HEA 1437, counties are authorized adopt a resolution in order to continue using electronic meetings even after the expiration of the Governor's Executive Order and provided a resolution template for consideration.

ADJOURNMENT

With no further business to come before the board **Stan Klotz moved, second by Mike Burroughs, to adjourn the meeting at 11:02 am. 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
JUNE 7, 2021

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 7, 2021. Present were Commissioners, Kevin Overmyer, President; Stan Klotz, Vice President; Mike Burroughs, Member; 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.

The Commissioners announced the meeting is streaming live and available for live view at www.co.marshall.in.us.

HIGHWAY DEPARTMENT

Highway Superintendent Jason Peters presented the Marshall County Annual Operational Report for Local Roads and Streets and Bridges for the year ending 2020. **Stan Klotz moved, second by Mike Burroughs, to approve the Marshall County Annual Operational Report for Local Roads and Streets and Bridges for the year ending 2020. Motion carried 3-0.**

Superintendent Peters presented Resolution 2021-11: Resolution Authorizing Entering into An Equipment Lease Purchase Agreement for the purchase of four new tandem axel trucks and two single axle trucks. **Mike Burroughs moved, second by Stan Klotz, to approve Resolution 2021-11: Resolution Authorizing Entering into An Equipment Lease Purchase Agreement in the sum of $1,200,000 for delivery in calendar year 2022 and payments to begin in 2023. Motion carried 3-0.**

Stan Klotz moved, second by Mike Burroughs, to allow for the application of an emissions grant for a 25% rebate of the chassis cost. Motion carried 3-0.

Superintendent Peters is still researching equipment and financing options for the purchase of additional equipment. Further stating a John Deere tractor did sell last week on the govdeals.com website for $17,300 and plans to list additional equipment on the site.

Superintendent Peters provided a 2021 Road Program update and will post road information on the Marshall County app.

Superintendent Peters stated the Community Crossings 2021-1 bid packets are ready to be sent out for bid along with the addition to quote Sage Road from South Shore to SR 17; 3rd Road from East Shore to West Shore; Pretty Lake Trail from Queen Road to Quince Road to SR 17; and 14th Road from Muckshaw Road to US 31. **Stan Klotz moved, second by Mike Burroughs, to approve the Community Crossings 2021-1 Notice to Bidders for publication. Motion carried 3-0.**

Discussion was held concerning the development of a subdivision at Lake of the Woods and whether the County must accept the roads once they are completed and the process for doing so.

Commissioner Klotz questioned whether there would be additional ARPA dollars available for the road plan. Commissioner Overmyer explained following a meeting last week with Baker Tilly, funding is not available for roads.

EXTENSION OFFICE

Educator Kelsey Guadarrama presented the Quarterly Report highlighting projects by Ag & Natural Resources, Health & Human Sciences, and 4-H Youth Development. Educator Guadarrama explained the Fair Board President has signed the paperwork to remove 4H from the fair title and will now be known as the Marshall County Fair. The purpose for this decision was financial and is now a commercial fair. Commissioner Overmyer stated by making this change it will allow for more fundraising and there has been an overwhelming positive response.

Discussion was held to allow the Extension Office rotate staff during the fair and only having one staff member in the office with two at the fairgrounds.

Educator Guadarrama requested permission to hire a seasonal contractor. **Mike Burroughs moved, second by Stan Klotz, to allow the Extension Office to hire a seasonal contractor. Motion carried 3-0.**

MIDWEST MAINTENANCE

Project Manager James Giguere and Foreman Jerry Hazeltine provided an update to the Courthouse Restoration Project stating they are working on the scaffolding and mockups. Discussion was held concerning painting the windows and doors. A change order will be presented.

UNSAFE BUILDING

Attorney James Clevenger explained the Unsafe Building and Property Ordinance is being changed as the prior Building Inspector had agreements to provide services to the cities and towns. This amendment reverts to cover only the unincorporated areas of Marshall County. Further stating the board membership is not changing.

Mike Burroughs moved, second by Stan Klotz, to open the Public Hearing for Ordinance 2021-19: An Amended Unsafe Building and Property Ordinance. Motion carried 3-0.

No comments were heard.

Stan Klotz moved, second by Mike Burroughs, to close the Public Hearing for Ordinance 2021-19: An Amended Unsafe Building and Property Ordinance. Motion carried 3-0.

Mike Burroughs moved, second by Stan Klotz, to approve Ordinance 2021-19: An Amended Unsafe Building and Property Ordinance on first reading. Motion carried 3-0.

Stan Klotz moved, second by Mike Burroughs, to suspend the rules and approve Ordinance 2021-19: An Amended Unsafe Building and Property Ordinance on second and third reading. Motion carried 3-0.

COMMUNITY CORRECTIONS

Community Corrections Director Ward Byers presented a request to apply for the Community Corrections Grant for calendar year 2022 in the total sum of $487,766.80, which also includes funding for the Sheriff Jail Treatment and Prosecutor Felony Diversion.
Mike Burroughs moved, second by Stan Klotz, to approve the request to apply for the Community Corrections Grant for calendar year 2022 in the total sum of $487,766.80. Motion carried 3-0.

Director Byers requested the Community Correction Board appointment of Jeremy Riffle to fill the unexpired term of Andy Hartley and to appoint Marc Morrison to fill the unexpired term of Lindsay Shively. **Stan Klotz moved, second by Mike Burroughs to appoint Jeremy Riffle and Marc Morrison to the Community Corrections Board to fill the unexpired terms of Lindsay Shively and Andy Hartley, both terms ending December 31, 2024.**
Motion carried 3-0.

HEALTH DEPARTMENT

Public Health Nurse Lisa Letsinger explained the Health Department has been awarded a federal grant, COVID19 and Routine Immunizations in the sum of $223,792 as part of the Immunizations and Vaccine for Children grants. Further explaining the first installment is for 18-months in the sum of $95,910.91. The scope of the project is to provide immunizations and compliance visits to vaccination providers. The Commissioners recommend utilizing contracted individuals to perform these services, which will allow the Health Department staff to complete other tasks.
Mike Burroughs moved, second by Stan Klotz, to approve the request to apply for the COVID19 and Routine Immunizations Grant in the sum of $223,793. Motion carried 3-0.

Nurse Letsinger requested permission to apply for the 18-month extension to the Immunizations & Vaccines-Child PPHF Grant, which will be effective July 1, 2021, through December 1, 2022, in the sum of $60,601. This funding can be utilized for supplies, equipment, services and contractual work to carry out administration of childhood vaccines. **Mike Burroughs moved, second by Stan Klotz, to approve the request to apply for the Immunizations & Vaccines-Child PPHF Grant extension in the sum of $60,601. Motion carried 3-0.**

COTTAGE WATCHMAN SECURITY INTEGRATIONS

Cottage Watchman Video/Access Specialist Jason Rhoades explained with the addition of Superior Court III, the Commissioners may want to consider an upgrade to the security system whereby alerts are transmitted by radio and can be sent as an email or text message. Cottage Watchman is planning a site visit with the manufacturer to establish costs and provide an estimate for installation. There is not a monthly cost associated with this system.

CARES-OCRA MCEDC MICRO-LOAN PROGRAM GRANT

Ginny Munroe informed the Board the funding has been received from the State and distributed to Marshall County Economic Development Corporation in the sum of $243,750 and requested permission to submit a claim for the administrative fees in the sum of $6,000, payable to the Troyer Group. **Stan Klotz moved, second by Mike Burroughs, to approve the claim submission to the Troyer Group in the sum of $6,000 for administrative fees for the MCEDC Micro-Loan Program. Motion carried 3-0.**

Ms. Munroe stated the Phase III funding has been denied, which was not a surprise because Phase I and Phase II were approved.

ATTORNEY REPORT

Old Business:

Highway Dept. Resolution 2021-11: This item was addressed previously in the meeting.

Resolution 2021-10: Resolution to Opt Out of Opioid Settlement will be presented at the June 21, 2021 meeting.

ARP Funding: Attorney Clevenger will have a zoom meeting with Baker Tilly on Tuesday, June 8, 2021.

Plum Street Property-Maintenance Department: The landowners newly revised power of attorney has been completed and is on the way.

New Business:

Personnel Matters: The Commissioners are conducting two separate executive sessions under the personnel matters provisions after this morning's public meeting.

Electronic Meetings: Electronic meetings may still be utilized under the Governors Administrative Rule, once stopped the General Assembly under House Bill 1437 are requesting units to adopt an electronic meeting resolution.

Cyber Security: Attorney Clevenger anticipates an increase in insurance costs and encourages continued protection and plan development.

US 31 Coalition and Town of Argos: Resolutions are being drafted for an upcoming meeting.

AUDITOR REPORT

May 17, 2021 Minutes: **Mike Burroughs moved, second by Stan Klotz, to approve the May 17, 2021 minutes as presented. Motion carried 3-0.**

May 20, 2021 Executive Session Minutes: **Mike Burroughs moved, second by Stan Klotz, to approve the May 20, 2021 Executive Session minutes as presented. Motion carried 3-0.**

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

COMMISSIONER ITEMS

Baker Tilly Consulting Services: **Mike Burroughs moved, second by Stan Klotz, to approve the Baker Tilly Consulting Services Agreement Related to the American Rescue Plan (ARP). Motion carried 3-0.**

Commissioner Overmyer explained ARP funding will be available for broadband and sewer projects. Ken Jones of Jones, Petrie and Rafinski is preparing to present study findings at a future meeting.

Bremen Public Library Board Appointment: **Mike Burroughs moved, second by Stan Klotz, to reappoint Kim Meyer to the Bremen Public Library Board for a four-year term beginning July 10, 2021 through July 9, 2025. Motion carried 3-0.**

Commissioner Burroughs thanked the IT Department for their efforts to live stream meetings.

PUBLIC COMMENT

Coroner John Grolich stated the County is on pace for 200 deaths this year and is anticipating an adjustment to the 2022 budget to add funding for additional clerical. **Stan Klotz moved, second by Mike Burroughs, to support funding for contractual help through the end of this calendar year. Motion carried 3-0.**

ADJOURNMENT

With no further business to come before the board **Stan Klotz moved, second by Mike Burroughs, to adjourn the meeting at 10:08 am. 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
JUNE 21, 2021

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, June 21, 2021. Present were Commissioners, Kevin Overmyer, President; Stan Klotz, Vice President; Mike Burroughs, Member; County Attorney, James Clevenger; and County Auditor, Julie A. Fox. The meeting was opened, streamed live at www.co.marshall.in.us, the Pledge of Allegiance was given and the business at hand was heard.

HIGHWAY DEPARTMENT

Highway Superintendent Jason Peters presented a road bore request from Marshall County REMC on 11th Road, between US 31 and King Road, in Center Township, for the purpose of installing conduit. **Stan Klotz moved, second by Mike Burroughs, to approve the road bore request from Marshall County REMC on 11th Road, between US 31 and King Road, in Center Township, for the purpose of installing conduit. Motion carried 3-0.**

Superintendent Peters requested guidance for purchasing additional equipment: brush chopping tractor, loader, grader, and vac. **Mike Burroughs moved, second by Stan Klotz, to allow the Highway Department to gather information on a brush chopping tractor, loader, and grader. Motion carried 3-0.**

Superintendent Peters stated a New Holland tractor sold for $12,700 and a Dodge Dakota sold for $650 on www.govdeals.com.

Superintendent Peters provided a progress report on the 2021 Road Program. Explaining due to heat there has been some bleeding of the roads and the roads are being coated.

Superintendent Peters stated the Community Crossings 2021-1 executed contract was received at INDOT, the bids have been posted which include the additional paving projects. The bids will be opened at the July 6th Commissioner meeting.

Superintendent Peters stated the RFP's have been submitted for upcoming inspections for the Countywide Bridge Inspection 2022-2025.

Discussion was held concerning Community Crossings possibly increasing the award to $5 million and adding a Community Crossings bridge grant.

PLAN COMMISSION

Plan Commission Director Ty Adley presented 21-PC-08 Schmelter, Daniel and Nancy, the homeowner is seeking to combine and enlarge their existing parcel at 16606 Pretty Lake Trail, Plymouth, zoned L1. **Mike Burroughs moved, second by Stan Klotz, to approve 21-PC-08 Schmelter, Daniel and Nancy. Motion carried 3-0.**

WIC

WIC Coordinator Evelyn Shields requested permission to apply for the WIC grant for fiscal year 2022 in the sum of $235,192. **Mike Burroughs moved, second by Stan Klotz, to allow WIC to apply for fiscal year 2022 WIC grant in the sum of $235,192. Motion carried 3-0.**

PROBATION DEPARTMENT

Assistant Chief Probation Officer Beth Harner requested permission to apply for the CARA grant through the Indiana Department of Health. The grant provides for the distribution of free Naloxone to probation staff to have available should an incident arise when it is necessary for the use of the emergency kit. The grant also provides for free online training to administer the kit. The accredited training will qualify for six continuing education credits for the staff, a savings in training expenditures. The grant does not require a county match. **Mike Burroughs moved, second by Stan Klotz, to allow the Probation Department to apply for the CARA Grant. Motion carried 3-0.**

Assistant Chief Probation Officer Harner requested permission to reapply for the Justice Partners Addiction Grant in the sum of $60,000. **Mike Burroughs moved, second by Stan Klotz, to allow the Probation Department to apply for the Justice Partners Addiction Grant in the sum of $60,000. Motion carried 3-0.**

JONES PETRIE RAFINSKI

Jones Petrie Rafinski CEO Ken Jones provided an update on regional sewer district, indicating they have found 15 unincorporated areas with limited options, which include Teegarden, Tyner, Inwood, Burr Oak, and subdivisions around the City of Plymouth. Logically pairing down the project to three remote areas with a decentralized system and one area regionalized to the city of Plymouth estimating a $20 million system, with soft costs estimated at $3.7 million. Mr. Jones stated he will be attending a meeting tomorrow morning with Dr. Holm and BakerTilly, and recommends pursuing funding options with ARPA, IFA and IDEM.

CORONER

Coroner John Grolich explained the need for part-time clerical to assist with the case work, has met with Attorney Clevenger concerning a contract, requested permission to approve the contract and allow advertising for help. **Mike Burroughs moved, second by Stan Klotz, to allow the Coroner to proceed with a contractual employee contract. Motion carried 3-0.**

HEALTH DEPARTMENT

Health Department Public Health Nurse Lisa Letsinger requested permission to apply for the COVID19 Vaccination Insurance Reimbursement Grant. The State will bill for COVID19 vaccination administration, receiving an administrative fee and distribute funds to the County. **Mike Burroughs moved, second by Stan Klotz to allow the Health Department to apply for the COVID19 Vaccination Insurance Reimbursement Grant. Motion carried 3-0.**

ATTORNEY REPORT

Old Business:

Maintenance Building-Plum Street: A new Power of Attorney from one of the landowners has been received and referred to the title company. If the Power of Attorney is in correct form, the closing should be scheduled in the next few weeks.

Treasurer – 415 Lakeshore Real Estate Taxes: The Sheriff's Sale is scheduled for June 22, 2021, at 1:00 p.m.

Opioid Litigation Update: Indiana requires dismissal of all local government lawsuits unless the local government "opts out" of the Attorney General settlement by June 30, 2021. There is no defined Attorney General settlement yet nor is there a MOU about a settlement. The major manufacturers, distributors, and pharmacies want a global settlement. The Indiana Attorney General filed suit with several other state Attorney Generals over a year after Marshall County filed suit and after it became clear plaintiff's nationwide were going to share in a great deal of money. The Indiana Attorney General did not sue all the manufacturers and distributors and did not sue any pharmacies. Indiana's portion of the global settlement will not be funded by every defendant and thus, not as big as states that filed against all the defendants.

If there is a settlement and Marshall County does not opt out, the State gets and has control over 85% of the settlement proceeds. Marshall County would share based upon population of the unincorporated areas since Plymouth and the Towns did not file suit.

Our counsel and Attorney Clevenger recommend the County opt out as a host of other local governments have already opted out. Resolution 2021-10: To Opt Out of Opioids Settlement Pursuant to Indiana Code 4-6-15-2 is presented for approval. **Mike Burroughs moved, second by Stan Klotz, to approve Resolution 2021-10: To Opt Out of Opioids Settlement Pursuant to Indiana Code 4-6-15-2. Motion carried 3-0.**

New Business:

Unsafe Buildings: The Unsafe Building Board approved a policy establishing an average processing expense for demolition projects at its last meeting. $1,966 for legal, publication, recording, and personnel expenses will be added to the County's lien for all demolitions. The State statute could be read that the policy also needs to be approved by the County Commissioners. The Board is seeking approval of Resolution 2021-16: Approving and Adopting the Unsafe Building Board's Average Processing Expenses for Demolition Projects Policy. **Stan Klotz moved, second by Mike Burroughs, to approve Resolution 2021-16: Approving and Adopting the Unsafe Building Board's Average Processing Expenses for Demolition Projects Policy. Motion carried 3-0.**

Joint Resolution 2021-14: Marshall County and the Town of Argos agree, encourage, and request the State of Indiana and Indiana Dept. of Transportation, construct an overpass intersection at US Highway 31 and Indiana State Road 10. The Town of Argos has already approved their Resolution 2021-4.

Mike Burroughs moved, second by Stan Klotz, to approve Resolution 2021-14: Joint Resolution of Marshall County, Indiana and Town of Argos, Indiana Concerning Overpasses for US Highway 31. Motion carried 3-0.

Resolution 2021-15: Marshall County and Fulton County agree, encourage, and request the State of Indiana and Indiana Dept. of Transportation, construct an overpass intersection at US Highway 31 and Indiana State Road 110 and an overpass bridge over US Highway 31 at 700 North. Fulton County Board of Commissioners intend to approve the joint resolution today.
Stan Klotz moved, second by Mike Burroughs, to approve Resolution 2021-15: Joint Resolution of Marshall County, Indiana and Fulton County, Indiana Concerning Overpasses for US Highway 31. Motion carried 3-0.

Resolution 2021-12: Indiana adopted requirements for governing bodies that may wish to have members participate in public meetings electronically rather than attend in person.
Mike Burroughs moved to approve. Motion died for lack of a second.

Stan Klotz moved, second by Mike Burroughs, to table Resolution 2021-12. Motion carried 3-0.

AUDITOR REPORT

June 7, 2021 Minutes: **Stan Klotz moved, second by Mike Burroughs, to approve the June 7, 2021 minutes as presented. Motion carried 3-0.**

June 7, 2021 Executive Session Minutes: **Mike Burroughs moved, second by Stan Klotz, to approve the June 7, 2021 executive session minutes as presented. Motion carried 3-0.**

June 7, 2021 Executive Session Minutes: **Stan Klotz moved, second by Mike Burroughs, to approve the June 7, 2021 executive session minutes as presented. Motion carried 3-0.**

June 17, 2021 Joint Executive Session Minutes: **Stan Klotz moved, second by Mike Burroughs, to approve the June 17, 2021 joint executive session minutes as presented. Motion carried 3-0.**

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

Marshall County Holding Corporation Annual Meeting: The annual Marshall County Holding Corporation meeting will be held July 19th at 11:00 a.m.

COMMISSIONER ITEMS

Argos Library Board: **Mike Burroughs moved, second by Stan Klotz, to appoint Maria Horvath to fill the unexpired term of Kathleen Griffin, with the term beginning June 21, 2021, and ending December 31, 2021. Motion carried 3-0.**

Cottage Watchman: Commissioner Klotz explained the initial quote did not include enough panic buttons and presented the option of including another layer of security by the addition of

strobe lights. Further explaining Human Resources Administrator Ann Anglin spoke with our IPEP representative concerning the possibility of receiving grant funding for the project. **Mike Burroughs moved, second by Stan Klotz, to accept the Cottage Watchman bid to include ten additional panic buttons and without strobes. Motion carried 3-0.**

BoldPlanning: Discussion was held concerning the BoldPlanning renewal agreement fees and possible discount for the Continuity of Operations Plan (COOP).

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 10:53 am. 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
JULY 6, 2021

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, July 6, 2021. Present were Commissioners, Kevin Overmyer, President; Stan Klotz, Vice President; Mike Burroughs, Member; County Attorney, James Clevenger; and County Auditor, Julie A. Fox. The meeting was opened, streamed live at www.co.marshall.in.us, the Pledge of Allegiance was given and the business at hand was heard.

HIGHWAY DEPARTMENT

Highway Superintendent Jason Peters presented a road cut request from NIPSCO for a circuit rebuild on 9A Road from Plymouth City Limits to just east of Collins Sub-division and a second section on Linconway from Plymouth City Limits to Inwood in Center Township along with a contract, which includes a requirement for a maintenance bond. **Mike Burroughs moved, second Stan Klotz, to approve the road cut request from NIPSCO on 9A Road from Plymouth City Limits to just east of Collins Sub-division and the second section on Lincolnway from Plymouth City Limits to Inwood in Center Township, for the purpose of a circuit rebuild, subject to attorney review of the contract. Motion carried 3-0.**

Superintendent Peters provided a department update: Stating still looking for additional equipment; $30,650 received for items sold on www.govdeals.com with the total sum of equipment sold to date of $48,902 and is planning to post the last used pickup trucks this week; and, Due to the weather last week the road program was delayed.

Attorney Clevenger stated four bids have been received for the 2021-1 Community Crossings Projects:

	Milestone Construction	Phend & Brown	E & B Paving	Rieth-Riley
Sycamore (US 6 to 4B)	$ 328,115.54	$ 403,809.50	$ 416,052.00	$ 376,404.01
2C (3A Road) (East Shore to Plymouth Goshen)	$ 191,343.05	$ 241,336.75	$ 245,791.00	$ 218,943.93
West Shore (Town Limits to South Shore) Culver	$ 145,131.49	$ 170,898.00	$ 166,950.50	$ 148,603.22
South Shore (West Shore to Venetian Villiage Rd)	$ 167,066.91	$ 193,148.83	$ 189,659.00	$ 169,989.94
South Shore (Venetian Village Rd to 20B)	$ 97,494.20	$ 113,578.57	$ 101,138.00	$ 91,573.49

	Milestone Construction	Phend & Brown	E & B Paving	Rieth-Riley
Muckshaw Road (13th to 14th)	$ 134,824.44	$ 167,782.70	$ 163,223.00	$ 146,538.69
Michigan Road (US 31 to Argos Town Limits)	$ 387,468.21	$ 467,393.80	$ 487,794.00	$ 444,640.80
	$ 1,451,443.84	**$ 1,757,948.15**	**$ 1,770,607.50**	**$ 1,596,694.08**

Additional Paving Projects

14th (Muckshaw to US 31)	$ 351,605.42	$ 433,107.20	$ 502,184.50	$ 402,007.90
3rd (West Shore to 3A)	$ 105,830.85	$ 128,594.98	$ 142,836.00	$ 143,315.70
Pretty Lake Trail (Quince to SR 17)	$ 100,720.51	$ 119,946.34	$ 122,789.00	$ 130,922.50
Quince (SR 17 to Pretty Lake Dr to Queen)	$ 204,738.10	$ 234,172.90	$ 243,225.00	$ 235,729.40
Sage (West Shore to SR 110)	$ 198,448.53	$ 235,846.95	$ 239,082.50	$ 237,837.90
East Shore (3A to West Shore)	$ 215,099.23	$ 242,695.03	$ 256,421.50	$ 232,127.80
	$ 1,176,442.64	**$ 1,394,363.40**	**$ 1,506,538.50**	**$ 1,381,941.20**

Stan Klotz moved, second by Mike Burroughs, to take the bids for Community Crossings 2021-1 under advisement. Motion carried 3-0.

MIDWEST MAINTENANCE

Midwest Maintenance Project Manager James Giguere and Foreman Jerry Hazeltine presented two Change Orders for the Courthouse Clock Tower Restoration. Explaining Change Order No. 1 is for a back up generator to supply the Courthouse with power in the case of emergency and Change Order No. 2 is to paint all the additional windows and doors so the paint matches. **Mike Burroughs moved, second by Stan Klotz, to approve Change Order No. 2 for painting all the windows and doors to match in the sum of $45,425. Motion carried 3-0.**

Mike Burroughs moved, second by Stan Klotz, to approve Change Order No. 1 for a back up generator in the sum of $21,171.50. Motion carried 3-0.

An update to the project was provided and Commissioner Burroughs stated a request has made to investigate whether the ball on top has ever been painted.

WEIGHTS & MEASURES

Weights & Measures Inspector Jerry Huss presented a Semi-Annual Report explaining the State operates on a July 1st through June 30th calendar year and last year there were a total of 1,209 checks completed and any violations were immediately addressed.

USI

USI Business Development Katie McLear and Director of Transportation Craig Parks, PE, provided a PowerPoint presentation on Phase II of Veterans Parkway. Explaining the County and City of Plymouth applied for federal aid last fall and no funding was received. INDOT advised in order to make the application competitive the County and City of Plymouth should separately proceed with the preliminary engineering, locally funding 100% of the costs and execute a Memorandum of Understanding. Further explaining if the project advances fast enough, construction funding may be available earlier than award of Fiscal Year 2024. Costs were provided with worst-case and best-case scenarios.

The Commissioners discussed moving the project forward. Commissioner Klotz stated funding should be applied towards existing Marshall County roadways.

ATTORNEY REPORT

Old Business:

Plum Street - Maintenance Building: The revised Power of Attorney from the landowner that is out of the country is still not acceptable to the title company. According to the title company, the Power of Attorney needs to be signed before an Apostille specialized notary. The Commissioners requested a letter be sent indicating termination of the deal if it cannot be resolved with the title company by August 1st.

Treasurer – 415 Lakeshore Real Estate Taxes: The Sheriff's Sale was conducted on June 22, 2021. The Treasurer collected the back taxes of $41,839.28.

Opioid Litigation Update: The Opt-Out Resolution was submitted via our Indianapolis lawyers to the Indiana Attorney General. The County has also gone along with their recommendation to approve the bankruptcy plan of Purdue Pharma. In the event enough local governmental entities approve the Purdue Pharma bankruptcy plan, the bankruptcy court and bankruptcy attorneys will start the distribution plan. However, that is not to start until September 2021. After the plan is completed, there will be no distributions until months later.

New Business:

Marshall County Holding Corporation: The Annual meeting is scheduled for July 12, 2021, at 11:00 a.m.

Cingular Wireless Tower Lease Agreement: Cingular Wireless is proposing to install an antennae and other communication equipment on the tower located at the Marshall County Correctional Facility property. The lease would ensure the new communication equipment would not interfere with the Sheriff's communication equipment or any other communication equipment already on that tower.

The new tenant proposes to also lease some space for a small shed. That ground space is a bit of an issue with our bond indenture. Also, the proposed lease calls for a five-year term with numerous extensions that if all exercised would total 90 years. The extensions should allow for increases in rent and should be for shorter periods of time.

Commissioner Overmyer requested Attorney Clevenger review the golf cart ordinance and the Indiana Code allowing for damages paid to the County by owners of steel wheel farm implements causing damage to roadways.

Discussion was held concerning the August 11th deadline for redistricting and the census not being received until September.

AUDITOR REPORT

June 21, 2021 Minutes: **Stan Klotz moved, second by Mike Burroughs, to approve the June 21, 2021, minutes as presented. Motion carried 3-0.**

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

COMMISSIONER ITEMS

BoldPlanning: Software License Agreement was presented for the Continuity of Operations (COOP) Module for a three (3) year annual licensing renewal agreement October 1, 2021, to September 30, 2024, in the amount of $5,940 per year for a total of $17,280.
Mike Burroughs moved, second by Stan Klotz, to approve the 3-year Continuity of Operations Module. Motion carried 3-0.

Resolution 2021-12: **Stan Klotz moved, second by Mike Burroughs, to approve Resolution 2021-12: A Resolution Establishing the Policy By Which Members of the Marshall County Board of Commissioners May Participate By Electronic Means of Communication. Motion carried 3-0.**

Cottage Watchman: **Stan Klotz moved, second by Mike Burroughs, to approve adding strobe lights in the Courthouse in an amount not to exceed $4,000. 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 10:04 am. 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
JULY 19, 2021

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, July 19, 2021. Present were Commissioners, Kevin Overmyer, President; Stan Klotz, Vice President; Mike Burroughs, Member; County Attorney, James Clevenger; and County Auditor, Julie A. Fox. The meeting was opened, steamed live at www.co.marshall.in.us, the Pledge of Allegiance was given and the business at hand was heard.

HIGHWAY DEPARTMENT

Highway Superintendent Jason Peters presented a road bore request from Marshall County REMC on Crane Cove, between West Shore Drive and Lake of the Woods, in German Township, for the purpose of installing electric service. **Mike Burroughs moved, second by Stan Klotz, to approve the road bore request from Marshall County REMC on Crane Cove, between West Shore Drive and Lake of the Woods, in German Township, for the purpose of installing electric service. Motion carried 3-0.**

Superintendent Peters presented a road surface cut request from Brenna Cook on Beech Road, between 9B Road and 8th Road, in Bourbon Township, for the purpose of working on a field tile. **Mike Burroughs moved, second by Stan Klotz, to approve the road surface cut request from Brenna Cook on Beech Road, between 9B Road and 8th Road, in Bourbon Township, for the purpose of working on a field tile. Motion carried 3-0.**

Superintendent Peters requested permission to purchase a brush chopping tractor in the sum of $193,350. Explained the cost of a new loader is $260,000 and is waiting for the amount allowed as a trade-in value. Further explaining the payments will begin in 2023. **Mike Burroughs moved, second by Stan Klotz, to approve the purchase of a brush chopping tractor in the sum of $193,350. Motion carried 3-0.**

Superintendent Peters provided an update to the 2021 Road Program, presenting the results of the 2021 Community Crossings and additional projects bid review. Stating Council has supported funding the projects. **Stan Klotz moved, second by Mike Burroughs, to approve the bid from Milestone Construction for the CCMG Projects in the sum of $1,451,443.84 and for the additional paving projects in the sum of $1,176,442.64, in the total sum of $2,627,886.48. Motion carried 3-0.**

OLDER ADULT SERVICES

Older Adult Services Executive Director Janis Jeffirs Holiday presented the 2021 Fourth Quarter Report and requested approval of an INDOT claim in the sum of $81,956 for operating expenses. **Stan Klotz moved, second by Mike Burroughs, to approve invoice #286 to INDOT in the sum of $81,956. Motion carried 3-0.**

Stan Klotz moved, second by Mike Burroughs, to approve the Quarterly Report as presented. Motion carried 3-0.

EMA

EMA Director Clyde Avery presented a request to apply for the 2021 EMPG Salary Reimbursement Grant through the Indiana Department of Homeland Security. Explaining the federal grant reimburses the County for up to 50% of the EMA Director's salary for 2021 and the cost of benefits are considered the County's match. **Mike Burroughs moved, second by Stan Klotz, to approve the request to apply for the 2021 EMPG Salary Reimbursement Grant. Motion carried 3-0.**

ELECTION BOARD

Clerk Deb VanDeMark stated the Election Board has notified the State that Marshall County may possibly be redistricting. Further explaining the redistricting process and the Election Board will present any recommendations for boundary changes to the Commissioners.

SHERIFF DEPRTMENT

Sheriff Matt Hassel presented the First Amendment to Interlocal Government Agreement Between Marshall County and Elkhart County Regarding the Housing of Inmates at the per inmate rate of Sixty Dollars per day. **Mike Burroughs moved, second by Stan Klotz, to approve the First Amendment to Interlocal Government Agreement Between Marshall County and Elkhart County Regarding the Housing of Inmates. Motion carried 3-0.**

HEALTH DEPARTMENT

Health Department Administrative Assistant/Environmentalist Faith Chapman presented a request to apply for the Emergency Preparedness Grant, a federal reimbursable grant to support the Emergency Preparedness Coordinator. **Mike Burroughs moved, second by Stan Klotz, to approve the request to apply for the Emergency Preparedness Grant. Motion carried 3-0.**

BUILDINGS & GROUNDS - MIDWEST MAINTENANCE

Buildings & Grounds Supervisor Doug Masterson and Midwest Maintenance Foreman Jerry Hazeltine explained extensive damage has been detected in the Clock Tower and provided pictures of the damage. Further explaining a wood expert and structural engineer will be onsite to inspect the damage.

ATTORNEY REPORT

Old Business:

Plum Street - Maintenance Building: Notice of required completion by August 1st was provided to one of the landowners. The landowner indicated they are correcting so we can obtain clear and insured title but requested an additional week. **Mike Burroughs moved, to deny the additional time and following discussion withdrew the motion.**

Opioid Litigation Update: It is expected the Indiana Attorney General, along with several other state Attorney Generals are poised to announce a significant settlement with several of the defendants of the national opioid litigation. Our counsel supported by several counties and cities has not reached a deal with the Indiana Attorney General. Attorney Clevenger understands the

Indiana Attorney Generals Office may be reaching out to the County to persuade us to go along with the settlement or to opt back into the statute governing a possible settlement. A Zoom conference is scheduled for today.

Jail ACLU: A Zoom conference is scheduled with the attorneys for the Indiana ACLU on the class action case of overcrowding at the jail. Our inmate population was under 180 last week. We have provided records of sufficient jailers working during the overcrowding period and records of increased medical coverage. As an additional precaution, the Sheriff provided a contract with Elkhart County to accept overflow inmates, in the event we get to the serious overcrowding stage again, which was approved earlier in the meeting. The Sheriff is working on a similar agreement with Fulton County with a less expensive per inmate per day rate.

Overcrowding Inmate Cases for Damages: Our insurance company counsel should have the number reduced to five by the end of the month. All remaining cases have claims related to medical issues as well as overcrowding.

Jones Property: The County is working with Donald Jones, Jr. & Roseann to complete the property transfer of vacant land on Glen Overmyer Drive.

Commissioner Klotz stated the Department of Corrections has accepted custody of several inmates.

Holding Corporation Tower: Attorney Clevenger spoke to Regions Bank concerning the Holding Corporation Tower.

AUDITOR REPORT

July 6, 2021 Minutes: **Mike Burroughs moved, second by Stan Klotz, to approve the July 6, 2021 minutes as presented. Motion carried 3-0.**

July 15, 2021 Executive Session Minutes: **Stan Klotz moved, second by Mike Burroughs, to approve the July 15, 2021 executive session minutes as presented. Motion carried 3-0.**

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

COMMISSIONER ITEMS

No Commissioner items were heard.

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 10:31 am. 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
AUGUST 2, 2021

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 2, 2021. Present were Commissioners, Kevin Overmyer, President; Stan Klotz, Vice President; Mike Burroughs, Member; County Attorney, James Clevenger; and County Auditor, Julie A. Fox. The meeting was opened, streamed live at www.co.marshall.in.us, the Pledge of Allegiance was given and the business at hand was heard.

HIGHWAY DEPARTMENT

Highway Superintendent Jason Peters presented an Agreement between the Marshall County Highway Department and NiSource/NIPSCO, which allows NIPSCO to upgrade its electrical services and utilize Marshall County rights-of-way. The project is to begin in July, 2021 and is proposed the upgrades will be completed by October 31, 2021. **Mike Burroughs moved, second by Stan Klotz, to approve the Agreement between the Marshall County Highway Department and NiSource/NIPSCO. Motion carried 3-0.**

Superintendent Peters presented for review an Independent Contractor Agreement between Marshall County and S&M Contracting for a five-year term to provide roadside mowing services, beginning in April/May for the years 2022 through 2027. S&M Contracting shall complete four rounds of mowing, based on 866 miles or at $23 per centerline mile for $19,918 per each completed round in the total sum of $79,672 per season. Noting each complete round must be completed within 45 days.

Superintendent Peters presented Bridge Plans for Bridge 73, King Road over the Yellow River, DES No. 1600931 for approval and submit to Indiana Department of Transportation.
Stan Klotz moved, second by Mike Burroughs, to approve the Bridge Plans for Bridge 73, King Road over the Yellow River, and submit to Indiana Department of Transportation. Motion carried 3-0.

Superintendent Peters provided a department update: Stating additional equipment will be purchased on a three-year plan in the total sum of $438,500 with $366,500 being financed for an annual payment of $128,656.58. The loader trade-in value was estimated at $9,500, so may opt to list on www.govdeals.com. A Road Program progress report was provided. The Agreement between Marshall County and Milestone Contractors, Inc. has been submitted to and approved by Indiana Department of Transportation, the P.O. is being processed for the 2021-1 Community Crossings Projects. The Agreement was also signed for the additional paving projects and anticipate begin working by the end of the month or first of September.

Superintendent Peters explained the 2022 Highway Department budget has been submitted with a request to reduce one mechanic position and increase the heavy equipment operator position by one. In the Cum Bridge budget, an additional heavy equipment operator position is being requested.

JEFF JONES

Jeff Jones, 10820 Nutmeg Meadows Drive, Plymouth, presented a Petition for Addressing Subdivision Roads in Nutmeg Meadows signed by fifteen subdivision residents. The petition states residents are concerned about decreased property values, ask for improved road drainage due to valleys and low areas that make the subdivision roads form large puddles and are unusually bumpy. Unlike Nutmeg Ridge and other improved subdivision roads within the area, Nutmeg Meadows roads have remained unimproved the past twenty years and the recent chip and seal only masked the actual issues with the core road base.

Highway Superintendent Jason Peters stated the work completed on the road will extend the life of the road by three to five years. Further acknowledging there are water issues following a heavy rain, stating the residents would not like the Highway Department to berm and dig ditches because of the driveways and sprinkler systems. The Commissioners will discuss the request with Superintendent Peters.

VETERANS SERVICE OFFICER

Veterans Service Officer Pam Schweizer-Betz presented the City and County VSO Monthly Report for the second quarter discussing the challenges facing veterans and veterans service officers in obtaining services and benefits.

PETRIE, JONES, RAFINSKI

Jones Petrie Rafinski CEO Ken Jones presented the Water Task Force Service Area Situation Plan for Marshall County and made the following initiating projects recommendation: Teegarden, Tyner, Inwood and South Michigan Street, which represents one third of the 2,500 PSA (priority service areas) in the plan. The combined project cost is $21 million with a per resident target monthly rate of $80-$90, depending on funding mode and grant availability.

Mr. Jones explained the Sewer Board of Trustees would be made up of Commissioners, Council and District Representatives. The next steps to be taken should the County decide to move forward is to Prepare District Formation Petition; Complete PER (in progress); Conduct a public hearing; Notify existing municipal entities; Present petition for signature by County Commissioners and Council; Submit to IDEM Commission, with formation expected in the Spring of 2022. **Mike Burroughs moved, second by Stan Klotz, to prepare a District Formation Petition. Motion carried 3-0.**

ATTORNEY REPORT

Old Business:

Plum Street - Maintenance Building: Landowners believe they will be able to deliver insurable title.

Opioid Litigation Update: The Attorney General announced prospective settlement of $507 million to Indiana is not the complete story. If Marshall County and other local units who have opted out do not opt back in, the settlement proceeds will be reduced to $269 million. The Attorney General and state legislators seem to suggest the locals are at fault if the settlement is reduced.

Attorney Clevenger explained, the Attorney General came in a year late and did not sue as many defendants. The proposed settlement is with only a few of the defendants included in the

Marshall County multi-district case. If Marshall County opts back in, Marshall County would be required to dismiss its claims against the other defendants. Marshall County would have to pay its attorneys out of the money Marshall County will be receiving. If collected over time, and Marshall County does not know how much Marshall County will be receiving, the amount received could be less than the fees owed.

The way this is being handled in Indiana is different than in most states. In many other states, the Attorney General negotiated a bigger piece of the settlement proceeds (other than 15%) to go to the locals that had already filed suit and were forcing the defendants into settlement negotiations. Attorney fees were negotiated, and the locals could continue the multi-district litigation against the other defendants.

Jail
ACLU: We have a Zoom conference scheduled with the attorneys for the Indiana ACLU on the class action case of overcrowding at the jail.

Overcrowding Inmate Cases for Damages: Attorney Clevenger reported the cases should be reduced to five by the end of the month. Another case was dismissed last week and therefore the number of cases may be down to five by the end of August.

Tower Lease: A telephone conference call has been scheduled for this week to discuss term revisions.

New Business:
No new business to report.

AUDITOR REPORT

July 19, 2021 Minutes: **Stan Klotz moved, second by Mike Burroughs, to approve the July 19, 2021, minutes as presented. Motion carried 3-0.**

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

COMMISSIONER ITEMS

2022 Holidays: **Mike Burroughs moved, second by Stan Klotz, to approve the Marshall County 2022 Holiday Schedule. Motion carried 3-0.**

2022 Meeting Schedule: **Mike Burroughs moved, second by Stan Klotz, to approve the Marshall County 2022 Commissioner Meeting Schedule. Motion carried 3-0.**

2022 Payroll Schedule: **Stan Klotz moved, second by Mike Burroughs, to approve the 2022 Payroll Schedule. Motion carried 3-0.**

2022 Budget: The department budgets have been submitted and are available for review. The first reading will be next Monday.

Midwest Maintenance: An estimate is expected next week for repairs on the Clock Tower. An emergency meeting may be needed with Council after the estimate is received.

LIT Special Purpose Fund: Commissioner Overmyer received clarification from AIC Attorney Rick Hall of Barnes & Thornburg, legislation does not allow funds to be used for other buildings.

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 9:59 am. 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
AUGUST 16, 2021

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, August 16, 2021. Present were Commissioners, Stan Klotz, Vice President; Mike Burroughs, Member; County Attorney, James Clevenger; and County Auditor, Julie A. Fox. Kevin Overmyer, President was not present. The meeting was opened, streamed live at www.co.marshall.in.us, the Pledge of Allegiance was given and the business at hand was heard.

HIGHWAY DEPARTMENT

Highway Superintendent Jason Peters presented road bore request from CenturyLink on 3rd Road, between Birch Road and Beech Road, in German Township, for the purpose of providing service to customer. **Mike Burroughs moved, second by Stan Klotz, to approve the road bore request from CenturyLink on 3rd Road, between Birch Road and Beech Road, in German Township, for the purpose of providing service to customer. Motion carried 2-0.**

Superintendent Peters provided a department update: Discussion was held concerning the Independent Contractor Agreement between Marshall County and S&M Contracting for a five-year term to provide roadside mowing services and allowing a fuel cost stipulation. Stating additional equipment will be purchased on a three-year plan in the total sum of $438,500 with $366,500 being financed for an annual payment of $128,656.58. The loader trade-in value was estimated at $9,500, so may opt to retain equipment or list on www.govdeals.com. A Road Program progress report was provided. The Highway Department received 55 calls related to storm damage.

TIM KAZANECKI

Tim Kazanecki, 17729 Walnut Street, Tyner, expressed concerns of installing a sewer system in Tyner, questioning the benefit and process for individuals to voice opposition. Attorney Clevenger explained the benefit to the community and the Sewer Board is still in the preliminary stages.

EMA

EMA Director Clyde Avery presented the EMA Director's Quarterly Report, May 14, 2021 through August 15, 2021. Explaining the 2021 EMPG (Salary Reimbursement Grant) Application has been submitted. The Continuity of Operations Plan is nearly complete and will be submitting the full document to Attorney Clevenger for preparation of a Resolution to be presented at the next Commissioner's meeting.

SHERIFF DEPARTMENT

In Sheriff Matt Hassel's absence, Commissioner Klotz explained the counsels at the jail are no longer serviceable and can take from six-months to one-year to replace. An estimate was provided for review.

ATTORNEY REPORT

Old Business:

Plum Street - Maintenance Building: Landowners have requested an extension until August 29, 2021. If the landowner is unable to provide clear title at that time, they will agree to cancel the purchase agreement. **Mike Burroughs moved, second by Stan Klotz, to extend the Purchase Agreement deadline to August 29, 2021 for the 716 Plum Street property. Motion carried 2-0.**

Opioid Litigation Update: Discussion was held concerning Attorney General Rokita's Op-Ed Article in the Monday, August 9, 2021 Pilot News.

Jail-ACLU: A Zoom conference was held on August 11, 2021 with the attorneys for the Indiana ACLU on the class action case of overcrowding at the jail.

Cingular Wireless Tower Lease Agreement: The County is collecting money from the Special LIT (public taxpayer funded) to fund the bonds used to construct and maintain the jail. The tower lease to a private company that includes leasing ground space for a small shed will produce funds from a private entity. The public entity funds, even though they are not designed to go into the jail funding account, could fall within IRS Rules and Regulations concerning receipt of private funds and may have some impact on the tax-exempt status of the bonds previously issued. Attorney Clevenger has been told the small amount of rent will be allowable such that the bonds will remain tax exempt. However, Marshall County needs bond counsel to deliver an opinion to Regions Bank before the Trustee will consent to the lease. An opinion from Rick Hall of Barnes & Thornburg has been requested, the fee would be nominal.

New Business:

Personnel Matters: Two personnel matters have been handled by Attorney Clevenger and Human Resources.

Regional Sewer District: Ken Jones of Jones Petrie Rafinski is preparing an estimate of administration costs, engineering, consultant and legal fees for presentation to Council.

AUDITOR REPORT

August 2, 2021 Minutes: **Mike Burroughs moved, second by Stan Klotz, to approve the August 2, 2021, minutes as presented. Motion carried 2-0.**

August claims: **Stan Klotz moved, second by Mike Burroughs, to approve the August claims as presented. Motion carried 2-0.**

COMMISSIONER ITEMS

LIT Special Purpose Fund: Commissioner Klotz stated former St. Joseph County Council Member Jamie O'Brien is of the opinion the LIT Special Purpose Fund may qualify for Clock Tower funding repairs under Paragraphs C and D.

PUBLIC COMMENT

Deb VanDeMark, 14750 Tulip Road, Culver, voiced concern from neighbors regarding issues around her property, which appear to be for solar installation. Commissioner Klotz explained, he

and Commissioner Overmyer have been in contact with the Plan Commission and the topography and surveying work being completed are for a feasibility study.

Christine Miller, 4947 French Street, Tyner, voiced opposition to the sewer system in Tyner. Explaining she put in a new septic system within the last three months because they had a dry well and was not due to the soil. Ms. Miller expressed concern over the condition of Sycamore Road and French Street. Commissioner Klotz explained Sycamore Road will be completed as part of the Community Crossings Project and she should reach out to the Highway Department concerning the condition of French Street.

Sharon Leathers, 4491 Sycamore Road, Walkerton, voiced opposition to the sewer system in Tyner and Teegarden and presented a Petition to Oppose Marshall County Sewer District containing 85 signatures. Ms. Leathers cited concerns over the potential financial hardship to residents living on a fixed income. Further stating the residents are more concerned with the roads than septic systems.

Ron Burch, 17796 Vine Street, Tyner, stated he canvassed Teegarden and found one individual in favor of the sewer system and 17 against. All are concerned about the condition of the roads.

ADJOURNMENT

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

_____
Kevin Overmyer, President

_____
Stan Klotz, Vice President

_____
Mike Burroughs, Member

ATTEST: _____
Julie A. Fox, Auditor

MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
SEPTEMBER 7, 2021

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 7, 2021. Present were Commissioners, Kevin Overmyer, President; Stan Klotz, Vice President; Mike Burroughs, Member; County Attorney, James Clevenger; and County Auditor, Julie A. Fox. The meeting was opened, the Pledge of Allegiance was given, the meeting live streamed at www.co.marshall.in.gov and the business at hand was heard.

HIGHWAY DEPARTMENT

Highway Superintendent Jason Peters presented a road bore request from BSM Groups for QC Communications at 1336 Lincoln Highway, between 12B Road and S. Beech Road, in Bourbon Township, for the purpose of installing ducts and fiber optic cable.
Stan Klotz moved, second by Mike Burroughs, to approve the road bore request from BSM Groups for QC Communications 1336 Lincoln Highway, between 12B Road and S. Beech Road, in Bourbon Township, for the purpose of installing ducts and fiber optic cable. Motion carried 3-0.

Superintendent Peters presented a right of way cut request from Frontier Communications on Beech Road and 5B Road, between 5B and 6th Roads and between Beech Road and County Line Road, in German Township, for the purpose of telecom service drop. **Mike Burroughs moved, second by Stan Klotz, to approve the right of way request from Frontier Communications on Beech Road and 5B Road, between 5B and 6th Roads and between Beech Road and County Line Road, in German Township, for the purpose of telecom service drop. Motion carried 3-0.**

Superintendent Peters presented a road bore request from CenturyLink on Douglas Road, between US Highway 6 and C Road, in German Township, for the purpose of providing CenturyLink service to customer. **Mike Burroughs moved, second by Stan Klotz, to approve the road bore request from CenturyLink on Douglas Road, between US Highway 6 and C Road, in German Township, for the purpose of providing CenturyLink service to customer. Motion carried 3-0.**

Superintendent Peters presented a right of way request from The Stanger Group, Inc. on County Line Road, between 14B and State Road 8, in Union Township, for the purpose of installing a temporary construction entrance. **Mike Burroughs moved, second by Stan Klotz, to approve the road bore request from CenturyLink on Douglas Road, between US Highway 6 and C Road, in German Township, for the purpose of installing a temporary construction entrance. Motion carried 3-0.**

Superintendent Peters requested approval of a five-year mowing contract with S&M Contracting. **Mike Burroughs moved to approve the five-year mowing contract.** Discussion was held concerning Attorney Clevenger reviewing the contract. **Mike Burroughs rescinded the motion.**

MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
SEPTEMBER 20, 2021

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, September 20, 2021. Present were Commissioners Kevin Overmyer, President; Stan Klotz, Vice President; Mike Burroughs, Member; County Attorney, James Clevenger; and County Auditor, Julie A. Fox. The meeting was opened, streamed live at www.co.marshall.in.us, the Pledge of Allegiance was given and the business at hand was heard.

HIGHWAY DEPARTMENT

Highway Superintendent Jason Peters requested approval of the Independent Contractor Agreement between Marshall County and S&M Contracting for a five-year term to provide roadside mowing services. **Mike Burroughs moved, second by Stan Klotz, to approve the Independent Contractor Agreement between Marshall County and S&M Contracting for roadside mowing beginning April/May 2022 through 2027 and to allow the President to sign the Agreement. Motion carried 3-0.**

Superintendent Peters requested approval of Resolution 2021-19 Authorizing Entering into an Equipment Lease Purchase Agreement with Republic First National Corporation for the acquisition of one 2021 MowerMax and one new wheel loader. **Mike Burroughs moved, second by Stan Klotz, to approve Resolution 2021-19: Resolution Authorizing Entering into an Equipment Lease Purchase Agreement. Motion carried 3-0.**

Superintendent Peters provided a department update: Progress report was provided for 2021 Road Program, including the Tyner and Teegarden area projects; Quarterly Tracking are due this week and a PO was received for Phase II of the Bridge Inspections in the sum of $83,515.82.

PLAN COMMISSION

Director Ty Adley presented 20-PC-11 Abbott, Donald US 6, Lapaz: A request for a zoning change from A-1 to C-2 to entice commerce for this area to promote business growth of business.

Stan Klotz moved, second by Mike Burroughs, to open the Public Hearing on 20-PC-11 Abbott Donald US 6, Lapaz. Motion carried 3-0.

Jim Demis, III, 111 S. Jefferson Street, Hamlet, Indiana voiced traffic safety concerns stating there is no acceleration lane when merging off US 31 on State Road 6.

Don Abbott, 12307 US 6, Plymouth agreed with Mr. Demis concerns and has recently contacted INDOT to request lighting stating it is poorly marked and is difficult to find the turning pathway.

Mike Burroughs moved, second by Stan Klotz, to close the Public Hearing on 20-PC-11 Abbott, Donald US 6, Lapaz. Motion carried 3-0.

Commissioner Klotz stated the Plan Commission will address the traffic issues.

Stan Klotz moved, second by Mike Burroughs, to approve Ordinance 2021-10: An Ordinance to Amend the Zoning Map (Ordinance 2007-10) of the County of Marshall, Indiana, to change the Zoning Classification of Parcel Numbers 50-52-28-000-024-001-009, 50-52-28-000-025-001-009, 50-52-28,000-026-001-009, 50-52-28-000-027-001-009, and 50-52-28-000-028-001-009 Located on the North Side of US Highway 6 Lapaz, Indiana, in North Township, Marshall County, Indiana from A-1, Agricultural to C-2, Highway Commercial District. Motion carried 3-0.

TIPPECANOE TOWNSHIP

Tippecanoe Township Trustee Matt Pitney stated there is not a sidewalk between the Tippecanoe Township Fire Station on State Road 331 and Baugher Drive and the Township does not have funding. Trustee Pitney presented an invoice from Hensley & Son, Inc. requesting funding support from the Board of Commissioners. **Stan Klotz moved, second by Mike Burroughs, to approve funding for a sidewalk in front of the Tippecanoe Township Fire Station from State Road 331 to Baugher Drive in a sum not to exceed $11,500 with payment from the COVID-19 Pandemic account line. Motion carried 3-0.**

PARK & RECREATION BOARD

Park & Recreation Board President Greg Hildebrand and Secretary Deb VanDeMark explained the Park Board has submitted ideas to the State for Ready Grants with formal grant application due the first of next year. A grant is also available from the Marshall County Community Foundation for funding to assist with the West Township Logan Cabin, with a formal application due later this fall. Estimating the grants at $68,000.

ROBERT DEMIS

Robert Demis, 20993 8th Road, Plymouth, Indiana, explained he has reached a stalemate with the Plan Commission concerning violations and fines for a shipping container located on his property and requested assistance. Attorney Clevenger explained the recourse would be a review before the Plan Commission.

ATTORNEY REPORT

Old Business:

Resolution 2021-19: This item was addressed earlier in the meeting.

Plum Street - Maintenance Building: Closing was held on the real estate September 15, 2021.

Jail-ACLU: We have not heard from the ACLU attorneys and were expecting a proposal before now.

Cingular Wireless Tower Lease Agreement: No bond counsel opinion yet and have not seen the new proposed lease.

New Business:

Tax Sale 2021: The paperwork and arrangements for filing are complete. We will wait until September 27th in hopes the newspaper notices will prompt a few taxpayers to pay delinquent taxes and avoid the tax sale process. The Marshall County tax sale is scheduled for October 14, 2021.

AUDITOR REPORT

September 7, 2021 Minutes: **Stan Klotz moved, second by Mike Burroughs, to approve the September 7, 2021, minutes as presented. Motion carried 2-0.**

September 16, 2021 Executive Session Minutes: Following discussion of Commissioners not being present **Stan Klotz moved, second by Mike Burroughs, to approve the September 16, 2021 Executive Session minutes as presented. Motion carried 3-0.**

Discussion was held concerning the proposed Executive Session Notice for 2022.

September claims: **Mike Burroughs moved, second by Stan Klotz, to approve the September claims as presented. Motion carried 2-0.**

COMMISSIONER ITEMS

Midwest Maintenance Change Order No. 3: Discussion was held concerning the status of Midwest Maintenance Change Order No. 3 and the need for a signature.

PUBLIC COMMENT

Sharon Leathers, 4491 Sycamore Road, Walkerton, thanked Highway Superintendent Peters for the road progress and addressed the Commissioners with sewer district concerns.

ADJOURNMENT

With no further business to come before the board **Stan Klotz moved, second by Mike Burroughs, to adjourn the meeting at 10:50 am. Motion carried 3-0.**

_____
Kevin Overmyer, President

_____
Stan Klotz, Vice President

_____
Mike Burroughs, Member

ATTEST: _____
Julie A. Fox, Auditor

Superintendent Peters requested permission to proceed with the purchase of equipment. **Stan Klotz moved, second by Mike Burroughs, to purchase a Caterpillar 938M Wheel Loader from MacAllister CAT in the sum of $248,500, financed by Sourcewell and to allow the Board President to sign the agreement. Motion carried 3-0.**

Superintendent Peters provided a department update: A purchase Resolution will be presented at the next meeting for the Caterpillar; The MowerMax brush mower should be delivered in two weeks. Requested permission to purchase a broom stating the old unit will be posted for sale on www.govdeals.com; An update was provided on the 2021 Road Program; Milestone is planning to start Community Crossing paving projects mid-September; An In-Lieu Program was submitted to the IDNR for Bridge #120, King Road, to begin the permitting process.

Mike Burroughs moved, second by Stan Klotz, to approve the In-Lieu Program submission to IDNR for Bridge #120, King Road, to begin the permitting process. Motion carried 3-0.

Mike Burroughs moved, second by Stan Klotz, to approve the purchase and pre-payment to Illinois Truck & Equipment for the purchase of a 2017 Broce RCT350 Sweeper in the sum of $42,500 upon delivery. Motion carried 3-0.

MIDWEST MAINTENANCE

Midwest Maintenance Project Manager James Giguere and Foreman Jerry Hazeltine provided a progress report for the Courthouse Clock Tower Restoration stating work will be completed by the first part of November on the sprinklers, masonry work and I-Beam replacement. Materials have been ordered by Stull Woodworks and work will resume next spring.

EMA

EMA Director Clyde Avery explained he has reviewed the Comprehensive Emergency Management Plan and presented Resolution 2021-17 Amended Resolution of Warning Annex A to the Marshall County Emergency Management Plan and Resolution 2021-18 Amended Resolution of Emergency Public Information Annex B.

Mike Burroughs moved, second by Stan Klotz, to approve Resolution 2021-17 Amended Resolution of Warning Annex A to the Marshall County Emergency Management Plan. Motion carried 3-0.

Mike Burroughs moved, second by Stan Klotz, to approve Resolution 2021-18 Amended Resolution of Emergency Public Information Annex B to the Marshall County Emergency Management Plan. Motion carried 3-0.

Director Avery presented Resolution 2021-20 Adopting the Continuity of Government Plan for Marshall County. Thanking Council Member Jon VanVactor for his effort and leadership and stated without the elected officials and department heads help this plan would not be possible. Further stating the Continuity of Operations Plan is a living document subject to review and update. **Stan Klotz moved, second by Mike Burroughs, to approve Resolution 2021-20 Adopting Continuity of Government Plan for Marshall County. Motion carried 3-0.**

JOHNSON MELLOH SOLUTIONS

Johnson Melloh Solutions Business Development Advisor Rick Anderson explained their company specializes in guaranteed energy solutions maximizing efficiency and minimizing cost. Offering to complete an assessment and prepare a recommendation report. The Commissioners explained this process would begin with the Maintenance Department Supervisor.

PLAN COMMISSION

Plan Commissioner Director Ty Adley presented 21-PC-09 Miller, Homer & Freda: A request for a one lot minor subdivision; located at 2013 and 2041 Beech Road, Nappanee, Indiana in German Township, Zoned C-2. Requesting the Commissioners acceptance of roadway.
Stan Klotz moved, second by Mike Burroughs, to open the Public Hearing on 21-PC-09 Miller, Homer & Freda. Motion carried 3-0.

No public comment was heard.

Mike Burroughs moved, second by Stan Klotz, to close the Public Hearing on 21-PC-09 Miller, Homer & Freda. Motion carried 3-0.

Mike Burroughs moved, second by Stan Klotz, to approve 21-PC-09 Miller, Homer & Freda and acceptance of roadway. Motion carried 3-0.

SHERIFF DEPARTMENT

Sheriff Matt Hassel and Communications Supervisor Matt Pitney presented a request to upgrade four radio consoles. Explaining three units will be paid from the LIT Special Purpose Fund and one unit will be paid from Central Dispatch Fund. The current equipment was purchased in 2008, is at the end of life and parts are no longer available. **Stan Klotz moved, second by Mike Burroughs, to approve the request to upgrade the radio consoles in the total sum of $518,790 and the purchase of a five-year warranty, to seek financial support from Council. Motion carried 3-0.**

Sheriff Hassel and Communication Supervisor Pitney presented a request to replace the jail video system with Stanley Convergent Security Solutions, Inc. in the sum of $252,765 and paid from the LIT Special Purpose Fund. **Mike Burroughs moved, second by Stan Klotz, to approve the request to upgrade the jail video system with Stanley Convergent Security Solutions, Inc. and seek financial support from Council. Motion carried 3-0.**

Sheriff Hassel presented an Inter-Local Government Agreement between Fulton County and Marshall County Regarding the Housing of Inmates, explaining Fulton County has agreed to house up to a maximum of 10 inmates at the cost of $40 per day. **Mike Burroughs moved, second by Stan Klotz, to approve the Inter-Local Agreement between Fulton County and Marshall County Regarding the Housing of Inmates. Motion carried 3-0.**

PLAN COMMISSION

Plan Commissioner Director Ty Adley presented 13610 6C Road (Lot 16 Shady Brook Estates) Plymouth, Indiana – Owners of Lot 16 are interested in vacating the 10’ wide easement between Lot 16 and Lot 17 in Shady Brook Estates Subdivision located within the 2-mile zoning boundary of the City of Plymouth. **Stan Klotz moved, second by Mike Burroughs, to open the Public Hearing on 13610 6C Road. Motion carried 3-0.**

No public comment was heard.

Mike Burroughs moved, second by Stan Klotz, to close the Public Hearing on 13610 6C Road. Motion carried 3-0.

Mike Burroughs moved, second by Stan Klotz, to approve the vacation easement between Lot 16 and Lot 17 in Shady Brook Estates Subdivision. Motion carried 3-0.

PROSECUTOR

Prosecutor Nelson Chipman and Detective Sgt. Jonathan Bryant presented Flock Group, Inc. Services Agreement for the purchase of ten license plate video cameras, allowing for notification of vehicle in the area in the sum of $25,000. Explaining it is not for traffic enforcement.
Stan Klotz moved, second by Mike Burroughs, to approve the Flock Group, Inc. Services Agreement upon review by Attorney Clevenger. Motion carried 3-0.

HEALTH DEPARTMENT

Health Administrator Faith Chapman presented a request to apply for the Local Health Department Trust 2022 Grant in the sum of $24,129.72, which supports a portion of two positions wages and leased vehicle. Administrator Chapman also requested to apply for the Local Health Maintenance 2022 Grant in the sum of $33,139, which supports a portion of two positions wages.
Mike Burroughs moved, second by Stan Klotz, to allow the Health Department to apply for the Local Health Department Trust Grant in the sum of $24,129.72. Motion carried 3-0.

Mike Burroughs moved, second by Stan Klotz, to allow the Health Department to apply for the Local Health Maintenance Grant in the sum of $33,139. Motion carried 3-0.

SHARON LEATHERS

Sharon Leathers, 4491 Sycamore Road, Walkerton, explained she has spoke with the residents in Tyner and Teegarden concerning the financial hardship the sewer systems would cause to the residents. Ms. Leathers questions why the sewer system is being upgraded when the roads are not being repaired and requested Tyner be removed from the sewer system list. The Commissioners and Attorney Clevenger explained the list was a suggestion and still need to appoint a sewer board. The Sewer Board will then make, several years from now, the final determination.

ATTORNEY REPORT

Old Business:

Maintenance Building – Plum Street: The landowners timely provided the documentation necessary for the transfer and obtain title insurance on the property. The documentation has been referred to Marshall County Title underwriters. Presuming the paperwork is correct, the closing should be scheduled in the near future. Commissioners have already authorized Commissioner Overmyer to sign the necessary closing documents.

Opioid Litigation Update: The Indiana Attorney General is still campaigning the local governments that opted out of his statute to opt back in with no success.

Jail - ACLU: No word from the ACLU attorneys concerning dismissal of its class action case of overcrowding at the jail.

Overcrowding Inmate Cases for Damages: The overcrowding cases have been reduced to two (2) pending. The overcrowding cases with complaints against QCC are still pending with deadlines scheduled for this month and October.

Tower Lease: We need a bond counsel opinion that the lease will not negatively affect the tax-exempt status of the bonds issued to finance the jail. The engagement by Barnes & Thornburg for such an opinion is not to exceed $2,500. **Mike Burroughs moved, second by Stan Klotz, to approve an agreement with Barnes & Thornburg to provide an opinion letter in a sum not to exceed $2,500 and to paid from the EPICS Fund. Motion carried 3-0.**

Andy & Amy Millar Bond Claim Against Dreams Construction, LLC: Attorney Clevenger has been advised that attorney Scot Keller on behalf of Andy & Amy Millar have settled a bond claim against Western Surety Company for approximately $7,500, which is the bonding company for Builders of Dream Construction, LLC. The claim against the bond company for contractor Leed remains pending.

Board of Commissioners Deed to Don Jones, Jr. and Roseanne Jones: The deed has been completed and Donald Jones is agreeable to transferring the small piece south of Overmyer Drive that adjoins his property to he and his wife. The Commissioners have previously approved this deed. However, the revised deed needs to be signed by the Commissioners before a Notary Public.

New Business:

Resolution 2021-20: Adopting Continuity of Government Plan for Marshall County: This item was addressed previously in the meeting.

Jail Inter-Local Agreement between Fulton County and Marshall County: This item was addressed previously in the meeting.

Sheriff/Tiffany Helbling Notice of Tort Claim: We received a tort claim notice from the estate of Tiffany Helbling. She was an inmate who died at the jail in May, 2021. Attorney Clevenger has requested any requests for records or information related to this matter be referred to his office. Also requesting County Officials to not comment concerning this matter since it is heading to litigation.

Prosecutor Flock Safety Systems: This item was addressed previously in the meeting.

AUDITOR REPORT

August 16, 2021 Minutes: **Stan Klotz moved, second by Mike Burroughs, to approve the August 16, 2021 minutes as presented. Motion carried 2-0-1, with Kevin Overmyer abstaining.**

August 18, 2021 Special Meeting Minutes: **Stan Klotz moved, second by Mike Burroughs, to approve the August 18, 2021 Special Meeting minutes as presented. Motion carried 3-0.**

August 19, 2021 Executive Session Minutes: **Mike Burroughs moved, second by Stan Klotz, to approve the August 19, 2021 Executive Session minutes as presented. Motion carried 3-0.**

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

BUILDINGS & GROUNDS

Maintenance Supervisor Doug Masterson presented an invoice from Otis Elevator Company in the sum of $109,875 for work at the Museum and requested approval for a prepayment in the sum of $54,937.50. **Mike Burroughs moved, second by Stan Klotz, to approve a prepayment in the sum of $54,937.50 to Otis Elevator Company for work on the Museum elevator. Motion carried 3-0.**

PUBLIC COMMENT

Ron Burch, 17796 Vine Street, Tyner, requested clarification on the Sewer Board membership and requested the board be elected. Clarification was provided stating legislation will not allow for an election.

Marshall County Economic Development Corporation Director Laura Walls stated MCEDC originating member Roger Umbaugh has passed, thanking Commissioner Overmyer for securing a donation for a commemoration plaque for the board room. Ms. Walls provided a MCEDC update and stated the Quarterly Luncheon will be held next Wednesday at 11:30 a.m. at Swan Lake.

ADJOURNMENT

With no further business to come before the board **Stan Klotz moved, second by Mike Burroughs, to adjourn the meeting at 10:25 am. 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 6, 2021

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 6, 2021. Present were Commissioners Kevin Overmyer, President; Stan Klotz, Vice President; Mike Burroughs, Member; County Attorney, James Clevenger; and County Auditor, Julie A. Fox. The meeting was opened, streamed live at www.co.marshall.in.us, the Pledge of Allegiance was given and the business at hand was heard.

EMA

EMA Director Clyde Avery presented the Quarterly Report (August 16, 2021 – December 5, 2021) stating the necessary metrics have been met to be eligible for the 2021 EMPG Salary Reimbursement Grant, payable in 2022. The grant reimburses the County up to 50% of the EMA Directors salary. Further explaining the EMA Advisory Council members have reviewed the Plan for 2021, extensive discussion took place regarding the Emergency Support Functions, the primary coordinating agency and the Lifelines identified by FEMA. The EMA Advisory Council voted and agreed to recommend to the Commissioners that no changes should be made to the plan.

Director Avery requested permission to allow a student from Ivy Tech, who is working on a degree in Homeland Security, to intern. The student is aware this is a non-compensated internship. **Mike Burroughs moved, second by Stan Klotz, to allow an Ivy Tech student to intern without payment. Motion carried 3-0.**

HIGHWAY DEPARTMENT

Highway Superintendent Jason Peters presented a right-of-way cut request from CenturyLink on King Road, between 8A Road and Plymouth-Goshen Trail, in Center Township, for the purpose of removing facilities out of conflict for the Bridge 73 reconstruction. **Mike Burroughs moved, second by Stan Klotz, to approve the right-of-way cut request from CenturyLink on King Road, between 8A Road and Plymouth-Goshen Trail, in Center Township, for the purpose of removing facilities out of conflict for the Bridge 73 reconstruction. Motion carried 3-0.**

Superintendent Peters presented a road bore request from CenturyLink on 11th Road, between Manor Drive and US Highway 31, in Center Township, for the purpose of providing service to a customer. **Stan Klotz moved, second by Mike Burroughs, to approve the road bore request from CenturyLink on 11th Road, between Manor Drive and US Highway 31, in Center Township, for the purpose of providing service to a customer. Motion carried 3-0.**

Superintendent Peters provided an update to the 2021 Road Program, Community Crossings and Additional Paving Projects. Bridge 5 and Bridge 9 are being finalized; Realignment Forms for Bridge 232, Randolph Street; Bridge 120, Upas Road; Bridge 87, 11th Road; and Bridge 11, Union Road, have been signed and returned in order to determine if letting dates need to change.

Superintendent Peters stated the grant application has been submitted for Bridge 231, Center Street, explaining the total cost of the project is $3.1 million and requires a 20% match.

SHERIFF DEPARTMENT

Sheriff Matt Hassel requested permission to apply for the Marine Assistance Grant in the sum of $20,000 to assist in funding marine patrol on Lake Maxinkuckee. **Stan Klotz moved, second by Mike Burroughs, to allow the Sheriff Department to apply for the Marine Assistance Grant in the sum of $20,000 to fund marine patrol on Lake Maxinkuckee. Motion carried 3-0.**

Sheriff Hassel presented the Inter-Local Government Agreement between Marshall County and Elkhart County Regarding the Housing of Inmates for calendar year 2022 at a rate of $60 per day per inmate. **Mike Burroughs moved, second by Stan Klotz, to approve the Inter-Local Government Agreement between Marshall County and Elkhart County Regarding the Housing of Inmates. Motion carried 3-0.**

HEALTH DEPARTMENT

Administrator/Chief Environmentalist Faith Freed requested permission to apply for the Crisis Co Ag Supplemental Workforce in School Grant. Explaining the federal grant is reimbursable and will fund a contract employee, in the sum of $110,000, to be a liaison to provide testing, guidance and education related to contact tracing, quarantine and isolation based on CDC and IDOH guidance. **Mike Burroughs moved, second by Stan Klotz, to allow the Health Department to apply for the Crisis Co Ag Supplemental Workforce in School federal grant in the sum of $110,000. Motion carried 3-0.**

ATTORNEY REPORT

Old Business:

Jail-ACLU: Attorney Clevenger will be speaking with the Commissioners about a revised proposal for the eventual dismissal of the case.

Elkhart County Agreement: This item was addressed earlier in the meeting.

Graber Lien/Marshall County Jail: Attorney Clevenger sent the Commissioners a privileged and confidential memo. Since then, Mr. Graber was in the Recorder's Office with an amended lien to record, but left before recording.

England v Sheriff: On December 13, 2020, David England by attorney Samuel Beasley, filed suit against the Sheriff for failure to provide proper medical care to him. Individual jailers nor QCC were named as defendants. The Plaintiff has done nothing in furtherance of his case against the County so portions of the complaint have been dismissed. The Plaintiff has until December 17, 2021, to amend the complaint to add QCC or the entire case will be dismissed. England also has a case pending against the City of Plymouth and the Plymouth Police Department.

Regional Sewer District: Ken Jones of Petrie, Jones, Rafinnski has provided a revised map of the Priority Service Areas for the proposed regional sewer district. Amended Resolution 2021-22 was presented with a new map and newly numbered PSAs. Public Hearings are scheduled for February 7, 2022 and February 21, 2022. **Mike Burroughs moved, second by Stan Klotz, to**

approve Amended Marshall County Resolution 2021-22: Resolution of the Marshall County Commissioners to proceed with the Establishment of a Marshall County Regional Sewer District for Priority Service Areas but not to Include Teegarden or Tyner. Motion carried 3-0.

Tower Lease Agreement with AT&T: We obtained an opinion letter from Barnes & Thornburg that the lease would not disturb our bond agreements or trigger a violation by the IRS. The Lease Agreement is for a five-year initial lease term at $1,800 per month with five additional extension terms for five years under same provisions except a five percent increase in rent with each extension. **Stan Klotz moved, second by Mike Burroughs, to approve the lease with AT&T (Singular Wireless) with rent receipted into EPICS Fund. Motion carried 3-0.**

Opioid Litigation Update: Ohio jury in federal court determines three large pharmacies recklessly distributed massive amounts of opioids in two large counties in Ohio.

New Business:

Federal OSHA Mask Mandate: This item is still tied up in the courts.

Clerk Ordinance 2021-17 Marshall County Order Establishing Precincts: The precincts remain as they have been except for the small real estate piece carved out before just north and just south of US Highway 30, west of Pioneer Drive. **Mike Burroughs moved, second by Stan Klotz, to approve Ordinance 2021-17: Marshall County Order Establishing Precincts, which eliminates West City of Plymouth. Motion carried 3-0.**

Clerk Ordinance 2021-18 Marshall County Ordinance Modifying Commissioner Districts and Modifying Council Districts: The ordinance modifies the Commissioner Districts and the County Council Districts by returning the West Township piece to districts that have the rest of West Township. **Mike Burroughs moved, second by Stan Klotz, to approve Ordinance 2021-18: Marshall County Ordinance Modifying Commissioner Districts and Modifying Council Districts. Motion carried 3-0.**

Bush / Use of Deadly Force: Our insurance carrier was immediately informed. Bliss McKnight has a policy to hire counsel to assist in the County's investigation of the matter. An attorney has been hired and Attorney Clevenger has assisted in the preservation of evidence related to the matter.

Sheriff Dispatch Console Upgrade: Attorney Clevenger has not heard back from suggestions concerning the proposed contract.

AUDITOR REPORT

November 15, 2021 Minutes: **Stan Klotz moved, second by Mike Burroughs, to approve the November 15, 2021, minutes as presented. Motion carried 3-0.**

November 15, 2021 Executive Session Minutes: **Mike Burroughs moved, second by Stan Klotz, to approve the November 15, 2021, executive session minutes as presented. Motion carried 3-0.**

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

COMMISSIONER ITEMS

Annual Compliance – Nepotism, Contract Disclosure & Conflict of Interest: Auditor Fox reported all required forms have been returned by Elected Officials. **Mike Burroughs moved, second by Stan Klotz, to accept the Annual Compliance - Nepotism, Contract Disclosure and Conflict of Interest Statements. Motion carried 3-0.**

Second Reading of Ordinance 2021-16: An Ordinance Amending Ordinance Commonly Known As "The Marshall County Zoning Ordinance 2007-10", as Amended: Plan Commission Director Ty Adley met with both attorneys to discuss grandfathering conditions.
Mike Burroughs moved, second by Stan Klotz, to turn down the proposed verbiage in Ordinance 2021-16 and send the proposal back to the Plan Commission to add storage containers as an accessory structure. Motion carried 3-0.

Public Comment on Ordinance 202-16:
Robert Demis, 20993 8th Road, Plymouth, requested clarification on meaning of cold storage.

Nicole Haskins, 8001 9B Road, Plymouth, requested clarification on mobile storage units used in their construction business.

Commissioner Burroughs recognized Auditor Fox for receiving The Indiana Association of County Commissioner 2021 Outstanding Supportive Auditor of Year Award.

Further recognizing Commissioner Overmyer for receiving The Indiana Association of County Commissioner 2021 North Distinguished County Commissioner of the Year Award.

Enterprise Lease: **Stan Klotz moved, second by Mike Burroughs, to allow a prepayment to Enterprise in an amount not to exceed $15,000 to payoff leased vehicles.**
Motion carried 3-0.

Commissioner Klotz expressed interest in not pursuing additional shell buildings by the Marshall County Economic Development Corporation due to the employee shortage in Marshall County. Commissioner Klotz explained he spoke with Greg Hildebrand of MCEDC concerning Lifetime Learning Network, bringing higher education/training opportunity into the County.

Commissioners called a recess at 9:51 a.m.

Commissioners reconvened at 10:35 a.m.

2022 Annual Highway Bids: Twenty-one items were advertised for bid. Following Attorney Clevenger opening the bids, **Mike Burroughs moved, second by Stan Klotz, to take the 2022 Annual Highway Bids under advisement. Motion carried 3-0.**

ADJOURNMENT

With no further business to come before the board **Mike Burroughs moved, second by Stan Klotz, to adjourn the meeting at 11:13 am. 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
OCTOBER 4, 2021

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 4, 2021. Present were Commissioners Kevin Overmyer, President; Stan Klotz, Vice President; Mike Burroughs, Member; County Attorney, James Clevenger; and Auditor Payroll Deputy, Jennifer Daake. The meeting was opened, streamed live at www.co.marshall.in.us, the Pledge of Allegiance was given and the business at hand was heard.

RECOGNITION OF EMPLOYEE LES TRUMP

Community Corrections Director Ward Byers presented The Circle of Corydon Award by Governor Eric Holcomb, which honors Hoosiers who have made remarkable contributions to the betterment of Indiana and its people, demonstrating through life and service, qualities exemplified by the State's greatest citizens to Les Trump. Les has served Marshall County through the Lake of the Woods Fire Department, Plymouth Ambulance Service, Chief Deputy Coroner and Jail Turnkey/Dispatcher. Les will be retiring from the Marshall County Sheriff's Department after 24 years of service.

MIDWEST MAINTENANCE

Midwest Maintenance Project Manager James Giguere and Foreman Jerry Hazeltine provided a progress report for the Courthouse Clock Tower Restoration. Stating they are in the final stages of connecting the sprinkler system, the interior structural work should be completed this month, the stones on the west side exterior will be received in November to be placed next spring and Stull Woodworking was on site to take measurements.

HIGHWAY DEPARTMENT

Highway Superintendent Jason Peters presented a road bore request from Marshall County REMC on Rose Road, between US 30 and Plymouth-LaPorte Trail, in Polk Township, for the purpose of installing 2" conduit for underground electric. **Mike Burroughs moved, second by Stan Klotz, to approve the road bore request from Marshall County REMC on Rose Road, between US 30 and Plymouth-LaPorte Trail, in Polk Township, for the purpose of installing 2" conduit for underground electric. Motion carried 3-0.**

Superintendent Peters provided a department update: The mower has been delivered and training provided to six employees; A progress report was provided for 2021 Road Program, Community Crossings with additional paving projects; federal projects, bridge inspections and projects. A call for projects is due in November for an 80/20 match and is reviewing the comprehensive bridge plan to determine projects.

Superintendent Peters is looking at a local funding project on Elm Road, north of State Road 6. Explaining there is a small structure bridge on a 90-degree curve that is a safety hazard. The structure itself needs to be replaced. United Consulting has prepared an engineering report to replace the structure.

ELECTION BOARD

Clerk/Election Board Secretary Deb VanDeMark and Election Board President Sean Surrisi presented 2021 Congressional, Senate, Commissioner and Council District Maps. The Re-Precinct deadline is October 15th and the census data was received last week, which shows a decrease of 956 in population for a total Marshall County population of 46,095. The Election Board recommends reducing the number of precincts from 30 to 29, consolidating West City of Plymouth with West 1 for precinct purposes. **Mike Burroughs moved, second by Stan Klotz, to approve reducing the number of precincts from 30 to 29. Motion carried 3-0.**

Attorney Clevenger requested a written recommendation from the Election Board for preparation of the Order Establishing Precincts due December 31st.

ATTORNEY REPORT

Old Business:

Jail-ACLU: A settlement proposal has been received. An executive session is scheduled following this meeting to discuss strategy as it relates to the proposal and the County's response.

Overcrowding Inmate Cases for Damages: Insurance defense counsel continues to make progress on those cases. Summary judgement motions have been filed. The Plaintiffs are required to respond before the Federal Court decides if the case can proceed or should be dismissed. Historically, the courts have been dismissing cases based upon allegations of five persons in a cell designed for four persons. Some of the remaining cases include claims related to medical treatment and against Quality Correctional Care.

Cingular Wireless Tower Lease Agreement: Attorney Clevenger furnished bond counsel with three service agreements between the Sheriff and various vendors. Counsel indicated he should have an opinion this week. Still waiting for a revised lease draft of AT&T.

Graber Lien on Marshall County Jail: This is a first for the County. Paul Graber (a sovereign citizen) has recorded a lien in excess of $31 million against the Marshall County Jail and against the Town of Argos Emergency Services Building. The lien is not based upon a court judgement or upon any contract between the county and Mr. Graber. Attorney Clevenger was advised his son was arrested by Argos PD for DWS and his son was incarcerated, with a self-created writ demanding his son be released. The sergeant meeting with Mr. Graber declined, which is a basis for the lien against the jail. This matter is also scheduled for the executive session this morning so options for dealing with the lien can be provided.

Sewer District: Attorney Clevenger spoke with Ken Jones and Barnes & Thornburg, progress is being made toward initiating the process to establish a regional district. A Lake Latonka landowner who is in favor of forming a district is requesting Lake Latonka and the neighboring lakes be a priority area.

New Business:

Veteran's Parkway Extension: The Plymouth City Council voted against the joint County-City project to extend the road from Michigan Street to Pioneer Road.

AUDITOR REPORT

September 20, 2021 Minutes: **Stan Klotz moved, second by Mike Burroughs, to approve the**

September 20, 2021, minutes as presented. Motion carried 3-0.

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

PUBLIC COMMENT

Tim Kazenicki, 17729 Walnut Street, Tyner addressed the Commissioners concerning the creation of a sewer district.

Julie Spitznagle, 5119 Sage Road, Plymouth addressed the Commissioners concerning the sewer district.

COMMISSIONER ITEMS

Commissioner Klotz thanked the Council and Commissioner members for attending the LIT Special Purpose Joint Work Session and believes the County is moving in the right direction over the long-term but is disappointed tax cuts will not be made.

Commissioner Overmyer voiced appreciation for all the work completed on Veteran's Parkway and following the Plymouth City Council not voting in favor of the project, the need to refocus on County bridges. **Mike Burroughs moved, second by Stan Klotz, to remove Veterans Parkway Project from Marshall County's future plan. Motion carried 3-0.**

ADJOURNMENT

With no further business to come before the board **Stan Klotz moved, second by Mike Burroughs, to adjourn the meeting at 10:50 am. Motion carried 3-0.**

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Kevin Overmyer, President

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Stan Klotz, Vice President

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Mike Burroughs, Member

ATTEST: _____
Julie A. Fox, Auditor

MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
OCTOBER 18, 2021

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 18, 2021. Present were Commissioners Kevin Overmyer, President; Stan Klotz, Vice President; Mike Burroughs, Member; County Attorney, James Clevenger; and County Auditor, Julie A. Fox. The meeting was opened, streamed live at www.co.marshall.in.us, the Pledge of Allegiance was given and the business at hand was heard.

MCEDC PRESENTATION

Board President Kevin Overmyer paid tribute to Roger Umbaugh, who passed away August 5th. Stating Roger was first appointed by the Board of Commissioners to the Marshall County Economic Development Corporation in 2007 serving as President until 2019, impacting many across the State of Indiana. Todd Samuelson, BakerTilly, formerly Umbaugh & Associates, explained Roger was creative, insightful and had a vision for helping communities.

The Board of Commissioners presented a plaque to Roger's daughter Susan Wilson and MCEDC President Bill Davis to dedicate the MCEDC Board Room in recognition of Roger's outstanding leadership.

HIGHWAY DEPARTMENT

Highway Superintendent Jason Peters presented a road bore request from NiSource/NIPSCO at 2245 Lilac Road, between US 6 and 2C Road, in North Township, for the purpose of routine maintenance. **Mike Burroughs moved, second by Stan Klotz, to approve the road bore request from NiSource/NIPSCO at 2245 Lilac Road, between US 6 and 2C Road, in North Township, for the purpose of routine maintenance. Motion carried 3-0.**

Superintendent Peters provided a department update: Stating the contract with S&M Contractors for roadside mowing has been signed by both parties; A loader and V-Box Sander have been listed on www.govdeals.com; The new loader should be delivered this week; On the 2021 Road Program and Community Crossings and additional projects.

Superintendent Peters provided an update on bridge projects: Stating Quarterly Tracking have been completed, submitted to MPO for review and then submitted to INDOT; the Bridge Inspection 2022-2025 RFP has been posed and is due by 2:00 p.m. on October 25th; A call for projects is due in November for an 80/20 match, has reviewed the comprehensive bridge plan and determined Bridge #88, 12th Road, east of Olive Trail seems to be the best project for the upcoming Call; RFP's for Bridge #5, Tamarack Road, and Bridge #9, Queen Road, should be coming out this week.

Superintendent Peters presented United Consulting Engineer's Report and Agreement for Replacement of Marshall County Small Structure #1004, Elm Road over Sarah Hershberger Ditch and suggested a comprehensive bridge plan for replacement plan be prepared for Ule Trail Bridge #1, north of 1st Road.

Superintendent Peters provided a rough draft of the 2022 Road Program and requested approval and/or support at the next meeting to then present to Council.

TOM MATHEWSON

Tom Mathewson, 16928 Mill Pond Trail, Plymouth, presented a Petition for Resurfacing Mill Pond Trail. Commissioner Overmyer explained the Highway Department is planning to begin the project this year, weather permitting and completing next year.

OLDER ADULT SERVICES

Older Adult Services Executive Director Janis Jeffirs Holiday presented the 2022 First Quarter Report and requested approval of an INDOT claim in the sum of $97,676 for operating expenses. **Mike Burroughs moved, second by Stan Klotz, to approve Invoice #336 to INDOT in the sum of $97,676 and to approve the Quarterly Report as presented. Motion carried 3-0.**

Director Holiday stated they will be attending the Senior Expo this Thursday from 8:00 a.m. to 3:00 p.m. at the Plymouth High School.

BOWEN CENTER

Marshall County Director Lindie Leary presented the Bowen Center 2021 Annual Report, from July 1, 2020 through June 30, 2021. Explaining the HRSA Project HOPE and the Superior Court III Drug Court Program.

EXTENSION

Extension Educator Kelsie Guadarrama presented the Quarterly Report highlighting the goals of the Ag & Natural Resources, Health & Human Sciences, and 4-H Youth Development.

PROBATION DEPARTMENT

Chief Probation Officer Jim Bendy explained Indiana Office Court Services (IOCS) Pretrial Grant has adjusted the previously approved grant request of FY 2022, July 1, 2021 – June 30, 2022 to carry through December 31, 2022, in the sum of $144,228.71. **Mike Burroughs moved, second by Stan Klotz, to allow the Probation Department to re-submit the IOCS PreTrial Grant FY 2022, July 1, 2021 through December 31, 2022, in the sum of $144,228.71. Motion carried 3-0.**

Chief Probation Officer Bendy explained the Probation Department is reviewing cases daily concerning Criminal Rule 26 and are working to reduce the inmate population.

CARES-OCRA MICRO-LOAN PROGRAM

Marshall County Economic Development Corporation Economic Development Project Manager Greg Hildebrand presented the Grantee Performance Report for the CARES-OCRA Micro-Loan Program, Grant No. CV-CV1-227 stating the Grant Award was $250,000 and the County received and distributed $249,750. **Stan Klotz moved, second by Mike Burroughs, to approve the CARES-OCRA Micro-Loan Program Grantee Performance Report to closeout Grant No. CV-CV1-227 and allow the Board President to sign. Motion carried 3-0.**

ATTORNEY REPORT

Old Business:

Jail-ACLU: Attorney Clevenger has heard from a couple of the judges and Prosecuting Attorney and those who have responded are generally of the same thinking as the Commissioners.

Overcrowding Inmate Cases for Damages: A few overcrowding cases remain but are generally claims related to improper medical treatment or lack thereof and include Quality Correctional Care.

Graber Lien on Marshall County Jail: The Town of Argos is interested in eliminating the lien and Attorney Clevenger has exchanged thoughts with Town of Argos Attorney Derek Jones. Given the circumstances, the Commissioners should consider taking litigation steps to eliminate the lien and pursue damages for attorney fees. **Mike Burroughs moved, second by Stan Klotz, to allow Attorney Clevenger to complete the necessary paperwork to eliminate the lien and pursue damages for attorney fees. Motion carried 3-0.**

Regional Sewer District: Ken Jones of Jones, Petrie, Rafinski, is on the Commissioners' agenda for November 1, 2021. He will be providing an update concerning the process for establishing a regional sewer district. He will also provide an update concerning meetings with concerned Marshall County citizens, Commissioner Klotz may also be attending the October 21st meeting of concerned Tyner residents.

New Business:

VIP et al v. Culver: Several entities related to Scotty Van Hawk filed suit against the Town of Culver based on the October 9, 2019 fire at 415 Lakeshore Drive, Culver. Van Hawk was not listed as a plaintiff or defendant. On its face, the complaint has issues including the statute of limitations since it was filed on October 14, 2021.

AUDITOR REPORT

October 4, 2021 Minutes: **Mike Burroughs moved, second by Stan Klotz, to approve the October 4, 2021, minutes as presented. Motion carried 3-0.**

October 4, 2021 Executive Session Minutes: Minutes will be presented at the November 1, 2021 meeting for approval.

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

COOP Meetings: Meetings for the purpose of continuity of operations was discussed and determined the monthly meetings do not need to be posted as an executive session.

Tax Sale 2021: Auditor Julie Fox reported the Tax Sale was held on October 14th with 39 properties listed with a total of taxes due of $108,620.73. Twenty of the parcels sold for a total sum of $765,768.53. The remaining parcels are under review for possible Certificate Sale.

COMMISSIONER ITEMS

No Commissioner items were discussed.

PUBLIC COMMENT

Tim Kazanecki, 17729 Walnut Street, Tyner, requested clarification on the date Ken Jones will present information to the Commissioners.

Sharon Leathers, 4491 Sycamore Road, Walkerton, addressed the Commissioners regarding sewer systems.

ADJOURNMENT

With no further business to come before the board **Stan Klotz moved, second by Mike Burroughs, to adjourn the meeting at 10:36 am. Motion carried 3-0.**

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Kevin Overmyer, President

_____
Stan Klotz, Vice President

_____
Mike Burroughs, Member

ATTEST: _____
Julie A. Fox, Auditor

MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
NOVEMBER 1, 2021

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, November 1, 2021. Present were Commissioners Kevin Overmyer, President; Stan Klotz, Vice President; Mike Burroughs, Member; County Attorney, James Clevenger; and Auditor Payroll Deputy, Jennifer Daake. The meeting was opened, streamed live at www.co.marshall.in.us, the Pledge of Allegiance was given and the business at hand was heard.

MIDWEST MAINTENANCE

Midwest Maintenance Project Manager James Giguere and Foreman Jerry Hazeltine provided a progress report for the Courthouse Clock Tower Restoration. Stating the fire inspection will be completed in the next week, scaffold will be down by November 15th, Stull Woodworking has the lumber and will begin work and will be returning the first of May to complete the project.

HIGHWAY DEPARTMENT

Highway Superintendent Jason Peters presented three road bore requests from Surf Broadband on 9th Road, between Richter Road and Suter Road; on Suter Road, between 9th Road and 9A Road; and on 9A Road, between Suter Road and Richter Road, in Center Township, for the purpose of installing duct and fiber to provide high speed internet to the area.
Mike Burroughs moved, second by Stan Klotz, to approve three road bore requests from Surf Broadband on 9th Road, between Richter Road and Suter Road; on Suter Road, between 9th Road and 9A Road; and on 9A Road, between Suter Road and Richter Road, in Center Township, for the purpose of installing duct and fiber to provide high speed internet to the area. Motion carried 3-0.

Superintendent Peters provided a department update: The dump trucks will be delivered in June or July, a loader sold on www.govdeals.com in the sum of $16,755, The V-box sander listed on www.govdeals.com did not meet an acceptable price, an acceptable offer was received after the deadline; however, would prefer to keep the equipment as the new tandem truck will set 8" lower and can still be used. A progress report was provided for 2021 Road Program, Community Crossings with additional paving projects; federal projects, bridge inspections and projects. A call for projects is due in November for an 80/20 match and is reviewing the comprehensive bridge plan to determine projects. Originally planning to submit Bridge #88 as the project; however, it is not eligible so are considering Bridge #231, Center Street. Bridge #5, Tamarack Road and Bridge #9, Queen Road RFPs should be coming out soon. These projects have been delayed due to locates.

VETERANS SERVICE OFFICER

Veterans Service Officer Pam Schweizer-Betz presented the Quarterly Report stating 32 veterans have been approved for disability claims, resulting in $432,000 in back pay and $43,000 in month benefit. Representative Jackie Walorski's assistance was instrumental in two cases. COVID-19 has impacted Veteran operations and discharge papers have been delayed.

Greg Hildebrand, Marshall County Economic Development Corporation stated the veteran's recruitment portal is doing well.

JONES, PETRIE & RAFINSKI

Engineer Ken Jones provided an update on the Water Task Force Service Area Situation Plan. Stating the next steps are to finalize a petition, conduct a public hearing, notify existing municipal entities, present petition to Commissioners and Council, submit to IDEM Commission with the formation of the Board expected in the Spring of 2022. Further explaining initially four service areas were proposed. The initiating project recommendation has been adjusted to PSA 11 Latonka, Mill Pond and Lawrence Lake with 627 dwelling units. **Mike Burroughs moved, second by Stan Klotz, to recommend proceeding with PSA 11 as the focus priority area. Motion carried 3-0.**

MUSEUM

Museum Director Linda Rippy and Historical Society Board President Mike Miley presented the Quarterly Report. Stating membership, visitor and event numbers have increased; the Historical Society was awarded a grant from the Marshall County Community Foundation in the sum of $8,927 for audio/visual equipment and received the 2021 Indiana History Outstanding Organization Event or Project Award from the Indiana Historical Society. The award was in recognition of the photography of J. R. Koontz, Bremen.

COMMUNITY CORRECTIONS

Community Corrections Director Ward Byers presented 1st Amendment to Lease Agreement between Community Resource Center, Board of Commissioners and Community Corrections stating they will be moving across the hall to a larger unit. Funding has been awarded in the grant and the Advisory Board has approved the move. The lease agreement has not been extended and will expire December 31, 2025 with the monthly rental rate of $2,651.73 beginning December 1, 2021. **Mike Burroughs moved, second by Stan Klotz, to approve the 1st Amendment to the Lease Agreement between Community Resource Center, Board of Commissioners and Community Corrections effective December 1, 2021 in the sum of $2,651.73 per month beginning December 1, 2021 and to allow the Board President to sign the Agreement. Motion carried 3-0.**

Director Byers received an estimate from HyperWave to move the internet service to the new suite in the sum of $7,596.19 and requested Commissioners pay the cost. **Mike Burroughs moved, second by Stan Klotz, to pay the HyperWave costs to move the internet service for Community Corrections from the Commissioners budget. Motion carried 3-0.**

SHERIFF DEPARTMENT

Sheriff Matt Hassel presented a request to apply for a grant from the Drug Free Community in the sum of $2,500 to support the DARE program. **Stan Klotz moved, second by Mike Burroughs, to approve the request to apply for the Drug Free Community Grant in the sum of $2,500 to support the DARE Program. Motion carried 3-0.**

CORONER

Coroner John Grolich presented a request to apply for an extension of the SUID/SDY (Sudden Unexpected Infant Death/Sudden Death in the Young in the sum of $500 for purchase of supplies. **Mike Burroughs moved, second by Stan Klotz, to approve the request to apply for the SUID/SDY Grant in the sum of $500 for purchase of supplies. Motion carried 3-0.**

ATTORNEY REPORT

Old Business:

Jail-ACLU: Attorney Clevenger and Commissioner Klotz reviewed the Commissioners' position concerning the matter with Lisa Baron, who understood the position and agreed. Negotiations for a proposed eventual dismissal continue.

Helbling Tort Claim Notice: Attorney Clevenger is meeting with counsel from Betty Knight's Office, the Sheriff, and his staff concerning the tort claim notice and the retention of documents.

Graber Lien/Marshall County Jail: The Town of Argos wants to take steps to void the fraudulent lien placed on the emergency services building in Argos which was part of the fraudulent lien placed on the jail. Derek Jones and Attorney Clevenger have been researching the matter concerning the best approach. Since this is a common-law lien, there may be special rules that apply. The Marshall County Recorder has consented to be a part of the matter. Attorney Clevenger is considering an effort to not only void the lien but to seek an injunction that might deter this in the future. Paperwork is being revised.

Regional Sewer District: Ken Jones addressed the board earlier in the meeting. Health Department Administrator Faith Chapman was invited to attend the meeting as well. We plan to meet with special counsel and financial consultant after today's meeting.

VIP et al v. Culver et al: Bliss McKnight has determined it has a duty to defend with reservations. They understand the county should never have been listed as a defendant in the first place. However, we have been advised the insurance defense counsel will be entering an appearance on behalf of the County. It is likely counsel for the county will push to have the county dismissed very early on.

New Business:

Community Corrections Lease with CRC/Amended Lease: This item was addressed earlier in the meeting.

Clerk: Clerk Deb VanDeMark proposes eliminating the special West 1 precinct as part of our redistricting ordinance. **Mike Burroughs moved, second by Stan Klotz, to eliminate West 1 precinct. Motion carried 3-0.**

AUDITOR REPORT

October 4, 2021 Executive Session Minutes: **Stan Klotz moved, second by Mike Burroughs, to approve the October 4, 2021, executive session minutes as presented. Motion carried 3-0.**

October 18, 2021 Minutes: **Stan Klotz moved, second by Mike Burroughs, to approve the October 18, 2021, minutes as presented. Motion carried 3-0.**

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

PUBLIC COMMENT

Mike Delp, 1707 S. Michigan Road, Plymouth requested clarification that TSA 11 will be routed to the City of Plymouth.

Julie Spitznagle, 5119 Sage Road, Plymouth addressed the Commissioners and Health Department Administrator Faith Chapman concerning the sewer district.

Sharon Leathers, 4491 Sycamore Road, Walkerton, thanked Ken Jones for attending the Tyner meeting to explain the sewer project.

Mike Norris, 17105 6th Road, Plymouth, stated concerns over increased costs due to sewer project.

Albert McVey, 17780 6th Road, Plymouth, addressed Ken Jones about the cost of the sewer study and availability of information on the County website.

COMMISSIONER ITEMS

No Commissioner items were heard.

ADJOURNMENT

With no further business to come before the board **Stan Klotz moved, second by Mike Burroughs, to adjourn the meeting at 10:13 am. 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 15, 2021

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 15, 2021. Present were Commissioners Kevin Overmyer, President; Stan Klotz, Vice President; Mike Burroughs, Member; County Attorney, James Clevenger; and County Auditor, Julie A. Fox. The meeting was opened, streamed live at www.co.marshall.in.us, the Pledge of Allegiance was given and the business at hand was heard.

UNSAFE BUILDING BOARD

Attorney James Clevenger explained the Unsafe Building Board advertised a Notice to Seek Quotes for Partial Demolition of 590-600 West Jefferson Street, Culver, Indiana Demolition Project. The following bids were received and opened: Langfeldt Excavating, LLC, Plymouth, in the sum of $6,060 and Jerry Reed Excavating, Mishawka, in the sum of $6,000. The Unsafe Building Board will take the bids under advisement.

HIGHWAY DEPARTMENT

Highway Superintendent Jason Peters presented a right-of-way cut request from Nipsco for the following nine locations:

Linden Road, between Maple Road and US 31, in Green Township
Muckshaw Road, between Oak Road and Maple Road, in Green Township
Olive Trail & 16th Road, between Pear Road and Nutmeg Road, in Green Township
1st Road, between N. Quince Road to Pine Road, in Polk Township
N. Quince Road, between 1st Road and Stanton Road, in Polk Township
N. Quince Road, between US 6 and W. 1st Road, in Polk Township
N. Queen Road, between Redwood Road and Quince Road, in Polk Township
1st Road, between Redwood Road and Queen Road, in Polk Township
Old US 31, between US 31 and S. Ironwood Road, in Walnut Township

all for the purpose of replacing aging infrastructure and improve system reliability within the area. **Mike Burroughs moved, second by Stan Klotz, to approve the nine right-of-way cut requests from Nipsco as presented. Motion carried 3-0.**

Superintendent Peters stated the Annual Bids will be advertised on November 17th and November 24th to be opened on December 6th at 10:30 a.m.

Superintendent Peters requested permission to prepay Caterpillar in the sum of $73,350 for a loader. **Stan Klotz moved, second by Mike Burroughs, to authorize a prepayment to Caterpillar in the sum of $73,350 for a loader. Motion carried 3-0.**

Superintendent Peters provided an update to the 2021 Road Program and PowerPoint for the 2021 Pavement Asset Rating Summary, stating 54% of the roads have been graded as fair or good. Further providing an update to the Community Crossings and additional paving projects. The Bridge Inspection will need to be readvertised as only two RFPs were submitted and

requires three. Bridge 231, Center Street, Bremen, will be the bridge project submitted for the Call for Projects. The 2022 Road Program has been submitted for review.

HUMAN RESOURCES

Human Resources Administrator Ann Anglin requested permission to solicit employee contributions to United Way for calendar year 2022. **Stan Klotz moved, second by Mike Burroughs, to allow Human Resources to solicit United Way Contributions for the 2022 Campaign. Motion carried 3-0.**

Administrator Anglin presented the Employee Benefits Insurance Monthly Costs for 2022. **Mike Burroughs moved, second by Stan Klotz, to approve the Employee Benefits Insurance Monthly Costs for 2022 as presented. Motion carried 3-0.**

PLAN COMMISSION

Plan Commission Director Ty Adley presented 21-PC-15, a request to update the Marshall County Zoning Ordinance Article 6 010 A and Article 13 Shipping Containers for public hearing. **Stan Klotz moved, second by Mike Burroughs, to open the public hearing on 21-PC-15. Motion carried 3-0.**

John Grolich, 411 Franklin Street, Plymouth, President of the Marshall County Firefighters Association stated concerns about the shipping containers located at the Jail and other units being non-compliant if they implemented the same training. Discussion was held concerning grandfathering, provisions for special exemptions and variances.

Building Inspector Steve Howard stated an inquiry was received concerning an individual potentially building a container home.

Albert McVay, 17780 6th Road, Plymouth, voiced concerns about existing containers not being grandfathered.

Stan Klotz moved, second by Mike Burroughs, to close the public hearing on 21-PC-15. Motion carried 3-0.

Director Adley clarified the fire department training centers are under the jurisdiction of the City of Plymouth and the only units falling under the County Ordinance would be Tyner and Tippecanoe.

Stan Klotz moved to table 21-PC-15. Discussion was held concerning the need for three readings and the language being revised. **Stan Klotz withdrew motion to table 21-PC-15.**

Stan Klotz moved, second by Mike Burroughs to approve 20-PC-15 Marshall County Plan Commission – Shipping Containers on First Reading with clarification to be provided on pre-existing containers, container homes and fire department training centers. Motion carried 3-0.

PURDUE EXTENSION

Purdue Extension Educator Bob Yoder presented the Extension Contractual Services Agreement between Purdue University and Marshall County for Extension Service Programs to include 4-H Youth Development, Leadership and Community Development, Agriculture and Natural Resources, and Health and Human Sciences for the term of January 1, 2022 through December 31, 2022 in the sum of $117,940. Attorney Clevenger stated the contract is identical to the 2021 agreement except the amount was $114,500. **Mike Burroughs moved, second by Stan Klotz, to approve the Extension Contractual Services Agreement between Purdue University and Marshall County for Extension Service Programs for calendar year 2022 in the sum of $117,940. Motion carried 3-0.**

MARSHALL COUNTY ECONOMIC DEVELOPMENT CORPORTION

MCEDC Director Laura Walls presented an update stating the Plymouth Manufacturing Center construction is almost complete and the Board of Directors have approved a Purchase Agreement intending to close by the end of the year and the business operational by March, 2022. Ten business projects are estimating $73 million dollars in investment and creating 247 new jobs. The Director has made four sales trips so far this year and anticipating one more in December.

The Commissioners thanked Director Walls for the update and requested quarterly reports.

ATTORNEY REPORT

Old Business:

Jail-ACLU: We continue to negotiate a possible dismissal with the ACLU. However, the attorney for the ACLU wants to include an after-dismissal reporting requirement.

Helbling Tort Claim Notice: Attorney Clevenger met with Lisa Baron from Betty Knight's Office, the Sheriff and Sgt. Holcomb concerning documents, videos, and the retention of those documents.

Graber Lien/Marshall County Jail: A draft complaint for declaratory judgement was sent to Derek Jones who represents the Town of Argos, along with some additional items. Attorney Clevenger and Derek Jones will be discussing the joint filing to avoid the common-law lien.

Regional Sewer District: The Commissioners have Marshall County Resolution 2021-23, which calls for the county to proceed with the establishment of a regional sewer district for the priority service areas. **Mike Burroughs moved, second by Stan Klotz, to approve Resolution 2021-22: Resolution of the Marshall County Commissioners to Proceed with the Establishment of a Marshall County Regional Sewer District for Proposed Service Areas but not to Include Teegarden, PSA 1 or Tyner, PSA 2. Motion carried 3-0.**

To proceed, a public hearing will need to be scheduled; notice needs to be provided by publication, by public service announcement, and by direct mail. The direct mailing may take some time. Discussion was held concerning holding the public meetings on February 7, 2022 at 1 pm and on February 21, 2022 at 6:00 pm.

VIP et al v. Culver et al: Our county liability counsel is making efforts to have the case against the county summarily dismissed.

New Business:

Extension Contractual Service Agreement between Purdue University and Marshall County: This item was addressed previously in the meeting.

Sheriff Dispatch Console Upgrade: At the request of Sheriff Hassel, a lengthy agreement for the Sheriff to purchase four (4) dispatch consoles along with required switches and routers was reviewed. The agreement calls for the addition of hardware and software. Comments and thoughts were forwarded to the Sheriff.

Haines vs Sheriff: Insurance counsel has scheduled a mediation conference by May 31, 2022.

Inter-Local Agreement between Elkhart County and Marshall County Regarding the Housing of Inmates: An Agreement has been received from Elkhart County concerning the Housing of Inmates in 2022, the daily rate is increasing from $40 per day to $50 per day.

AUDITOR REPORT

November 1, 2021 Minutes: **Mike Burroughs moved, second by Stan Klotz, to approve the November 1, 2021, minutes as presented. Motion carried 3-0.**

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

COMMISSIONER ITEMS

Sick Bank Board: The Sick Bank Board submitted the 2022 Sick Bank recommendations as follows: All newly joining eligible employees to follow the established guidelines and each employee to donate one day to remain as a member of the Sick Bank. **Mike Burroughs moved, second by Stan Klotz, to accept the Sick Bank Board recommendation, having all newly joining employees follow the established guidelines and existing employees to donate one day to remain a member. Motion carried 3-0.**

Resolution 2021-21: Joint Resolution of the Marshall County Commissioners and The Marshall County Council to Extend the Special Local Income Tax to be Applied for Jail Operations and Other Criminal Justice Expenses: **Mike Burroughs moved, second by Stan Klotz, to approve Resolution 2021-21: Joint Resolution of the Marshall County Commissioners and The Marshall County Council to Extend the Special Local Income Tax to be Applied for Jail Operations and Other Criminal Justice Expenses. Motion carried 3-0.**

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 10:38 am. 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 6, 2021

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 6, 2021. Present were Commissioners Kevin Overmyer, President; Stan Klotz, Vice President; Mike Burroughs, Member; County Attorney, James Clevenger; and County Auditor, Julie A. Fox. The meeting was opened, streamed live at www.co.marshall.in.us, the Pledge of Allegiance was given and the business at hand was heard.

EMA

EMA Director Clyde Avery presented the Quarterly Report (August 16, 2021 – December 5, 2021) stating the necessary metrics have been met to be eligible for the 2021 EMPG Salary Reimbursement Grant, payable in 2022. The grant reimburses the County up to 50% of the EMA Directors salary. Further explaining the EMA Advisory Council members have reviewed the Plan for 2021, extensive discussion took place regarding the Emergency Support Functions, the primary coordinating agency and the Lifelines identified by FEMA. The EMA Advisory Council voted and agreed to recommend to the Commissioners that no changes should be made to the plan.

Director Avery requested permission to allow a student from Ivy Tech, who is working on a degree in Homeland Security, to intern. The student is aware this is a non-compensated internship. **Mike Burroughs moved, second by Stan Klotz, to allow an Ivy Tech student to intern without payment. Motion carried 3-0.**

HIGHWAY DEPARTMENT

Highway Superintendent Jason Peters presented a right-of-way cut request from CenturyLink on King Road, between 8A Road and Plymouth-Goshen Trail, in Center Township, for the purpose of removing facilities out of conflict for the Bridge 73 reconstruction. **Mike Burroughs moved, second by Stan Klotz, to approve the right-of-way cut request from CenturyLink on King Road, between 8A Road and Plymouth-Goshen Trail, in Center Township, for the purpose of removing facilities out of conflict for the Bridge 73 reconstruction. Motion carried 3-0.**

Superintendent Peters presented a road bore request from CenturyLink on 11th Road, between Manor Drive and US Highway 31, in Center Township, for the purpose of providing service to a customer. **Stan Klotz moved, second by Mike Burroughs, to approve the road bore request from CenturyLink on 11th Road, between Manor Drive and US Highway 31, in Center Township, for the purpose of providing service to a customer. Motion carried 3-0.**

Superintendent Peters provided an update to the 2021 Road Program, Community Crossings and Additional Paving Projects. Bridge 5 and Bridge 9 are being finalized; Realignment Forms for Bridge 232, Randolph Street; Bridge 120, Upas Road; Bridge 87, 11th Road; and Bridge 11, Union Road, have been signed and returned in order to determine if letting dates need to change.

Superintendent Peters stated the grant application has been submitted for Bridge 231, Center Street, explaining the total cost of the project is $3.1 million and requires a 20% match.

SHERIFF DEPARTMENT

Sheriff Matt Hassel requested permission to apply for the Marine Assistance Grant in the sum of $20,000 to assist in funding marine patrol on Lake Maxinkuckee. **Stan Klotz moved, second by Mike Burroughs, to allow the Sheriff Department to apply for the Marine Assistance Grant in the sum of $20,000 to fund marine patrol on Lake Maxinkuckee. Motion carried 3-0.**

Sheriff Hassel presented the Inter-Local Government Agreement between Marshall County and Elkhart County Regarding the Housing of Inmates for calendar year 2022 at a rate of $60 per day per inmate. **Mike Burroughs moved, second by Stan Klotz, to approve the Inter-Local Government Agreement between Marshall County and Elkhart County Regarding the Housing of Inmates. Motion carried 3-0.**

HEALTH DEPARTMENT

Administrator/Chief Environmentalist Faith Freed requested permission to apply for the Crisis Co Ag Supplemental Workforce in School Grant. Explaining the federal grant is reimbursable and will fund a contract employee, in the sum of $110,000, to be a liaison to provide testing, guidance and education related to contact tracing, quarantine and isolation based on CDC and IDOH guidance. **Mike Burroughs moved, second by Stan Klotz, to allow the Health Department to apply for the Crisis Co Ag Supplemental Workforce in School federal grant in the sum of $110,000. Motion carried 3-0.**

ATTORNEY REPORT

Old Business:

Jail-ACLU: Attorney Clevenger will be speaking with the Commissioners about a revised proposal for the eventual dismissal of the case.

Elkhart County Agreement: This item was addressed earlier in the meeting.

Graber Lien/Marshall County Jail: Attorney Clevenger sent the Commissioners a privileged and confidential memo. Since then, Mr. Graber was in the Recorder's Office with an amended lien to record, but left before recording.

England v Sheriff: On December 13, 2020, David England by attorney Samuel Beasley, filed suit against the Sheriff for failure to provide proper medical care to him. Individual jailers nor QCC were named as defendants. The Plaintiff has done nothing in furtherance of his case against the County so portions of the complaint have been dismissed. The Plaintiff has until December 17, 2021, to amend the complaint to add QCC or the entire case will be dismissed. England also has a case pending against the City of Plymouth and the Plymouth Police Department.

Regional Sewer District: Ken Jones of Petrie, Jones, Rafinnski has provided a revised map of the Priority Service Areas for the proposed regional sewer district. Amended Resolution 2021-22 was presented with a new map and newly numbered PSAs. Public Hearings are scheduled for February 7, 2022 and February 21, 2022. **Mike Burroughs moved, second by Stan Klotz, to**

approve Amended Marshall County Resolution 2021-22: Resolution of the Marshall County Commissioners to proceed with the Establishment of a Marshall County Regional Sewer District for Priority Service Areas but not to Include Teegarden or Tyner. Motion carried 3-0.

Tower Lease Agreement with AT&T: We obtained an opinion letter from Barnes & Thornburg that the lease would not disturb our bond agreements or trigger a violation by the IRS. The Lease Agreement is for a five-year initial lease term at $1,800 per month with five additional extension terms for five years under same provisions except a five percent increase in rent with each extension. **Stan Klotz moved, second by Mike Burroughs, to approve the lease with AT&T (Singular Wireless) with rent receipted into EPICS Fund. Motion carried 3-0.**

Opioid Litigation Update: Ohio jury in federal court determines three large pharmacies recklessly distributed massive amounts of opioids in two large counties in Ohio.

New Business:

Federal OSHA Mask Mandate: This item is still tied up in the courts.

Clerk Ordinance 2021-17 Marshall County Order Establishing Precincts: The precincts remain as they have been except for the small real estate piece carved out before just north and just south of US Highway 30, west of Pioneer Drive. **Mike Burroughs moved, second by Stan Klotz, to approve Ordinance 2021-17: Marshall County Order Establishing Precincts, which eliminates West City of Plymouth. Motion carried 3-0.**

Clerk Ordinance 2021-18 Marshall County Ordinance Modifying Commissioner Districts and Modifying Council Districts: The ordinance modifies the Commissioner Districts and the County Council Districts by returning the West Township piece to districts that have the rest of West Township. **Mike Burroughs moved, second by Stan Klotz, to approve Ordinance 2021-18: Marshall County Ordinance Modifying Commissioner Districts and Modifying Council Districts. Motion carried 3-0.**

Bush / Use of Deadly Force: Our insurance carrier was immediately informed. Bliss McKnight has a policy to hire counsel to assist in the County's investigation of the matter. An attorney has been hired and Attorney Clevenger has assisted in the preservation of evidence related to the matter.

Sheriff Dispatch Console Upgrade: Attorney Clevenger has not heard back from suggestions concerning the proposed contract.

AUDITOR REPORT

November 15, 2021 Minutes: **Stan Klotz moved, second by Mike Burroughs, to approve the November 15, 2021, minutes as presented. Motion carried 3-0.**

November 15, 2021 Executive Session Minutes: **Mike Burroughs moved, second by Stan Klotz, to approve the November 15, 2021, executive session minutes as presented. Motion carried 3-0.**

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

COMMISSIONER ITEMS

Annual Compliance – Nepotism, Contract Disclosure & Conflict of Interest: Auditor Fox reported all required forms have been returned by Elected Officials. **Mike Burroughs moved, second by Stan Klotz, to accept the Annual Compliance - Nepotism, Contract Disclosure and Conflict of Interest Statements. Motion carried 3-0.**

Second Reading of Ordinance 2021-16: An Ordinance Amending Ordinance Commonly Known As "The Marshall County Zoning Ordinance 2007-10", as Amended: Plan Commission Director Ty Adley met with both attorneys to discuss grandfathering conditions.
Mike Burroughs moved, second by Stan Klotz, to turn down the proposed verbiage in Ordinance 2021-16 and send the proposal back to the Plan Commission to add storage containers as an accessory structure. Motion carried 3-0.

Public Comment on Ordinance 202-16:
Robert Demis, 20993 8th Road, Plymouth, requested clarification on meaning of cold storage.

Nicole Haskins, 8001 9B Road, Plymouth, requested clarification on mobile storage units used in their construction business.

Commissioner Burroughs recognized Auditor Fox for receiving The Indiana Association of County Commissioner 2021 Outstanding Supportive Auditor of Year Award.

Further recognizing Commissioner Overmyer for receiving The Indiana Association of County Commissioner 2021 North Distinguished County Commissioner of the Year Award.

Enterprise Lease: **Stan Klotz moved, second by Mike Burroughs, to allow a prepayment to Enterprise in an amount not to exceed $15,000 to payoff leased vehicles.**
Motion carried 3-0.

Commissioner Klotz expressed interest in not pursuing additional shell buildings by the Marshall County Economic Development Corporation due to the employee shortage in Marshall County. Commissioner Klotz explained he spoke with Greg Hildebrand of MCEDC concerning Lifetime Learning Network, bringing higher education/training opportunity into the County.

Commissioners called a recess at 9:51 a.m.

Commissioners reconvened at 10:35 a.m.

2022 Annual Highway Bids: Twenty-one items were advertised for bid. Following Attorney Clevenger opening the bids, **Mike Burroughs moved, second by Stan Klotz, to take the 2022 Annual Highway Bids under advisement. Motion carried 3-0.**

ADJOURNMENT

With no further business to come before the board **Mike Burroughs moved, second by Stan Klotz, to adjourn the meeting at 11:13 am. 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 20, 2021

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 20, 2021. Present were Commissioners Kevin Overmyer, President; Stan Klotz, Vice President; Mike Burroughs, Member; County Attorney, James Clevenger; and County Auditor, Julie A. Fox. The meeting was opened, streamed live at www.co.marshall.in.us, the Pledge of Allegiance was given and the business at hand was heard.

HIGHWAY DEPARTMENT

Highway Superintendent Jason Peters presented a road bore and right-of-way cut request from Ferguson Michiana for AT&T on Upas Road, between 13B Road and 14B Road, in Union Township, for the purpose of replacing cable due to INDOT bridge replacement. **Stan Klotz moved, second by Mike Burroughs, to approve the road bore and right-of-way cut request from Ferguson Michiana on Upas Road, between 13B Road and 14B Road, in Union Township, for the purpose of replacing cable due to INDOT bridge replacement. Motion carried 3-0.**

Superintendent Peters presented a road bore request from Marshall County REMC on W. Shore Drive, between S. Shore Drive and Sage Road, in Union Township, for the purpose of installing conduit/electric. **Mike Burroughs moved, second by Stan Klotz, to approve the road bore request from Marshall County REMC on W. Shore Drive, between S. Shore Drive and Sage Road, in Union Township, for the purpose of installing conduit/electric. Motion carried 3-0.**

Superintendent Peters presented a road surface and right of way cut request from NIPSCO on N. Quince Road, between W. 1st Road and Stanton Road, in Polk Township, for the purpose of replacing aging infrastructure and improve system reliability within the area. **Stan Klotz moved, second by Mike Burroughs, to approve the road surface and right of way cut request from NIPSCO on N. Quince Road, between W. 1st Road and Stanton Road, in Polk Township, for the purpose of replacing aging infrastructure. Motion carried 3-0.**

Superintendent Peters presented a road surface and right of way cut request from NIPSCO on N. Sycamore Road, between W. 1st Road and Tyler Road, in Polk Township, for the purpose of replacing aging infrastructure and improve system reliability within the area. **Mike Burroughs moved, second by Stan Klotz, to approve the road surface and right of way cut request from NIPSCO on N. Sycamore Road, between W. 1st Road and Tyler Road, in Polk Township, for the purpose of replacing aging infrastructure. Motion carried 3-0.**

Superintendent Peters presented a road surface and right of way cut request from NIPSCO on S. Elm Road and E. 9B Road, between Fir Road and Main Street (US 331), in Bourbon Township, for the purpose of replacing aging infrastructure and improve system reliability within the area.

Stan Klotz moved, second by Mike Burroughs, to approve the road surface and right of way cut request from NIPSCO on S. Elm Road and E. 9B Road, between Fir Road and Main Street (US 331), in Bourbon Township, for the purpose of replacing aging infrastructure. Motion carried 3-0.

Superintendent Peters presented a road bore and right of way cut request from BSM Groups on Old US Highway 30, Lincoln Highway and S. Beech Road, in Bourbon Township, for the purpose of placing new underground cable. **Mike Burroughs moved, second by Stan Klotz, to approve the road bore and right of way cut request from BSM Groups on Old US Highway 30, Lincoln Highway and S. Beech Road, in Bourbon Township, for the purpose of placing new underground cable. Motion carried 3-0.**

Superintendent Peters presented a road bore and right of way cut request from BSM Groups at 3519 Fir Road, in German Township, for the purpose of placing new underground cable. **Mike Burroughs moved, second by Stan Klotz, to approve the road bore and right of way cut request from BSM Groups at 3519 Fir Road, in German Township, for the purpose of placing new underground cable. Motion carried 3-0.**

Superintendent Peters presented a road bore request from Precision on Redwood Road, between 9th Road and State Road 17, in West Township, for the purpose of providing CenturyLink service to customer. **Mike Burroughs moved, second by Stan Klotz, to approve the road bore request from Precision on Redwood Road, between 9th Road and State Road 17, in West Township, for the purpose of providing CenturyLink service to customer. Motion carried 3-0.**

Superintendent Peters presented a request from Travel Center Realty, LLC, on King Road, between Lincolnway Road and 9A Road, in Center Township, for the purpose of a roadside drainage swale. **Mike Burroughs moved, second by Stan Klotz, to approve the request from Travel Center Realty, LLC, on King Road, between Lincolnway Road and 9A Road, in Center Township, for the purpose of a roadside drainage swale. Motion carried 3-0.**

Superintendent Peters presented a road surface and right of way cut from NIPSCO on 9B Road, between S. Elm Road and S. Beech Road, in Bourbon Township, for the purpose of replacing aging infrastructure and improve system reliability within the area. **Stan Klotz moved, second by Mike Burroughs, to approve the road surface and right of way cut from NIPSCO on 9B Road, between S. Elm Road and S. Beech Road, in Bourbon Township, for the purpose of replacing aging infrastructure. Motion carried 3-0.**

Superintendent Peters presented a road surface and right of way cut from NIPSCO on W. 1st Road, between County Line Road and N. Sycamore Road, in Polk Township, for the purpose of replacing aging infrastructure and improve system reliability within the area. **Mike Burroughs moved, second by Stan Klotz, to approve the road surface and right of way cut from NIPSCO on W. 1st Road, between County Line Road and N. Sycamore Road, in Polk Township, for the purpose of replacing aging infrastructure. Motion carried 3-0.**

Superintendent Peters stated the 2022 Highway Bids have been reviewed and requested acceptance as presented. **Mike Burroughs moved, second by Stan Klotz, to approve the 2022 Annual Highway Bids as presented. Motion carried 3-0.**

Superintendent Peters provided a department update: 2021 Road Program; The RFP has been submitted for Bridge Inspection 2022-2025; The grant application for Bridge 231, Center Street, Bremen, has been approved and considered for funding; An update on the cost of the King Road Bridge and presented the 2022 Road Program. **Stan Klotz moved, second by Mike Burroughs, to approve the 2022 Road Program. Motion carried 3-0.**

PLAN COMMISSION

Plan Commission Director Ty Adley provided a PowerPoint presentation on 21-PC-17, Schmaltz, Jeffrey & Patty, a request to vacate an unimproved alley in Teegarden.

Mike Burroughs moved, second by Stan Klotz, to open the public hearing on 21-PC-17. Motion carried 3-0.

No public comment was heard.

Mike Burroughs moved, second by Stan Klotz, to close the public hearing on 21-PC-17. Motion carried 3-0.

Mike Burroughs moved, second by Stan Klotz, to approve 21-PC-17 under Ordinance 2021-19: An Ordinance Vacating the Alleyway West of Lots 31, 32 & 33 in OP Teegarden, Polk Township, Marshall County, Indiana. Motion carried 3-0.

HUMAN RESOURCES

Human Resources Administrator Ann Anglin presented a request to amend Marshall County Personnel Policies Handbook, Section 4.8 Bereavement Leave. Stating the day before, day of funeral, and day after language has been removed and added Bereavement Leave must be used within 30 days of the date of passing. **Mike Burroughs moved, second by Stan Klotz, to accept the Personnel Policies Handbook Section 4.8 Bereavement Leave. Motion carried 3-0.**

HEALTH DEPARTMENT

Public Health Nurse Sandy Dunfee explained the Health Department is and has been providing the services to the schools as outlined in the Crisis Co Ag Supplemental Workforce in School Grant. Explaining her surprise to learn Council did not approve the application of the grant application. Furter explaining, in March, 2022, the State will be shifting the responsibility of contact tracing back to the local health department. The Health Department is seeking support to be able to accept the funds provided under this grant to better enable them to provide services to the schools. Commissioner Overmyer explained Council did not approve the grant request due to the strings attached and all federal aid awards have strings attached.

St. Joseph Health System Administrator Eric Hosopple and Director of Marketing and Communication Hodge Patel provided a PowerPoint presentation explaining the trending

COVID-19 cases, vaccinations, limited available beds, and staffing challenges. Stating any resources brought in will be helpful. Encouraging individuals to vaccinate and stay home when not feeling well.

Board of Health Member Tracy Fox voiced support of the grant funding.

CORONER

Coroner John Grolich requested permission to prepay Stryker for a power-load coat in the sum of $38,978.88 from the COVID-19 Pandemic account line. **Mike Burroughs moved, second by Stan Klotz, to approve a prepayment to Stryker for a power-load cot in the sum of $38,978.88. Motion carried 3-0.**

Coroner Grolich provided a department update: 20 deaths due to Covid, five suicides, six accidental deaths and six homicides this year to date. Twenty-two autopsies have been performed in the new building with 167 cases to date.

ATTORNEY REPORT

Old Business:

Jail-ACLU: The lawyers for the American Civil Liberties Union (ACLU) have not been convinced to dismiss the case against Marshall County for the injunctive relief related to overcrowding of the Marshall County Jail. Even though the jail's inmate population has been well below capacity since March 2020 and our current average population is a little over 140 inmates. The ACLU lawyers will agree to a dismissal only if there is a monthly reporting of inmates through July 2022 and in the event our inmate population exceeds 200 for multiple days, that the Sheriff utilize the housing agreements we have with either Fulton or Elkhart County to reduce population to approximately 200. Our negotiations and efforts continue.

Graber Lien/Marshall County Jail: The Town of Argos is on board with proceeding against Mr. Graber. Derek Jones and Attorney Clevenger will meet the last week of December to finetune paperwork.

Tower Lease Agreement with AT&T: We have had some follow-up with the lease, but for the most part the lease has been completed.

Clerk Establishing Precincts: The Indiana State Election Division has approved the County's ordinance concerning the establishment of precincts in the County. **Mike Burroughs moved, second by Stan Klotz, to adopt Ordinance 2021-17: Marshall County Order Establishing Precincts. Motion carried 3-0.**

New Business:

Sheriff Salary Contract 2022: This item is listed under Commissioner Items on today's agenda.

Kozikowski v Hassel: The overcrowding case has been dismissed.

OSHA Mandate: The Sixth Circuit Court upheld the decision.

County Grant Process: Discussion was held concerning County Ordinance 2013-15: An Ordinance Adopting a Marshall County Grant Approval and Administration Policy. The Ordinance requires all departments submitting a grant to seek approval from both the Board of Commissioners and Council prior to submission. The Commissioners have requested the Auditor calendar grant application requests on the Council agenda first and upon their approval, place on the Commissioners agenda.

AUDITOR REPORT

December 6, 2021 Minutes: **Mike Burroughs moved, second by Stan Klotz, to approve the December 6, 2021, minutes as presented. Motion carried 3-0.**

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

SBS Portals: Auditor Fox presented a request to move the County to a web-based portal for processing claims, payroll, deduction application forms, public access, board agenda items, minutes and reserving meeting room space. The initial set-up cost is $2,000 and the recurring monthly charge will be $975. **Mike Burroughs moved, second by Stan Klotz, to approve the request to transition to SBS Portals. Motion carried 3-0.**

Beacon: Auditor Fox presented a request to add additional features to the County Beacon site, to include Sales Search, Tax Estimator and My Property Tax Dollars Tool. Commissioners will review this item for the December 31st agenda.

COMMISSIONER ITEMS

Sheriff 2022 Salary Contract: **Mike Burroughs moved, second by Stan Klotz, to approve the Sheriff's Salary Contract for 2022 in the sum of $91,125.58. Motion carried 3-0.**

Argos Public Library Appointment: **Mike Burroughs moved, second by Stan Klotz, to reappoint Maria Horvath to the Argos Public Library for a four-year term beginning January 1, 2022 through December 31, 2025. Motion carried 3-0.**

Marshall County Plan Commission: **Stan Klotz moved, second by Mike Burroughs, to appoint Chris Kline to the Marshall County Plan Commission to fill the unexpired term of Jim Berger, ending December 31, 2024. Motion carried 3-0.**

Convention Visitors Bureau: **Stan Klotz moved, second by Mike Burroughs, to appoint Linda Rippy to the Convention Visitors Bureau for a two-year term beginning January 1, 2022 through December 31, 2023. Motion carried 3-0.**

Sheriff Matt Hassel explained the futile attempt to receive a quote from AutoPark for the 2022 Sheriff vehicles and presented the quote received from Oliver Ford for the purchase of four 2022 Ford 4x4 Utility Interceptor's with a trade-in allowance on four vehicles. The sale price for the four vehicles totals $148,496 with a $14,000 trade-in allowance the net cost is $134,496, explaining one vehicle will be paid from the Commissary Fund.

Mike Burroughs moved, second by Stan Klotz, to allow the purchase of four vehicles from Oliver Ford with a total trade-in value of four vehicles of $14,000 for the total purchase price of $134,496.

Sheriff Hassel requested consideration of increasing the cost for providing electronic records for video, voice and CAD records and adjust the county ordinance. Currently, the Sheriff's Department charges $25 per request and is requesting an increase to $25 per hour up to a maximum of $150 for these records. Attorney Clevenger will review the ordinance.

Commissioner Burroughs proposed allowing the livestream of meetings be retained and made available to the public for a period of thirty days following the meeting. Stating the videos will be view only and will not be editable. **Mike Burroughs moved, second by Stan Klotz, to allow the IT Department to retain livestream meetings for a period of 30-days for public view. Motion carried 3-0.**

Discussion was held concerning the status of Joint Resolution 2021-21 of the Marshall County Commissioners and Marshall County Council to Extend the Special Local Income Tax to be Applied for Jail Operations and Other Criminal Justice Expenses with our legislators.

ADJOURNMENT

With no further business to come before the board **Stan Klotz moved, second by Mike Burroughs, to adjourn the meeting at 11:25 am. Motion carried 3-0.**

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Kevin Overmyer, President

_____
Stan Klotz, Vice President

_____
Mike Burroughs, Member

ATTEST: _____
Julie A. Fox, Auditor

MARSHALL COUNTY
BOARD OF COMMISSIONERS
SPECIAL MEETING MINUTES
MONDAY, JANUARY 25, 2021

The Board of Commissioners of Marshall County, Indiana, met in the Commissioners Room, 112 W. Jefferson Street, Plymouth, Indiana at 9:00 a.m., Monday, January 25, 2021, for a special meeting for the purpose of appointing a Building Inspector. Present were Commissioners, Kevin Overmyer, President; Stan Klotz, Vice President; Mike Burroughs, Member; and County Auditor, Julie A. Fox. The meeting was opened, the Pledge of Allegiance was given and the business at hand was heard.

BUILDING INSPECTOR

Commissioner Overmyer stated that the purpose of this special meeting is to appoint a Building Commissioner following interviews conducted last week.
Mike Burroughs moved, second by Stan Klotz, to appoint Steve Howard as Building Inspector beginning February 1, 2021. Motion carried 3-0.

COMMISSIONER ITEMS

Kendell Culp, Jasper County Commissioner and the 2020 President of the Indiana Association of County Commissioners (IACC) announced Jason Peters, Marshall County Highway Superintendent, as the 2020 IACC's Achievement Award winner for the IACC's "Outstanding County Highway Supervisor of the Year." Mr. Culp presented Superintendent Peters with a commemorative plaque and the Commissioners thanked Superintendent Peters for his three years of service as Superintendent.

ADJOURNMENT

With no further business to come before the Board, **Mike Burroughs moved, second by Stan Klotz, to adjourn the meeting at 9:12 a.m. Motion carried 3-0**.

_____
Kevin Overmyer, President

_____
Stan Klotz, Vice President

_____
Mike Burroughs, Member

Attest:_____
Julie A. Fox, Auditor