

REGULAR MEETING DUBOIS COUNTY COMMISSIONERS

June 7, 2021

The regular monthly meeting of the Dubois County Commissioners was held in the Commissioners / Council Room of the Courthouse Annex in Jasper, Indiana, beginning at 8:00 a.m. (EST) on June 7, 2021. Present were Commissioners Chad A. Blessinger Nick Hostetter. and Elmer Brames. Also present were County Auditor Sandra L. Morton, Highway Supervisor Steven L. Berg, Highway Engineer Brent Wendholt, and County Attorney Gregory S. Schnarr. A quorum was declared present and the meeting was opened for business by President Blessinger. Minutes of the May 17, 2021 meeting of the Commissioners had been previously distributed to the Commissioners and were approved as presented. The minutes were then signed. Incomes for the month of May 2021 were as follows: Recorder \$27,124.41; Health Department \$22,886.09; Auditor \$0.00; Clerk \$41,025.74. Claims against the County were examined and those found to be just, due and owing were allowed and those found to be not due and owing were disallowed, all as more fully set forth in the Claims and Allowance Docket of the County.

RE: HIGHWAY SUPERVISOR'S REPORT

Highway Supervisor Steve Berg presented the following report of Highway projects:

Sealcoat Scheduling – The application of Aspen fog seal has been successfully applied on the proposed roads for the season and went smoothly. The roads look good and are scheduled for striping soon.

Improvement of County Road 990 North – A landowner requested gravel on a portion of the road which exists as a dirt road. Due to policy #0917-18, the County will apply gravel if the owner has a Homestead Tax Credit. As in this case, the owner does not meet the criteria so must pay for the gravel. The owner has agreed.

County Road 300 North – A complaint was received regarding rock washing during heavy rains.

Sanitation Department Staffing – The department was saddened by the passing of Bob Bieker who was a full-time site attendant at Jasper. He was an employee since October 2008. Terry Weisman will be his replacement. George Opel has been a floater since 2017 and will be retiring. The Department will be looking for two new people to fill the positions.

Highway Department Staffing – Former District #3 foreman Clint Buttery has made a career change and transferred to the Solid Waste District staff. Terry Hopf will be the new foreman. Stan Welp, a driver and mower operator for District #2 has resigned. The Department will be looking to hire an experienced excavator operator for District #3 and a truck driver for District #2.

Chip Seal Overlays and Repair – Due to the rainy weather, the process has been pushed back a few days.

RE: HIGHWAY ENGINEER'S REPORT

Highway Engineer Brent Wendholt presented the following report of Highway projects:

Property Transfer (Dubois Water) – Dubois Water has supplied a survey for a transfer of property that will be an exemption to the County Subdivision Ordinance. The idea was previously presented at the April 19, 2021 meeting and appears acceptable. A motion was made to approve the transfer, was duly seconded and carried unanimously.

County Road Section Number Update – A project that has been on going in the Highway Department is to update the Road Section Numbers. The project is nearing completion.

County Road 1050 East/TransCanada Ditch Enclosure and Pipeline Protection – Meetings were held to discuss adding protection to the pipelines along CR 1050 East. TransCanada has presented a plan to enclose the roadside ditch. Wendholt has requested a better design and will provide updates when received.

RE: EMERGENCY DECLARATION EXTENSION

A Declaration to extend the current Commissioners' Emergency Declarations dated March 17, 2020; March 23, 2020; April 6, 2020; May 4, 2020; June 1, 2020; June 15, 2020; July 6, 2020; August 3, 2020; August 17, 2020; September 8, 2020; October 5, 2020; November 2, 2020; December 7, 2020; January 4, 2021, February 1, 2021, March 1, 2021, April 5, 2021, May 3, 2021 was presented to remain in effect at this time and will expire on July 1, 2021 at 11:59 p.m. ET, but its effectiveness may be

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shortened or extended by act of the Commissioners. A motion was made to approve the Extension, was duly seconded and carried unanimously.

**DUBOIS COUNTY, IN
Local Disaster Emergency Declaration Extension**

WHEREAS, the novel Coronavirus Disease 2019 (COVID-19) is a severe respiratory illness that has rapidly spread to more than 60 countries in the world, including the United States; and

WHEREAS, on March 6, 2020, Indiana Governor Eric Holcomb issued Executive Order 20-02, declaring a public health emergency for the coronavirus disease, and has issued subsequent Executive Orders related thereto; and

WHEREAS, in response to the outbreak, the Center for Disease Control and Prevention (CDC) determined that COVID-19 presents a serious health threat and currently recommends community preparedness and everyday prevention measures be taken by all individuals and families in the United States, including home isolation when individuals are sick with respiratory symptoms, coughs and fever, and home quarantine when they may have been exposed to a communicable disease from those who are healthy in order to STOP THE SPREAD OF COVID-19; and

WHEREAS, the Governor's Executive Order requires coordination across federal, state and local governments, first responders, private organizations and the entire healthcare structure in Indiana and activates the disaster response and recovery aspects of the state, local and interjurisdictional emergency plans of all counties in Indiana; and

NOW, therefore, we, the Dubois County Board of Commissioners, declare that a local disaster emergency continues to exist in the County and that we hereby invoke and declare those portions of the Indiana Code which are applicable to the conditions and have caused the issuance of this proclamation, to be in full force and effect in the County for the exercise of all necessary emergency authority for protection of the lives and property of the people of this County.

Reference is hereby made to all appropriate laws, statutes, ordinances, and resolutions and particularly to Indiana Code 10-14-3-29 (formerly Indiana Code 10-4-1-23).

All public offices and employees of Dubois County are hereby directed to exercise the utmost diligence in the discharge of duties required of them for the duration of the emergency and in execution of laws, regulations, and directives—state and local.

All citizens are called upon and directed to comply with necessary emergency measures, to cooperate with public officials and disaster services, in executing emergency operation plans, and to obey and comply with the lawful directions of properly identified officers.

The Dubois County Health Officer is authorized to issue orders to forbid public gatherings and implement other measures when considered necessary to prevent or minimize the spreading of the COVID-19.

The Commissioners may make, amend and rescind orders, rules and regulations necessary for emergency management purposes and to supplement carrying out the emergency management laws that are not inconsistent with orders, rules or regulations adopted by the governor or by a state agency exercising a power delegated to it by the governor, the emergency management program and emergency operation plan of Dubois County, and any such orders, rules and regulations have the full force and effect of law when filed in the office of the Clerk of Dubois County.

This declaration is an extension of the Commissioners' March 17, 2020 Declaration, March 23, 2020 Declaration, April 6, 2020 Declaration, May 4, 2020 Declaration, June 1, 2020 Declaration, June 15, 2020 Declaration, July 6, 2020 Declaration, August 3, 2020 Declaration, August 17, 2020 Declaration, September 8, 2020 Declaration, October 5, 2020 Declaration, November 2, 2020 Declaration, December 7, 2020 Declaration, January 4, 2021 Declaration, February 1, 2021 Declaration, March 1, 2021 Declaration, April 5, 2021 Declaration, May 3, 2021 Declaration, and in conjunction with the Governor's Executive Orders 20-02, 20-17, 20-25, 20-30, 20-34, 20-38, 20-41, 20-44, 20-47, 20-49, 20-52, 21-03, 21-05, 21-08, 21-11, 21-14, continues to be in effect at this time and will expire on July 1, 2021 at 11:59 p.m. ET, but its effectiveness may be shortened or extended by act of the Commissioners.

In witness, whereof, we have hereunto set our hand as of the 7th day of June, 2021.

RE: HUMAN RESOURCE GENERALIST

Human Resource Generalist Markie Rhodes submitted a request to increase his salary in the 2022 budget. A discussion was held. Consensus was to approve the request and forward to the County Council.

RE: SOIL & WATER POSITION CHANGE

Soil & Water Director Judi Brown and Board member Brenda Sermersheim requested combining two part time positions into one full time position at the PAT III wage scale. The part time positions to be combined are the Project Technician and the Technical Specialist. A job description for a Resource Specialist - Soil Health position was discussed. The wage committee recommended approving the

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change. A motion was made to approve the creation of the new position and the eliminate the two part-time positions. The motion died to the lack of a second. The Commissioners would like to review the request and will revisit at the next meeting.

RE: JASPER STRASSENFEST COURTHOUSE USE

Bob Bleemel, Strassenfest Committee Chairman, requested permission to utilize the County Courthouse property for the Jasper Strassenfest to be held August 5, 2021 through August 8, 2021.

A motion was made to approve the request, was duly seconded and carried unanimously.

RE: RIDE SOLUTIONS

Becky Guthrie, Director of Ride Solution, appeared to discuss the Ride Solution program and request funding from Dubois County for 2022. Ride Solution must have county support in every county that they provide services in order to keep receiving operation funding. The request is \$13,000 and will be included in the 2022 Commissioner budget pending County Council approval.

RE: AMERICAN RESCUE PLAN ACT

Commissioner Blessinger provided an update on the ARPA committee.

RE: CASA DONATION BOX

Director Deena Hubler requested permission to place a donation box in the Courthouse to collect school supply items for children in the CASA program during the month of June. A motion was made to approve the request and for the Director to work with the Courthouse Custodian for the proper placement, was duly seconded and carried unanimously.

RE: CHILD PROTECTION TEAM

Commissioner Blessinger serves on the local Child Protection Team. He discussed the duties and inquired if someone was interested in serving in his place. Commissioner Hostetter will search for an appointee and report at the next meeting.

RE: RIGHT OF WAY DEDICATION – CAP & CORNELIA ESTATES

Phil Buehler requested a right of way dedication for the Cap & Cornelia Estates road frontage. A motion was made to approve and accept the right of way dedication for the Cap & Cornelia Estates, was duly seconded and carried unanimously.

RE: HAYSVILLE RURITAN SUMMERFEST

Tim Kramer requested closing a portion of Park Street in Haysville for the Ruritan Summerfest on July 10, 2021 from 6:00 a.m. to midnight. A motion was made to approve the request, was duly seconded and carried unanimously. Mr. Kramer will coordinate with the Highway department.

RE: RESOLUTION 2021-23

A motion was made to approve Resolution 2021-23, was duly seconded and carried unanimously.

RESOLUTION NO. 2021-23

A RESOLUTION ESTABLISHING THE POLICY BY WHICH MEMBERS OF THE BOARD OF COMMISSIONERS OF DUBOIS COUNTY, INDIANA MAY PARTICIPATE BY ELECTRONIC MEANS OF COMMUNICATION

WHEREAS, P.L. 88-2021 (HEA 1437), SEC. 5, amended IC 5-14-1.5-1 et seq. (Act), effective April 20, 2021 by amending IC 5-14-1.5-3.5 to prescribe new requirements by which members of the governing body of a public agency of a political subdivision may participate in a meeting by any electronic means of communication;

WHEREAS, a member of the governing body may participate by any means of communication that:

- Allows all participating members of the governing body to simultaneously communicate with each other; and
- Except for a meeting that is an executive session, allows the public to simultaneously attend and observe the meeting;

WHEREAS, the Act requires the governing body to adopt a written policy establishing the procedures that apply to a member's participation in a meeting by an electronic means of communication and may adopt procedures that are more restrictive than the procedures established by I 5-14-1.5-3.5(d); and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF DUBOIS COUNTY, INDIANA:

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- Section 1. (a) The provisions of the Act, including definitions, apply to this resolution.
(b) This resolution shall be known as the "Electronic Meetings Policy" of the Board of Commissioners of Dubois County, Indiana (Board of Commissioners) and applies to the Board of Commissioners.
- Section 2. (a) Subject to Sections 3 and 5, any member may participate in a meeting by any electronic means of communication that: (i) allows all participating members of the governing body to simultaneously communicate with each other; and (ii) other than a meeting that is an executive session, allows the public to simultaneously attend and observe the meeting.
(b) A member who participates by an electronic means of communication: (i) shall be considered present for purposes of establishing a quorum; and may participate in final action only if the member can be seen and heard.
(c) All votes taken during a meeting at which at least one (1) member participates by an electronic means of communication must be taken by roll call vote.
- Section 3. (a) At least fifty percent (50%) of the members must be physically present at a meeting at which a member will participate by means of electronic communication. Not more than fifty percent (50%) of the members may participate by an electronic means of communication at that same meeting.
(b) A member may not attend more than a fifty percent (50%) of the meetings in a calendar year by an electronic means of communication, unless the member's electronic participation is due to:
(1) military service;
(2) illness or other medical condition;
(3) death of a relative; or
(4) an emergency involving actual or threatened injury to persons or property.
(c) A member may attend two (2) consecutive meetings (a set of meetings) by electronic communication. A member must attend in person at least one (1) meeting between sets of meetings that the member attends by electronic communication, unless the member's absence is due to:
(1) military service;
(2) illness or other medical condition;
(3) death of a relative; or
(4) an emergency involving actual or threatened injury to persons or property.
- Section 4. The minutes or memoranda of a meeting at which any member participates by electronic means of communication must:
(1) identify each member who:
(A) was physically present at the meeting;
(B) participated in the meeting by electronic means of communication; and
(C) was absent; and
(2) identify the electronic means of communication by which:
(A) members participated in the meeting; and
(B) members of the public attended and observed the meeting, if the meeting was not an executive session.
- Section 5. No member of the Board of Commissioners may participate by means of electronic communication in a meeting at which the Board of Commissioners may take final action to:
(1) adopt a budget;
(2) make a reduction in personnel;
(3) initiate a referendum;
(4) impose or increase a fee;
(5) impose or increase a penalty;
(6) exercise the Board of Commissioners' power of eminent domain; or
(7) establish, impose, raise or renew a tax.
- Section 6. (a) If an emergency is declared by:
(1) the governor under IC 10-14-3-12; or
(2) the Board of Commissioners of Dubois County under IC 10-14-3-29;
members are not required to be physically present for a meeting until the emergency is terminated.
(b) Members may participate in a meeting by any means of communication provided that:
(1) At least a quorum of the members participate in the meeting by means of electronic communication or in person.
(2) The public may simultaneously attend and observe the meeting unless the meeting is an executive session.
(3) The minutes or memoranda of the meeting must comply with Section 4 of this resolution.
(c) All votes taken during a meeting at which at least one member participates by an electronic means of communication must be taken by roll call vote.

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Section 7. This resolution shall be effective from and after adoption by the Board of Commissioners of Dubois County and completion of any other legal requirements, all in the manner as provided by law.

DULY ADOPTED by the Board of Commissioners of Dubois County at a regularly scheduled public meeting held on this, the 7th day of June, 2021.

RE: PAVING PROJECT BID OPENING

It being 10:00 am, the advertised time for receipt of bids for Road Improvements, the following bids were thereupon received, opened and read aloud:

<u>Project</u>	<u>Calcar Paving</u>	<u>E&B Paving</u>	<u>JH Rudolph & Co.</u>	<u>C&R Construction</u>
21-01, 21-02, 21-03 CCMG Packet	\$731,643.70	\$734,790.00	\$878,150.00	\$712,142.50
21-07 600 West	\$187,206.00	\$197,500.00	\$225,193.90	\$211,822.00
21-08 Ackerman Road, Northwest Suburban Subdivision	\$152,090.00	\$150,820.00	\$181,818.40	\$157,516.85
21-09 Ellsworth Road	\$213,767.00	\$215,670.00	\$272,790.20	\$211,716.00
21-10 420 South, 170 East, & 430 South	\$ 36,355.90	\$ 35,640.00	\$ 41,224.80	\$ 35,000.00

The bids were taken under advisement for review to be awarded later in the meeting.

RE: RESOLUTION 2021-21 – RESTRICTED ADDRESSES

A motion was made to approve Resolution 2021-21 as presented, was duly seconded and carried unanimously.

RESOLUTION NO. 2021-21

RESOLUTION ADOPTING RESTRICTED ADDRESSES POLICY

WHEREAS, The State of Indiana has imposed statutes requiring all Counties to adopt a policy protecting the identities of certain persons and requiring the creation of a process establishing a process for removal of identity of those individuals requesting removal of identity from County public database websites.

WHEREAS, the Board of Commissioners of Dubois County, Indiana, previously adopted a resolution establishing such a policy on May 4, 2020, which reserved the right to amend or revise such policy.

WHEREAS, the Board of Commissioners of Dubois County, Indiana deems it suitable to amend and revise its policy to comply with relevant changes in the Indiana Code.

NOW THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Dubois County, Indiana, that the following Policy is hereby adopted:

- I. Purpose and Scope.
To establish a policy for Dubois County departments containing a process to comply with requirements of I.C. 36-1-8.5, specifically related to “Covered Persons” and publicly accessible property websites.

This policy applies to all county-provided public property websites.
- II. Definitions.
 - A. “Covered Person”: Effective July 1, 2021, Indiana Code 36-1-8.5-2 defines a “covered person” as:
 - (1) a judge;
 - (2) a law enforcement officer;
 - (3) a victim of domestic violence;
 - (4) a public official;
 - (5) the surviving spouse of a person described herein, if the person was killed in the line of duty;
 - (6) an employee of the department of child services;
 - (7) a current or former probation officer; or
 - (8) a current or former community corrections officer.

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- B. "Judge": Indiana Code 36-1-8.5-3 defines "judge" as an individual who holds or formerly held office as:
- (1) a judge of the supreme court, court of appeals, tax court, circuit court, superior court, municipal court, county court, federal court, probate court, or small claims court; or
 - (2) a magistrate, commissioner, or juvenile referee of a court.
- C. "Law Enforcement Officer": Indiana Code 36-1-8.5-4 defines a "law enforcement officer" as an individual who is employed or was formerly employed as:
- (1) a police officer (including a correctional police officer), sheriff, constable, marshal, prosecuting attorney, special prosecuting attorney, special deputy prosecuting attorney, the securities commissioner, or the inspector general;
 - (2) a deputy of any of the persons specified in subdivision (1);
 - (3) an investigator for a prosecuting attorney or for the inspector general;
 - (4) a conservation officer;
 - (5) an enforcement officer of the alcohol and tobacco commission; or
 - (6) an enforcement officer of the securities division of the office of the secretary of state.
- D. "Victim of Domestic Violence": Indiana Code 36-1-8.5-6 defines a "victim of domestic violence" as a victim of domestic violence who is certified as a program participant in the address confidentiality program established by the attorney general under IC 5-26.5-2.
- E. "Public Official": Indiana Code 36-1-8.5-4.5 defines a "public official" as an individual who holds or formerly held office at any time during the preceding four (4) years in the executive or legislative branch of the state or federal government or a political subdivision of the state or federal government.
- F. "Employee of the Department of Child Services": Indiana Code 36-1-8.5-2.5 defines an "employee of the department of child services" as an individual who is or was employed as any of the following by the department of child services established by [IC 31-25-1-1](#):
- (1) A family case manager trainee.
 - (2) A family case manager.
 - (3) A family case manager supervisor.
 - (4) A local office director.
 - (5) A regional manager.
 - (6) A child services assistant.
 - (7) A child services attorney.
- G. "Public Property Database Website": Indiana Code 36-1-8.5-5 defines a "database website" as an Internet web site that:
- (1) is available to the general public over the Internet;
 - (2) does not require registration, subscription, or the creation of a user name and password to search the web site; and
 - (3) connects a covered person's home address to the covered person's name, so that a search of the web site for the covered person's name discloses the covered person's home address.
- H. "Cooperative Agency": A cooperative agency refers to an agency such as a police department, prosecutor's office, etc. that will agree to compile and keep lists of covered individuals up to date and accurate.

Additional definitions and clarifications can be found by visiting the website for the Indiana General Assembly and searching for I.C. 36-1-8.5.

III. Duty to Comply.

The duty to prevent disclosure of an address as it falls under I.C. 36-1-8.5 rests upon the Dubois County Auditor's Office. The process to comply with the code is outlined below.

A. Bulk Requests from Cooperative Agency (See Sec. II H above):

- (1) An annual request summary shall be sent by the agency's designated administrator via the Dubois County provided electronic form. This list shall include all current covered persons.

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- (2) The list shall also include those individuals that have moved from their primary residence and are therefore no longer covered by statute.
- (3) Individuals that have moved and are still covered according to statute must submit a new request and fee.

B. Requests from individuals for redaction of information:

- (1) The process to verify the validity of a request is completed.
 - a. The Auditor's office will verify the submission is valid and the requestor is covered according to I.C. 36-1-8.5. Any necessary agency shall be contacted to verify applicability of a request. Victims of domestic violence must submit proof of program participation of Attorney General address confidentiality program.
- (2) Process of appeal.
 - a. If an application for redaction is denied by the Auditor's office, the applicant may appeal the decision to the Board of Commissioners.

IV. Result of Changes to Applications and Databases.

As a result of the requests, the following change will be made to the appropriate Dubois County Information Systems or to Third-Party Systems from time-to-time managed by Dubois County:

- A. GIS: The search results for GIS will reflect the changes made to the WTH Think GIS Database for those records marked as "Confidential". These records will display "Information withheld in accordance with I.C. 36-1-8.5" in place of the name information. It is the intention of Dubois County to comply with the intent of the code to not make the property accessible by means of removing the link between name and parcel information.
- B. WTH Think GIS Website: Once the option to suppress has been enabled for a specific parcel, it will not be returned in search results or display in the map.

V. Fee Structure.

- A. Exclusion: Victims of domestic violence per Sec. II C will be excluded from fees.
- B. Initial Request: A fee of \$25.00 per parcel will be assessed for both bulk and individual requests.
- C. Additional Requests: A \$25.00 per parcel fee will be assessed for any changes to the title of the parcel or relocation of the covered person.
- D. Deposits: All fees collected will be deposited to the County General Fund.

VI. Immunity and Litigation Proceedings (I.C. 36-1-8.5-12).

A unit may not be held liable for failure to timely restrict disclosure of an address under this chapter unless the unit's act or omission constitutes gross negligence or willful or wanton misconduct.

VII. Reversal of Privacy Settings.

The public access of removed information can only be done at the request of the original covered person. An individual may request reinstatement of their excluded information.

Should any changes to the title of a covered parcel be made, the existing residence will be removed from the list of confidential properties. A new request will need to be made in order to have the parcel covered again.

VIII. Confidentiality (I.C. 36-1-8.5-11).

All requests made to the unit by a covered person are confidential.

IX. Excluded Properties.

This policy is in effect for requestor's primary residence only, per I.C. 36-1-8.5-7. If the requestor owns or is involved in additional properties that utilize the primary home address as the mailing address, they will be displayed. If the requestor wishes to have those addresses removed as well, the \$25.00 fee will apply to each submission.

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X. Amendments.

Dubois County reserves the right to amend or revise the contents of this policy as deemed suitable. The revised policy will be available on the County website.

XI. Prior Policy and Conflicts.

Dubois County's prior policy adopted by the Board of Commissioners of Dubois County, Indiana, on May 4, 2020 is hereby amended or repealed to comply with the provisions and intent of this Resolution.

PASSED AND ADOPTED, this 7th day of June, 2021 by the Board of Commissioners of Dubois County, Indiana.

RE: ORDINANCE 2021-22 – CODE OF ORDINANCES

A motion was made to approve Ordinance 2021-22 - Code of Ordinances, was duly seconded and carried unanimously.

ORDINANCE NO. 2021-22
AN ORDINANCE ENACTING A CODE OF ORDINANCES FOR
DUBOIS COUNTY, INDIANA, REVISING, AMENDING, RESTATING, COMPILING, CODIFYING, THE
EXISTING ORDINANCES OF DUBOIS COUNTY, INDIANA DEALING WITH SUBJECTS EMBRACED
IN SUCH CODE OF ORDINANCES

WHEREAS, Indiana Code 36-1-5-3 requires the legislative body of counties to codify its ordinances into a complete and simplified code;

WHEREAS, the present general and permanent ordinances of the Dubois County, Indiana are inadequately arranged and classified and are insufficient in form and substance for the complete preservation of the public peace, health, safety and general welfare of the municipality and for the proper conduct of its affairs; and

WHEREAS, the Acts of the Legislature of the State of Indiana empower and authorize the Dubois County, Indiana to revise, amend, restate, codify and compile any existing ordinances and all new ordinances not heretofore adopted or published and to incorporate such ordinances into one ordinance in book form; and

WHEREAS, the Board of Commissioners of Dubois County, Indiana has authorized a general compilation, revision and codification of the ordinances of the Dubois County, Indiana of a general and permanent nature and publication of such ordinance in book form; and

WHEREAS, it is necessary to provide for the usual daily operation of Dubois County, Indiana and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date.

NOW THEREFORE BE IT RESOLVED AND ORDAINED BY THE BOARD OF COMMISSIONERS OF DUBOIS COUNTY, INDIANA AS FOLLOWS:

Section 1. The general ordinances of Dubois County, Indiana as revised, amended, restated, codified, and compiled in book form are hereby adopted as and shall constitute the "Code of Ordinances of Dubois County, Indiana."

Section 2. Such Code of Ordinances as adopted in Section 1 shall consist of the following Titles:

TITLE I: GENERAL PROVISIONS

10. General Provisions

TITLE III: ADMINISTRATION

30. County Council and Board of Commissioners

31. Employees and Officials

32. Organizations

33. Emergency Management

34. Fees, Finances

35. Taxation

36. General Administrative Policies

TITLE V: PUBLIC WORKS

50. Water

51. Waste, Sanitation

TITLE VII: TRAFFIC CODE

70. General Provisions

71. Recreational Vehicles

72. Traffic Schedules

73. Parking Schedules

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TITLE IX: GENERAL REGULATIONS

- 90. Health and Sanitation
- 91. Recreation and Leisure
- 92. Nuisances; Property Maintenance
- 93. Animals
- 94. Fair Housing

TITLE XI: BUSINESS REGULATIONS

- 110. Cable Television Rate Regulations
- 111. Retail Food, Bed and Breakfast Establishment
- 112. Sexually-Oriented Businesses
- 113. Tattoo, Body Piercing Businesses

TITLE XIII: GENERAL OFFENSES

- 130. Offenses Against Public Peace

TITLE XV: LAND USAGE

- 150. Building Regulations; Construction
- 151. Subdivision Standards; Platting

TABLE OF SPECIAL ORDINANCES

- I. Franchises and Agreements
- II. Annexations and Disannexations
- III. Vacations

PARALLEL REFERENCES

- References to Indiana Code
- References to Resolutions
- References to Ordinances

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- Section 3. All prior ordinances pertaining to the subjects treated in such Code of Ordinances shall be deemed repealed from and after the effective date of this ordinance except as they are included and reordained in whole or in part in such Code; provided, such repeal shall not affect any offense committed or penalty incurred or any right established prior to the effective date of this ordinance, nor shall such repeal affect the provisions of ordinances levying taxes, appropriating money, annexing or detaching territory, establishing franchises, or granting special rights to certain persons, authorizing public improvements, authorizing the issuance of bonds or borrowing of money, authorizing the purchase or sale of real or personal property, granting or accepting easements, plat or dedication of land to public use, vacating or setting the boundaries of streets or other public places; nor shall such repeal affect any other ordinance of a temporary or special nature or pertaining to subjects not contained in or covered by the Code.
- Section 4. Such Code shall be deemed published as of the day of its adoption and approval by the Board of Commissioners of Dubois County and the Auditor of Dubois County, Indiana is hereby authorized and ordered to file a copy of such Code of Ordinances in the Office of the Auditor.
- Section 5. Such Code shall be in full force and effect as provided in Section 6, and such Code shall be presumptive evidence in all courts and places of the ordinance and all provisions, sections, penalties and regulations therein contained and of the date of passage, and that the same is properly signed, attested, recorded, and approved and that any public hearings and notices thereof as required by law have been given.
- Section 6. This ordinance shall be effective from and after adoption by the Board of Commissioners of Dubois County and completion of any other legal requirements, all in the manner as provided by law.

PASSED AND ADOPTED by the Board of Commissioners of Dubois County at a regularly scheduled public meeting held on this, the 7th day of June, 2021.

RE: BICYCLE AND PEDESTRIAN MASTER PLAN PROJECT

Commissioner Brames provided information on a public meeting to be held for the Bicycle and Pedestrian Master Plan Project at the Huntingburg Old Town Hall on June 16, 2021. This is an open house type meeting with a short presentation at 6:30 p.m. VS Engineering and Taylor Siefker Williams Design Group, the firms hired to do the feasibility study on the county wide bike & pedestrian trail system, will present a draft proposal.

RE: COVID-19 MEMORIAL – SOLDIER & SAILOR MONUMENT REPAIR

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Commissioner Brames provided an update on the COVID-19 Memorial display. The Committee is looking to possibly place a display bench on the Courthouse lawn. He has been in discussion with the Courthouse Custodian.

The Soldier & Sailor Monument area needs repair. A discussion was held on the historical nature of the cannons and monument. Further information will be gathered before any decisions are made.

RE: HEALTH DEPARTMENT DRIVE THRU

Administrative Director Shawn Werner requested approval to update the canopy in the drive thru at the Health Department. The items will be paid from the Immunizations and Vaccines for Children Program "Moderna" Grant. The following quotes were presented:

Seufert Construction - \$8,450 for all material, labor and equipment necessary to replace the existing canopy with a larger 10' x 12' ceiling hung canopy.

Messmer Mechanical - \$2,500 for a 12,000BTU gas fired unit heater at the overhang location.

A motion was made to approve the modifications to the building as requested, was duly seconded and carried unanimously.

RE: READI GRANT

Commissioner Blessinger provided information on the Indiana READI Grant. The Regional Economic Acceleration and Development Initiative (READI) builds on the framework and successes of the Indiana Regional Cities Initiative and the 21st Century Talent Initiative, encouraging neighboring communities across the state to work collaboratively to develop a bold vision for their future that, when implemented, will attract, develop and retain talent in Indiana. Regions will develop data-driven, actionable and sustainable development plans that outline strategies focused on improving the quality of place, quality of life and quality of opportunity within their communities. To help regions achieve their goals, the Indiana Economic Development Corporation will award up to \$50 million per region to accelerate the implementation of regional development plans and the programs and projects identified that will catalyze economic and population growth. Commissioner Brames will attend a meeting on June 14, 2021 to gather more information.

RE: SURPLUS ITEMS

Auditor Morton requested permission to declare two wooden cabinets from the Assessor's office surplus items. A motion was made to approve the request and to have the Assessor donate them to be reused. The motion was duly seconded and carried unanimously.

RE: PURDUE EXTENSION – NEW PART TIME POSITION

Extension Agent Educators Lisa Wilson and Chelsea Brewer appeared to request the creation of a new part time Bi-lingual Program Assistant for two days per week at the COMOT II wage classification at an additional cost of \$15,000 per year in the 2022 budget. A discussion was held on the County needs. Consensus was to have them return to the next meeting with more detailed information.

RE: PAVING PROJECT BID AWARDS

Upon review by the County Engineer, the following bids were recommended for approval:

<u>Project</u>		<u>Bidder</u>	<u>Award</u>
21-01, 21-02, 21-03	CCMG Packet	C&R Construction	\$712,142.50
21-07	600 West	CalCar Paving	\$187,206.00
21-08	Ackerman Road Northwest Suburban	E & B Paving	\$150,820.00
21-09	Ellsworth Road	C&R Construction	\$211,716.00
21-10	420 South, 170 East 430 South	C&R Construction	\$ 35,000.00

A motion was made to accept the low bids on the paving projects as presented, was duly seconded and carried unanimously.

RE: TIF DISTRICTS

A discussion was held on the TIF districts in the cities of Jasper and Huntingburg. Currently, the Redevelopment Commissions have indicated that no excess assessed valuation will be passed through to the overlapping taxing units in 2022.

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RE: FUTURE MEETINGS

The next regular meeting will be held on June 21, 2021 at 8:30 a.m. in the Commissioners/Council Room of the Courthouse Annex.