

## REGULAR MEETING DUBOIS COUNTY COMMISSIONERS

November 1, 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 November 1, 2021. Present were Commissioners Chad A. Blessinger, Nick Hostetter and Elmer Brames. Also present were County Auditor Sandra L. Morton, County Attorney Gregory S. Schnarr, Highway Supervisor Steven L. Berg and Highway Engineer Brent Wendholt. A quorum was declared present and the meeting was opened for business by President Blessinger. Minutes of the October 18, 2021 meeting of the Commissioners had been previously distributed to the Commissioners and were approved as presented. Minutes of the special meeting held on October 19, 2021 had been previously distributed to the Commissioners and were approved as presented. The minutes were then signed. Incomes for the month of October 2021 were as follows: Recorder \$25,982.24; Health Department \$34,500.17; Auditor \$50.00; Clerk: No totals to report. Clerk submitted income for the month of September as \$24,877.42. 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:

Holland Sanitation Lease Renewal – The existing lease for the Holland sanitation site is about to expire. A signed five-year lease amendment beginning on November 18, 2021 for \$600 per year was presented. A motion was made to approve the lease, was duly seconded and carried unanimously.

MVH Transfer of Appropriation – With the approval of the revised Malcon Contract, an appropriation transfer of \$1,500 from Highway Administration Other Services Computer Equipment Rental and Maintenance to Contracted Services is needed. A motion was made to approve the transfer, was duly seconded and carried unanimously.

Work Zone Safety – Due to recent activity involving work zone safety, additional steps to keep the staff safe are being added by purchasing additional barricades, stands and signs for each road crew. A trailer will also be needed to carry the necessary equipment. Changes to add reflective uniform shirts for the crew is being researched.

### **RE: HIGHWAY ENGINEER'S REPORT**

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

Sight Distance Waiver (Dubois-Cuzco Road) – A Sight Distance Waiver was presented for a Driveway along Dubois-Cuzco Road. There are limited options along the roadway, and this was decided the best location. At this location there will be 350' to the East. The Engineer has reviewed the waiver and recommended approval. A motion was made to approve the Waiver, was duly seconded and carried unanimously.

INDOT Title VI and ADA Compliance – An updated Title VI Plan was presented. Wendholt also requested changing the ADA Compliance Coordinator from himself to HR Generalist Rhodes. A motion was made to approve the Title VI Plan and to appoint Markie Rhodes as the ADA Compliance Coordinator, was duly seconded and carried unanimously.

Courthouse War Memorial Monument – Nothing to report as of this time. Wendholt will be contacting the Community Foundation for funding opportunities.

### **RE: EMPLOYEE UNPAID LEAVE REQUEST**

Human Resource Generalist Markie Rhodes presented an unpaid leave request for a full time employee that does not qualify for Family Medical Leave. The employee will be on leave from November 4, 2021, until December 20, 2021. PTO and Comp time will be used until exhausted for part of the leave. A motion was made to approve the request, was duly seconded and carried unanimously.

### **RE: DUBOIS COUNTY PARK**

A discussion was held on the use of American Rescue Plan funding for the Dubois County Park project since receiving counsel advice of possible risks. The issue will be discussed with the County Council.

### **RE: JASPER DOWNTOWN REVITALIZATION**

Jasper Mayor Dean Vonderheide presented plans for the Jasper Downtown Revitalization project. Funding for the project is projected to be \$4.6 million. The City of Jasper is seeking a contribution toward the project from the County. A motion was made to support the plan as presented, was duly seconded and carried unanimously. Funding discussions will continue with the County Council.

### **RE: ORDINANCE 2021-35 - CELESTINE NEW ORLEANS STREET VACATION**

Tim and Gail Reutman petitioned to vacate part of an undeveloped public street known as New Orleans Street in the Original Town of Celestine north of the north line of St. Charles Street and south of the south line of Bishop Street. Notices of the Public Hearing were published timely. A motion was made to approve Ordinance 2021-35, was duly seconded and carried unanimously.

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**ORDINANCE NO. 2021-35**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS  
OF DUBOIS COUNTY, INDIANA  
VACATING PART OF DEDICATED PUBLIC STREETS IN  
THE TOWN OF CELESTINE, INDIANA**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DUBOIS COUNTY, INDIANA,  
THAT:

SECTION 1. It is the finding of this Board, after public hearing held on November 1, 2021, that adequate reason exists for the vacation of certain portions of the following undeveloped road located in the Plat of the Original Town of Celestine, Dubois County, Indiana, to-wit:

In the Town of Celestine, Indiana, as located in the Southeast Quarter of Section 31, Township 1 South, Range 3 West of Dubois County, Indiana, more specifically described as:

New Orleans Street located North of the north line of St. Charles Street and South of the south line of Bishop Street. Said New Orleans Street has never been dedicated and is fully unimproved.

The West Half of New Orleans Street described herein (being 20 feet wide) consists of a tract, the west line of which, runs from the northeast corner of Lot #34 in the Plat of the Original Town of Celestine, south to the southeast corner of Lot #39 in said Plat. The east half of New Orleans Street described herein (being 20 feet wide) consists of a tract, the east line of which, runs from the northwest corner of Lots #33 in the Plat of the Original Town of Celestine, South to the southwest corner of Lot #40 in said Plat.

This Board further finds as follows:

- (a) That proper notice has been given by publication of said hearing and that no notice by certified mail is required;
- (b) That the described portions of the dedicated street have never been developed, but are currently in yards or private use areas, and in ditch and wooded areas, are of no essential public purpose, are not necessary for access, ingress or egress with respect to any property contiguous thereto, are not necessary for the growth or orderly development of the immediate neighborhood, and vacation would not hinder access to any church, school or public building or place.
- (c) That developed adjacent lots are all served by direct access to other developed public streets.
- (d) That the adjacent property owners have petitioned for the vacation of said roads;
- (e) There are no known public utilities existing along, over and/or under said dedicated street. Pursuant to I.C. § 36-7-3-16, this ordinance shall not deprive any public utility of the use of all or part of said public way to be vacated, as the utility is occupying and using all or part of the public way for the location and operation of its respective facilities, and that the easements for said utilities shall continue after vacation of the street.
- (f) That the vacation of said public streets will not diminish the value of any other real estate located in the vicinity thereof;
- (g) That no reason exists for the continued existence of said Street and the same should now be vacated.

SECTION 2. That the portion of said New Orleans Street as herein described shall be and is hereby vacated, subject however to a continuing perpetual easement as to any public utilities which are now located within the boundaries thereof.

SECTION 3. That legal title in and to said real estate shall be and is hereby vested in and divided equally between each respective adjacent property owner, to-wit: Timothy R. Reutman and Gail A. Reutman, Husband and Wife; and Samuel L. Bruner.

SECTION 4. This Ordinance shall be in full force and effect from and after its adoption.

DULY PASSED ADOPTED, this 1<sup>st</sup> day of November, 2021 by the Board of Commissioners of Dubois County, Indiana.

**RE: SHERIFF DEPARTMENT UPDATE**

Sheriff Tom Kleinhelter provided an update on the construction progress at the Jail. He also discussed the process for purchasing vehicles. The current population in the jail is 87 inmates. He provided information on the current department staffing.

**RE: TREASURER KIOSK**

Treasurer Kitty Merkley rescinded her request for a payment Kiosk.

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**RE: PURDUE EXTENSION OFFICE SPACE**

The County Council denied funding for the request by the Purdue Extension Office to lease the location at 201 W. Sixth Street in Jasper. The Extension Office will continue to research office options.

**RE: SURPLUS ITEMS**

Auditor Morton provided a list of items from Emergency Management and the Courtrooms to be declared surplus. Consensus was to table a decision until the items could be reviewed by the Commissioners.

**RE: SUBSTANCE ABUSE COUNCIL CLAIM**

A reimbursement claim, which was denied for payment, was presented for review. A discussion was held. A motion was made to approve the payment of \$150, was duly seconded and carried unanimously.

**RE: MALCON FUEL EXCISE TAX REIMBURSEMENT**

Per discussion at the previous meeting, the updated Malinowski Consulting, Inc. (Malcon) contract and limited POA was presented for signatures.

**RE: WHITE STALLION BANKRUPTCY**

County Attorney Greg Schnarr presented an update on the White Stallion Bankruptcy status.

**RE: ARPA FUNDING**

County Attorney Greg Schnarr presented information on a proposal by Barnes & Thornburg to assist with legal questions or concerns on the use of American Rescue Plan money at a cost of \$2,500 per month up to \$20,000. No action was taken at this time.

**RE: HALL TOWNSHIP PROPERTY**

A discussion was held on a taxpayer's request to purchase a County owned parcel that sits within his property in Hall Township. The item was taken under advisement.

**RE: 2022 APPOINTMENTS**

The list of expiring appointments was reviewed.

**RE: VETERAN'S SERVICE OFFICE**

Veteran's Service Officer Gary Love has requested changing his position from part time to full time status. The item will be taken under advisement.

**RE: REGIONAL SEWER DISTRICT**

Commissioner Hostetter provided an update on the Regional Sewer District.

**RE: FUTURE MEETINGS**

The next regular meeting will be held on November 15, 2021 at 8:00 a.m. in the Commissioners/Council Room of the Courthouse Annex. The Dubois County Drainage Board will meet on Tuesday, January 4, 2022 at 9:00 a.m. The Board of Finance will meet on Tuesday, January 18, 2022 at 8:30 a.m.