

Wells County Commissioners
September 7, 2021

The Wells County Commissioners met on Tuesday September 7, 2021, at 9:00AM in the Commissioner's Room of the Wells County Carnegie Annex, Bluffton, IN. Those in attendance were Commissioners, Blake Gerber, Kevin Woodward, and Michael Vanover, Attorney, Colin Andrews and County Auditor, Lisa McCormick.

PUBLIC HEARING

The second public hearing was held regarding a proposed lease between a nonprofit building corporation (the "Building Corporation"), as lessor, and Wells County, Indiana (the "County"), as lessee (the "Lease"). The proposed Lease would be entered into in connection with the financing of all or a portion of the acquisition of land, construction, installation, and equipping of a new county highway garage facility and other improvements and projects related thereto (the "Project"). The proposed Lease would also finance all, or a portion of the expenses incurred in connection with or on account of the issuance of bonds by the Building Corporation. The County's lease payments under such Lease will be payable from *ad valorem* property taxes collected by the County on all taxable property within the geographical boundaries of the County. The Board will make certain information available to the public regarding the proposed Lease and the Project as required by law and will allow members of the public to testify regarding the preliminary determination to enter the proposed Lease and the Project and the terms of the Lease. At the public hearings, the Board will hear any objections to and support for the proposed Project and the Lease from the public. Following such public hearings, the Board may adopt a resolution making a preliminary determination to enter the Lease to finance the Project. The proposed resolution includes the maximum term of the lease (20 years), anticipated interest (3-4%), estimated interest costs (\$6M), maximum lease rental (\$21,060,000). The estimated maximum debt service levy would be .062 as a result of the financing. There was no public comment. Motion made by Kevin Woodward, seconded by Michael Vanover to close the public hearing. Motion carried 3-0.

Regular Session

Minutes: Motion made by Michael Vanover, seconded by Kevin Woodward to approve the minutes from the August 16, 2021, regular session and the August 16, 2021, Executive Session. Motion carried 3-0.

Payroll and Claims: Motion made by Michael Vanover, seconded by Kevin Woodward to approve Payroll #17 in the amount of \$246,242.16, #18 in the amount of \$235,784.26 and 131 claims totaling \$1,215,867.32. Motion carried 3-0.

Wells County Sheriff: Sheriff Holliday reported 62 inmates, 18 pretrial Superior, 20 pretrial Circuit, 9 F6 DOC and 10 DOC. Sheriff Holliday informed the Commissioners of additional improvement requests for the current jail renovation project. The sallyport would be enclosed and expanded as well as fire suppression unit upgrades. Commissioners Woodward, Vanover and Gerber stated that they publicly support the additional improvement requests. The Change Order will require Council approval.

Wells County Highway Supervisor: Shawn Bonar informed the commissioners that 87 miles of chip and seal have been completed. One crew is north, one crew is south, completing hand patching and

backhoe jobs before winter. Mowing of the side ditches will start again in preparation for winter. Gravel roads have almost all been graded. Road conversions for this year will be 800E between 300S and 350S, and Oblique Road between Vera Cruz and 800E. When crops are harvested those conversions will start.

Highway Engineer: Nate Rumschlag informed the commissioners that INDOT has announced the next call for projects and funding for FY 2027. The call will open November 1st and close on December 3, 2021. Rumschlag plans to apply for the remainder of the CR 200S work, from Clark/Hoosier Hwy to SR1. Work has started on Bridge 99, Hoosier Hwy and Ash Road. Rumschlag has had ongoing conversations with the Commissioners and two property owners regarding driveways on CR 1000N. The first letter was sent to the two property owners on June 23, 2020. The letter was referencing driveway culvert replacement work that is necessary to carry surface water to the road crossing culvert under CR 1000N. Rumschlag had drafted a second letter to both property owners informing them that the highway department will proceed with replacing the driveway pipe within the public right of way, and expenses will be forwarded on to the property owner. This action will take place 30 days after issuance of the letter dated September 7, 2021. Right-of-way documents were presented to the Board of Commissioners for approval. Motion made by Michael Vanover, seconded by Kevin Woodward to approve the rights-of-way. Motion carried 3-0.

CR 200N: Mayor John Whicker came to the Commissioners requesting issuance of a right of way from the County to the City for a section of 200N. A subdivision that has been annexed into the city will leave a gap on 200N that will be County right of way. Motion made by Kevin Woodward, seconded by Michael Vanover to allow the section of right of way on 200N be transferred to the city. Motion carried 3-0.

Area Plan: Michael Lautzenheiser has an employee on FMLA whose leave will expire on August 27th, 2021. Lautzenheiser was requesting a 30-day extended medical leave for his employee from the Commissioners. Motion made by Kevin Woodward, seconded by Michael Vanover to extend the medical leave an additional 30 days. Motion carried 3-0.

COVID Update: Lynn Blevins updated the Commissioners on current COVID stats for Wells County. Wells County is currently in the Orange status with a 13.5% positivity rate. The health department has testing on Monday and Thursday and average 75-80 tests per day. There is currently no testing in schools. 82 deaths are attributed to COVID in Wells County.

2022 Holiday Schedule: Two 2022 Holiday schedules were presented to the Commissioners for their review and comment. One Holiday schedule had the current recognized holidays, and another had Juneteenth added. Currently all federal holidays are recognized by Wells County. The Commissioners will take the schedules under advisement and revisit at the October 4th meeting.

Cancellation of 2nd Meeting in September: Since the streets are shut down around the Annex Building for the Bluffton Street Fair September 20-25, 2021, a motion was made by Kevin Woodward, seconded by Michael Vanover to cancel the September 20, 2021, meeting. Motion carried 3-0.

Resolution 2021-18: A resolution was presented to the Commissioners regarding making a preliminary determination to enter a lease to finance a new county Highway Garage. The total cost of the Project, including, but not limited to, costs of acquisition of the real estate, construction of improvements, architects' and engineers' fees, consultants' services, legal and financing expenses, certain expenses of operation of the Wells County, Indiana Building Corporation (the "Building Corporation") during

construction, interest during construction and repayment of any funds advanced by Wells County, Indiana (the "County") to meet preliminary expenses necessary to be paid prior to the issuance of bonds by the Building Corporation, is not greater than Fifteen Million Dollars (\$15,000,000) and if the County proposes to impose property taxes to pay lease rentals on any construction, renovation, improvement, remodeling, alteration or expansion project, which is not excluded under Indiana Code §6-1.1-20-1.1, it must conduct two public hearings on the preliminary determination to proceed with such project prior to the County adopting any resolution making a preliminary determination to enter into one or more leases; and notice of said hearings has been given in accordance with Indiana law; interested people have been given the opportunity to present testimony and ask questions concerning the Project, and this Council has heard public input at public hearings held on August 16, 2021, and September 7, 2021, concerning the Project. Motion made by Kevin Woodward, seconded by Michael Vanover to approve Resolution 2021-18 making a preliminary determination to enter a lease to finance a new county Highway Garage. Motion carried 3-0.

Resolution 2021-19: A resolution was presented to the Commissioners amending and restating Resolution 2021-16 authorizing the use of the construction manager as constructor method of contracting for the proposed new County Highway Garage project. This resolution states that the Board of Commissioners desires to (a) reaffirm its pursuit of the design and construction of all of the Project in accordance with Indiana Code 5-32, as amended, (b) reaffirm its authorization to use the construction manager as constructor method with respect to the Project, (c) amend the appointment of the members of an evaluation committee required pursuant to Indiana Code 5-32-3, as amended, (d) reaffirm its appointment of a chairperson for such evaluation committee, (e) terminate RQAW Corporation as the architect for the Project, (f) reaffirm its authorization of the issuance of a request for proposal for the services of construction manager as constructor request with respect to the Project, (g) authorize the taking of other actions related thereto, and (h) amend and restate the August 16 Resolution. The Commissioners did not appoint a new architect to replace RQAW at this meeting. Motion made by Kevin Woodward, seconded by Michael Vanover to approve Resolution 2021-19 amending and restating Resolution 2021-16. Motion carried 3-0.

County Farm: Seven Auctioneers submitted proposals to the Commissioners regarding the sale of the County farm. The Commissioners had taken the proposals under advisement. Motion made by Kevin Woodward, seconded by Michael Vanover to accept, and sign an Addendum to Auction Real Estate Listing Agreement with Haldeman Real Estate Services, Inc. Motion carried 3-0. The Commissioners will set a minimum bid at the October 4th meeting and tentatively set November 9th as the auction date.

American Rescue Plan Act County Plan: Wells County has been allocated \$5,496,166 Coronavirus Local Fiscal Recovery funds. Wells County received its first tranche of funds in the amount of \$2,748,083 on June 7, 2021 and expects to receive its second tranche in May 2022. This plan describes how the county will spend those funds. The plan numbers are estimates for each category and may change based on need, COVID conditions and or bids/quotes that come in higher or lower. Likewise, projects may be added and or removed. This plan is to layout a roadmap for Wells County Government to utilize these dollars to have the greatest overall impact on Wells County. Input for this plan has been received from community members, business leaders, department heads and elected officials. Motion made by Kevin Woodward, seconded by Michael Vanover to approve the American Rescue Plan Act County Plan, updated as of September 2, 2021 (Misc. 2021-10). Motion carried 3-0.

Ordinance 2021-11: Motion made by Kevin Woodward, seconded by Michael Vanover to adopt the provisions of the Wells County, Indiana ARPA Funding Plan for 2021-2022 ("the Plan"), established by

the Board of Commissioners of Wells County, Indiana, and the Wells County Council, as amended from time to time, Ordinance 2021-11. Motion carried 3-0.

Appreciation: Sheriff Scott Holliday, Council President Steve Huggins, Highway Engineer Nate Rumschlag, Commissioners Blake Gerber, and Michael Vanover, and Rick Hall from Barnes & Thornburg expressed appreciation to Kevin Woodward for his years of service in County Government. Kevin also expressed sincere appreciation to the other board members and the citizens of Wells County for allowing him to serve. This was the last meeting he will be in attendance.

Adjourned: Wells County Commissioners adjourned at 9:47AM, motion made by Kevin Woodward, seconded by Michael Vanover. Motion carried 3-0.

Wells County Commissioners

President, Blake Gerber

Michael K Vanover

Member

Attest: _____
Lisa McCormick, Wells County Auditor