

**COMMISSIONERS' MINUTES
SEPTEMBER 20, 2021**

PRESENT: ALL

BE IT REMEMBERED that the White County Commissioners held a regular meeting on September 20, 2021, in the White County Building, 2nd 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. Other County representatives present were: White County Auditor Gayle Rogers, White County Attorney George Loy, and Commissioners' Assistant Donya Tirpak.

Commissioner Diener called the meeting to order.

MINUTES

- Commissioner Burton made a motion to approve the minutes for the regular meeting held on September 7, 2021, seconded by Commissioner Davis. **Vote: Unanimous**

PAYROLL

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

CLAIMS

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

BRIDGE 172 – BID OPENING

Jacob Isenberg, HWC Project Manager, said that he submitted a Request for Bids (RFP) to five contractors, and three purchased a copy of the plans for the project. The project consists of maintenance and repairs on Bridge 172, CR 200 South over the Hoagland Ditch. The estimated budget for the project is \$250,000.

White County Attorney George Loy announced that the time has expired to submit a Bridge #172 maintenance project bid. A bid from Milestone Contractors was received.

Milestone:

Subtotal Amount: \$169,060.50

Optional Repair Method #1: \$53,130.00

Optional Repair Method #2: \$58,030.00

Optional Repair Method #3: \$61,120.00

- Commissioner Burton motioned to approve the bid from Milestone for \$169,060.50 with the optional repair method #3 for \$61,120.00, seconded by Commissioner Davis. **Vote: Unanimous**

LOWERING LAKE FREEMAN

Gary Baldwin, 2619 S. Airport Road, attended the meeting electronically. Mr. Baldwin discussed his concerns with the lowering of Lake Freeman year after year, the actions of the Federal Energy Regulatory Commission (FERC), DNR Fish and Wildlife, and SFLECC.

Commissioner Diener said the Commissioners have always supported SFLECC, and they will continue. He suggested Mr. Baldwin get with County Attorney Loy to draft a letter addressing the issue.

AIR CONDITIONERS AT THE SHERIFF'S DEPT. – D.A. DODD

Commissioner Diener questioned why the Sheriff's Department submitted an invoice to the Commissioners from D.A. Dodd for \$3,234.85 to process for payment. Attorney Loy said the invoice is for a new A/C unit in the 911 Dispatch area. After discussion, the invoice was sent back to the Sheriff's Department to enter the invoice for payment out of their budget.

The Sheriff's Department submitted a proposal from D.A. Dodd to remove the existing 3-ton split system and install a new low ambient LG cooling only system for \$7,741.51. The cooling system is for the IT Room at the Sheriff's Department. The Commissioners requested additional quotes.

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SHERIFF'S DEPT. – GATORGUARD

The Sheriff's Department submitted a quote from GatorGuard for floor covering for \$34,284 at the Sheriff's Department.

Commissioner Davis said that the floor covering was done in November 2020, and this quote is to finish the flooring. Additional quotes were not collected for the job as required.

They took no action until the Sheriff attended the meeting to explain the quote.

AMENDMENT TO THE WC DRAINAGE AND SEDIMENT CONTROL ORDINANCE

Surveyor Brad Ward submitted an amended Drainage and Sediment Control Ordinance for the second reading. The ordinance has not been updated since 1998. The only changes were to the graphs and definitions, not the Fee Schedule.

Commissioner Diener asked if there were any questions or comments on the proposed amendments. No response.

- Commissioner Burton made a motion to approve Ordinance No. 21-09-20-03, amending Ordinance No. 91-04-20-98-1, the White County Drainage and Sediment Control Ordinance, seconded by Commissioner Davis. **Vote: Unanimous**

PANIC ALARM BUTTONS

Commissioner Diener said that IT Director Mike Clerget collected quotes for a new panic alarm system for the Courthouse. Still, first, he would like to have Deputy Sheriff David Roth discuss the security plan for next year.

The Commissioners agreed to table the discussion.

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	Art Anderson
Matt McKean	Casey Crabb			

REPORTS PRESENTED AND ON FILE

Airport
Recycling Dept.
Environmental Report
Highway Dept.
Area Plan/Building Dept.
Economic Development

INFRASTRUCTURE UPDATE ON THE MID AMERICA COMMERCE PARK (MACP)

Dan Zuerner, Consultant with Garmong, appeared to give the Commissioners and Council updates on the MACP.

At the MACP in Wolcott, the Sweetener Supply facility is built and nearly fully operational. The new CR 1100 improvements are complete, and the stormwater plan is fully implemented. The Town of Remington's water delivery to MACP is converted except for the County's booster pump still needing to be relocated to Remington to support our water tower. The Town of Wolcott is getting a new wastewater treatment plant, which will provide 500,000 gallons of wastewater treatment capacity.

NEW CORONER'S FACILITY

The County Commissioners asked Mr. Zuerner to determine the scope of work, budget, and timetable to build a new County morgue/Coroner's Department.

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Mr. Zuerner presented a slideshow and an oral discussion on what has been completed to date and the new facility's design.

1. ALTA survey completed
2. Geotechnical review completed
3. HWC engineering/Garmong lead site development discussions
4. DELV engaged to lead the facility's design components
5. Scope of work determined in collaboration with the White County Commissioners and Coroner, Tony Deibel
6. Numerous design committee meetings completed
7. Tour of Howard County's new Coroner's facility completed
8. Development of construction documents to facilitate the bidding of the project underway
9. Conceptual /schematic level budget developed

Timeline for new Coroner's facility:

1. Complete construction documents - complete November 2021
2. Development FF&E Procurement List – seek quotes/bids - complete December 2021
3. Bid Project for April 1 start - complete January 2022
4. Long construction lead items ordered - complete February 2022
5. Construct project - completed December 2022

Currently anticipated budget: \$1,061,000 for building and site development, plus \$201,308 for fixtures, furniture, and equipment = \$1,263,308

NEW RECYCLING CENTER FACILITY

The Commissioners asked Mr. Zuerner to determine the most feasible solution to allow the WC Recycling Center to relocate to a more functional, efficient, and safe facility.

After a site inspection of the current WC Recycling Center, Mr. Zuerner stressed to the Commissioners and the Council that the existing structure of the building is not a safe place to run the operations. It's a bomb about ready to explode!

After determining that the old Highway Department isn't an option because of the costs, Mr. Zuerner proposed the County build a state-of-the-art recycling center. Since 90% of the recycling collection is from Monticello, he suggested using the south property of the WC Sheriff's Dept. If built correctly, other counties will use the facility as part of their solid waste district program, contributing to operational costs.

Timeline for New Recycling Center:

- Bid Project – January/February 2022
- Construct Project – Complete December 2022
Schematic Design Budget = \$2.5M

WHITE COUNTY JAIL BUILDING REVIEW & SUGGESTIONS FOR RENOVATIONS & ADDITIONS

Being an expert in the construction of detention centers and jails, the Commissioners asked Mr. Zuerner to assess the physical condition and the operational status of the current White County Jail, constructed in 1996.

More Specifically:

1. Review all storage requirements and issues associated with the Sheriff's/Jail Department making recommendations for corrective measures.
2. Review the County's needs to accommodate the County's commitments toward the operational delivery of a successful work release program from a facilities perspective.
3. Coordinate the objectives of the Sheriff with the anticipated addition of the new Coroner's Office and Recycling Center.

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After collecting the data, Mr. Zuerner reported that for a jail built in 1996, we have the best-constructed Jail in the State of Indiana. While the Jail looks excellent on the outside, it is 15 years behind acceptable operational standards, and there are failing conditions inside the building.

Mr. Zuerner outlined all of the deficiencies at the Jail and the corrective actions required to bring the facility up to current operational standards.

- The Jail can handle only five inmate segregation classifications due to its layout and a limited number of holding cells.
- The holding cell count is eight, which should be double that number.
(All holding cells have been full at the time of all four walk-throughs).
- Only one drunk tank exists, and you need at least two.
- Only one padded cell exists, and its condition has severely deteriorated, and it was not designed to current standards. Recommend the replacement of the current padded cell and two more as there is no specific accommodation for holding mentally ill inmates within the Jail.
- Booking space is too constricted, posing efficiency, safety, and liability issues.
- There is no provision or location for a 3D full-body scanner essential to today's correctional operations environment.
- No real space exists for "Special Classification" segregation.
- Quarantine and isolation – no negative pressure isolation cells exist.
- Medical staff, medical treatment, and pharma areas are inadequate to provide mandated medical services.
- The Jail is an older "linear" design. Camera functions are inefficient, with numerous blind spots existing within the current camera coverage. Additionally, the image storage servers are outdated and out of capacity. I DOC requires a minimum of 180 days of image storage. The Jail's system can only currently accommodate 90 days of video and image storage capacity.
- Weapons and ammunition storage is an issue as there currently is not a dedicated armory. Weapons are stored in the Chief Deputy's closet, and ammunition is stored in the general storage areas.
- Liability issues exist to the County in ligature points within the Jail - specifically exposed stair and second story railings being exposed and unscreened.

Operational deficiencies due to space limitations and outdated operational design concepts:

- Insufficient space within the Jail is available for mandated training, inter-departmental, and outside of County departments.
- Insufficient space for interrogation.
- Insufficient space to accommodate inmate/attorney consultations.
- Insufficient space to accommodate special functions, such as church services, counseling, etc.
- Insufficient space for commissary storage.
- Insufficient space for evidence storage.
- The County is currently renting off-site storage to facilitate additional evidence storage. Humidity issues exist, causing damage to evidence. ***Note: Chain of Custody of evidence should be of critical concern to the County***
- Video court arraignment does not have a dedicated space. Multiple daily means of transporting inmates continue to pose high costs to the County in labor and motorized transport. Every movement outside of the Jail brings additional infectious disease control issues.

Command and Control

- The 911 is controlling the jail security systems. 911 and Jail security command should be separated, with the Jail staff maintaining Jail security, separate from 911.
- Electronic monitoring systems currently operating within the booking area need to be relocated and secured.

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Site Circulation and Building Access

- Evaluate site circulation, parking, and the relocation and addition of building access for efficiency, safety, and security purposes.

Operational Equipment Deficiencies

- Keyless Entry systems are not fully functional. Replace the scramble pads currently utilized with updated models.
- Cell door locks are not all fully functional due to 20+ years of wear and tear. Malfunctioning locks and indicator hardware need a general audit and comprehensive one-time inspection and repair/replacement. Note: Pauly Jail indicates all cell door locks are still manufactured, and parts are readily available. Cell doors and hardware can be repaired.

Water and Wastewater System Deficiencies

- During this audit, issues relative to toilets not correctly flushing on several occasions came to light. At a minimum, the inspection and adjustment of associated flush valves, the maintenance of vacuum breaks, and the servicing of associated water jets should occur, followed by a period of monitoring for successful operation.

Inmate Recreation

- Indoor and Outdoor Recreation areas are inadequate and a waste of space as current independent spaces. Opportunity exists to combine these areas into one indoor/outdoor recreation area, freeing up space within the Jail for other use.

Insufficient available storage for large transportation and maintenance related equipment

- Equipment and vehicles currently exposed to weather-related depreciation include:
 1. The Child ID/incident command trailer, (3) mobile speed limit signs, (2) reserve cars that need to be placed on trickle chargers, a transport van, a maintenance truck, a school car, and a civil process car. Also, the Sheriff's department has a car hauler with an attached fuel cell that transports lawnmowers from property to property.
 2. Spare vehicle interior parts and electronics on the Jail's attic floor should be better stored and inventoried.
 3. A Kawasaki Mule used for incidents and snow removal, a golf cart used in parades, festivals, and 4-H fairs, snow removal equipment, (2) commercial zero-turn mowers, and the balance of the Sheriff Department's owned and maintained lawn and garden equipment would benefit from additional inside storage.

Work Release and Community Corrections commitments by County officials demand specific accommodations by County officials, not in conflict with the operation of the Jail:

- Must be separated from the general jail population and staff to reduce the opportunity to spread infectious disease.
- Requires a different, lessened degree of security and monitoring not typical of jail operations.

To correct all of the deficiencies and build a separate Work Release facility would cost the County approximately \$10.5 million. Mr. Zuerner's first recommendation is to control the storage issues to protect the County's assets and segregate inventory and evidence. He recommends building an FBI, 7-bay building that will cost approximately \$260,000.

Timeline for new Storage Building:

1. Draft Scope and Bidding Package –Complete October 2022
 2. Construct Project – Complete June 2022
- Current Project Budget = \$260,000

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The second recommendation from Mr. Zuerner is to move forward to develop a design team of architects that are specific to jail functions. They will look at all the deficiencies discussed today and make recommendations on how to fix the problems. He has collected Requests for Proposals from architect firms.

To keep the ball rolling, Mr. Zuerner would like to set up interviews with three of the firms in the afternoon of October 18. With the Commissioners, he would like to see two County Council members, Sheriff Brooks and Deputy Sheriff David Roth, sit in on the interviews to give input. The final decision on who gets selected is up to the Commissioners. Proposed fees for design services will run from \$370,000 to \$500,000.

Timeline for Jail Renovations and Work Release accommodations:

1. Select and engage Design Firm –Complete November 1, 2022
 2. Design Budget = <\$500,000
 3. Complete "schematic" and "construction document design phases –Complete April 2022
 4. Bid Project –Complete May 2022
 5. Construct Project –Complete December 2023
- Preliminary Budget Anticipated = +/- \$10.5M

Commissioner Diener thanked Mr. Zuerner for the presentation.

TRI GLOBAL – ECONOMIC DEVELOPMENT AGREEMENT FOR SOLAR PROJECT

County Attorney Loy presented an Economic Development Agreement (EDA) between White County and Honey Creek Energy, Tri Global Energy, for a new solar project. To date, this will be White County's fourth and largest solar project with the potential of 580 megawatts. The EDA payment to White County will be \$13,000 per megawatt (\$7,540,000) paid over a period of time. The property tax payments will be the equivalent of \$16,000 per acre.

The project is located east of State Highway 421, between Division Road and CR 375 N, in Honey Creek Township.

Chris Green, Project Manager with Tri Global Energy, appeared to discuss the project. He explained that Tri Global Energy would be the project developer and then sell it to Leeward Renewable Energy. Leeward Renewable Energy will own and operate the project.

Kelly Inns, Project Manager with Leeward Renewable Energy, appeared to introduce herself to the project. She stated that they have nearly 4,000 acres to lease and are working on a purchase agreement to sell the electricity from the plant. They are exploring the option of battery storage.

Councilman Anderson asked if the Commissioners were putting together an agreement where White County could have some electricity to set up charging stations at the Highway Department since we are known as a "green county."

Commissioner Diener said that they have had conversations, but no agreements have been made at this time.

Commissioner Diener asked if there were any questions about the EDA or payments. No response.

- Commissioner Burton made a motion to enter into the Economic Development Agreement (Resolution N. 21-09-20-01) with Honey Creek Energy, Tri Global Energy, seconded by Commissioner Davis. **Vote: Unanimous**

RESOLUTION NO. 21-09-20-01

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF WHITE
COUNTY, INDIANA APPROVING AN AGREEMENT WITH HONEY CREEK
ENERGY, LLC AND CERTAIN OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the Board of Commissioners of the White County, Indiana (the "Board") desires to benefit the health and general welfare of the citizens of White County, Indiana (the "County") and create opportunities for gainful employment and business opportunities within the County; and

WHEREAS, Honey Creek Energy LLC (the "Company") is contemplating the development and construction of a solar electric generating facility in the County, which will have a rated capacity of up to 580 megawatts (the "Project"); and

WHEREAS, the Company has requested assistance with the completion of certain road improvements, assistance with zoning variances and other permits, the approval of tax abatement, and other assistance from the County with respect to the project; and

WHEREAS, to induce the Company to complete the project, the Board desires to approve the execution of an Agreement for Economic Development, between the County and the Company, a form of which has been presented to the Board on the date hereof (the "Economic Development Agreement"), pursuant to which certain incentives will be provided to Company in exchange for its commitment to complete the project, to make certain economic development payments, and to take certain other actions with respect to the project.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of White County, Indiana, that:

The Board hereby finds that the execution and delivery of the Economic Development Agreement are in the best interests of the County and its citizens. The Board is authorized and directed to execute the Economic Development Agreement, in the name and on behalf of the County, and the Auditor of the County is hereby authorized and directed to attest the execution of such agreement, with such changes and modifications as such persons deem necessary or appropriate to effectuate this Resolution, said persons' execution thereof to be conclusive evidence of the approval of such changes.

The members of the County Council, the Board, the Auditor of the County, the legal counsel of the County, and other appropriate officers of the County are hereby authorized to take all such actions and execute all such instruments as are necessary or desirable to effectuate this Resolution.

This resolution shall be in full force and effect from and after its adoption.

MEADOW LAKE SOLAR PROJECT – DECOMMISSIONING AGREEMENT

At the last meeting, County Attorney Loy said that the Commissioners requested a clause in the Decommissioning Agreement regarding battery storage for the Meadow Lake Solar project. Suppose the Company desires to install electrical storage capacity after the project is approved. There is now a section in the agreement that will cover the removal of the battery storage.

Commissioner Diener asked if there are any questions or comments regarding the proposed Decommissioning Agreement between White County and Meadow Lake Solar. No response.

- Commissioner Davis made a motion to approve Resolution No. 21-09-20-02 approving a Decommissioning Agreement with Meadow Lake Solar Park, aka Indiana Crossroads Solar Park, seconded by Commissioner Burton. **Vote: Unanimous**

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PRESENT: ALL

**RESOLUTION NO. 21-09-20-02
A RESOLUTION OF THE BOARD OF COMMISSIONERS OF WHITE
COUNTY, INDIANA, APPROVING A DECOMMISSIONING PLAN AGREEMENT WITH
MEADOW LAKE SOLAR PARK LLC AND CERTAIN OTHER MATTERS
IN CONNECTION THEREWITH**

WHEREAS, the Board of Commissioners of the White County, Indiana (the "Board") desires to benefit the health and general welfare of the citizens of White County, Indiana (the "County") and create opportunities for gainful employment and business opportunities within the County; and

WHEREAS, Meadow Lake Solar Park LLC (the "Company") is contemplating the development and construction of an additional phase of a solar electric generating facility in the County, which will have a rated capacity of approximately 200 megawatts (the "Project"); and

WHEREAS, the Company has requested assistance with the completion of certain road improvements, assistance with zoning variances and other permits, the approval of tax abatement, and other assistance from the County with respect to the project; and

WHEREAS, on August 9, 2021, to induce the Company to complete the project, the Board approved the execution of an Agreement for Economic Development, between the County and the Company, pursuant to which certain incentives will be provided to the Company in exchange for its commitment to complete the project, to make certain economic development payments, and to take certain other actions with respect to the project; and

WHEREAS, on August 16, 2021, the Board approved the execution of an Agreement for Use, Repair, and Improvement of Roads and Repair of Drainage Facilities, pursuant to which the County agrees to provide the use of certain roads to the Company and the Company agrees to repair and improve such roads and certain drainage improvements in the County; and

WHEREAS, the Board desires to approve the execution of a Decommissioning Plan Agreement, between the County and the Company, a form of which has been presented to the Board this date (the "Decommissioning Agreement"), pursuant to which the Company agrees to decommission the project under certain conditions.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of White County, Indiana, that:

The Board hereby finds that the execution and delivery of the Decommissioning Agreement is in the best interests of the County and its citizens. The Board is authorized and directed to execute the Decommissioning Agreement, in the name and on behalf of the County, and the Auditor of the County is hereby authorized and directed to attest the execution of such agreement, with such changes and modifications as such persons deem necessary or appropriate to effectuate this Resolution, said persons' execution thereof to be conclusive evidence of the approval of such changes.

The members of the County Council, the Board, the Auditor of the County, the legal counsel of the County, and other appropriate officers of the County are hereby authorized to take all such actions and execute all such instruments as are necessary or desirable to effectuate this Resolution.

This resolution shall be in full force and effect from and after its adoption.

EMPLOYEE HEALTH INSURANCE RENEWAL

Amy Carpenter, White County's Health Insurance Agent with Huntington Insurance, appeared and reported that White County had a rough year last year due to significant medical claims and ongoing claims from the employees. Because of this, she has decided to meet with three third-party administrators (TPA). TPA's are individual companies that pay the claims, check for duplicate charges, check to make sure that the procedures are medically necessary, and ensure that the employees receive the best treatment at the best facility at the best cost. Of the three, she was impressed with Unified Group Services (UGS) from Anderson, Indiana. She said several counties are using them

HR Director appeared virtually and said that she called every County in Indiana using UGS and did not receive any negative reviews.

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Ms. Carpenter requested permission to hire UGS, which will eliminate Anthem on January 1, 2022. As our administrator, switching to UGS from Anthem will save the County \$9,800 annually, with a potential \$53,000 savings in Rx. IU Health owns the Encore Health Network.

Commissioner Diener asked if there were any questions or comments about leaving Anthem and switching over to United Group Services. No response.

- Commissioner Davis motioned to approve the County switching to United Group Services effective January 1, 2022, seconded by Commissioner Burton. **Vote: Unanimous**

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.

David Diener, President

Steve Burton, Vice President

James B. Davis, Member

ATTEST: _____
Gayle Rogers, Auditor