

DUBOIS COUNTY COUNCIL

December 27, 2023

The Dubois County Council met on Wednesday, December 27, 2023 in the Commissioner/Council Chambers in the Dubois County Annex. President Michael Kluesner called the meeting to order at 9:00 a.m. Present at the meeting were Board Members Michael W. Kluesner, Sonya Haas, Doug Uebelhor, Alex P. Hohl, Meredith Voegerl, Ryan Craig, Daryl Schmitt and Auditor Sandra L. Morton.

RE: MINUTES

President Kluesner asked if there were any additions or corrections to the minutes from the meeting held on December 11, 2023. On motion, made by Daryl Schmitt, seconded by Ryan Craig, the minutes were approved as written.

RE: APPROPRIATION TRANSFERS - LATCF

Auditor Morton requested a transfer of appropriation in the LATCF Fund in the amount of \$50,000 from Other Services for Courthouse Maintenance to Capital Outlay Courthouse/Annex Building. Ryan Craig made a motion to approve the transfer of appropriation, was seconded by Daryl Schmitt, and carried unanimously.

RE: APPROPRIATION TRANSFERS – COUNTY GENERAL

Auditor Morton requested a transfer of appropriation in the General Fund Prosecuting Attorney Personal Services in the amount of \$1,070.60. A Deputy Prosecutor was paid out PTO time upon leaving employment. The transfer was from another Deputy Prosecutor line item. Doug Uebelhor made a motion to approve the transfer of appropriation, was seconded by Meredith Voegerl, and carried unanimously.

Auditor Morton requested a transfer of appropriation in the General Fund Jail Personal Services in the amount of \$6,441.96 from Academy Training and \$405.02 from a Deputy to Other Services for Uniforms. Ryan Craig made a motion to approve the transfer of appropriation, was seconded by Sonya Haas, and carried unanimously.

RE: APPROPRIATION TRANSFERS – MVH HIGHWAY FUNDS

Auditor Morton requested a transfer of appropriations from the MVH Highway Fund to MVH Highway Restricted Fund Personal Services in the amount of \$57,162.29 for Equipment Operators and \$10,349.36 for Foreman. Sonya Haas made a motion to approve the transfer of appropriations, was seconded by Alex Hohl, and carried unanimously.

Auditor Morton requested a transfer of appropriations from the MVH Highway Restricted Fund to MVH Highway Fund Personal Services in the amount of \$1,502.72 for Assistant Supervisor and Capital Outlay in the amount of \$17,492.64 for Equipment. Doug Uebelhor made a motion to approve the transfer of appropriations, was seconded by Ryan Craig, and carried unanimously.

RE: RESOLUTION 2023-18

Auditor Morton presented Resolution 2023-18, a Joint Resolution with the Board of Commissioners to adopt and approve an Interlocal Cooperative Agreement with the City of Jasper for the Extension of 15th Street Bridge. A motion was made to approve the Resolution as presented by Meredith Voegerl, was duly seconded by Ryan Craig, and carried unanimously.

RESOLUTION NO. 2023 - 18

A JOINT RESOLUTION OF THE DUBOIS COUNTY BOARD OF COMMISSIONERS AND DUBOIS COUNTY COUNCIL TO ADOPT AND APPROVE AN INTERLOCAL COOPERATION AGREEMENT WITH THE GOVERNMENT OF THE CITY OF JASPER, INDIANA FOR EXTENSION OF 15TH STREET AND CONSTRUCTION OF A BRIDGE OVER CROOKED CREEK

WHEREAS, the Board of Commissioners (“Board”) and the County Council (“Council”) of Dubois County, Indiana (“County”) have received a proposed Interlocal Agreement by and between the County and the government of the City of Jasper, Indiana (“City”), said Agreement being attached hereto and made a part hereof, and entitled “INTERLOCAL COOPERATION AGREEMENT FOR THE EXTENSION OF 15TH STREET, BETWEEN THE CITY OF JASPER AND DUBOIS COUNTY” (“Agreement”);

DUBOIS COUNTY COUNCIL

December 27, 2023

WHEREAS, a power that may be exercised by an Indiana political subdivision and by one (1) or more other governmental entities may be exercised by one or more entities on behalf of others; or jointly by the entities pursuant to I.C. §36-1-7-2;

WHEREAS, the City is located within the boundaries of Dubois County and the public thoroughfare known as 15th Street ("Street") traverses the City from East to West;

WHEREAS, extension of the Street to connect with SR 56 would cross Crooked Creek within the City and would require design and construction of a bridge under the County's jurisdiction ("Bridge");

WHEREAS, the City otherwise has ownership, control and jurisdiction of the Street within its boundaries;

WHEREAS, the City has undertaken a project to extend 15th Street to SR 56 ("Project") which includes, extending 15th Street west over Crooked Creek to provide a connection to SR 56, including but not limited to approximately 2,200 feet of new two-lane curbed connector roadway and a bridge designed for construction. The roadway connection to SR 56 will be at the current location of the drive approach for Legacy Living and will tie into the existing 15th Street at Heather Court. The Project will also include design and construction of any necessary stormwater infrastructure;

WHEREAS, the Project is scheduled to commence in June, 2024 and the County, through the attached Agreement, has pledged to contribute the sum of approximately One Million One Hundred Fifty Thousand Dollars (\$1,150,000) Dollars to the cost of the project;

WHEREAS, the County and City have reached an understanding on the performance, management, timing and funding of various aspects of the Project improvements and have memorialized that understanding in the attached Agreement under the Interlocal Cooperation Act ("Act") of the State of Indiana (I.C. §36-1-7, *et seq.*, particularly I.C. §36-1-7-9); and

WHEREAS, the Board and Council, in order to make the Agreement effective under the Act, desires to enact this Resolution 2023-18 approving and adopting the Agreement, authorizing its execution, and spreading same upon the public record.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DUBOIS COUNTY AND THE COUNTY COUNCIL OF DUBOIS COUNTY as follows:

SECTION 1. The "INTERLOCAL COOPERATION AGREEMENT FOR THE EXTENSION OF 15TH STREET, BETWEEN THE CITY OF JASPER AND DUBOIS COUNTY" which is attached hereto and made a part hereof is hereby approved and adopted in all respects.

SECTION 2. The Board of Commissioners and Auditor of the County are hereby authorized to execute and attest to said Agreement, respectively. Upon such execution and the occurrence of the other acts of execution, recording and filing set out in the Agreement, the instrument attached hereto shall constitute the valid and subsisting agreement of the County for the uses and purposes stated therein.

SECTION 3. The provisions of Sections 1 through 19 of said Agreement in their entirety, inclusive, are specifically incorporated herein by reference as if fully set out as an integral part of this Resolution. All resolutions or portions thereof in effect prior to the effective date and in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. This resolution shall become effective upon adoption in the manner required by law.

DULY ADOPTED AND APPROVED this 27th day of December, 2023 by the County Council of Dubois County, Indiana.

RE: RESOLUTION 2023-20

Auditor Morton presented Resolution 2023-20 to transfer MVH Highway funds to the MVH Highway Restricted fund. A motion was made by Ryan Craig to approve the Resolution as presented, was duly seconded by Alex Hohl, and carried unanimously.

**RESOLUTION #2023-20
RESOLUTION TO TRANSFER FUNDS TO MVH HIGHWAY RESTRICTED**

Whereas, the MVH Highway and MVH Highway Restricted shall constitute the total MVH Fund; and

Whereas, beginning on January 1, 2019, Dubois County was required to post at the time of receipt of the distribution from the State Motor Vehicle Highway Account fifty percent (50%) of the distribution into the MVH Highway Restricted Fund;

Whereas, Dubois County, may elect to allocate more than fifty percent (50%) of the distribution to the MVH Highway Restricted Fund; therefore,

DUBOIS COUNTY COUNCIL

December 27, 2023

Be it Resolved, that the Dubois County Council does hereby transfer \$1,133,084.22 from the MVH Highway Fund (Fund 002-1176) into the MVH Highway Restricted Fund (Fund 060-1173). Any amount allocated in excess of the required 50% of distributions which remain in MVH Highway Restricted Fund at the end of the fiscal year must remain in MVH Highway Restricted until expended for construction, reconstruction, or preservation.

ADOPTED THIS 27th DAY OF DECEMBER, 2023.

RE: PRESIDENTIAL AUTHORITY

Auditor Morton requested permission to provide President Kluesner the authority to approve any budgetary transfers that may be needed before the end of the year. Consensus was for President Kluesner to approve budgetary transfers following notification to the entire Council, should any be needed.

RE: AMERICAN RESCUE PLAN ACT - H.E.L.P PROGRAM

President Kluesner provided information on the American Rescue Plan Act - Hoosier Enduring Legacy Program (H.E.L.P.) program which began in 2021. The County was awarded an OCRA grant in the amount of One Million Dollars. After a yearlong process, in partnership with the City of Jasper, a Strategic Implementation Plan was created to be used for Owner Occupied Housing Rehabilitation and for Tri-Cap Head Start. Indiana 15 Regional Planning Commission will administer the programs. A contract was signed for \$70,000; however, an issue was discovered with the allowable percentage that could be used for administration purposes in the grant. Following negotiations, Indiana 15 Regional Planning Commission agreed to lower their fee to \$60,000 and provided an Amendment to the Contract. Dubois County and the City of Jasper agreed to each pay \$15,000 from their ARPA funds. The grant will provide \$25,000 for grant administration and management and \$5,000 for the environmental review. The consensus was to proceed with the Amendment to the Contract.

RE: FUTURE MEETINGS

The Council set the 2024 regular monthly meetings for January 29, February 21, March 18, April 22, May 20, June 17, and July 29, 2024, at 4:30 p.m. in the Dubois County Annex Commissioner/Council Room. The August – December meeting dates were not set at this time.

RE: ADJOURNMENT

With no further business to conduct, a motion to adjourn the meeting was made by Doug Uebelhor, seconded by Sonya Haas. The meeting was adjourned at 10:00 a.m.