

## **REGULAR SESSION RUSH COUNTY BOARD OF COMMISSIONERS**

### **April 24, 2023**

The Rush County Board of Commissioners met in regular session Monday, April 24, 2023, with Commissioners Mark Bacon, Ron Jarman and Kenny Aulbach present. Auditor Tammy Justice and County Attorney Leigh Morning were also present.

Mark Bacon called the meeting to order at 9:00 a.m. with the Pledge to the American Flag.

### **MINUTES**

- Minutes of the Regular Session held on April 10, 2023, were presented. Ron Jarman made the motion to approve the minutes. Kenny Aulbach seconded. All were in favor. Motion carried.

### **CLAIMS**

- Accounts Payable claims for April 24, 2023, in the amount of \$535,534.06 were presented. Ron Jarman made a motion to approve the claims. Seconded by Kenny Aulbach. All were in favor. Motion carried.

### **PAYROLL**

- Payroll for April 28, 2023, in the amount of \$216,712.95 was presented. Kenny Aulbach moved to approve the payroll claims. Seconded by Ron Jarman. All were in favor. Motion carried.

### **PROSECUTOR**

- Deputy Prosecutor David Thompson requested approval from the Commissioners to apply for the CY 2024 Prosecutor's Felony Diversion Program Grant in the amount of \$26,025.00 with no county match. The purpose of this grant is to provide funding for the Prosecutor's Felony Diversion, which serves to divert qualified defendants, facing felony charges, from incarceration and probation while still holding them accountable for their behavior. The funding provides for a portion of the salary for deputy prosecutor managing the program as well as for a portion of the services provided to the diversion participants. Ron Jarman moved to approve applying for the Prosecutor's Felony Diversion Program Grant. Seconded by Kenny Aulbach. All were in favor. Motion carried.
- Deputy Prosecutor David Thompson requested the Commissioners sign a letter, required by the DOC, to accompany the CY 2024 Prosecutor's Felony Diversion Program Grant application. Ron Jarman moved to sign the letter to the DOC. Seconded by Kenny Aulbach. All were in favor. Motion carried.

### **SENIOR CITIZEN CENTER**

- Angela Caveletto of the Senior Citizen Center requested approval from the Commissioners for the CY 2024 federal grant application. Ron Jarman moved to sign the CY 2024 federal grant application. Seconded by Kenny Aulbach. All were in favor. Motion carried.
- Angela Caveletto of the Senior Citizen Center requested the Commissioners sign Resolution 2023-3 Resolution Authorizing the filing of CY 2024

Application for a Grant Under Section 5311/5339 of the Federal Transit Act, as Amended. Ron Jarman motioned to sign Resolution 2023-3. Seconded by Kenny Aulbach. All were in favor. Motion carried.

### **EMA**

- Director Chuck Kemker advised the Commissioners he had been working to update the Emergency Operations Plan, the Comprehensive Emergency Management Plan (CEMP) and Annexes to both plans. He is molding plans together to reduce the number of plans in place. Director Kemker asked the Commissioners for approval of both plans and the annexes. Ron Jarman motioned to approve the Emergency Operations Plan. Seconded by Kenny Aulbach. All were in favor. Motion carried. Ron Jarman motioned to approve the Comprehensive Emergency Management Plan (CEMP). Seconded by Kenny Aulbach. All were in favor. Motion carried. Ron Jarman motioned to approve annexes to both plans. Seconded by Kenny Aulbach. All were in favor. Motion carried.

### **SURVEYOR**

- Surveyor Marvin Rees advised the Commissioners the previous copier lease that was signed, indicated monthly lease payments and should have been quarterly.
- Surveyor Marvin Rees requested approval from the Commissioners on a corrected lease agreement for a new copier in his office. Ron Jarman motioned to approve and sign the lease agreement for the new copier. Seconded by Kenny Aulbach. All were in favor. Motion carried.

### **TREASURER**

- Treasurer Jodi Harr advised the Commissioners she now has a government banker through First Financial.
- Treasurer Jodi Harr advised the Commissioners there are now added security features through First Financial, which includes anything coming through the account that does not match the daily file she sends, will need her approval before it is granted.
- Treasurer Jodi Harr advised the Commissioners there are \$4,456.52 in back taxes due on parcel number 70-14-13-131-001.000-001 that the Commissioners took deed to. Commissioner Jarman asked what entities get those back taxes. Treasurer Harr stated besides Rush County, it would be Anderson Township, Anderson Sewer District and Rush County Schools. Attorney Leigh Morning stated in the past she believes back taxes were removed when a government entity took deed. Treasurer Harr requested the Commissioners put a policy in place for future reference of back taxes when a government entity takes deed.

## **JAIL**

- Matron Megan Tate questioned the Commissioners on the status of the preventative maintenance agreements. She stated that Choice Mechanical's quote was for a one (1) year contract, and it is the same price as the last two (2) years. Ron Jarman made a motion to use Choice Mechanical for preventative maintenance time and material for one (1) quarter. Seconded by Kenny Aulbach. All were in favor. Motion carried.

## **CLERK**

- Clerk Angie Buckley asked permission from the Commissioners to hire summer part time help to work on document storage in the attic. Ron Jarman moved to allow hiring part time summer help. Seconded by Kenny Aulbach. All were in favor. Motion carried.

## **HEALTH DEPARTMENT**

- Amy DeJager presented the Commissioners with Certificate of Appointment to County Board of Health for Alisa Winters. This is a one (1) year term and replaces Jackie Gettinger. Ron Jarman moved to approve the appointment of Alisa Winters. Seconded by Kenny Aulbach. All were in favor. Motion carried.
- Amy DeJager presented the Commissioner with Certificate of Appointment to County Board of Health for Elizabeth West. This is a three (3) year term and is a reappointment. Ron Jarman moved to approve the reappointment of Elizabeth West. Seconded by Kenny Aulbach. All were in favor. Motion carried.

## **SHERIFF**

- Sheriff Allan Rice updated the Commissioners on his department's year to date investigation numbers.
- Sheriff Allan Rice updated the Commissioners on his department's year to date financials.
- Sheriff Allan Rice updated the Commissioners on the number of registered sex offenders within the county.
- Sheriff Allan Rice updated the Commissioners on his department's year to date training hours.
- Sheriff Allan Rice advised the Commissioners the installation of the body cameras has been pushed back to the week of May 25<sup>th</sup>.
- Sheriff Allan Rice advised the Commissioners the Spillman server will be updated the week of May 8<sup>th</sup> and will be out of service during part of this time.
- Sheriff Allan Rice informed the Commissioners that Deputy Amanda Cable graduated from the academy on April 21<sup>st</sup>.
- Sheriff Allan Rice informed the Commissioners that he has received a resignation letter from one of his full-time female correction officers.
- Sheriff Allan Rice informed the Commissioners that the preventive maintenance for the 1<sup>st</sup> quarter will include the air conditioning maintenance.

## HR

- HR Director Tony Personett requested approval from the Commissioners to advertise for a full-time female correction officer. Ron Jarman moved to advertise for a full-time female correction officer. Seconded by Kenny Aulbach. All were in favor. Motion carried.

## SOLAR

- Commissioner Mark Bacon opened the floor for discussion on solar farms.
- Dan Naylor addressed the Commissioners regarding the absence of a county building inspector, asking if the county planned to hire someone to police the construction of the solar project.
- Dan Naylor asked the Commissioners how many solar sites each one of them visited, that Hoosier Solar was the developer on. Each Commissioner stated they had not visited any Hoosier Solar developed sites.
- Jim Naylor addressed the Commissioners stating during a previous discussion with Commissioner Jarman, Commissioner Jarman stated he didn't think anyone cared about the solar project. Jim Naylor motioned to the crowd stating this should show that citizens do care.
- Commissioner Mark Bacon addressed the fact that the county needs revenue to pay for upcoming projects.
- Jim Naylor stated that he has always paid his taxes even when they have gone up. Naylor expressed his opinion that if solar projects go in, it threatens the food source. Naylor stated the proposed solar project covers the same acreage as the city of Rushville. Naylor also expressed his concern that Rush County was built on agricultural, and the solar project threatens that.
- Dan Naylor asked for clarification on if the county has a solar committee. The Commissioners stated that the county does have a solar committee. Naylor then inquired of the Commissioners on the solar committee, who resides near the project. The Commissioners stated no one resides near the project.
- Jim Naylor requested that the volume in the assembly room be increased so everyone in the crowd can hear how county government is run. Commissioner Mark Bacon reiterated that it takes money to update acoustics in the room. Naylor stated that Michigan State has good facts on the effects of solar farms.
- Philann Orme who is with the Pro Ag Rush Henry Alliance advised they have started a petition against the solar project and currently have 156 signatures. Orme then inquired as to how the public can get the solar regulations. Commissioner Jarman instructed Orme how to get those regulations. Orme then questioned what the setbacks are from property lines. Area Plan Director Mike Holzback advised the setback is 30 feet. Orme then stated she had heard complaints about citizens not being able to access roads during the solar construction phase. Attorney Leigh Morning and Sheriff Allan Rice stated there have been zero reports filed regarding road access.
- Bob Hallgarth who lives by Mahoning Valley inquired about the access to the tiles in the fields and ditches. Commissioner Mark Bacon stated that would have to be addressed in the contracts between the landowners and the solar company.

- Jim Naylor addressed the fact that Falmouth Farm Supply will lose revenue if the solar project goes in.
- Annette Fey inquired if Hoosier Solar has received a tax abatement. Commissioner Jarman advised that currently they do not have an abatement. Hoosier Solar will have to apply and file for an abatement with an SB1 form.
- Ryan Miller asked for clarification regarding the BZA meeting and the vote on May 3, 2023. The Commissioners advised that meeting will be pushed back until the Commissioners appointment to the BZA Board is made.
- Jim Naylor inquired if there will be a special meeting for the Commissioners BZA appointment. The Commissioners advised him they have requested interested parties apply by May 22, 2023. The Commissioners advised that notices have not been sent out to homeowners for the solar project to be discussed at the BZA meeting on May 3, 2023. The earliest it could be discussed would be the June 7, 2023, meeting.

**MISC.**

- County Attorney Leigh Morning presented the Commissioners with two (2) Request for Proposals. The first request for proposals is for the removal of a structure located at 8970 S. Walnut, Milroy Indiana. The second request for proposals is for the removal of a structure located at 202 S. Pleasant Street, Milroy Indiana. Both proposals are due to the Rush County Board of Commissioners no later than May 22, 2023, at 9:30 am. Ron Jarman made the motion to approve both request for proposals. Seconded by Kenny Aulbach. All were in favor. Motion carried.
- Auditor Tammy Justice advised the Commissioners regarding the report of inspection on the courthouse's elevator. There were 11 violations needing fixed by May 12, 2023. Some of the violations can be addressed in house, however there is a cable that will need to be replaced and that will have to be done by TK Elevator.
- A discussion was held regarding the Commissioner appointment to the Board of Zoning Appeals. Ron Jarman moved to advertise for the Commissioner appointment due back to the Board of Commissioners by May 22, 2023. Seconded by Kenny Aulbach. All were in favor. Motion carried.

Ron Jarman made a motion to adjourn. Seconded by Kenny Aulbach. All were in favor. Motion carried.

/Mark Bacon/  
Mark Bacon, Chairman

/Kenny Aulbach/  
Kenny Aulbach

/Ron Jarman/  
Ron Jarman

ATTEST:  
/Tammy Justice/  
Tammy Justice, Auditor