

## COMMISSIONERS' MINUTES

**MAY 18, 2020**

**PRESENT: ALL**

**BE IT REMEMBERED**, that the White County Commissioners held a regular meeting on Monday, February 3, 2020, in the White County Building, 2<sup>nd</sup> -floor Commissioners' Conference Room, beginning at 8:15 a.m.

Commissioners present were: President John C. Heimlich, Commissioner Steve Burton, and Commissioner David Diener. Also present was White County Auditor Gayle Rogers, White County Attorney George Loy, and Commissioners' Secretary Donya Tirpak.

Due to the public health emergency, the public is offered to attend the meeting electronically through Webex, which is available from the County's website.

Commissioner Heimlich called the meeting to order.

### **MINUTES**

- Commissioner Diener made a motion to approve the minutes for May 4, 2020, seconded by Commissioner Burton. **Vote: Unanimous**

### **PAYROLL**

- Commissioner Burton made a motion to approve payroll for May 18, 2020, seconded by Commissioner Diener. **Vote: Unanimous**

### **CLAIMS**

- Commissioner Burton made a motion to approve and pay the claims as presented, seconded by Commissioner Diener. **Vote: Unanimous**

### **AWARD BID – COMMUNITY CROSSINGS PAVING PROGRAM**

Highway Superintendent Mike Kyburz called in electronically and said that the bids had been inspected and everything looks to be in order. He made the recommendation to accept the low bid from Reith-Riley Construction Co., Inc. He also wanted to take the Alternate price because the County will do all the hauling. The base bid was \$1,468,967.30, and the total bid with Alternates is \$1,297,872.30.

Commissioner Diener said that he would make a motion but asked Superintendent Kyburz to keep a close eye on Reith-Riley because of the issues that we had with them the last time.

- Commissioner Diener made a motion to accept the low bid from Reith-Riley Construction Co., with the Alternates at \$1,297,872.30, seconded by Commissioner Burton. **Vote: Unanimous**

### **SLOW OPEN GUIDELINES FOR WHITE COUNTY GOVERNMENT BUILDINGS**

HR Director Leah Hull called in electronically and proposed the *Slow Open Guidelines for White County Government Buildings*. The EMA Department, Jail, and White County Health Dept. are exempt from this, but they are encouraged to follow other guidelines that will work best for them. She also stated that there would be an exception to the guidelines during the primary election.

The following guidelines were proposed:

Phase 1 – Beginning March 24 - Current

County buildings closed to the public and non-essential personnel (open to essential personnel and duties only, and the public for essential emergency appointments only), start Phase 1 mitigation precautions.

Phase 2 – Beginning June 3

Open County buildings and services to all employees, open to the public by appointment only, start Phase 2 mitigation precautions.

Phase 3 – Beginning June 15

Open County buildings and services to all employees, and the public, start Phase 3 mitigation precautions.

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Phase 4 – Beginning July 1  
Resume full, unrestricted operations and activities.

- Commissioner Burton made a motion to approve the *Slow Open Guidelines for White County Government Buildings*, as presented, seconded by Commissioner Diener. **Vote: Unanimous**

**At this time**, Council President Butch Kramer called the Council members to order in joint session with the Commissioners. Council members present:

President Butch Kramer  
Jim Davis  
Casey Crabb

Vice President Denny Carter  
Janet Faker

Jim Annis  
Art Anderson

### **REPORTS PRESENTED AND ON FILE**

Highway Department  
Economic Development  
Area Plan  
Emergency Management  
Ivy Tech

### **SMALL BUSINESS ASSISTANCE PROGRAM**

Commissioner Burton proposed a resolution, similar to the City of Monticello's, requesting the Council to establish a fund that will assist small businesses that are affected by Covid-19. He asked for the Council to appropriate \$250,000 from the EDIT Fund to a White County Economic Development Revolving Fund. This will allow small businesses in White County that have ten employees, or less, to apply for financial assistance, up to \$5,000. The intent is not to fix the problem that small businesses are having but to help them if we can.

A short discussion was held on the guidelines, running out of funds, and advertisement of the program. A committee will be appointed by the Council, where these issues will be determined.

At this time, the consensus from most of the Council was to move forward with the resolution.

- Councilman Jim Annis made a motion to adopt Resolution No. 2020-05-18-01, establishing a revolving fund pursuant to Indiana Code 5-1-14-14, creating a program assisting small businesses affected by Covid-19, and approving certain related matters, seconded by Councilman Denny Carter. **(Anderson)** **Vote: 6 Yes, 1 No**

### **RESOLUTION NO. 2020-05-18-01**

#### **A RESOLUTION OF THE WHITE COUNTY COUNCIL ESTABLISHING A REVOLVING FUND PURSUANT TO INDIANA CODE 5-1-14-14, CREATING A PROGRAM ASSISTING SMALL BUSINESSES AFFECTED BY COVID-19, AND APPROVING CERTAIN RELATED MATTERS**

WHEREAS, the White County Council (the "Council"), the fiscal body of White County, Indiana (the "County"), has previously established the "Economic Development Income Tax Fund" (the "EDIT Fund"); and,

WHEREAS, on deposit in the EDIT Fund are the County's distributive share of the White County Economic Development Income Tax on the adjusted gross income of White County taxpayers, in accordance with I.C. §6-3.5-7; and,

WHEREAS, said funds may be used for funding a revolving fund established under I.C. §5-1-14-14; and,

WHEREAS, under I.C. §5-1-14-14(b) a county may establish a revolving fund from which the County may loan money to any borrower if the County fiscal body finds that the loan will be used by the borrower for one (1) or more of the following economic development purposes:

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- (1) promoting significant opportunities for the gainful employment of the County's residents.
- (2) attracting a major new business enterprise to the County.
- (3) retaining or expanding a significant enterprise in the County; and,

WHEREAS, on March 6, 2020, Indiana Governor Holcomb issued his Executive Order 20-02 declaring that a public health disaster emergency exists in Indiana attributable to Novel Coronavirus Disease 2019 ("COVID-19"), and has since extended his Emergency Declaration Order; and

WHEREAS, White County by its Board of Commissioners have issued their Executive Orders declaring that a state of local disaster emergency exists in the White County due to COVID-19; and,

WHEREAS, small White County businesses have suffered severe economic loss due to public health measures in response to COVID-19.

WHEREAS, the Council desires to establish a revolving fund pursuant to I.C. §5-1-14-14(b) (the "Act"), to be funded from a portion of the funds on deposit in the EDIT Fund, for the purpose of making one or more loans to borrowers approved pursuant to the Act.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the White County Council, as follows:

1. The Council hereby establishes a revolving fund pursuant to the Act, to be designated as the "White County Economic Development Revolving Fund" (the "Economic Development Fund"). The County may loan the money in the Economic Development Fund to any borrower if the Council finds that the loan will be used by the borrower for one or more of the following economic development purposes: (a) promoting significant opportunities for the gainful employment of the municipality's residents, (b) attracting a major new business enterprise to the County, and (c) retaining or expanding a significant enterprise in the County. The proceeds of such loan shall be used by the borrower for such purposes are authorized by the Act.
2. The Economic Development Fund shall be initially funded with monies on deposit in the EDIT Fund in the amount of Two Hundred Fifty Thousand Dollars (\$250,000.00), and the White County Auditor is hereby directed to cause such amount to be transferred from the EDIT Fund to the Economic Development Fund.
3. The Council shall prepare borrower's loan application forms, loan agreements, promissory notes, and such other related necessary instruments and documents.
4. The term of all such loans shall be for a fixed period of two (2) years, shall bear interest the rate of one percent (1%) per annum and shall be due and payable in full on the maturity date; provided however, so long as the borrower has satisfied its covenants as set forth in the loan agreement and promissory note executed by the borrower, the repayment of the loan will be forgiven on the maturity date and there shall be no obligation of the borrower to repay the loan, the consideration for the loan being the retention and continued operation of the borrower's business enterprise during the term of the loan and the resulting economic benefits to the County.
5. Eligibility shall be limited to businesses operating within the corporate limits of White County, which are current on all taxes, not in violation of any federal, state, or local code or ordinance, and such other criteria as determined by the Council including credit-worthiness.
6. Approved uses of borrowed funds include financial business hardships incurred due to COVID-19, such as capital needs, payroll expenses, preventing staffing reductions, and other critical business expenditures which shall be detailed within the borrower's loan application.
7. Loan applicants shall apply to the White County Auditor, and may be required to execute affidavits of eligibility, and a credit check may apply. Upon review and approval by the Council, the Auditor and borrower shall execute loan agreements, promissory notes, and other documents and instruments to effectuate the loan.

### **POLL WORKERS SALARY**

Clerk Laura Cosgray appeared before the Commissioners and Council requesting clarification on the election poll workers that were approved for \$15.00 per hour.

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There being no further business to come before the Council, they adjourned.

There being no further business to come before the Commissioners, their meeting adjourned.

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John C. Heimlich, President

Steve Burton, Vice President

David Diener, Member

ATTEST: \_\_\_\_\_  
Gayle Rogers, Auditor