

COMMISSIONERS' MINUTES

MARCH 16, 2020

PRESENT: ALL

BE IT REMEMBERED, that the White County Commissioners held a regular meeting on Monday, March 16, 2020, in the White County Building, 2nd -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' Assistant Donya Tirpak.

Commissioner Heimlich called the meeting to order.

MINUTES

- Commissioner Burton made a motion to approve the minutes for the regular meeting held on March 2, 2020, and the executive session held on March 12, 2020, seconded by Commissioner Diener. **Vote: Unanimous**

PAYROLL

- Commissioner Diener made a motion to approve payroll for March 9, 2020, seconded by Commissioner Burton. **Vote: Unanimous**

CLAIMS

- Commissioner Diener made a motion to approve and pay the claims as presented, except for the claim for Gator Guard for \$48,496, seconded by Commissioner Burton. **Vote: Unanimous**

AREA PLAN – AMEND SOLAR SITING REGULATIONS

Area Plan Director Joe Rogers presented Amendment #62, amending Chapter 7 Wind & Solar Siting Regulations – 7.16 Application Requirements & 7.17 District Regulations and Performance Standards.

The purpose of this amendment is to allow the development of Solar Farms on multiple adjoining sites in an efficient manner. The intention is to waive setback requirements where the abutting side and rear property lines or portions of those lines are captured in the same solar farm complex.

The Area Plan Commission (APC) held a public hearing on March 9, 2020, for this amendment. At that time, the APC voted 11 yes and 0 no to recommend Amendment #62 to the Commissioners.

Commissioner Heimlich asked if anyone wished to speak about the proposed amendment. No response.

- Commissioner Diener made a motion to approve Amendment #62, Ordinance No. 20-03-16-02, as presented, seconded by Commissioner Burton. **Vote: Unanimous**

AMENDMENT TO THE ZONING ORDINANCE OF WHITE COUNTY STATE OF INDIANA ORDINANCE NO. 20-03-16-02

WHEREAS, the White County Area Plan Commission has initiated and prepared this ordinance to amend the White County Zoning Ordinance pursuant to I.C. 36-7-4-602(c) and I.C. 36-7-4-607; WHEREAS, the White County Area Plan Commission has reported that it held a public hearing concerning this ordinance on March 09, 2020, after timely notification of the hearing was given by two White County publications at least 10 days prior to the hearing as required by I.C. 36-7-4-604;

WHEREAS, the White County Area Plan Commission has reported that it paid reasonable regard to the factors enumerated in I.C. 36-7-4-603 in consideration of the ordinance and determination or recommendation to be made to the legislative body of White County;

WHEREAS, the White County Area Plan Commission has certified this ordinance to the legislative body with a recommendation by a majority vote in favor of adoption pursuant to I.C. 36-7-4-603 before acting on this ordinance amendment;

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WHEREAS, the legislative body recognizes that the ordinance is required for the purposes summarized below;

WHEREAS, the legislative body has determined that this ordinance should be adopted without amendment as certified by the White County Area Plan Commission pursuant to I.C. 367-4-607; therefore,

BE IT ORDAINED AND ADOPTED BY THE BOARD OF COMMISSIONERS, WHITE COUNTY, INDIANA:

THIS AMENDMENT, IDENTIFIED AS AMENDMENT #A62, INCLUDES AMENDING: CH 7 Wind & Solar Siting Regulations – 7.16 Application Requirements & 7.17 District Regulations and Performance Standards

The purpose of this amendment is to allow development of Solar Farms on multiple adjoining sites in an efficient manner. The intention is to waive setback requirements where abutting side and rear property lines or portions of those lines are captured in the same solar farm complex.

AREA PLAN – AMEND APPENDIX A & APPENDIX B

Area Plan Director Joe Rogers presented Amendment #63, amending Appendix A – Official Schedule of Uses & Appendix B – Bulk Use Standards.

The purpose of this amendment is to provide a General Business district designation that restricts uses to those least likely to create a nuisance for neighboring residential districts.

The Area Plan Commission (APC) held a public hearing on March 9, 2020, for this amendment. At that time, the APC voted 11 yes and 0 no to recommend Amendment #63 to the Commissioners.

Commissioner Heimlich asked if anyone wished to speak about the proposed amendment. No response.

- Commissioner Burton made a motion to approve Amendment #63, Ordinance No. 20-03-16-03, amending Appendix A and Appendix B as presented, seconded by Commissioner Diener. **Vote: Unanimous**

**AMENDMENT TO THE ZONING ORDINANCE OF WHITE COUNTY STATE OF INDIANA
ORDINANCE NO. 20-03-16-03**

WHEREAS, the White County Area Plan Commission has initiated and prepared this ordinance to amend the White County Zoning Ordinance pursuant to I.C. 36-7-4-602(c) and I.C. 36-7-4-607;

WHEREAS, the White County Area Plan Commission has reported that it held a public hearing concerning this ordinance on March 09, 2020, after timely notification of the hearing was given by two White County publications at least 10 days prior to the hearing as required by I.C. 36-7-4-604;

WHEREAS, the White County Area Plan Commission has reported that it paid reasonable regard to the factors enumerated in I.C. 36-7-4-603 in consideration of the ordinance and determination or recommendation to be made to the legislative body of White County;

WHEREAS, the White County Area Plan Commission has certified this ordinance to the legislative body with a recommendation by a majority vote in favor of adoption pursuant to I.C. 36-7-4-603 before acting on this ordinance amendment;

WHEREAS, the legislative body recognizes that the ordinance is required for the purposes summarized below;

WHEREAS, the legislative body has determined that this ordinance should be adopted without amendment as certified by the White County Area Plan Commission pursuant to I.C. 367-4-607; therefore,

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BE IT ORDAINED AND ADOPTED BY THE BOARD OF COMMISSIONERS, WHITE COUNTY, INDIANA:

THIS AMENDMENT, IDENTIFIED AS AMENDMENT #A63, INCLUDES AMENDING:

Appendix A – Official Schedule of Uses & Appendix B-Bulk Use Standards.

The purpose of this amendment is to provide a General Business district designation which restricts uses to those least likely to create a nuisance for neighboring residential districts.

HIGHWAY – 2020-2021 HIGHWAY SUPPLIES

- Commissioner Diener made a motion to accept all bids submitted for the 2020-2021 Highway supplies, seconded by Commissioner Burton. **Vote: Unanimous**

ITEM 1: UNLEADED GASOLINE

1. Co-Alliance, Avon, IN

ITEM 2: DIESEL FUEL #1, #2, & PREMIUM

1. Co-Alliance, Avon, IN

ITEM 3: TIRES & TUBES

1. Wonderland Tire, Rensselaer, IN

ITEM 4: CRUSHED LIMESTONE, ROAD GRAVEL, CEMENT GRAVEL, & ICE SAND

1. Hanson Material Service, Monon, IN
2. U.S. Aggregates, Indianapolis, IN
3. Engineering Aggregates Corp, Logansport, IN

ITEM 5. A.E. GRADES IF BITUMINOUS MATERIALS

1. Asphalt Materials, Inc., Indianapolis, IN
2. Bit-Mat Products of Indiana, Inc., Ashley, IN

ITEM 6. COLD MIX PATCHING MATERIAL

1. Central Paving, Inc., Logansport, IN
2. Rieth-Riley Construction Co., Inc., Lafayette, IN
3. Milestone Contractors, Lafayette, IN

ITEM 7. BITUMINOUS COATED PAVING MATERIAL

1. Rieth-Riley Construction Co., Inc., Lafayette, IN
2. Central Paving, Inc., Logansport, IN
3. Milestone Contractors, Lafayette, IN

ITEM 8. RENTAL OF EQUIPMENT

1. Milestone Contractors, Lafayette, IN
2. Central Paving, Inc., Logansport, IN

NELBUD SERVICES GROUP – FIRE PROTECTION SERVICES

George Taulia, Nelbud Services Group, presented a service agreement on inspecting and servicing the County's fire protection equipment regularly.

After performing site surveys at several county buildings, he determined that the County is using four different vendors to maintain some, not all, of the County's fire protection equipment.

Nelbud Services Group will inspect and service all fire protection equipment at the Courthouse, EMA Building, Health Department, Annex, and the Ivy Tech Building for \$2,362.49 annually, and the Sheriff's Dept./Jail for \$8,937.53 yearly. County maintenance personnel will have access to their online portal to pull up information on all of the equipment and service dates, making sure everything complies.

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Commissioner Heimlich said that they would take the estimate under advisement and get back with him.

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

Vice President Denny Carter
Janet Faker

Jim Annis
Art Anderson

Councilman Casey Crabb was absent.

REPORTS PRESENTED AND ON FILE

- Area Plan
- Environmental Officer
- Economic Development

INSURANCE BENEFITS

HR Director Leah Hull said that Anthem BC/BS is waiving the cost to members for any COVID-19 testing. She requested approval from the Commissioners to waive all co-pays for any COVID-19 testing.

- Commissioner Diener made a motion to waive all co-pay fees for any COVID-19 testing by members, seconded by Commissioner Burton. **Vote: Unanimous**

EMA

Director Chris Springer reminded everyone that the Emergency Operation Center (EOS) is not the lead agency during the Coronavirus pandemic, the White County Health Dept. is. After today, they are activating their emergency activation center and working closely with the Health Dept.

CONSIDERATION OF ORDINANCE ESTABLISHING SHERIFF'S SALE PROGRAM & SERVICE FEE

County Attorney George Loy proposed an ordinance allowing the Sheriff to enter into a contract for services to support the Sheriff in conducting foreclosure sales, Sheriff's Sale Program.

A proposal from SRI, Inc, for doing the Sheriff's Sale Program was presented. A fee will be charged from the entity and deposited into a new fund. This money will cover the Sheriff's cost of administrative expenses. SRI does this for forty other counties.

Auditor Rogers said that SRI would make the Sheriff's Sales available to the public on the internet. By hiring SRI, this will not put anyone out of a job at the Sheriff's Dept.

WHITE COUNTY COMMISSIONERS' ORDINANCE NO. 20____
WHITE COUNTY COUNCIL ORDINANCE NO. 2020-____

JOINT WHITE COUNTY COMMISSIONERS' AND COUNCIL ORDINANCE ESTABLISHING THE SHERIFF'S SALE PROGRAM AND SERVICE FEE

WHEREAS, the Sheriff of White County, Indiana (the "Sheriff") desires to enter into a contract for services to support the Sheriff in conducting foreclosure sales (the "Sheriff's Sale Program"); and

WHEREAS, the Board of Commissioners of White County, Indiana (the "Commissioners") desire to establish a program to facilitate and enhance the conduct of the Sheriff's Sale Program; and

WHEREAS, I.C. §32-29-7-3(h) authorizes the Sheriff to charge an administrative fee of up to \$200.00 payable by the person seeking to enforce the judgment and decree, for actual costs directly attributable to the administration of the sale; and

WHEREAS, the Commissioners have the authority under I.C. §36-1-3-6 (the "Home Rule") to adopt an ordinance under Home Rule to establish and authorize the Sheriff's Sale Program.

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NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSIONERS OF WHITE COUNTY AND THE WHITE COUNTY COUNCIL, INDIANA THAT:

Section 1. The Sheriff's Sale Program is approved and established to provide the procedure for the Sheriff to contract for those administrative, technical, clerical and related services that are reasonable and appropriate for the Sheriff to effectively prepare for, manage and implement foreclosure sales.

Section 2. The Commissioners and Council hereby establish a fund to be titled the "Sheriff Sale Fund" into which all collections of Foreclosure Costs Fees, as hereafter defined, shall be deposited and from which the appropriate expenses of the Sheriff Sale Program shall be appropriated and paid. The Sheriff Sale Fund shall be a non-reverting fund to be used only for purposes set forth herein and shall not revert to the County General Fund at year end.

Section 3. The Sheriff and Commissioners are authorized to negotiate and execute a contract with a provider to obtain such administrative, technical, clerical and related services (the "Sheriff Sale Services") in order for the Sheriff to conduct the Sheriff Sale Program.

Section 4. The Sheriff Sale Services contract shall provide for the delivery of such services by a contractor (the "Contractor") in compliance with all applicable statutory provisions for the conduct of foreclosure sale proceedings and the Sheriff's Sale Program. The Sheriff Sale Services contract shall also provide for the payment of a fee for each cause number scheduled in the Sheriff's Sale Program, to the Contractor for such services.

Section 5. The Sheriff is hereby authorized to charge a fee of One Hundred Dollars (\$100.00) per cause number of property in Sheriff's Sale Program (the "Foreclosure Costs Fees") and to deposit such Foreclosure Costs Fees collected by or on behalf of the Sheriff in the Sheriff Sale Fund.

Section 6. The Foreclosure Costs Fee shall be payable at the time of filing the paperwork under I.C. §32-29-7-3(h), which shall be a charge for the Sheriff's Sale in addition to other statutory costs and fees.

Section 7. The Sheriff's Sale Program contract shall provide for a complete and accurate accounting of all Sheriff Sale Program proceeds and compliance with any reporting or record requirements as set forth by the Indiana State Board of Accounts.

RESOLUTION TO ADOPT A CAPITAL IMPROVEMENT PLAN SPECIFYING USES OF REVENUES RECEIVED FROM ECONOMIC DEVELOPMENT INCOME TAX FUNDS

Auditor Rogers said that every three years, the County does a Capital Improvement Plan that addresses how the County spends the Economic Development Income Tax Funds (EDIT). An updated resolution was presented and needed approval from the Commissioners and Council.

- Commissioner Diener made a motion to approve Resolution No. 20-03-16-01, adopting a Capital Improvement Plan, seconded by Commissioner Burton. **Vote: Unanimous**
- Councilman Anderson made a motion to approve Resolution No. 20-03-16-01, adopting a Capital Improvement Plan, seconded by Councilman Carter. **Vote: 5 Yes, 1 abstain (Annis)**

RESOLUTION NO. 20-03-16-01
RESOLUTION OF WHITE COUNTY, INDIANA
TO ADOPT A CAPITAL IMPROVEMENT PLAN
SPECIFYING USES OF REVENUES RECEIVED FROM
ECONOMIC DEVELOPMENT INCOME TAX FUNDS

WHEREAS, the County of White will be receiving economic development income tax funds; and,

WHEREAS, said funds may be used to promote significant opportunities for the gainful employment of the citizens of the County, to attract a major new business enterprise to the County, or to retain or expand significant business enterprises within the County; and,

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PRESENT: ALL

WHEREAS, said funds may be used for the construction or acquisition of, or remedial action with respect to, a capital project for which the unit empowered to issue general obligation bonds or establish a fund under any statute listed in I.C. 6-1.1-18.5-9.8, or authorized under I.C. 6-3.5-7-13.1 (b) (2) (A), contract payments to a nonprofit corporation whose primary corporate purpose is to assist government in planning and implementing economic development projects authorized under I.C. 6-3.5-7-13.1 (b) (2) (D), or operating expenses of a governmental entity that plans or implements economic development projects authorized under I.C. 6-3.5-7-13.1 (b) (2) (E), or for any lawful purpose for which money in any of the County's other funds may be used as authorized under I.C. 6-3.5-7-13.1 (3), or any combination of these uses.

NOW, THEREFORE, the County of White hereby states that revenues received from economic development income taxes shall be deposited in the County's Economic Development Income Tax Fund and that revenues may be used as follows:

- A. For economic development projects, for paying notwithstanding any other law under a written agreement all or a part of a loan and interest on a loan extended by a financial institution or other lender, if the proceeds of the loan are or are to be used to finance an economic development project.
- B. For:
 - (1) The construction or acquisition of, or remedial action with respect to, a capital project for which the unit is empowered to issue general obligation bonds or establish a fund under any statute listed in I.C. 6-1.1-18.5-9.8;
 - (2) The retirement of bonds issued under any provision of Indiana law for a capital project;
 - (3) The payment of lease rentals under any statute for a capital project;
 - (4) Contract payments to a nonprofit corporation whose primary corporate purpose is to assist government in planning and implementing economic development projects;
 - (5) Operating expenses of a governmental entity that plans or implements economic development projects;
 - (6) Funding substance removal or remedial action in a designated unit;
 - (7) Funding a revolving fund established under I.C. 5-1-14-14; or
 - (8) Any lawful purpose for which money in any of the County of White's other funds may be used.
- C. That said funds shall include the following capital projects which are hereby determined by the County of White:
 - (1) Identification of general description of each project funded by the County economic development income tax:
 - (a) Funding of health insurance claims and premiums as needed
 - (b) Funding economic development agencies
 - (c) Funding of Post-Secondary Education Programs
 - (d) Any lawful purpose as determined by the White County Board of Commissioners
 - (2) Estimated cost of each project:
 - (a) Funding of health insurance claims and premiums as needed - \$300,000
 - (b) Funding economic development agencies - \$240,000
 - (c) Funding post-secondary education programs - \$100,000
 - (d) Any lawful purpose as determined by the White County Board of Commissioners - \$360,000
 - (3) Sources of funds expected to be used for each project:
 - (a) Insurance
Funded with LIT EDIT distributions, employee contributions and other funds
 - (b) Economic development agencies
Funded with LIT EDIT distributions
 - (c) Post-Secondary Education Programs
Funded with LIT EDIT distributions
 - (d) Any other purpose
Funded with LIT EDIT distributions and other funds
 - (4) The planning, development and construction schedule of each project:
 - (a) Insurance
Calendar years 2020, 2021 and 2022 funding
 - (b) Economic development agencies
Calendar years 2020, 2021 and 2022 funding
 - (c) Any other purpose
Calendar years 2020, 2021 and 2022 funding

There is no further business to come before the joint meeting; the Council adjourned to their session.

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PRESENT: ALL

2021 County Calendar

- Commissioner Burton made a motion to approve the 2021 County Calendar for the Meetings, Payroll, Claims, and Holidays seconded by Commissioner Diener. **Vote: Unanimous**

COMMISSIONERS ONLY		COMMISSIONERS & COUNCIL	
Jan 5th	Tues	Jan 19th	Tues
Feb 1st		Feb 15th	
Mar 1st		Mar 15th	
Apr 5th		Apr 19th	
May 3rd		May 17th	
Jun 7th		Jun 21st	
Jul 6th	Tues	Jul 19th	
Aug 2nd		Aug 16th	
Sep 7th	Tues	Sep 20th	
Oct 4th		Oct 18th	
Nov 1st		Nov 15th	
Dec 6th		Dec 20th	
COMMISSIONERS MEET 1ST & 3RD MONDAY EACH MONTH (except holidays) at 8:15am, County Building, 2nd Floor, Commissioners' Meeting Room			
COUNCIL MEETS 3RD MONDAY OF EACH MONTH (except holidays) at 9:00am, County Building, 2nd Floor, Comm Meeting Room for joint meeting Council Meeting Room for continued Council Meeting			

PAYROLL SCHEDULE FOR 2021					
Pay Period	(261 working days in 2021) Dates Worked		Any pay dates falling on a Holiday will be paid the next Turn in		
			Monday	Monday	Monday
1	28-Dec	-	10-Jan	11-Jan	25-Jan
2	11-Jan	-	24-Jan	25-Jan	8-Feb
3	25-Jan	-	7-Feb	8-Feb	22-Feb
4	8-Feb	-	21-Jan	22-Feb	8-Mar
5	22-Feb	-	7-Mar	8-Mar	22-Mar
6	8-Mar	-	21-Mar	22-Mar	5-Apr
7	22-Mar	-	4-Apr	5-Apr	19-Apr
8	5-Apr	-	18-Apr	19-Apr	3-May
9	19-Apr	-	2-May	3-May	17-May
10	3-May	-	16-May	17-May	31-May
11	17-May	-	30-May	31-May	14-Jun
12	31-May	-	13-Jun	14-Jun	28-Jun
13	14-Jun	-	27-Jun	28-Jun	12-Jul
14	28-Jun	-	11-Jul	12-Jul	26-Jul
15	12-Jul	-	25-Jul	26-Jul	9-Aug
16	26-Jul	-	8-Aug	9-Aug	23-Aug
17	9-Aug	-	22-Aug	23-Aug	6-Sep
18	23-Aug	-	5-Sep	6-Sep	20-Sep
19	6-Sep	-	19-Sep	20-Sep	4-Oct
20	20-Sep	-	3-Oct	4-Oct	18-Oct
21	4-Oct	-	17-Oct	18-Oct	1-Nov
22	18-Oct	-	31-Oct	1-Nov	15-Nov
23	1-Nov	-	14-Nov	15-Nov	29-Nov
24	15-Nov	-	28-Nov	29-Nov	13-Dec
25	29-Nov	-	12-Dec	13-Dec	27-Dec
26	13-Dec	-	26-Dec	27-Dec	10-Jan
27	27-Dec	-	9-Jan	10-Jan	24-Jan

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2021 CLAIMS			
CLAIMS DUE:		TO BE PAID ON:	
Jan 5th	Tues	Jan 19th	Tues
Jan 19th	Tues	Feb 1st	
Feb 1st		Feb 15th	Tues
Feb 15th	Tues	Mar 1st	
Mar 1st		Mar 15th	
Mar 15th		Apr 5th	
Apr 5th		Apr 19th	
Apr 19th		May 3rd	
May 3rd		May 17th	
May 17th		Jun 7th	
Jun 7th		Jun 21st	
Jun 21st		Jul 6th	Tues
Jul 6th	Tues	Jul 19th	
Jul 19th		Aug 2nd	
Aug 2nd		Aug 16th	
Aug 16th		Sep 7th	Tues
Sep 7th	Tues	Sep 20th	
Sep 20th		Oct 4th	
Oct 4th		Oct 18th	
Oct 18th		Nov 1st	
Nov 1st		Nov 15th	
Nov 15th		Dec 6th	
Dec 6th		Dec 20th	
Dec 20th		Jan 4th	Tues

HOLIDAYS 2021			
Fri Jan 1st			NEW YEAR'S DAY
Mon Jan 18th			MARTIN LUTHER KING, JR DAY
Mon Feb 15th			PRESIDENTS DAY
Fri April 2nd			GOOD FRIDAY
Mon May 31st			MEMORIAL DAY
Mon July 5th			INDEPENDENCE DAY
Mon Sept 6th			LABOR DAY
Mon Oct 11th			COLUMBUS DAY
Thurs Nov 11th			VETERANS' DAY
Thurs Nov 25th and Fri Nov 26th			THANKSGIVING
Fri Dec 24th and Mon Dec 27th			CHRISTMAS
Fri Dec 31st			NEW YEAR'S EVE

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

John C. Heimlich, President

Steve Burton, Vice President

David Diener, Member

ATTEST: _____
Gayle Rogers, Auditor