

Commissioners Meeting

June 5, 2017 8:00 a.m.

Present: Rick Nobbe, Jerome Buening and Mark Koors

President Nobbe called the June 5th 2017 Board of Commissioners meeting to order.

May 1st minutes were reviewed and corrected. After corrections were made to the May 1st, 2017 minutes Mr Buening moved to approve, Mr Koors 2nd, and Mr Nobbe concurred. The accounts payable and payroll claims were reviewed. Mr Buening moved to approve all claims, Mr Koors seconded and Mr Nobbe concurred.

Highway Superintendent Mark Mohr spoke with the commissioners about the Adopt-A-Highway program. Mr Bass had wrote up an agreement to go with the application and Mr Mohr presented it to the commissioners. Mr Mohr will talk with individuals who want to adopt a highway about right-of-way issues and private property issues. It was decided that there was no need to have an ordinance as previously discussed in May 1st, 2017 meeting. It was also decided not to make the individuals be bonded as that could make them turn away from the program. Mr Nobbe asked for a motion to accept the agreement to go with the application. Mr Koors made the motion, Mr Buening 2nd, and Mr Nobbe concurred.

Mr Mohr talked about the meeting at INDOT in Seymour on June 1st, 2017. He was accompanied by Christy Smiley, Teresa Reiger & Tim Ortman. He said a lot of things were basic from last year's grant. The only thing changing was the match amount. This year to get the counties million dollar match the figure will be \$333,333.33 making it easier to meet our match.

Mr Mohr updated on 300 N. He hopes for it to be back filled today along with the dirt work. Next week 180 E. work will begin. If rain holds out they should stay ahead of schedule.

The highways 2016 annual report needed the commissioners signature. After the signatures are obtained the report will go to Stae Baord of Accounts & LTAP.

Mr Mohr said that in reference to Mr Friend's tree problem, the highway department had spoken with the property owner on the opposite side. Camerons Tree Service from Clarksburg area will be cutting down the trees.

Mr Friend and Ms Taylor attended the meeting. Ms Taylor said she felt that she was getting the run around from Travelers Insurance. Ms Taylor brought with her a letter she had received from Rhonda Heger from the Technical Review Committee on March 16th 2017. Ms Taylor said that the Auditor's Office told her she could not attend the March 20th Commissioners Meeting. She said she gave the office all the information that she wanted brought up at the commissioners meeting. Ms Taylor said she had all the minutes from that meeting and nothing was mentioned of what she wanted brought up. Mrs Heger explained what the tech committee does and told Ms Taylor that the decision was made not to close the alley where the trees were because of utility reasons. Ms Taylor said she had never seen any utility companies there and for them to have access to the alley the company would have cut down several mature trees. Ms Taylor feels that departments are passing the blame because the complaints before were not being dealt with and the insurance company, Travelers Insurance, told her that the county didn't know about the trees. At that point Mr Bass instructed the commissioners to remain "mum" as far as the liability situation because that is for the liability insurance to handle. Mr Nobbe agreed but did reiterate that the commissioners meetings are open to the public. Mrs. Heger told Ms Taylor that the meeting she feels she was told she couldn't attend was a tech-review meeting and Ms. Taylor disagreed. Ms Duvall from the Area Plan Commission said that she told Ms Taylor at that meeting the tech review told Ms Taylor that they would make a decision about the alley closing and they would forward that decision to her and if Ms Taylor did not agree with it she could come to the commissioners meeting but the commissioners typically take the technical review committee's recommendations. Ms Taylor told Ms Duvall that she had never seen her before. Ms Duvall said she was just trying to point out that maybe that is where a misunderstanding is happening. Ms Taylor disagreed. Ms Taylor said it's been nothing but red tape, people pointing fingers, and no one wanting to take responsibility. Ms Taylor said she will remember her experience in the courthouse when election time comes. Ms Taylor said she has been without a car and can't afford to go a buy a new car. She wanted everyone to know how they feel

and what they have been through. Mr Nobbe asked Mr Mohr if the plans were in place to do what the county said they would do about the trees. Mr Mohr said yes and that he and Mr Friend had come to an agreement as to what trees would be left. Mr Mohr said he did want to stress that when the tech review committee looks at closing alleys they do not go out to the sight. They do their work from aerials and would not have known about the trees.

Scott Chasteen from EMA came to ask the commissioners permission to purchase a new ambulance in the amount of \$163,000. Mr. Nobbe asked what ambulance they were thinking of getting rid of. Mr Chasteen said the 1995 Medic 75 that was originally obtained from the Decatur County Board of Health and an ambulance from the Decatur County Highway Department leaving them with 6 ambulances. Mr Chasteen said they put about 125,000 to 150,000 total on all trucks per year and the more trucks they can have in rotation the less miles are getting put on the trucks. Mr. Nobbe asked if they had ever thought about getting a van-style ambulance. Mr Chasteen said while that would work for transports he didn't think there would be enough room in one if the patient was coding and several responders were needed in the ambulance. Mr Chasteen said he is looking to get a remountable box type and be in the remountable program. Mr Nobbe said he would like to see a number on a large van type units and he wonders about the real need for six ambulances and having the drivers for all 6 if the moment would come that we needed them all. Mr Chasteen said as a reminder the Decatur County Hospital takes care of maintenance after an ambulance has been purchased. Mr Buening asked if the purchase amount would have been different if the HGAC deal was not part of it. Tony Crumb from Pennicare said the county is saving about \$3000 to \$4000 going through HGAC. Mr Crumb also said the with the van type you gain height but loose width because they are more of a cargo van type. The amount for that would be \$110,000 to \$120,000. Mr Nobbe said as part of the fleet if you have 4 or 5 power type vehicles then you could have the van type to focus on the transporting. He feels it might be more economical doing the van then with the F350's they currently have. Mr Chasteen said once he feels the current fleet is solid he wouldn't mind having something like that for transport. Mr Chasteen also added with the HGAC they don't have to deal with the sealed bids or write their own specs. Mr Nobbe told Mr Chasteen he should get the agenda for next month as the commissioners aren't ready to make a decision on it today.

Area Plan Director Ms Duvall had nothing to bring before the commissioners. Mr Nobbe asked her when the next area plan meeting is and she said Wednesday June 7th at 7 p.m.

Mr Koors asked Kenny Buening if there has been any progress on the W 46 property. Mr Buening said he hasn't had any contact with her but she is supposed to be cleaning it up. Mr Koors said he has been getting emails from the adjoining property owners. Ms Duvall said she was by there this weekend and there hasn't been anything done. Mr Nobbe said when there are complaints it would be a good idea to keep them on the radar and go by to check on them weekly.

Kenny Buening from Area Plan reported since last meeting they have done about 45 inspections, 13 new building permits, has responded to some trash complaints and send letters out. On May 25th he went Brownsburg town hall residential code upgrade class and solar power codes. Hulsbosch Dairy has started their new cattle barn. The solar farm is starting to install the new panels and the perimeter fence is done so there is safety.

Mr Bass brought the AIA Document to the commissioners that he received. Mr Bass went over the document with the commissioners and he thought it is good as to what was agreed to. Mr Nobbe said to be clear, this was the base bid with alternate 2 and with the construction manager's option. It does not include anything with alternate 1. Mr Bass said that is correct. Mr Nobbe asked the other commissioners if it would be ok to ask for another document that spells out alternate 1 so they can look at approving that. Br Buening asked if it can be a separate document so that the Arsee can get started on their work. Mr Nobbe agreed. Mr Bass said he would get with Fritze on that. Mr Nobbe asked for a motion to approve document A 101 for the repair and maintenance procedures plan on Decatur County Courthouse. Mr Buening moved to approve, Mr Koors 2nd, and Mr Nobbe concurred.

Mr Nobbe asked the other commissioners to look at the commissioner, courthouse, and LIT budget for 2018 and see what they think might be needed for next year so the council can review it.

Mr Nobbe told Mr Bass that the State Board of Accounts has asked the county to come up with a credit card policy. Mr Nobbe has checked on it and it's not just credit cards but also charge accounts. Mr Nobbe asked Mr Bass to get ahold of Waggoner, Irwin, & Scheele to put together something to adopt and add a credit card policy to the personnel policy. Mr Nobbe added he would like to get this done before the State Board of Accounts finishes their audit in the county to see if it's sufficient.

Decatur County Sheriff Greg Allen started of the discussion for the new jail. Legislature approved a new special tax. Sheriff Allen feels the county really needs to move forward with the new facility. In 2016 the jail has a little over 90 inmates per day. From January 1 to June 2, 2017 the average has been 103 inmates. By state standards the jail capacity is 66. Sheriff Allen feels it makes it difficult for his jail staff. Around ¾ of his jail staff have less than 2 years of experience. Something needs to be figured out for the health and welfare of the county. The courts are making sentencing to where someone who should be in jail is getting let back out in the public. There are 75 people right now on home detention which could technically be in jail but can't be right now. The jail is averaging 10 prisoners a month that are going out of county and costing the county \$35/day per person to house them unless they are department of corrections then its anywhere from \$45 to \$95. He feels we need to get this project started. When Sheriff Allen took over as sheriff in January 2011 the average was in the low 70's which was still over but the number has only increased. Mr Nobbe said the Mr Buening has been leading a group of people that have been discussing the jail. Mr Buening said it's been pretty informal up to this point but they established a working group consisting of a judicial group. Judge Bailey, Nate Harter, Sheriff Allen, Judge Bailey, council members and himself and they have invited outside guests with expertise experience to come in and answer questions and help through some processes. They have been working toward the initial special use tax and to get that in place so that if the county determines that it needs to move forward that piece of the puzzle established. So now they are in the process of getting this before the commissioners because they are the ones who need make the decision of whether to move forward with the jail. If the decision is made to move forward with the jail it will go the council to enact that special use tax. Mr Buening said there are things they still need to hear and get feedback from the general public as well. Mr Buening had asked DLZ to present a condensed feasibility study and to hear from the state jail inspection officer. **Kenny Whipker from Department of Correction State Jail Inspector** said what the county is experiencing is not unique to Decatur County. Mr Whipker looks at about 45 different jails throughout the state and has personally been involved in discussions and or part of jail builds. He's experienced the building of a jail and it being crowded the day it was moved into, to the expanding of a jail because it was no longer large enough. In Decatur Counties circumstance it is running about 150% over the rated capacity which sets up a number of issues associated with the jail standards. By the standards there should be a bed for every inmate, and there should be a certain amount of square footage per inmate. Based upon standards in the county the commissioners own the jail and the sheriff is tasked to operate it and he needs to be provided a facility that's up to standards. It's the sheriff's role to submit to you on an annual basis the condition of the jail. Mr Whipkers feels what they commissioners are doing at this point is the right thing. It doesn't mean that you can't or won't be sued by a class action lawsuit. If that happens, depending on where you are at in discussions, how aggressive you are, and plans of action matters. Mr Whipkers said listening to the presentation that the architects have, they do their homework, they look at the history, and they are going to go out about 20 years and tell the county what the needs are at that time. With the change in legislation and the 1006 ruling, number of pretrials, and the length of time from carceration to disposition it compounds the problems. **Mr Eric Ratts from DLZ** said he agrees with Mr Whipkers about potential lawsuits. Mr Ratts said that what they are trying to develop is a 2040 plan. They understand that once the commissioners and council approve the project and then go through construction is takes every bit of two years to complete. Mr Ratts said there are really four steps to the overall project. The first step is where the county is at right now. The planning phase of the project, design, construction, and occupancy. Quite often the planning phase takes the most amount of time because it the most important phase of all four. What is being done in the planning phase is trying to figure out why do we need to do something, how big does it need to be, where is it going to be, and how much is it going to cost. Mr Ratts encouraged the county to take all the time needed to decide what those things are. Mr Ratts pointed out that the Decatur County Jail is one of the oldest in Indiana. Mr Nobbe asked Sheriff Allen how many people it takes to staff a 200 bed jail and Sheriff Allen said a minimum of 30. **Mr Rick Hall from Barnes and Thornburg** said the legislation that passed this past spring the county council has the ability to levy a special income tax up to .65% that would be dedicated solely to paying for this project. If the council acts before September 1 2017 it would go into effect in October. The earlier that they could get the tax into the place the earlier the money can start being collected and it will drive down the amount of money the county has to borrow for the project. Mr Hall recommended that they decide if they want to do the project and get the tax levied so it can be in place by September 1. Mr Buening asked if there was a length of years that the tax can be collected. Mr Hall said you keep the tax in place to help with operating expenses. After the debt rolls off the tax can be lowered to help with the operating expenses. Mr Koors asked at .65% how much income would that create a year and **Mr Matt Eckerle from Umbaugh and Associates** said that it would general approximately 3.1 million dollars per year. That amount had been figured from a maximum amount from the feasibility of funding at 25

million jail project plus coverage for operations. Mr Hall said that if the council is not in agreement in the recommendation of the commissioners to do the project and didn't want to do tax it cause them to go back to the drawing board to finance this. Mr Hall said the tax is a strong and clean source of revenue that will back bonds that can be sold to the market place. It would put strains on the county budget if it were not funded with this. It's up the commissioners as to whether the jail is to be build and then up to the council as to whether they are willing to adopt the tax to fund it. **Decatur County Prosecutor Nathan Harter** spoke and said the increase that they have seen in the jail comes from a real place. Greensburg Police Department is running over 100 service calls per day and the sheriffs' call are roughly double of what last year or two years ago. Those calls end up being criminal cases in his office and a large number of them end up sitting in the jail. Mr Harter said that the jail shows right now there is one misdemeanor in the jail and the rest are felons. He shared there are 75 people on house arrest who could at any moment be revoked and over 500 on probation who could all end up in jail or could have never left jail if it were not for the overcrowding issues. Mr Harter said he is pleased the Criminal Justice Community is coming together in this county to address this need. Mr Harter finished by saying that they will be with the county every step of the way. **Superior Court Judge Bailey** said the only thing he can add is that in the presentation everyone heard about alternative sentencing, they have taken that seriously and in 2014 Judge Day and himself looked at the community corrections program and decided to see what they could do to increase the staffing and the abilities in that area. They became part of the state program, they got a \$174,000 grant that they receive from the state every year. They have used that to hire staff and to implement the technology to supervise people. Last year they started to have everybody in community corrections on GPS. This program used to be used by 30 or 40 people but is now at 80 people. 17 of these people are pretrial and these people would be in jail if there wasn't an overcrowding. The probation numbers have gone up 200 in the least few years as well. **Circuit Court Judge Day** said no one wants to take on a project like this but he felt they have tried everything else. He said they looks over reports daily to figure out what they can do. He reiterated what Judge Bailey had said about home detention. He said there is no room for segregation for people with drying out issues or mental health issues and we now have an obsolete facility and it is time to move on. **Investigator Bill Meyerrose** added that there are 291 warrants in the system making potentially 291 more people who could be in the facility tomorrow. Mr Buening asked if there is any pressure from the localities to change 1006 ruling due to overcrowded facilities. Mr Harter said that legislatures are doing an informal study to see what the effect of 1006 ruling has had. Department of corrections have said they have not seen the savings that they hoped they would have from 1006. They don't know if they are going to reverse the trend and take back the 1006 or they will want the counties to keep the level 5 felons. Mr Koors asked if they had ever thought of moving the sheriffs office to the jail. Mr Ratts said if there was enough square footage that would be an option however most square footage should be reserved for making room for more beds. The commissioners agreed this is not a project they want to do but see no other way. The feel the judicial community have done everything they can do make the jail work. The commissioners decided to hold off on the decision until the June 19th meeting so the public can have an opportunity to learn the information.

With nothing else to come before the commissioners Mr Koors moved to adjourn, Mr Buening 2nd and Mr Nobbe concurred.

The next Commissioners' meeting will be June 19th, 2017 at 8:00 a.m.

Richard J Nobbe, President

Attest _____

Date: _____

