

**COMMISSIONERS' MINUTES**

**DECEMBER 20, 2021**

**PRESENT: ALL**

**BE IT REMEMBERED** that the White County Commissioners held a regular meeting on December 20, 2021, in the White County Building, 2<sup>nd</sup> floor John C. Heimlich Conference Room, beginning at 8:15 a.m.

Commissioners present were: President David Diener, Commissioner Steve Burton, and Commissioner James B. Davis. Also present were White County Auditor Gayle Rogers and White County Attorney George Loy.

Commissioner Diener called the meeting to order.

**MINUTES**

- Commissioner Burton made a motion to approve the minutes for the regular meeting held on December 6, 2021, seconded by Commissioner Davis. **Vote: Unanimous**

**PAYROLL**

- Commissioner Burton made a motion to approve the payroll as presented, seconded by Commissioner Davis. **Vote: Unanimous**

**CLAIMS**

- Commissioner Davis motioned to approve and pay the claims as presented, seconded by Commissioner Burton. **Vote: Unanimous**

**ELECTRONIC SIGNATURES**

Auditor Rogers presented a resolution that will allow the Commissioners to sign documents electronically and enable a designee to sign them if approved.

- Commissioner Davis motioned to suspend the rules prohibiting the proposed Ordinance's adoption on the first reading, seconded by Commissioner Burton. **Vote: Unanimous**
- Commissioner Davis motioned to approve Ordinance No. 21-12-20-01 establishing contract signatory for the Commissioners, seconded by Commissioner Burton. **Vote: Unanimous**

**ORDINANCE NO. 21-12-20-01  
WHITE COUNTY BOARD OF COMMISSIONERS  
ESTABLISHING CONTRACT SIGNATORY**

WHEREAS, the White County Board of Commissioners (the "Commissioners") desire to establish a policy concerning the signatory of contracts and agreements binding the County; and

WHEREAS, all contracts and agreements, regardless of cost, binding the County must be voted upon by the Commissioners in a public meeting; and

WHEREAS, the approval of such contracts and agreements must constitute a quorum of Commissioners; and,

WHEREAS, contracts and agreements may be signed personally or electronically; and

WHEREAS, contracts and agreements at times require only one signature; and

WHEREAS, such signature may be the President of the Commissioners or a designee;

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Board of Commissioners of White County, Indiana that when a contract or agreement has been approved by a quorum of the Commissioners in a public meeting, the Commissioner President or the President's designee has the authority to be the sole signatory, electronic or otherwise, on said documentation binding the County. This Ordinance shall be in full force upon adoption

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**MEMORIAL DAY REQUEST**

John Shellcrosslee, the Senior Vice Commandant with the Marine Corps, appeared to request permission to use the Courthouse gazebo on May 30, 2022, to hold a Memorial Day service.

Commissioner Diener thanked Mr. Shellcrosslee for everything he does for our community, and permission was granted.

**ROAD USE AGREEMENT/DRAIN REPAIR AGREEMENT/DECOMMISSIONING AGREEMENT – HONEY CREEK ENERGY**

White County Attorney George Loy presented a Road Use and Drain Repair Agreement (RUA) and a Decommissioning Agreement for the Honey Creek Energy Solar project. This is potentially the largest solar project in White County, with 580 megawatts (MW). This RUA will cover Phase 1, consisting of up to 380 MW.

Andy Buroker, an attorney representing Honey Creek Energy, said that he's worked with Area Plan Director Joe Rogers for the permits. The permits can't be released until the Commissioners approve the agreements.

Attorney Loy requested the Commissioners to approve the proposed resolution, approving both agreements presented today.

Commissioner Diener asked if there were any questions or comments regarding the agreements.

Commissioner Burton thanked Attorney Loy, Surveyor Brad Ward, and Highway Superintendent Mike Kyburz for all the time spent putting these agreements together.

- Commissioner Burton motioned to approve Resolution No. 21-12-20-01, approving agreements with Honey Creek Energy LLC and certain other matters in connection in addition to that, seconded by Commissioner Davis. **Vote: Unanimous**

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

Butch Kramer	Denny Carter	Jim Annis	Janet Faker
Matt McKean	Art Anderson		

Councilman Casey Crabb was absent.

Councilman Kramer took a moment to recognize Councilwoman Janet Faker for being a remarkable advocate for Hoosiers for the past 30-years as a Constituent Services Representative for U.S. Senators and U.S. Representatives.

**REPORTS PRESENTED & ON FILE**

Environmental Report  
Highway Department

**COUNCIL ON AGING**

Gale Spry, the Director, announced her retirement after 34 years. She thanked the Council and Commissioners for their support and introduced Teresa Puterbaugh.

Commissioner Diener thanked her for her service and dedication to Council on Aging and wished her luck in her retirement.

**AIRPORT**

Board President George Green reported that construction on the new CR 225 N. would begin in the Spring.

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Tree Obstruction

Mr. Green submitted three bids for the clearing of trees on the Airport property as follows:

- 1. Bid 1: \$ 95,000, Homer Tree Services
- 2. Bid 2: \$120,000
- 3. Bid 3: \$177,000

The County will have to pay this money upfront, and then the FAA will reimburse \$67,000 and \$4,000 from INDOT.

- Commissioner Burton motioned to accept Homer Tree Services' low bid for \$95,000, as presented, seconded by Commissioner Davis. **Vote: Unanimous**

Airport Equipment

Mr. Green requested permission to purchase equipment from Townsend Aviation for \$110,500. The money is in the Airport budget, and the equipment will be used to maintain the Airport property.

After a lengthy discussion, Commissioner Diener felt that the County must take care of the Airport, and this equipment is already there to do it. It's available at a fair market price.

- Commissioner Diener motioned to allow the Airport Board to buy equipment from Townsend Aviation for \$110,500 to maintain the Airport. **MOTIONED FAILED FOR LACK OF A SECOND MOTION**

Auditor Rogers obtained the Airport contract with Townsend Aviation for the Commissioners to review and afterward agreed that the equipment needs to be purchased for the Airport.

- Commissioner Diener motioned to allow the Airport Board to purchase equipment from Townsend Aviation for \$110,500 as presented, seconded by Commissioner Davis. **Vote: Unanimous**

**SHERIFF'S SALE FUND**

Auditor Rogers presented a joint ordinance establishing a Sheriff's Sale fund. The fees paid for the Sheriff's Sale will go into this fund, and the expenditures for a Sheriff's Sale will be paid out of this fund.

- Commissioner Davis motioned to suspend the rules that prohibit the proposed Ordinance's adoption on the first reading, seconded by Commissioner Burton. **Vote: Unanimous**
- Commissioner Davis motioned to adopt Ordinance No. 2021-12-20-02, establishing a Sheriff's Sale Fund, seconded by Commissioner Burton. **Vote: Unanimous**
- Councilman Anderson motioned to adopt Ordinance 2021-12-20-02, establishing a Sheriff's Sale fund, seconded by Councilman Annis. **Vote: Unanimous** (Vote: 6 Yes, 1 Absent)

WHITE COUNTY, INDIANA  
BOARD OF COMMISSIONERS  
COUNTY COUNCIL

**ORDINANCE NO. 2021-12-20-02**  
AN ORDINANCE ESTABLISHING A SHERIFF'S SALE FUND

WHEREAS, the Board of Commissioners (the "Commissioners") and the County Council (the "Council") of White County, Indiana (the "County") desire to establish a fund for the receipt and expenditure of fees related to Sheriff's Sale; and

WHEREAS, pursuant to IC 32-29-7-3(i) the Commissioners and Council have the authority to establish a Sheriff's Sale fund; and

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PRESENT: ALL

WHEREAS, the fund will be labeled Sheriff's Sale Fund 4009; and

WHEREAS, it is the determination of the Commissioners and Council that no appropriation for said fund will be required; and

WHEREAS, the revenue stream for the fund will be from fees collected related to Sheriff's Sale parcels; and

WHEREAS, expenditures shall be made in accordance with IC 32-29-7-3(i);

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners and the County Council of White County, Indiana that fund 4009 shall be in full force as stated above upon adoption and thereafter as of this 20<sup>th</sup> day of December, 2021.

**DONATION FUND FOR RECYCLE**

Auditor Rogers presented an ordinance to set up a fund for the money that the Northwest Indiana Solid Waste District gives to the Recycling Department every year.

- Commissioner Davis motioned to suspend the rules that prohibits the adoption of the proposed Ordinance on the first reading, seconded by Commissioner Burton. **Vote: Unanimous**
- Commissioner Davis motioned to adopt Ordinance No. 2021-12-20-03, establishing a Donation Fund for Recycle, seconded by Commissioner Burton. **Vote: Unanimous**
- Councilman Anderson motioned to adopt Ordinance 2021-12-20-02, establishing a Donation Fund for Recycle, seconded by Councilman Annis. **Vote: Unanimous** (Vote: 6 Yes, 1 Absent)

WHITE COUNTY, INDIANA  
BOARD OF COMMISSIONERS  
COUNTY COUNCIL

**ORDINANCE NO. 2021-12-20-03**  
AN ORDINANCE ESTABLISHING A DONATION FUND FOR RECYCLE

WHEREAS, the Board of Commissioners (the "Commissioners") and the County Council (the "Council") of White County, Indiana (the "County") desire to establish a fund for the donations received by White County Recycle; and

WHEREAS, pursuant to IC 36-1-3 the Commissioners and Council have the authority to establish a donation fund; and

WHEREAS, the fund will be labeled Fund 4101 Recycle Donations; and

WHEREAS, it is the determination of the Commissioners and Council that no appropriation for said fund will be required; and

WHEREAS, in order for funds within the fund to be expended, the Director of the Recycle Department must request, at a public meeting of the Commissioners, approval to expend monies from the available funds; and

WHEREAS, a quorum vote of the Commissioners is required for expenditure from the fund; and

WHEREAS, the expenditures must be in compliance with the White County Purchasing Policy;

WHEREAS, upon Commissioner approval of expenditure from Fund 4101 the White County Auditor is instructed to process payment as per claims procedures; and

WHEREAS, any balance as of December 31, 2021, in Recycle budget line item 1194-41100-000-9601 shall be transferred to fund 4101 and shall remain in such fund from year to year and not revert to the general or any other fund.

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**PRESENT: ALL**

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners and the County Council of White County, Indiana that fund 4101 shall be in full force as stated above upon adoption and thereafter as of this 20<sup>th</sup> day of December, 2021.

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

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

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David Diener, President

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Steve Burton, Vice President

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James B. Davis, Member

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