

DECEMBER 6, 2021

REGULAR SESSION

PULASKI COUNTY COMMISSIONERS

The Pulaski County Commissioners met in regular session at 6:00pm on Monday December 6, 2021 at the Pulaski County Highway Garage training room. Commissioners present were Charles Mellon, Maurice Loehmer, Mike McClure with County Auditor Laura Wheeler and County Attorney Kevin Tankersley.

Also present were Judge Mary Welker, Kathi Thompson, Jeff Richwine, Nathan Origer, Terry Young, Jolie Simmermaker, John Simmermaker, Connie Ehrlich, Jennifer Knebel, Gary Kruger, Brandon DeLorenzo, Becky Dilts, Lin Morrison, Rick Dilts, Pamela Rausch, Steve Morrison, Anita Goodan, Chris Brucker, and Shelby Lopez of WROI Rochester.

President Mellon opened the meeting with the Pledge of Allegiance.

IN RE: EMS

EMS has two medic positions open, with one position to be filled by and EMT. The State of Indiana permits this with only one at a time. Commissioners approved.

Engine replacement for one of the ambulances discussed. Director DeLorenzo directed to check VanderHaags for a used engine and if one not available then get gaskets replaced.

Internet at Francesville is a 3-megabyte Plan (2 years) and eligible for upgrade for possibly less cost.

EMS part-time employees working the Thanksgiving holiday request to be paid time and a half. Maurice Loehmer made a motion to amend matrix accordingly for all part-time employees, Mike McClure seconded and motion carried unanimously.

IN RE: HIGHWAY

Panhandle pathway request service from County Highway department. Mike McClure motioned to donate stone hauling for 1,000 tons of stone. Maurice Loehmer seconded and motion carried unanimously.

IN RE: CDC

Emily Albaugh of Kankakee-Iroquois Regional Planning Commission (KIRPC) presented the following resolution authorizing the Medaryville Fire Station grant application to OCRA and committing the local match that will be provided by the Medaryville Fire Department and White Post Township.

**RESOLUTION OF THE COUNTY COMMISSIONERS OF PULASKI COUNTY,
INDIANA, AUTHORIZING THE SUBMITTAL OF THE BLIGHT CLEARANCE
PROGRAM APPLICATION TO THE INDIANA OFFICE OF COMMUNITY AND
RURAL AFFAIRS AND ADDRESSING RELATED MATTERS**

WHEREAS, the Board of Commissioners of Pulaski County, Indiana recognizes the need to stimulate growth and to maintain a sound economy within its corporate limits; and

WHEREAS, THE Housing and Community Development Act of 1974, as amended, authorizes the Indiana Office of Community and Rural Affairs to provide grants to local units of government to meet the housing and community development needs of low- and moderate-income persons; and

WHEREAS, Pulaski County, Indiana has conducted or will conduct public hearings prior to the submission of an application to the Indiana Office of Community and Rural Affairs, said public hearings to assess the housing, public facilities, and economic needs of its low- and moderate-income residents;

NOW, THEREFORE, BE IT RESOLVED by Pulaski County, Indiana that:

1. The President of the Board of Commissioners is authorized to prepare and submit an application for grant funding to address the construction of a fire station in Medaryville, Indiana and to execute and administer a resultant grant including requisite general administration and project management, contracts, and agreements pursuant to regulations of the Indiana Office of Community and Rural Affairs and the United States Department of Housing and Urban Development.

2. Pulaski County, Indiana hereby commits the requisite local funds in the amount of Two Hundred Four Thousand Eight Hundred Fifty-five dollars (\$204,855), in the form of cash from White Post Township (\$104,855) and the Medaryville Fire Department (\$100,000), as matching funds for said program, such commitment to be contingent upon receipt of Public Facilities funding From the Indiana Office of Community and Rural Affairs.

Charles Mellon motioned to adopt the resolution as presented. Maurice Loehmer seconded. Motion carried unanimously.

The regular meeting recessed in order to open a public hearing for the closure of the \$250,000.00 OCRA grant. Public comment opened. A recipient list can be obtained through Nathan Origer. With no other public comment, the public hearing was closed and the regular session reconvened.

Pulaski County has had 2138 cases of COVID since April 5, 2020 and remain at the orange level on both the advisory and the two-week metrics map but red on the map indicating weekly cases per 100,000 residents. Hospitalization levels are increasing across the state.

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Steel decking for roof addition and steel framing completed this week, after which fireproofing material will be spray-installed and temporary heating put in place. Demolition of Prosecutor's Office is 80% complete. Change orders discussed but nothing to approve.

As a follow-up to last Friday's special meeting regarding the Courthouse project the Tonn & Blank CMc contract presented for approval. The Courthouse Renovation projected cost is a little over \$6.1 million. It is unlikely that both the Health and Extension departments can be moved to the Courthouse. Maurice Loehmer made a motion to approve the Tonn & Blank CMc contract, Mike McClure seconded. Further discussion of steering committee and use of potential solar money pursued. Motion carried unanimously.

IN RE: OTHER BUSINESS

Maurice Loehmer motioned to approve and sign the November 15, 2021 regular session minutes and the November 26, 2021 Executive Memorandum as presented, Mike McClure seconded and motion carried unanimously.

Mike McClure motioned to approve the following bonds as presented, Maurice Loehmer seconded. Motion carried unanimously.

**Prosecutor: Kelly Gaumer
Auditor—Laura Wheeler
Coroner—Jon Frain**

Maurice Loehmer made a motion to approve the following conference request as presented, Mike McClure seconded and motion carried unanimously.

Assessor: State Called 2022 Winter Conference, 3 attending 1/18-21/22 and 1 attending 1/17-21/22, Indianapolis

The 2022 Annual Extension Contractual Services Agreement with Purdue University presented for approval and signature. Maurice Loehmer motioned to approve the contract as presented and Mike McClure seconded. Motion carried unanimously.

The CSI-Computer Systems, Inc. annual Software License Agreement for the Clerk's office at an annual fee of \$4,000.00 presented for approval and signature. Maurice Loehmer motioned to approve the agreement as presented, Mike McClure seconded and motion passed unanimously.

Ordinance 2021-12, which allows the County ordinances to be digitized presented for approval and signatures and reads as follows:

ORDINANCE 2021-12

AN ORDINANCE ENACTING A CODE OF ORDINANCES FOR THE PULASKI COUNTY, INDIANA, REVISING, AMENDING, RESTATING, CODIFYING AND COMPILING CERTAIN EXISTING GENERAL ORDINANCES OF THE POLITICALSUBDIVISION DEALING WITH SUBJECTS EMBRACED IN SUCH CODE OF ORDINANCES, AND DECLARING AN EMERGENCY.

WHEREAS, the present general and permanent ordinances of the political subdivision are inadequately arranged and classified and are insufficient in form and substance for the complete preservation of the public peace, health, safety and general welfare of the municipality and for the proper conduct of its affairs; and

WHEREAS, the Acts of the Legislature of the State of Indiana empower and authorize the political subdivision to revise, amend, restate, codify and compile any existing ordinances and allnew ordinances not heretofore adopted or published and to incorporate such ordinances into one ordinance in book form; and

WHEREAS, the Legislative Authority of the Political Subdivision pursuant to Ind. Code 36-1-2-9 is the Board of Commissioners and they have authorized a general compilation, revision and codification of the ordinances of the Political Subdivision of a general and permanent nature and publication of such ordinance in book form; and

WHEREAS, it is necessary to provide for the usual daily operation of the municipality and forthe immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF PULASKI COUNTY, INDIANA:

- Section 1. The general ordinances of the Political Subdivision as revised, amended, restated, codified, and compiled in book form are hereby adopted as and shall constitute the "Code of Ordinances of the Pulaski County, Indiana."
- Section 2. Such Code of Ordinances as adopted in Section 1 shall consist of the following Titles: **Title I: General Provisions; Title III: Administration; Title V: Public Works Title; VII: Traffic Code; Title IX: General Regulations; Title XI: Business Regulations; Title XIII: General Offenses; Title XV: Land Usage; Table of Special Ordinances; Parallel References**

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- Section 3. All prior ordinances pertaining to the subjects treated in such Code of Ordinances shall be deemed repealed from and after the effective date of this ordinance except as they are included and reordained in whole or in part in such Code; provided, such repeal shall not affect any offense committed or penalty incurred or any right established prior to the effective date of this ordinance, nor shall such repeal affect the provisions of ordinances levying taxes, appropriating money, annexing or detaching territory, establishing franchises, or granting special rights to certain persons, authorizing public improvements, authorizing the issuance of bonds or borrowing of money, authorizing the purchase or sale of real or personal property, granting or accepting easements, plat or dedication of land to public use, vacating or setting the boundaries of streets or other public places; nor shall such repeal affect any other ordinance of a temporary or special nature or pertaining to subjects not contained in or covered by the Code.
- Section 4. Such Code shall be deemed published as of the day of its adoption and approval by the Legislative Authority and the Clerk of the Political Subdivision is hereby authorized and ordered to file a copy of such Code of Ordinances in the Office of the Clerk.
- Section 5. Such Code shall be in full force and effect as provided in Section 6, and such Code shall be presumptive evidence in all courts and places of the ordinance and all provisions, sections, penalties and regulations therein contained and of the date of passage, and that the same is properly signed, attested, recorded, and approved and that any public hearings and notices thereof as required by law have been given.
- Section 6. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the people of this municipality, and shall take effect at the earliest date provided by law.

Maurice Loehmer made a motion to approve Ordinance 2021-12 as presented, Mike McClure seconded and motion carried unanimously.

Maurice Loehmer made a motion to approve and sign claims and payroll as presented, Mike McClure seconded and motion carried unanimously.

Alexander Farm contract presented for approval and reads as follows:

FLEXIBLE CASH RENT AGREEMENT

1. Tenant agrees to rent 111.3 acres in Monroe Township, Pulaski County for the purpose of crop production.
2. Tenant agrees to pay landlord 33% of the total gross income per acre by first paying a base cash rent and then paying an adjustment following a specified marketing period of Dec. 1 through Feb 1.
3. The annual base cash rent shall be \$150.00 per acre. The first installment of \$75.00 per acre (8,347.50) will be paid on April 1 and the second installment of \$75.00 per acre (8,347.50) will be paid Nov 1.
4. The adjustment is to be paid in the first week of February and is computed by the following:

$$\text{Adjustment/acre} = (.33 \times \text{gross income/acre}) - \$150.00 \text{ (prepaid cash rent)}$$
$$\text{Gross income/acre} = (\text{bu./acre}) \times (\text{average cash price Dec 1, Jan 1, and Feb 1}) + \text{annual FSA farm payment.}^*$$

*If the average price falls below FSA annual loan rate, then loan rate prices will be used to calculate gross income/acre.
5. The tenant agrees to pay for all crop inputs, to follow fertilizer recommendations of soil tests, and to help with general farm maintenance and upkeep.
6. In the event that any of the tillable acres are sold for the Industrial Park expansion and crops are destroyed during the growing season or before crops can be harvested, the tenant will be reimbursed for lost income on said acres. Reimbursement will be the 3-year average yield x harvest price available at that time.
7. In the event the entire farm is sold during 2022, this contract will carry over to the new owner and remain in force until Dec. 1, 2022.

Maurice Loehmer motioned to approve the contract as presented. Mike McClure seconded. Motion carried unanimously.

Recycle/transfer manager appointment discussed briefly.

With no other business to discuss, Maurice Loehmer made a motion to adjourn at 6:54pm, Mike McClure seconded and motion carried unanimously.

APPROVED AND SIGNED THIS 20TH DAY OF DECEMBER BY PULASKI COUNTY COMMISSIONERS.

CHARLES MELLON

MAURICE LOEHMER

MIKE MCCLURE

Attest: _____
LAURA WHEELER, AUDITOR, PULASKI COUNTY, IN