

DUBOIS COUNTY COUNCIL

June 28, 2021

The Dubois County Council met on Monday, June 28, 2021 in the Commissioners/Council Chambers in the Dubois County Annex. Present at the meeting were Board Members Michael W. Kluesner, Craig M. Greulich, Charmian R. Klem, Mary E. Beckman, Sonya Haas, Alex P. Hohl, Doug M. Uebelhor and Auditor Sandra L. Morton. A quorum was declared present and President Kluesner called the meeting to order at 4:30 p.m.

RE: MINUTES

President Kluesner asked if there were any additions or corrections to the minutes from the May 24, 2021 meeting. On motion made by Michael Kluesner, seconded by Craig Greulich, the minutes were approved as written.

RE: RESOLUTION 2021- 26 VOTE CENTER COUNTY DESIGNATION

County Clerk Amy Kippenbrock presented Resolution 2021-26 stating the Dubois County Council supports the County moving to a Vote Center County. A motion was made to approve the Resolution as read by Charmian Klem, was duly seconded by Doug Uebelhor and carried unanimously. A public comment period will be held before the County Election Board makes the final determination.

RESOLUTION NO. 2021-26

**RESOLUTION OF THE COUNTY COUNCIL OF DUBOIS COUNTY, INDIANA
APPROVING THE DESIGNATION AS A VOTE CENTER COUNTY**

WHEREAS, Indiana Code § 3-11-18.1, et seq. allows Indiana counties to adopt a vote center model; and

WHEREAS, the County Council of Dubois County, Indiana approves the designation of Dubois County, Indiana as a vote center county; and

WHEREAS, the Dubois County Election Board has the responsibility for properly drafting a vote center plan for Dubois County, Indiana, which will take effect upon unanimous vote of the Dubois County Election Board and having the plan properly filed with the Indiana Election Division.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF DUBOIS COUNTY, INDIANA, that Dubois County, Indiana is designated and approved to operate as a vote center county, upon the required approval by the Dubois County Election Board and filing of the county vote center plan with the Indiana Election Division.

Adopted this 28th day of June, 2021.

RE: VISIT DUBOIS COUNTY – TOURISM COMMISSION

Whitney Lubbers, Director, provided an update on Visit Dubois County and the Tourism Commission. The innkeeper tax collection process was discussed. Currently, Director Lubbers and County Treasurer Kitty Merkley are working to provide on-line payment capabilities for the Innkeepers.

RE: COMMUNITY CORRECTIONS – PRETRIAL SERVICES GRANT

Pretrial Services Coordinator Melissa Niehaus presented the Pretrial Services Grant which will begin on July 1, 2021 and continue through December 31, 2021 in the amount of \$67,445. The grant will fund an additional officer position created by the County Commissioners on June 21, 2021. A motion was made by Charmian Klem, duly seconded by Mary E. Beckman, to approve the Pretrial Services Grant appropriations as follows:

Personal Services	\$62,676.00
Other Services	\$ 3,519.00
Capital Outlay	\$ 1,250.00

The motion carried unanimously. A discussion on the wages for the two officers was held. The wage for the existing officer will be increased to be equal with the other department officers. Consensus was to have Director Durlauf work with Human Resources to complete the Salary Adjustment Request form. A Salary Ordinance was presented as follows:

Two Pretrial Services Officers \$1,649.10 biweekly

A motion was made by Craig Greulich to approve the Salary Ordinance and seconded by Alex Hohl. The motion carried unanimously.

RE: ADDITIONAL APPROPRIATION - CUM CAP FUND

Auditor Morton requested an Additional Appropriation in the Cum Cap Fund Capital Outlay in the amount of \$4,400 for a Copier/Printer/Scanner for Community Corrections. A motion to approve the request was made by Craig Greulich, seconded by Doug Uebelhor. The motion carried unanimously

RE: PRETRIAL SERVICES GRANT TRANSFER

DUBOIS COUNTY COUNCIL

June 28, 2021

Auditor Morton requested a transfer in the Pretrial Services Grant Fund from Personal Services Public Defense Counsel to Other Services Public Defense Contracted Services in the amount of \$22,975 to be aligned with the original grant category. A motion was made by Charmian Klem, seconded by Mary E. Beckman, to approve the transfer and carried unanimously.

RE: RESOLUTION 2021-27 ELECTRONIC MEANS OF COMMUNICATION POLICY

President Kluesner presented Resolution 2021-27 to establish a policy for the County Council. A motion was made to approve Resolution 2021-27 by Craig Greulich, seconded by Sonya Haas, and carried unanimously.

RESOLUTION NO. 2021-27

A RESOLUTION ESTABLISHING THE POLICY BY WHICH MEMBERS OF THE DUBOIS COUNTY COUNCIL, 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 DUBOIS COUNTY COUNCIL, INDIANA:

- 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 Dubois County Council, Indiana (Council) and applies to the Council.
- 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.

DUBOIS COUNTY COUNCIL

June 28, 2021

Section 5. No member of the Council may participate by means of electronic communication in a meeting at which the Council 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 Council' 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.

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

DULY ADOPTED by the Council of Dubois County at a regularly scheduled public meeting held on this, the 28th day of June, 2021.

RE: ORDINANCE 2021-28 RECORDER PERPETUATION FUND

Auditor Morton presented an affidavit and ordinance for Recorder Jackie McPherron to the Council regarding use of the Recorder's Perpetuation Fund. On motion made by Charmian Klem, seconded by Alex Hohl, the ordinance was adopted unanimously.

ORDINANCE #2021-28

AN ORDINANCE OF THE COUNTY COUNCIL OF DUBOIS COUNTY AUTHORIZING THE DUBOIS COUNTY RECORDER TO PAY EXPENSES FROM THE PERPETUATION FUND

WHEREAS, the Recorder of Dubois County has submitted to this County Council her sworn statement asserting that her office maintains a perpetuation fund pursuant to I.C. 36-2-7-10 for the purpose of preserving records held in her office and providing her office with records keeping system and equipment, and further asserting that such purposes are being satisfied using such fund; and

WHEREAS, I.C. 36-2-7-10.2 provides that revenue held in such fund which is in excess of that required for such purposes may be used to pay for other expenses of the Recorder's office if authorized by Ordinance adopted by this Council; and,

BASED upon the sworn statement of the County Recorder that said purposes have been satisfied and that excess revenue remains within such perpetuation fund.

NOW THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF DUBOIS COUNTY, INDIANA, THAT:

1. This Council does hereby approve the request of the Recorder of Dubois County that any revenue held in the Recorder perpetuation fund remaining during 2022 after paying or providing the cost of those purposes for which said fund was established may be used for payment during 2022 of other expenses of such Recorder's office.
2. This Ordinance shall be effective only for and during calendar year 2022.

Adopted this 28th day of June, 2021.

RE: 2022 BUDGET – SOIL & WATER

Director Judi Brown and Board member Brenda Sermersheim appeared to request changing the Resource Specialist from a part time position to full time in the 2022 budget and eliminating the Project Technician and Technical Specialist part time positions. The full time position was previously approved the County Commissioners. A discussion was held. Following a show of hands, 5-2, consensus was to have Director Brown present the full time position in the 2022 budget. Greulich and Uebelhor were the dissenting votes.

RE: ADDITIONAL APPROPRIATION – PURDUE EXTENSION SERVICES

DUBOIS COUNTY COUNCIL

June 28, 2021

Regional Area Director Lisa Wilson and Director Chelsea Brewer of the Dubois County Extension Services appeared to request an Additional Appropriation in the General Fund Other Services in the amount of \$1,925 for the rent of additional office space beginning in July 2021. A motion was made by Alex Hohl, seconded by Sonya Haas, to approve the request. The motion carried unanimously.

RE: ADDITIONAL APPROPRIATION – GENERAL FUND

Auditor Morton requested an Additional Appropriation in the General Fund Other Services in the amount of \$5,000 in Commissioner Operating for Plat Books. A motion to approve the request was made by Craig Greulich, seconded by Doug Uebelhor. The motion carried unanimously.

RE: IMMUNIZATIONS & VACCINES FOR CHILDREN COVID-19 SUPPLEMENT 3 GRANT

Auditor Morton presented the Immunizations & Vaccines for Children COVID-19 Vaccination Supplement 3 Grant. The grant cycle runs from January 2021 through June 30, 2022. The Grant budget of \$87,313.00 was advertised as follows:

Personal Services	\$54,134.06
Supplies	\$14,843.21
Other Services	\$15,716.34
Capital Outlay	\$ 2,619.39

A motion to approve the grant appropriations was made by Charmian Klem and seconded by Mary E. Beckman. The motion carried unanimously. A Salary Ordinance was also presented as follows:

Temporary Clinic Nurses	\$20.00 per Hour
Temporary Clinic Administrative Clerks	\$15.00 per Hour
PRN Nurses	\$22.33 per Hour
Health Staff Comp Time	\$4,000 to be paid at the employees' current rate of pay.

Mary E. Beckman made a motion to approve the Salary Ordinance, was duly seconded by Charmian Klem and carried unanimously.

RE: ADDITIONAL APPROPRIATION - AMERICAN RESCUE PLAN ACT (ARPA)

Auditor Morton requested an Additional Appropriation in the ARP Coronavirus Local Fiscal Recovery Fund in the amount of \$12,583 for the Recovery Plan as adopted by the Board of Commissioners in Ordinance 2021-19. A motion was made to approve the request by Craig Greulich, seconded by Alex Hohl. The motion carried unanimously. The actual amount of ARPA Funds received was increased \$12,583 for a total of \$8,300,967.

RE: ADDITIONAL APPROPRIATION – SOLID WASTE (STICKER)

Auditor Morton requested an Additional Appropriation in the Solid Waste Sticker Fund Other Services in the amount of \$20,000 for Highway Reimbursements. A motion to approve the request was made by Charmian Klem, seconded by Mary E. Beckman. The motion carried unanimously.

RE: TRANSFER OF APPROPRIATION – PARK & RECREATION

Auditor Morton requested a Transfer of Appropriation in the Park & Recreation Fund in the amount of \$4,485.27 from Full Time to Comp Time. A motion to approve the request was made by Doug Uebelhor, seconded by Alex Hohl. The motion carried unanimously.

RE: WAGE CLASSIFICATION SCALE

An error was found in the 2022 Wage Classification Scale for the COMOT III First Deputy positions. The High Wage Range was listed as \$22.96 and should be \$22.99. Consensus was to correct the scale.

RE: 2022 COUNCIL BUDGET

Preparations for the 2022 Council budgets were discussed.

RE: BUILDING PROJECT

President Kluesner provided an update on the building project. Site work has begun.

RE: FUTURE MEETING DATES

The Council will meet at 4:30 p.m. in the Dubois County Annex Commissioner/Council Room on the following dates for the regular monthly meetings: July 26, 2021; August 30, 2021; September 27, 2021; October 25, 2021; November 15, 2021 and December 13, 2021. The 2022 Budget Review for Departments will be held on August 9, 2021 beginning at 8:00 a.m. The Budget Public Hearings will be held on October 13, 2021 at 6:00 p.m. and the Budget Adoptions will be held on October 25, 2021. The final meeting for 2021 will be held on December 29, 2021 at 1:00 p.m.

DUBOIS COUNTY COUNCIL

June 28, 2021

RE: ADJOURNMENT

With no further business to conduct, a motion to adjourn was made by Charmian R. Klem, seconded by Doug Uebelhor. The meeting was adjourned at 6:43 p.m.