

REGULAR MEETING DUBOIS COUNTY COMMISSIONERS

JULY 5, 2022

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 5, 2022. Present were Commissioner Chad A. Blessinger, Commissioner Nick Hostetter and Commissioner Elmer Brames. Also present were County Auditor Sandra L. Morton, Highway Supervisor Steven L. Berg, and County Attorney Gregory S. Schnarr. A quorum was declared present and the meeting was opened for business by President Blessinger. Minutes of the June 20, 2022, regular meeting had been previously distributed to the Commissioners and were approved as presented. The minutes were then signed. Incomes for the month of June 2022 were as follows: Recorder \$25,559.26; Health Department \$18,168.99; Auditor \$390.00; Clerk \$27,476.05; 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:

Invoice Approval – An invoice was received from American Structurepoint for bridge inspection work performed this period in the amount of \$31,946.44 for work on Phase I inspection. A motion was made to approve the invoice, was duly seconded and carried unanimously.

CCMG Form 96 – The Contractors Bid for Public Work Form 96 for J.H. Rudolph & Co. was presented for signature.

Chip Sealing Overlays and Patching – Chip Seal overlays have completed. Work will begin on patching areas as follows:

Ferdinand	450 East (SR 264 - 825S) 825 South (Club Road – 450 E) 750 South (East of Ferdinand)
Cass	600 West (1200 S – Holland Road E) CR 775 West – (New Surface Paving) 900 S – (Holland Road SW)
Patoka	650 West (450 S – 350 S) 800 West (300 S- 450S)
Madison	800 West (300 S – Surface Change) 550 West (New Surface Paving – Kessner Bridge Road – 300 South)
Jackson	St. Anthony Road West (230 S – 350 S) 700 East (400 S – 650 E) 400 South (Santine Road – 600 E)
Jefferson	400 South (Pine Ridge Road – 700 E) 975 East (Schnellville Road – Dead End) Mentor Road South (Conservation Club Road – Taylor Hollow Road)
Marion/Harbison Hall	175 East (300 N – SR 56) 900 East (SR 545 – SR 164) Lakeview Drive in Woodland Hills
Boone Bainbridge	400 West (500 N – 570 N) East 36 th Street (East of Mill Street) 250 South (Old Huntingburg Road – 200 S) Jasper Dumpster Site

Lemmon Church Signage - Commissioner Blessinger requested review of the signage for directions to the Lemmon Church in Boone Township. Berg will review and report at the next meeting.

RE: 2023 BUDGET

The 2023 Commissioners department budget was discussed.

RE: 911 DEPARTMENT HOURS RESTRUCTURING

911 Director Stuart Wilson, following approval from the 911 Board, appeared to request restructuring work hours for the 911 Department in 2023. No changes will be made to the Director and Assistant Director positions. The following changes were discussed:

911 Shift Supervisor - Aaron Miller has been chosen as the shift supervisor within the department. If created by the Commissioners, the position would be classified as a CPOLE IV. The proposed change would be from 37 1/3 hours per week to 40 hours which would change the position to a 10.86 hour workday for PTO. The schedule would be flexible and fill in where needed working both 8 and 12 hour shifts. Discussion was held on the creation of the Shift Supervisor position, the job description, and the change to the PTO time.

A motion was made to grant the request to create the position of Shift Supervisor, adjust the PTO schedule and reword the job description beginning in 2023. The motion was duly seconded and carried.

REGULAR MEETING DUBOIS COUNTY COMMISSIONERS

JULY 5, 2022

Telecommunicators - The twelve telecommunicators should remain unchanged with a position code of CPOLE III. Wilson requested changing the scheduled work hours from an average of 37 1/3 hours per week to an average of 38 hours per week which would be accomplished by having 76 hour pay periods. This change will require a change to the current PTO Policy from 10.67 to 10.86 hour workday. The schedule will be 5-12 hour shifts and 2-8 hour shifts for each pay period. A motion was made to change the telecommunicators from 37 1/3 hours to 38 hours per week pending Council funding for the 2023 budget, was duly seconded and carried.

Commissioner Brames and 911 Director Wilson will work with HR Generalist Rhodes and return with changes for the PTO policy.

RE: SCHOOL RESOURCE OFFICER – SOUTHEAST DUBOIS SCHOOL CORPORATION

Sheriff Tom Kleinhelter presented information from the Southeast Dubois School Corporation requesting an additional school resource officer. The Corporation is seeking a grant to assist with the expenses for a second officer. Consensus was to have Sheriff Kleinhelter seek additional information and return to the next meeting on July 18, 2022.

RE: SULTAN’S ENTERTAINING & LODGING ADDITION – DEDICATED RIGHT-OF-WAY

Brad Eckerle, Brosmer Land Surveying & Engineering, appeared to request approval on a Dedicated Right-of-Way on Meridian Road for the Sultan’s Entertaining & Lodging Addition in Bainbridge Township. A motion was made to approve the request as presented, was duly seconded and carried unanimously.

RE: HAYSVILLE STREET FEST

Tim Kramer, Haysville Street Fest, requested closure of Park Street in Haysville on July 9, 2022, from 3:30 p.m. – 12:00 a.m. A motion was made to approve the request, was seconded and carried unanimously.

RE: AMBULANCE BID

County Attorney Greg Schnarr and EMS Director Ryan Young presented the Ambulance bid from American Response Vehicles in the amount of \$317,678.42 and recommended approval. A motion was made to accept the bid, was duly seconded and carried unanimously.

RE: ORDINANCE 2022-12

Attorney Schnarr presented the final version of Ordinance 2022-12 establishing and adopting the default standards for commercial solar energy systems. A motion was made to adopt Ordinance 2022-12, was duly seconded and carried unanimously.

ORDINANCE NO. 2022-12

AN ORDINANCE ESTABLISHING AND ADOPTING DEFAULT STANDARDS FOR COMMERCIAL SOLAR ENERGY SYSTEMS

WHEREAS, the Indiana Legislature adopted Senate Enrolled Act 411, portions of which will be codified as I.C. § 8-1-42, *et seq.*; and

WHEREAS, effective July 1, 2022, I.C. § 8-1-42, *et seq.* establishes the Default Standards for Commercial Solar Energy Systems; and

WHEREAS, I.C. § 8-1-42-1 provides in part that the standards set forth in IC § 8-1-42-10 through IC § 8-1-42-20, or standards less restrictive than the standards set forth in IC § 8-1-42-10 through IC § 8-1-42-20, apply to a project owner that, after June 30, 2022, files an initial application for a project to install or locate one (1) or more CSE systems in a unit that qualifies as a solar energy ready community under subsection (d).

WHEREAS, I.C. § 8-1-42-1 defines a “solar energy ready community” as a unit that has voluntarily adopted: **(1)** the standards set forth in standards set forth in IC § 8-1-42-10 through IC § 8-1-42-20; or **(2)** standards less restrictive than the standards set forth in IC § 8-1-42-10 through IC § 8-1-42-20.

NOW THEREFORE, IN CONJUNCTION WITH I.C. § 8-1-42 BE IT RESOLVED AND ORDAINED BY THE BOARD OF COMMISSIONERS OF DUBOIS COUNTY, INDIANA THAT:

SECTION 1. For the purpose of this ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

- a. As used in this Ordinance, “**commercial solar energy system**”, or “**CSE system**”, means a system that: (1) has a nameplate capacity of at least ten (10) megawatts; and (2) captures and

REGULAR MEETING DUBOIS COUNTY COMMISSIONERS

JULY 5, 2022

converts solar energy into electricity: (a) for the purpose of selling the electricity at wholesale; and (b) for use in locations other than where it is generated.

The term "**commercial solar energy system**", or "**CSE system**" includes solar panels, collection and feeder lines, generation tie lines, substations, ancillary buildings, solar monitoring stations, and accessory equipment or structures.

- b. As used in this Ordinance, "**commercial solar regulation**" refers to any ordinance or regulation, including any: (1) zoning or land use ordinance or regulation; or (2) general or specific planning ordinance or regulation; that is adopted by a unit and that concerns the permitting, construction, installation, siting, modification, operation, or decommissioning of CSE systems in the unit.
- c. As used in this Ordinance, "**dwelling**" means any building, structure, or part of a building or structure that is occupied as, or is designed or intended for occupancy as, a residence by one (1) or more families or individuals.
- d. As used in this Ordinance, "**nonparticipating property**" means a lot or parcel of real property: (1) that is not owned by a project owner; and (2) with respect to which: (A) the project owner does not seek: (i) to install or locate one (1) or more CSE systems or other facilities related to a CSE system project (including power lines, temporary or permanent access roads, or other temporary or permanent infrastructure); or (ii) to otherwise enter into a lease or any other agreement with the owner of the property for use of all or part of the property in connection with a CSE system project; or (B) the owner of the property does not consent: (i) to having one (1) or more CSE systems or other facilities related to a CSE system project (including power lines, temporary or permanent access roads, or other temporary or permanent infrastructure) installed or located; or (ii) to otherwise enter into a lease or any other agreement with the project owner for use of all or part of the property in connection with a CSE system project.

The term "**nonparticipating property**" does not include a lot or parcel of real property otherwise described in subsection (a) if the owner of the lot or parcel consents to participate in a CSE system project through a neighbor agreement, a participation agreement, or another similar arrangement or agreement with a project owner.

- e. As used in this Ordinance, "**permit authority**" means: (1) a unit; (2) the Board of Commissioners of Dubois County, Indiana; or (3) a board, a commission, or any other governing body of a unit; that makes legislative or administrative decisions concerning the permitting, construction, installation, siting, modification, operation, or decommissioning of CSE systems in the unit.

The term **permit authority** does not include: (1) the state or any of its agencies, departments, boards, commissions, authorities, or instrumentalities; or (2) a court or other judicial body that reviews decisions or rulings made by a permit authority.

- f. As used in this Ordinance, "**project owner**" means a person that: (1) will own one (1) or more CSE systems proposed to be located in a unit; or (2) owns one (1) or more CSE systems located in a unit.

The term "**project owner**" includes an agent or a representative of a person described in herein.

The term "**project owner**" does not include an electricity supplier (as defined in IC § 8-1-2.3-2).

- g. As used in this Ordinance, "**unit**" refers to: (1) Dubois County, if a project owner, as part of a single CSE system project or development, seeks to locate one (1) or more CSE systems: (A) entirely within unincorporated areas of Dubois County; or (B) within both unincorporated areas of Dubois County and one (1) or more municipalities within the county.

The term "**unit**" refers to: (1) each county described herein in which a project owner seeks to locate one (1) or more CSE systems, if the project owner seeks to locate CSE systems in more than one (1) county as part of a single CSE system project or development.

- h. As used in this Ordinance, "**force majeure event**" includes the following: (1) Fire, flood, tornado, or other natural disasters or acts of God. (2) War, civil strife, a terrorist attack, or other similar acts of violence. (3) Other unforeseen events or events over which a project owner has no control.

REGULAR MEETING DUBOIS COUNTY COMMISSIONERS

JULY 5, 2022

SECTION 2. CSC System Siting Limits.

- a. The Default Standards for CSC system siting limits established by I.C. § 8-1-42-10 are adopted.

SECTION 3. CSC System Site Vegetation Plan.

- a. The Default Standards for CSC system site vegetation plan established by I.C. § 8-1-42-11 are adopted.

SECTION 4. Enclosure of CSC System.

- a. The Default Standards for enclosures of CSC system established by I.C. § 8-1-42-12 are adopted.

SECTION 5. Location of CSC System Infrastructure.

- a. The Default Standards for locations of CSC system infrastructure established by I.C. § 8-1-42-13 are adopted.

SECTION 6. Minimizing Glare and Vehicular Traffic Disruption by SCE Systems.

- a. The Default Standards for minimizing glare and vehicular traffic disruption by CSC systems established by I.C. § 8-1-42-14 are adopted.

SECTION 7. CSC System Mitigation Requirements.

- a. The Default Standards for CSC system mitigation requirements established by I.C. § 8-1-42-15 are adopted.

SECTION 8. CSC System Sound Limits.

- a. The Default Standards for CSC system sound limits established by I.C. § 8-1-42-16 are adopted.

SECTION 9. Repair of Damage Related to CSC Systems.

- a. The Default Standards for repair of damage related to CSC systems established by I.C. § 8-1-42-17 are adopted.

SECTION 10. CSC System Decommission Plans and Site Restoration Plans.

- a. The Default Standards for CSC system decommission plans and site restoration plans established by I.C. § 8-1-42-18 are adopted.

SECTION 11. CSC System Abandonment.

- a. The Default Standards for CSC system abandonment established by I.C. § 8-1-42-19 are adopted.

SECTION 12. Responsibilities of Project Owner.

- a. The Default Standards for the responsibilities of Project Owner due to a Force Majeure Event established by I.C. § 8-1-42-20 are adopted.

SECTION 13. Severability.

- a. Should any section, paragraph, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of said Ordinance shall not be affected thereby and shall remain in full force and effect.

SECTION 13. Date of Effect.

- a. Effective July 1, 2022, this Ordinance shall be in full force and effect from and after its passage, and approval, according to the laws of the State of Indiana.

DULY ADOPTED by the Board of Commissioners of Dubois County at a regularly scheduled public meeting held on this, the 5th day of July, 2022.

REGULAR MEETING DUBOIS COUNTY COMMISSIONERS

JULY 5, 2022

RE: VETERAN SERVICES OFFICE DOOR

Auditor Morton presented a quote to install an automatic door opener on the Veteran Services Office. The quote was from Keusch Glass at a cost of \$2,650. The estimated electrical costs are approximately \$500. A motion was made to approve the installation, was duly seconded and carried unanimously. Custodian Scott Hopf was authorized to sign the quote.

RE: H.E.L.P. COORDINATOR

HR Generalist Markie Rhodes recommended hiring Rilyn Rusher Bawel as the H.E.L.P. Coordinator to begin on July 11, 2022. A motion was made to approve the hire pending administrative procedures, was duly seconded and carried. Office space and equipment was discussed. Commissioner Brames will work with Custodian Hopf to find office space. ARPA funding will be used to purchase a laptop and office supplies as needed.

RE: READI GRANT

Commissioner Brames discussed possible projects for the READI Grant such as the Bike and Pedestrian Trails project. Cost estimates for the trail signs may be a possibility.

RE: 2023 BUDGET – TRI-CAP RSVP

Rachel Trabant, representing Tri-Cap RSVP, appeared to request the proposed County contribution to the RSVP program. She summarized the various services provided by the Program, the number of volunteers who work in the program, and the benefits received by the residents of Dubois County. The RSVP Program is requesting \$5,000 from the County. Consensus of the Commissioners was to approve the request for \$5,000 in the 2023 Commissioner budget.

RE: FUTURE MEETING

The next regular meeting will be held on Monday, July 18, 2022, at 8:00 a.m. in the Commissioners/Council Room of the Courthouse Annex.