

**REGULAR MEETING DUBOIS COUNTY COMMISSIONERS**

**July 3, 2023**

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 July 3, 2023. Present were Commissioner Chad A. Blessinger, Commissioner Nick Hostetter and Commissioner Serice Stenftenagel. Also present were County Auditor Sandra L. Morton and County Attorney Gregory S. Schnarr. Highway Supervisor Steven L. Berg and Highway Engineer Brent Wendholt were absent. A quorum was declared present and the meeting was opened for business by President Blessinger. Minutes of the June 19, 2023 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 June 2023 were as follows: Recorder \$19,850.74; Health Department \$31,216.77; Auditor \$71.00; Clerk \$32,259.76. 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: SHERIFF STAFF REQUEST**

Sheriff Tom Kleinhelter requested a staff increase of three deputy positions be created for the 2024 budget. If awarded, the COPS Hiring Grant would partially fund two deputies. Following discussion, a motion was made to approve the two positions partially funded using the Cops Hiring Program Grant for 2024. The third position was denied. The motion was duly seconded and carried unanimously.

**RE: HIGHWAY ENGINEER REPORT**

Due to the absence of County Engineer Wendholt, Commissioner Blessinger read the following report of Highway projects:

Safe Streets for All (Action Plan) – Requests for Proposals will be sent to consulting firms in the next few weeks to aid in getting the plan together.

Bridge #14 Replacement (Division Road) – The bridge is open (temporarily) for traffic but will be closed when the project area is striped.

2023 HAC Paving Projects –

2022-2 CCMG	Portersville Road/Town of Portersville	Completed on May 24 <sup>th</sup>
23-01	100 E, 420 N, 520 N	Completed on June 14 <sup>th</sup>
23-02	550 W & 450 W	Completed on June 19 <sup>th</sup> & 20 <sup>th</sup>
23-03	300 N & 325 E	Not yet scheduled
23-04	Celestine Road North	Not yet scheduled
23-05	500 E & Town of St. Marks	Not yet scheduled
2023-1 CCMG	Kellerville Road & 1100 South	Not yet scheduled

Chip Seal Paving Progress –

Overlay Projects

Himsel Road (Portersville Rd West to Surface Change)	Complete
800 West (St. Rd. 56 to 200 N)	Complete
300 North (750 W to Pike County Line)	Complete
Ireland Dumpster Site	Complete
900 West (150 N to Pike County Line)	Complete
Portersville Road West (Portersville Road to 550 W)	Complete
Haysville Road West (St. Rd. 56 to 200 W)	Complete
Huntingburg Dumpster Site	Complete
Dubois Road Northwest (St. Rd. 545 to 325 E)	Complete
Hall Creek Road (400 E to 500 E)	Complete
Ferdinand Dumpster Site	Complete
Old State Road 162 (St. Rd. 162 to St. Rd. 162)	Complete
230 South (Timberlin Lane to Jackson TSL)	Complete
Fairgrounds Drive (St. Rd. 162 to County Fairgrounds)	Complete
Old State Road 162 (St. Rd. 162 to Dead End)	Complete
475 East (St. Rd. 264 to Convent Rd.)	In-Progress
800 South (St. Rd. 161 to Surface Change)	
750 West	

Patching Projects

775 West	Schnell Road
Holland Road NE	Mentor Road South
500 West	1025 East
1150 South	Taylor Hollow Road
1200 South	Kings Ridge Road
950 South	330 North
1160 South	450 North

350 East	Cuzco Norton Road
450 East	900 North
750 South	325 East
700 South	400 West
650 South	50 North
245 East	800 West
700 East	800 West
400 South	725 North
750 West	

New Chip Seal Project

Cuzco-Norton Road

**RE: COMMUNITY CORRECTIONS CONSTRUCTION**

Commissioner Blessinger provided an update on the construction project at Community Corrections. They are hoping to move back into their building at the end of July.

**RE: HEALTH DEPARTMENT CARPORT STORAGE**

Health Administrative Director Shawn Werner requested approval for the construction of a carport/storage area building at the Health Department site. By moving the storage items, this would provide more office space for increased staff, as well as providing a carport for the trailer that is currently kept out in the weather. The total project estimates were provided at a cost of \$30,074.51. Werner will use grant funding.

A motion was made to approve the request pending review by the County Attorney to ensure proper bidding was taken. The motion was duly seconded and carried unanimously.

After review by County Attorney Schnarr, his opinion was this is a public works project and additional quotes will be sought. This item was tabled until the next meeting.

**RE: ST. CHARLES ANNEX - WIC LEASE**

County Attorney Schnarr is working on updating the current lease for the Women Infants and Children Program which was recommended by the State Board of Accounts during the audit of County financials. The WIC program leases space at the Health Department.

**RE: HEALTH DEPARTMENT CELL PHONES**

Administrative Director Werner requested approval to add four cell phone service lines to the County plan. One line is needed now for the environmental/preparedness position and three lines would be added in 2024 for new positions added through the Governor's Commission for Public Health Fund. A motion was made to approve adding four cell phone lines to the county plan as requested. The motion was duly seconded and carried unanimously.

**RE: COMMUNITY CORRECTIONS STAFF REQUEST**

Community Corrections Director Wyatt Madden requested moving the part time Administrative Assistant to full time status on August 1, 2023. A motion was made to approve changing the position to full time status for as long as it can be funded by Misdemeanant Funds, pending Dubois County Council approval. Full time status is set to begin August 1, 2023. The motion was duly seconded and carried unanimously.

**RE: 2024 BUDGET – EMS AMBULANCE SERVICE**

EMS Coordinator Ryan Young appeared to discuss the EMS Ambulance Services program and presented the 2024 budget request in the amount of \$654,432. Consensus was to support the 2024 budget request and forward it to the County Council.

**RE: PROSECUTOR STAFF REQUEST**

Prosecutor Beth Schroeder requested the creation of a Circuit Court Prosecutor Assistant which was tabled at the previous meeting. A motion was made to create a new full time Prosecutor Assistant position for the 2024 budget which would have the wage classification of COMOT III pending funding approval by the County Council. The motion was duly seconded and carried 2-1. Blessinger was the dissenting vote.

**RE: 911 GENERATOR**

911 Director Stuart Wilson presented information on the quotes received to replace the generators at the 911 Center tower and the Greener Road tower.

	911 Center Tower	Greener Road Tower
Weyer Electric	\$5,475	\$5,475

Varitech

\$4,965

\$5,216

A motion was made to accept the bids from Varitech, was duly seconded and carried unanimously.

**RE: 911 STAFF REQUEST**

911 Director Stuart Wilson requested the creation of a new Communication Officer to be added to the 2024 budget. A discussion was held about staff turnover, no available trainers, and the increase in call numbers. Currently it takes approximately 6 months at a minimum to train a new employee with no experience. A motion was made to create a Communication Officer position in the 2024 budget, was duly seconded, and carried unanimously. The new position will be classified as CPOLE III for wages.

**RE: 2024 BUDGET - SOIL & WATER**

Soil & Water Board Chair Brenda Sermersheim introduced the new Soil & Water Director Aubree Pond. They presented the 2024 budget in the amount of \$212,378 which included a request to hire a new Part Time Invasive Species Specialist at a cost of \$30,000 which would work 25 hours per week. Currently, the position is funded by a Clean Water Indiana grant which is ending December 31, 2023. After discussion, the request to create the position was denied. Consensus was to support the 2024 budget request with the change noted.

**RE: CAMP CARNES RIGHT-OF-WAY DEDICATION**

Phil Buehler, Brosmer Land Surveying and Engineering, representing the City of Jasper, presented a subdivision plat for Camp Carnes in Marion Township and request a Right-of-Way Dedication. A motion was made to accept the dedicated right-of-way on Jasper-Dubois Road, was duly seconded and carried unanimously.

**RE: RESOLUTION 2023-10**

Commissioner Blessinger presented Resolution 2023-10 to accept the Preliminary Engineering Report (PER) prepared by Clark-Dietz for the Regional Sewer District. A motion was made to approve the Resolution, was duly seconded and carried unanimously.

**RESOLUTION NO. 2023-10**

**A RESOLUTION OF THE DUBOIS COUNTY BOARD OF COMMISSIONERS ACCEPTING A PRELIMINARY ENGINEERING REPORT (“PER”)**

WHEREAS, the Dubois County Commissioners of Dubois County, Indiana, has caused a Preliminary Engineering Report (“PER”), dated March 2023, to be prepared by the consulting firm of Clark Dietz; and

WHEREAS, said PER has been presented to the public at a public hearing held on November 21, 2022, at the Dubois County Annex Building in Jasper, IN, for public comment; and

WHEREAS, the Dubois County Commissioners Council / Board of Trustees finds that there was not sufficient evidence presented in objection to the recommended project in the PER.

Now, therefore be it resolved that:

1. The PER dated March 2023 be approved and adopted by the Board of Commissioners of Dubois County, Indiana; and
2. Said PER be submitted to the State Revolving Fund Loan Program for review and approval.

DULY ADOPTED AND APPROVED this 3<sup>rd</sup> day of July, 2023 by the Board of Commissioners of Dubois County, Indiana.

**RE: RESOLUTION 2023-11**

County Attorney Schnarr presented Resolution 2023-11 to amend Resolution 2021-21, a Resolution Amending Restricted Addresses Policy. A motion was made to approve the Resolution, was duly seconded and carried unanimously.

**RESOLUTION NO. 2023-11**

**RESOLUTION AMENDING  
RESTRICTED ADDRESSES POLICY**

(Amending Dubois County Code of Ordinance § 36.20, *et seq.*, Resolution No. 2021-21)

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 and establishment of 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 December 21, 2015, amended on May 4, 2020 by Resolution 2020-05, and amended on June 7, 2021 by Resolution 2021-21, all of 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": Indiana Code 36-1-8.5-2 defines a "covered person" as:

- (1) A judge;
- (2) A law enforcement officer;
- (3) An address confidentiality program participant;
- (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;
- (8) A current or former community corrections officer; or
- (9) A regular, paid firefighter or a volunteer firefighter (as defined in [IC 36-8-12-2](#)).
- (10) Any person who resides in the same household as a person described in subdivisions (1) through (9).

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": Effective July 1, 2023, 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 tribal police officer, a correctional police officer, and a hospital police officer employed by a hospital police department established under IC 16-18-4), 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. "Address Confidentiality Program Participant": Effective July 1, 2023, Indiana Code 36-1-8.5-4.3 defines a "program participant" has the same meaning set forth in Indiana Code 5-26.5-1-6, which is an individual who is certified as a program participant in the address confidentiality program established by the attorney general under IC 5-26.5-2-3.

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.
- (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 or subsequent database(s) and/or website(s) 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 or Subsequent Database(s) and/or Website(s): 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).

A written request, notification of name change, or any other information submitted to the unit by a covered person under this chapter is confidential under [IC 5-14-3-4\(a\)](#).
- 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.
- 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 December 21, 2015, amended on May 4, 2020 by Resolution 2020-05, and amended on June 7, 2021 by Resolution 2021-21, is hereby amended or repealed to comply with the provisions and intent of this Resolution.

PASSED AND ADOPTED, this 3<sup>rd</sup> day of July, 2023 by the Board of Commissioners of Dubois County, Indiana.

**RE: BICYCLE AND PEDESTRIAN PLAN – NEXT LEVEL TRAILS GRANT**

Mark Nowotarski is working on the Next Level Trails Grant to help implement the Bicycle and Pedestrian plan. Commissioner Blessinger discussed the projects could be completed in two phases. The first step being the County Bike & Pedestrian Plan Red Route. The total cost estimated in the 2021 plan was \$594,000 and includes pavement markings along with way-finding signage added along existing roadways. The second step to consider is a trail from Jasper to Huntingburg at a cost of approximately \$5,000,000. Funding options were discussed. The Next Level Trails Grant is a reimbursable grant with a 20% local match required. It was determined to budget \$600,000 in the LIT-ED budget for 2024 and to apply for the grant. Funding will only be used if the grant is awarded.

**RE: COMMISSIONER 2024 BUDGET**

The 2024 Budget for the Commissioners was prepared and will be forwarded to the County Council.

**RE: HIGHWAY CDL TRAINER**

Auditor Morton discussed the need to approve the Highway CDL Trainer position to receive an additional wage in the 2024 budget for maintaining the trainer certification and to receive a one-time stipend per trainee once the training has been completed. Following discussion, it was determined to support the wage increase and to leave the stipend request in the 2024 budget for now. The stipend will be discussed in more detail when more information is obtained.

**RE: HOLLAND ROAD EAST - RIGHT OF WAY VIOLATION**

County Attorney Schnarr provided an update on the right-of-way violation on Holland Road East. A certified letter was sent to the property owner and was also delivered by the Sheriff. The issue will be addressed at the Commissioner meeting on July 17, 2023.

**RE: JASPER HEALTH & WELLNESS CENTER**

Commissioner Blessinger presented a request from the City of Jasper requested \$1,000,000 to be used toward the Jasper Health & Wellness Center.

**RE: FUTURE MEETING**

The next regular meeting will be held on Monday, July 17, 2023, at 8:00 a.m. in the Commissioners/Council Room of the Courthouse Annex.