

KOSCIUSKO COUNTY COMMISSIONERS

January 5, 2021

The Kosciusko County Commissioners met for their regular meeting on January 5, 2021 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley-President
Cary Groninger-Vice President
Brad Jackson-Member-ABSENT

Ed Ormsby-County Attorney
Michelle Puckett – County Auditor
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF INCARCERATED OFFENDERS PROVIDER AGREEMENT:

Shane Coney, Jail Commander, presented an agreement with Family and Social Services Administration (FSSA), stating the agreement establishes the ability to assist work release participants as well as those who complete the JCAP program, with applying for HIP 2.0, so they can transition into society with medical coverage until they can qualify under an employers' insurance plan.

MOTION: Cary Groninger

TO: Approve the Incarcerated Offenders
Provider Agreement as presented.

SECOND: Robert Conley

AYES: 2 NAYS: 0
UNANIMOUS

IN THE MATTER OF CONSTITUTIONAL RIGHTS ORDINANCE:

County Attorney, Ed Ormsby, presented an update, stating pursuant to the Constitutional Rights Ordinance, passed on December 22, 2020, the recodification of county ordinances has begun and two recodification agents are being considered.

IN THE MATTER OF 50 YEARS OF SERVICE RECOGNITION-LARRY PHILLIPS:

Steve Moriarty, County Highway Superintendent, recognized Larry Phillips, stating he began his career with the County Highway on January 6, 1971, which is now 50 years of service. Moriarty continued, stating "Wally" as Phillips is known by, has spent countless hours maintaining our roads, often missing holidays with his family so others can travel safely. Phillips has held the position of District Patrolman for 29 years, being on-call 24/7 for any emergency that may arise and is held in very high regard by the close family, Moriarty stated, known as the highway department.

Great appreciation was extended and a plaque was presented for Phillips' 50 years of service.

IN THE MATTER OF SHERIFF UPDATES:

County Sheriff, Kyle Dukes, presented the following updates:

- the current inmate population is 267 and there are 0 reports of coronavirus symptoms at this time
- the prison system is slowly starting to accept inmates and there are approximately 20 inmates ready to transfer
- a new work release director has been hired and is scheduled to be announced next week
- the auction, held with City of Warsaw and Kosciusko County Government, was very successful, and brought in \$125,000 with \$27,000 of firearms sales going toward Sheriff's training and equipment

Being no further business to come before the Commissioners, the meeting was adjourned.

KOSCIUSKO COUNTY COMMISSIONERS

January 19, 2021

The Kosciusko County Commissioners met for their regular meeting on January 19, 2021 at 9:00 a.m. in Superior Court 3 on the upper level of the Justice Building, 121 N. Lake St., Warsaw, IN. Those present were:

Robert Conley-President ABSENT
Cary Groninger-Vice President
Brad Jackson-Member

Ed Ormsby-County Attorney
Michelle Puckett – County Auditor
Marsha McSherry – County Administrator

Cary Groninger participated in the meeting through video conferencing.

Minutes were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF VETERAN OF THE MONTH – JOE BANKS:

Rich Maron, Veteran Service Officer, came before the Commissioners to introduce the January Veteran of the month, Joe Banks, stating Banks was born June 7, 1939 to Joseph and Anna Banks in Cleveland Ohio. They had two (2) sons. His brother, Ernest, died at the young age of 58.

Banks graduated from John Adams High School, Cleveland, in 1958 and then finished an electronics program at DeVry Tech in Chicago in 1957, enlisted in the United States Navy in December 1957 and was sent to U. S. Naval Training Center at Great Lakes for boot camp and electronics school.

Naval orders would put Banks on a consecutive series of three heavy cruisers starting in 1959. They were the United States Ship Northampton, U. S. S. Little Rock and the U. S. S. Boston. These ships were heavy cruisers serving under the Cruiser Forces Atlantic. Their assignment was to protect America's east coast against air and sea invasion. Banks's task on these ships was to service a 300-mile air search radar. He did his service to the utmost of his abilities with diligence and pride.

Banks was honorably discharged on board the U. S. S. Boston in Boston, Massachusetts in May of 1962.

He married Constance Banks in September 1962 and God blessed them with two sons and a daughter.

Banks would then go on to join the Naval Reserve unit in Cleveland on December 15, 1964, where his job was to instruct new naval enlistees in basic electronics. He would perform that duty for 6 years and be honorably discharged from the Reserves on December 14, 1970.

He would go on to graduate from Cleveland State University in 1974 with a Bachelor of Arts degree with majors in political science and basic business, which led to his employment with the White Motor Corporation until the specter of bankruptcy began to loom large. He then decided to take a job with Zimmer Incorporated in February of 1980 and White went bankrupt in August of 1980.

Banks's family made the move to Warsaw to work for Zimmer, Inc. in 1980 and he would then join the Air National Guard (then the 122nd Fighter Wing) out of Fort Wayne in 1982 and serve as the non-commissioned officer for in charge of safety. Banks worked with senior officers of the Wing command to ensure the Fighter Wings compliance with the Air Force Occupational Health and Safety Regulations (AFOSH), where he was promoted to Master Sergeant in 1994 and would begin his next assignment as the Wing Command's First Sergeant in 1994. Banks finally retired in 1996 with twenty-six years of service.

IN THE MATTER OF JUSTICE BUILDING PHOTO DISPLAY:

Judge James Jarrette requested the continuation of the photographic history of Superior Court III Judges, which was started in 1976, by including a photo of Judge Joe Sutton who recently retired after 24 years of service to the County. Judge Jarrette stated Judge Sutton was an honorable man, a thorough judge and was very well respected regionally by his peers.

After a brief history of how the collection began, Judge Jarrette requested the Commissioners take ownership of the existing collection and continue with the trend, by establishing a collection for the other courts within the county, as well as maintaining the collections in the years ahead.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 2 NAYS: 0

UNANIMOUS

TO: Approve the acceptance of ownership of the historic photo collection of Superior Court III as well as the addition of the same collection for all County Court Judges.

IN THE MATTER OF LOCAL TESTING SITE GRANT UPDATE:

Bob Weaver, Health Department, presented an update on the Covid Testing Site, which was established around the 2nd week of September under the CARES Act fund, stating the following:

- Reimbursable grant funds in the amount of \$200,000 were awarded and are available through June 2021
- As of last Friday, 12,687 tests have been administered
- As the amount of requests for testing increased, the location was moved from the Bowen Center parking lot to the Shrine Building at the Fairgrounds to better accommodate the public
- Now that the vaccine is available, an additional \$80,640 in funding is being made available under the same grant for vaccine clinics

IN THE MATTER OF COMMISSARY REPORT-SHERIFF'S OFFICE:

Kyle Dukes, County Sheriff, gave a brief update and presented the Commissary Report from July to December 2020, stating the jail population is currently 249, and there are 76 in work release. A new work release director was just announced and there are still 0 reported covid cases within the jail and work release, including employees.

Purchases listed in the Commissary Report include the following:

- Uniforms and equipment for existing employees
- Training room
- Promotional merchandise
- Neighborhood Watch Signs
- Kitchen equipment

IN THE MATTER OF COMMUNITY RATING SYSTEM RE-CERTIFICATION:

Matt Sandy, Area Planning, presented the 2021 re-certification for the community rating system, stating the county has participated in the national flood insurance program for many years and renewing the annual certification means the county continues to meet the requirements and can assist property owners within the flood plain to qualify for discounts on flood insurance.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 2 NAYS: 0

UNANIMOUS

TO: Approve the 2021 re-certification for the community rating system.

IN THE MATTER OF ONLINE PERMITTING UPDATE:

Matt Sandy, Area Planning, presented an update on the agreement entered into with Schneider to provide online permit applications and other documents. Sandy stated the testing that has been done so far is going well and there is great anticipation of having the availability in the near future.

IN THE MATTER OF COUNTY ATTORNEY UPDATES:

Ed Ormsby, County Attorney, stated he will be meeting with Mike Hall later today to review the county insurance and claims procedures.

In addition, Ormsby presented an update on the ordinance review under the County being a Constitutional Rights Sanctuary County, stating County Auditor, Michelle Puckett is taking the lead on the research at this time.

IN THE MATTER OF FREEZER CONDENSER REPLACEMENT:

Marsha McSherry, County Administrator, presented a proposal in the amount of \$14,421 from CORE Mechanical Services to replace the jail freezer condenser, stating estimates to repair the condenser are very close to the cost to replace it.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 2 NAYS: 0

UNANIMOUS

TO: Approve the CORE Mechanical Services proposal in the amount of \$14,421 to replace the jail freezer condenser.

IN THE MATTER OF ECONOMIC DEVELOPMENT BOARD APPOINTMENT:

Marsha McSherry, County Administrator, stated Wes Stouder, whose term is about to expire, is willing to serve another term on the Economic Development Board.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 2 NAYS: 0

UNANIMOUS

TO: Approve the appointment of Wes Stouder to serve another term on the Economic Development Board.

IN THE MATTER OF ECONOMIC DEVELOPMENT BOARD APPOINTMENT:

Marsha McSherry, County Administrator, presented an emergency request for Wave Plus Security to install software within the Justice Building, which would allow personnel to signal for help by clicking a button on their computer. McSherry concluded, stating this is the same software installed within the Courthouse.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 2 NAYS: 0

UNANIMOUS

TO: Approve the installation of Wave Plus Security software within the Justice Building.

IN THE MATTER OF COUNTY AUDITOR UPDATES:

Michelle Puckett, County Auditor, stated in addition to the information presented by Matt Sandy, Area Planning regarding the online permitting available, all deductions are available online. The forms have been created and are now available electronically on Beacon.

Regarding the ordinance review, mentioned by Attorney Ormsby, Puckett stated according to the Commissioners books, the very first official record of the Kosciusko County Commissioners was June 29, 1836. The 35 very large books are being physically reviewed at this time and are also being scanned to hopefully help with the speed in which the process can be done. An interesting point of interest, Puckett stated, is that the very first county seal used was the back of a United States dime until a county seal was created. Puckett concluded stating updates will continue as we go through the process.

Being no further business to come before the Commissioners, the meeting was adjourned.

KOSCIUSKO COUNTY COMMISSIONERS

February 2, 2021

The Kosciusko County Commissioners met for their regular meeting on February 2, 2021 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley-President

Cary Groninger-Vice President

Brad Jackson-Member

Ed Ormsby-County Attorney

Michelle Puckett – County Auditor

Marsha McSherry – County Administrator

Brad Jackson participated in the meeting through video conferencing. For clarity, each vote was made by roll call vote.

Minutes were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF JDAI GRANT REQUEST:

Judge Michael Reed and Lindsey Grossnickle presented a request to apply for the 4th and final year of the JDAI grant, continuing the program which had been started by Judge Cates. The amount of this request, Reed concluded, is \$80,000.

MOTION: Cary Groninger

TO: Approve the request to apply for the JDAI grant in the amount of \$80,000.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF KEDCO SMALL BUSINESS RELIEF FUNDING:

Suzie Light, on behalf of Alan Tio of KEDCO, requested funds in the amount of \$100,000 through the Small Business Relief Fund, which was approved in 2020 to help small businesses locally.

Commissioner Groninger confirmed \$100,000 was set aside in 2020 for special projects under KEDCO, and clarified that loans extended through KEDCO to small businesses were non-forgivable and would require repayment to the county so funds could be made available to help other businesses.

MOTION: Cary Groninger

TO: Approve the funding for small business relief loans under KEDCO, with the understanding the loans are non-forgivable and will need to be paid back.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF 2021 FINANCE BOARD PRESIDENT:

Rhonda Helser, County Treasurer, requested a 2021 president for the finance board.

Commissioner Conley, President of the Commissioners, accepted the position of President to the finance board.

IN THE MATTER OF 2021 BOARD OF FINANCE ORGANIZATION AND INVESTMENT POLICY:

Rhonda Helser, County Treasurer, presented the 2021 Board of Finance Organization and Investment Policy stating \$402,160.07 was made in interest in 2020, which is \$823,033.84 less than what was earned in 2019.

MOTION: Cary Groninger

TO: Approve the 2021 Board of Finance Organization and Investment Policy as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF BOARD OF FINANCE-2020 CANCELLATION OF WARRANTS:

Rhonda Helser, County Treasurer, presented the 2020 Cancellation of Warrants, stating approval is necessary to cancel checks that are three years old and have not been cashed.

MOTION: Cary Groninger

TO: Approve the 2020 Board of Finance Cancellation of Warrants as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF INDIANA SPRINKLER ESTIMATE:

Marsha McSherry, County Administrator, requested this agenda item be tabled and the Commissioners supported the request to table it until more information is obtained.

IN THE MATTER OF SECURITY AUTOMATION SYSTEMS (SAS) PROPOSAL:

Marsha McSherry, County Administrator, presented a proposal from SAS in the amount of \$17,290 for the installation of virtual panic buttons on all the computers, along with actual panic buttons for the Justice Building, similar to the ones installed at the Courthouse a few years back.

MOTION: Cary Groninger

TO: Approve the SAS proposal for the installation of virtual panic buttons along

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

with actual panic buttons for the Justice Building in the amount of \$17,290.

IN THE MATTER OF JAIL TOILETS:

Marsha McSherry, County Administrator, stated after a trial period with a couple of the jail toilet/sink combos installed by Willoughby's Janitorial last year, the Sheriff and Jail Commander are satisfied and in favor of moving forward with completing the project. The amount to complete the project, McSherry concluded, is \$80,000, and the benefits to being able to control the system include cost savings as well as protection against flooding as previously experienced.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the completion of the jail toilet/sink project with Willoughby's Janitorial in the amount of \$80,000.

IN THE MATTER OF SURVEYOR FURNITURE REPLACEMENT:

Marsha McSherry, County Administrator, requested a work station for the Surveyors Office in the amount of \$2,488, stating although the cost falls below her spending limit of \$7500, she is requesting approval due to current budget constraints. The desk, which this purchase would replace, McSherry concluded, has had many additions made to it over the years, some consisting of parts and pieces of other desks and tables.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the purchase of a work station for the Surveyor's Office in the amount of \$2,488, as presented.

IN THE MATTER OF ASSISTANCE TO FIRE FIGHTERS GRANT FOR RADIOS:

On behalf of Ed Rock, Emergency Management, Michelle Puckett, County Auditor, presented a request to utilize Rainy Day funds as a means to expedite the purchase of radios at a significant discount, stating once it is applied for and approved, the Assistance to Fire Fighters Grant, under the North Webster Fire Department, would then reimburse the Rainy Day fund. The radios, Puckett stated, will work with the new tower system and with some departments unable to purchase them outside of their budgeted funds, this would allow them to utilize the great savings and funds could then be reimbursed to the county over a 2-3 year period.

Without having an exact number of radios that would be purchased this way, there is no exact dollar amount to present at this time. There was a brief discussion regarding placing a cap of \$1.2 Million, which is the estimated highest amount needed, on the amount of funds to approve.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the request to purchase radios, utilizing Rainy Day funds until the Assistance to Fire Fighters grant, under the North Webster Fire Department, is available, at a capped amount of \$1.2 Million.

IN THE MATTER OF RE-ESTABLISHING THE CUMULATIVE BRIDGE AND THE CUMULATIVE CAPITAL DEVELOPMENT (CCD) FUND:

Michelle Puckett, County Auditor, requested approval to advertise for the Cumulative Capital Development (CCD) and the Cumulative Bridge Fund Ordinance first readings in March and second readings in April, stating each year, our CCD rate is adjusted down through the tax rate process, thus allowing the adjustment of the rate.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the advertisement for the Cumulative Capital Development (CCD) and the Cumulative Bridge fund ordinance first readings in March and second readings in April.

IN THE MATTER OF ORDINANCE CODIFICATION UPDATE:

Michelle Puckett, County Auditor, gave an update on the ordinance codification process currently underway, stating the previous codification, ending in 1999, has now been scanned,

converted into a searchable Word document and forwarded to Attorney Ormsby. All minutes from 1999 to the present, with the exception of 1 year, have been reviewed and the collection of corresponding signed ordinances has been verified as complete. Upon completion, all information will be forwarded to Attorney Ormsby in anticipation of finding a vendor for the remainder of the project.

IN THE MATTER OF REQUEST FOR 2021 ANNUAL HIGHWAY BID DATE:

Steve Moriarty, County Highway Superintendent, stated under the 2nd call of the Community Crossings 50/50 Grant, just under \$1 Million has been awarded, which will be used to for a little over 5 miles of paving. Moriarty requested March 2, 2021 at 9:15 am, as the deadline to accept bids.

MOTION: Cary Groninger

TO: Accept March 2, 2021 at 9:15 as the
deadline to accept bids.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF SPEED LIMIT ORDINANCE-BROWN ROAD:

Steve Moriarty, County Highway Superintendent, requested an ordinance for the continuation of an old ordinance, continuing the speed limit of 35 MPH on Brown Road at the intersection of CR 450N to Armstrong Road.

MOTION: Cary Groninger

TO: Approve the ordinance continuing the
speed limit of 35 MPH on Brown Road at the
intersection of CR 450N to Armstrong Road.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

ORDINANCE NO. 21-02-02-001 (2021020140)

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF STOP SIGN ORDINANCE-FOX FARM ROAD:

Steve Moriarty, County Highway Superintendent, requested an ordinance for a stop sign at the southwest corner of Fox Farm Road and CR 150W, stating traffic studies as well as crash data from the Sheriff's Office indicate a stop sign could be beneficial in increasing the safety at this intersection.

MOTION: Cary Groninger

TO: Approve the ordinance at the southwest
corner of Fox Farm Road and CR 150W.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

ORDINANCE NO. 21-02-02-002 (2021020141)

As recorded in the office of the Kosciusko County Recorder.

IN THE MATTER OF COUNTY UPDATES:

Marsha McSherry, County Administrator, gave the following updates:

- As recommended by the Commissioners, an Emergency Preparedness Board has been created
- The video conferencing project, utilizing CARES Act dollars, is currently underway and anticipated to be functional within the next week
- The Justice Building security project, supported by grant funding, will take place the week of February 15-19. The main entrance will be closed and the public will be directed to use the south entrance.

Being no further business to come before the Commissioners, the meeting was adjourned.

KOSCIUSKO COUNTY COMMISSIONERS

February 19, 2021

The Kosciusko County Commissioners met for their regular meeting on February 19, 2021 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. The meeting had been rescheduled from February 16, 2021 due to the closure of government offices for inclement weather. Those present were:

Robert Conley-President
Cary Groninger-Vice President
Brad Jackson-Member

Ed Ormsby-County Attorney
Michelle Puckett – County Auditor
Marsha McSherry – County Administrator

Brad Jackson participated in the meeting through video conferencing. For clarity, each vote was made by roll call vote.

Minutes were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF VETERAN OF THE MONTH – RAYMOND L. BLEDSOE:

Rich Maron, Veteran Service Officer, introduced Veteran of the Month, Raymond L. Bledsoe, stating Bledsoe was born on November 21, 1946 in Burlington, Washington, to Marvin and Evelyn Bledsoe.

Bledsoe's father was in the Coast Guard so they moved around a bit. He attended kindergarten in Staten Island, New York, 1st through 7th grade in Port Angeles, Washington, 8th and 9th grade in Wessington Springs, South Dakota and 10th through 12th grade in Warsaw, Indiana. Following graduation, Bledsoe joined the US Marine Corps. He did his basic training in San Diego, California and his infantry training regiment and truck driving school at Camp Pendleton in Virginia Beach, Virginia before being sent to Vietnam in April of 1968, where he remained at a base just north of Danang, driving 2 ½ ton trucks helping transport supplies and manpower as needed to support the war efforts.

Bledsoe completed his 3-year enlistment and was honorably discharged in May of 1969, when he returned to Warsaw and started working for RR Donnelley and Sons, retiring after 43 years.

Bledsoe was married July 28, 1973 to Joyce A. Folk, who sadly passed away on August 16, 2020. They had 2 children, Jason (wife, Kim) and Lydia (husband, Matt) and were blessed with 4 grandchildren, Kerstin, Hallie, Gunner and Hadley.

Bledsoe is a lifetime member of VFW Post 1126, Warsaw, former Post Commander of the American Legion Post 49, Warsaw, a member of HOG (Harley Owners Group) and a member of the Honor Guard, which provides military honors for fellow veterans that have passed away. Bledsoe stated he really enjoys riding his Harley.

Maron and the Commissioners thanked Bledsoe for his service and presented him with a plaque.

IN THE MATTER OF ADDITIONAL VIDEO CONFERENCE PROJECT EXPENSE:

Bob Momeyer, Systems Administration, presented a request for 2 additional computers and a separate network to complete the video conference project currently underway, at a cost of \$18,100, less \$2,400 for an exchange of unusable equipment already purchased. Momeyer stated it was determined sometime into the project that the existing computers as well as the existing network were not going to be sufficient to support the project, as previously thought.

MOTION: Cary Groninger
SECOND: Robert Conley
AYES: 3 NAYS: 0
UNANIMOUS

TO: Approve the purchase of 2 additional computers and a separate network to complete the video conference project, at a cost of \$18,100, less the \$2,400 exchange.

IN THE MATTER OF FIRE DEPARTMENT RADIO UPDATE:

Ed Rock, Emergency Management, gave an update, stating the AFG grant, previously discussed, has been submitted at just under \$1,000,000 for the purpose of funding fire department radios but until we know whether the grant is approved, no purchases will be made.

IN THE MATTER OF MARSHALL COUNTY COVERAGE:

Ed Rock, Emergency Management, stated as part of our long-term understanding under District 2, our county, as well as Fulton County have offered to provide back-up services to the Marshall

County EMA, in the event of an emergency over the next couple of months, due to some health concerns with their Director.

The Commissioners voiced their support and offered their blessing in support of the comradery extended.

IN THE MATTER OF LAND PURCHASE RESOLUTION-FISHER FARMS RENTALS LLC:

Ed Ormsby, County Attorney, presented a resolution authorizing the County Administrator to sign closing documents and to transfer funds on behalf of the Commissioners for the purpose of purchasing land from Fisher Farms Rentals LLC.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the resolution authorizing the County Administrator to sign closing documents and to transfer funds on behalf of the Commissioners for the purpose of purchasing land from Fisher Farms Rentals LLC.

RESOLUTION NO. 21-02-19-002 (2021021057)

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF LOCAL CONTROL OF LAND USE DECISIONS RESOLUTION:

Ed Ormsby, County Attorney, presented a resolution expressing support for local control of land use decisions, stating House Bill 1381 which is pending in Indianapolis and is in regard to wind and solar plants and standards being imposed that are more restrictive than the default standards adopted locally. This proposed resolution, Ormsby stated, states that the county opposes House Bill 1381 and believes decisions regarding wind and solar are best made by citizens living within the community.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the resolution expressing support for local control of land use decisions as presented.

RESOLUTION NO. 21-02-19-001 (2021021058)

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF REQUEST FOR SAFETY LIGHTS-SURVEYOR:

Marsha McSherry, County Administrator, on behalf of Mike Kissinger, County Surveyor, presented a request for safety lights on their vehicle. McSherry presented 2 estimates, the first from Copsgear in the amount of \$1,203 and the other from R & B Sales for \$1,587.60. McSherry recommended the Copsgear proposal of \$1,203.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the Copsgear proposal of \$1,203 for safety lights on the surveyor vehicle.

IN THE MATTER OF TURKEY CREEK REGIONAL SEWER BOARD APPOINTMENT-DONALD DEWITT:

Marsha McSherry, County Administrator, presented the appointment of Donald Dewitt to continue on the Turkey Creek Regional Sewer Board.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the appointment of Donald Dewitt to continue on the Turkey Creek Regional Sewer Board.

IN THE MATTER OF ADDITIONAL BUSINESS:

Marsha McSherry, County Administrator, shared the following:

- Update: The Justice Building security entrance project is almost complete. The scanning equipment is being installed and the entrance will be back open to the public, with a new look, on Monday.
- Thank you: To the maintenance department, which has done a great job keeping the parking lots and sidewalks clear of snow over the past few weeks while we've had such a large amount of snow.
- Thank you: To the highway department, which has also done an outstanding job on the roads.

Being no further business to come before the Commissioners, the meeting was adjourned.

KOSCIUSKO COUNTY COMMISSIONERS

March 2, 2021

The Kosciusko County Commissioners met for their regular meeting on March 2, 2021 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley-President
Cary Groninger-Vice President
Brad Jackson-Member

Ed Ormsby-County Attorney
Michelle Puckett – County Auditor
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF 2021 SENIOR HUB/SENIOR HUB GRANT COOPERATIVE AGREEMENT:

Dan Hampton, County Prosecutor, presented a request to apply for the 2021 Senior HUB grant in the amount of \$20,000, stating as in previous years, the purpose of the grant is to compensate employees who are utilized to support Special Prosecutors in matters where a conflict of interest arises.

Commissioner Conley noted the Senior HUB Grant Cooperative Agreement was next on the agenda, and asked Hampton if the two items could be decided together. Hampton stated they could.

MOTION: Cary Groninger
SECOND: Brad Jackson
AYES: 3 NAYS: 0
UNANIMOUS

TO: Approve the request to apply for the 2021 Senior HUB grant in the amount of \$20,000 as well as the Senior HUB Grant Cooperative Agreement.

IN THE MATTER OF 2021 CHIRP/SAVE (STOP ARM VIOLATION ENFORCEMENT) GRANT:

Shane Bucher, Sheriff's Office, presented a request to apply for the 2021 CHIRP/SAVE grant in the amount of \$10,000, stating as in previous years, the purpose of the reimbursable grant is to compensate additional law enforcement during the hours of normal bus transportation in an effort to reduce violations of stop arm safety.

MOTION: Cary Groninger
SECOND: Brad Jackson
AYES: 3 NAYS: 0
UNANIMOUS

TO: Approve the request to apply for the 2021 CHIRP/SAVE grant in the amount of \$10,000.

IN THE MATTER OF KABS QUARTERLY CONTRACT CLAIM:

On behalf of Tony Peterson, KABS General Manager, who was unexpectedly called away from the meeting, Michelle Puckett, County Auditor, presented the quarterly INDOT claim with a total amount of \$148,860 for approval. As a reminder from previous meetings, Puckett stated the CARES Act will be funding 100% of the KABS invoices in 2021 and no 20% match will be required.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the quarterly INDOT claim with a total amount of \$148,860 for approval.

IN THE MATTER OF KABS POA FOR VEHICLE TITLES:

Michelle Puckett, County Auditor, presented 2 Power of Attorney documents for approval, stating these are specific to the vehicles already approved and will be used for the transfer of title on the newly purchased vehicles.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the 2 Power of Attorney documents for the purpose of transfer of title on newly purchased vehicles.

IN THE MATTER OF CEILING ACOUSTIC TREATMENT:

Marsha McSherry, County Administrator, presented a proposal from Custom Sound Designs in the amount of \$27,700 for ceiling acoustic treatment, which McSherry stated is for acoustic panels needed in the Circuit and Superior I courtrooms to support the electronics which have been installed.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the proposal from Custom Sound Designs in the amount of \$27,700 for ceiling acoustic treatment in the Circuit and Superior I courtrooms.

IN THE MATTER OF RADIO COMMUNICATIONS PROJECT:

Marsha McSherry, County Administrator, presented a quote from Custom Fencing in the amount of \$6,035 each, a total of \$30,175, for fencing around 5 tower sites under the Radio Communications Project. Commissioner Groninger noted the fencing was bid separately from the original project bid in order to save the county money.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the quote from Custom Fencing in the amount of \$6,035 each, a total of \$30,175, for fencing around 5 tower sites under the Radio Communications Project.

IN THE MATTER OF CUMULATIVE CAPITAL DEVELOPMENT ORDINANCE & CUMULATIVE BRIDGE ORDINANCE:

Michelle Puckett, County Auditor, presented Cumulative Capital Development and Cumulative Bridge Ordinances for reestablishment, stating the ordinances are necessary during budget time to keep the dollars we are able to collect in taxes at the same level. If approved, Puckett concluded, the ordinances will be advertised on March 10th, which will begin a 30-day remonstrance period and if no remonstrances are received, the ordinances will go to the state for final approval.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the Cumulative Capital Development and Cumulative Bridge Ordinances as presented.

IN THE MATTER OF BID DATE REQUEST FOR REPLACEMENT OF SMALL STRUCTURE:

Steve Moriarty, County Highway Superintendent, requested March 30, 2021 as the deadline to accept Small Structure 651 bids, for a bridge located on County Farm Road, just north of CR 450S.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Accept March 30, 2021 as the deadline to accept Small Structure 651 bids for a bridge located on County Farm Road, just north of CR 450S.

IN THE MATTER OF UNOFFICIAL DETOUR ROUTE REQUEST:

Steve Moriarty, County Highway Superintendent, requested an unofficial detour route at SR 13, from CR 1200S to CR 400E, just south of SR 14, stating INDOT will be replacing a bridge.

MOTION: Cary Groninger

TO: Approve unofficial detour route at SR

SECOND: Brad Jackson

13, from CR 1200S to CR 400E as presented.

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF SENATE BILL 207:

Steve Moriarty, County Highway Superintendent, presented letters of support to State Representatives Curt Nisley and Craig Snow, to confirm our county's support of Senate Bill 207, which may help even out the funding between restricted and unrestricted dollars.

MOTION: Brad Jackson

TO: Approve letter of support to State

SECOND: Cary Groninger

Representatives Curt Nisley and Craig Snow,

AYES: 3 NAYS: 0

confirming our county's support of Senate

UNANIMOUS

Bill 207 regarding restricted and unrestricted dollars.

IN THE MATTER OF HUSKY TRAIL PROJECT UPDATE:

Steve Moriarty, County Highway Superintendent, presented an update regarding Bridge #9 on Husky Trail, stating an 80/20 match grant was just awarded after a long process of trying to get funding for it.

IN THE MATTER OF MICHIANA AREA COUNCIL OF GOVERNMENTS (MACOG) UPDATE:

James Turnwald, MACOG Executive Director, presented an update, stated our county has a comprehensive plan from 1996, which is not uncommon, although should be considered for review. In partnering with the Community Foundation and the K-21, a consultant has been hired to begin the 12-14 month process to create an updated comprehensive plan. A lot of information will be shared with the public through a project, which will be called Forward Kosciusko County, where a vision for the county will be created, with a plan to outline existing conditions and work with the community to create recommendations for the future by establishing recommendations to establish that vision.

IN THE MATTER OF BID OPENINGS FOR PAVING UNDER THE COMMUNITY CROSSINGS GRANT:

Steve Moriarty, County Highway Superintendent, stated the roads selected under the Community Crossings grant, which have been awarded at a 50/50 match are CR 1050N, CR 300E, CR 325E, CR 200W and CR 700S. Moriarty along with Ed Ormsby, County Attorney, opened the bids submitted. The following were the results:

<u>Company</u>	<u>Total Bid</u>
Phend & Brown	\$785,234.70
Niblock	\$835,085.80

Moriarty made the recommendation to the Commissioners to take the bids under advisement and return to the March 16, 2021 meeting with his recommendation.

IN THE MATTER OF ADDITIONAL BUSINESS:

Marsha McSherry, County Administrator, shared the following:

- The 2021 Get Walking Program started March 1st, through the Health and Wellness partnership with the Purdue Extension Office. Last year, our county reported the most steps across the state for counties that participated in the program.
- Through our EAP Program, Ted Westerhoff from the Bowen Center will be the guest speaker at Thursday's Depart Head meeting and will be discussing stress during the pandemic. All elected officials are welcome to attend.

Being no further business to come before the Commissioners, the meeting was adjourned.

KOSCIUSKO COUNTY COMMISSIONERS

March 16, 2021

The Kosciusko County Commissioners met for their regular meeting on March 16, 2021 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN.

Those present were:

Robert Conley-President
Cary Groninger-Vice President
Brad Jackson-Member

Ed Ormsby-County Attorney
Michelle Puckett – County Auditor
Marsha McSherry – County Administrator

Brad Jackson participated in the meeting through video conferencing. For clarity, each vote was made by roll call vote.

Minutes were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF VETERAN OF THE MONTH-RICHARD LOOS:

Rich Maron, Veteran Service Officer, introduced Veteran of the Month, Richard Loos, stating he was born September 14, 1939 to Alexander and Mildred Loos in Williamsport, Indiana. Between the 3rd and 4th grade, Loos' family moved to Chicago and after graduating from Lane Technical High School in Chicago in 1957, he enrolled at Purdue University. In 1962, he received his Bachelor of Science in Mechanical Engineering and began his working career at Public Service Indiana at the RA Gallagher Generating Station in New Albany.

In 1963, Loos enlisted in the US Army infantry, and in 1964, he attended the Artillery and Missile Officer Candidate School at Fort Sill, Oklahoma, receiving a commission as 2nd Lieutenant in the Artillery. Being an engineer, Loos received a branch transfer and attended the Engineer Basic Officer Leadership Course at Fort Belvoir, Virginia. After completing this, he went to Fort Benning, Georgia to attend parachute training, earning his wings in May 1964. He was then assigned to the 538th Engineer Battalion Construction at Fort Knox, Kentucky, where he was a platoon leader, operations officer and company commander.

In 1966, the unit was deployed to Thailand, where they were responsible for building an all-weather road from Nakhon Ratchasima (Korat) to Saraburi. Loos was also on temporary duty for a short time with the 87th Engineer Battalion Construction at Cam Ranh Bay, Vietnam.

At the end of 1966, Loos left active duty and returned to civilian life and to Public Service Indiana in New Albany. In 1969, Loos returned to Purdue University, where he received a Master of Science in Nuclear Engineering in 1971.

In December of 1970, Loos began working for Bechtel Power Corporation in San Francisco, California as a design engineer on a twin 1000 MW nuclear plant for Philadelphia Electric. His career with Bechtel lasted almost 40 years and took him through many assignments and many corporate positions, including engineering supervision, engineering management, project management, general manager of an engineering company and vice president over several Bechtel organizations. His career included numerous foreign assignments and provided the opportunity to live in 4 foreign countries; Ukraine, Hong Kong, Egypt and Australia. In Ukraine, Loos was the project director of the Shelter Improvement Project, established to build a new safe confinement over the damaged Unit 4 reactor at Chernobyl.

Loos is happily married, for 5 years, to Karen Schneider, whom he met and fell in love with in 1958. Loos has 2 boys from a previous marriage: Alexander and Nathan. Alexander is a court reporter, working in the Boston area and is married to a Japanese lady; Magumi. Nathan is currently working for Saudi Aramco in Dammam, Saudi Arabia, planning maintenance for the Aramco Aircraft Fleet. Loos also has a step-son; David Schneider, who lives near Warsaw with his wife Carrie as well as a step-daughter, Jennifer Rogers, who lives near Columbia City with her husband, Will.

Loos has 6 wonderful grandchildren, all living in the area and in his leisure time, Loos enjoys traveling, reading, giving flight instruction, and flying his 1948 Stinson.

Maron and the Commissioners thanked Loos for his service and presented him with a plaque.

Loos thanked the Commissioners for the award and acknowledgement, stating the military was probably one of the best things that could have happened to him; next to his wife Karen, as it provided vast career opportunities as well as the opportunity to see the over 65 countries, he was able to visit or work in during a span of 40 years.

IN THE MATTER OF EAGLE SCOUT RECOGNITIONS:

The Commissioners extended appreciation and presented plaques to recognize Megan Harris and Charles Sexton for their accomplishments as Eagle Scouts.

IN THE MATTER OF RECOGNITION OF HEROISM:

The Commissioners recognized Cory Black as an outstanding American and citizen of Kosciusko County, by presenting him with an award for the selfless and heroic life-saving action he took, which saved the life of Joshua Parker on June 18, 2020, in Leesburg, Indiana.

Following a horrific motorcycle accident, where a car turned into the path of Parker, throwing him from the motorcycle and causing life-threatening injuries, Cory Black voluntarily rendered life-saving aid. With no regard for his own personal safety, Black's quick action and knowledge saved the life of Parker.

Black accepted the award, stating he is in his 12th year of serving with the US Army and it is due to the training he receives in the service that enabled him to save the life of Parker. Black continued, stating if this was the only time he uses his training, it was worth it and he is glad he was in the right place at the right time.

Parker thanked Black, stating from the bottom of his heart, he knows it was close and although he didn't know Black from anyone, he is glad Black was there and that he took action that saved his life.

IN THE MATTER OF COUNTY HEALTH & WELLNESS PROGRAM:

The Commissioners recognized members of the County's Health and Wellness Program Committee for the accomplishment of receiving the program award from the Kosciusko County Chamber of Commerce.

IN THE MATTER OF MUNICIPAL CLARIFICATION ORDINANCE AMENDMENT:

Matt Sandy, Area Plan, presented an ordinance amendment, stating recent changes to the Area Plan's jurisdictional boundaries led to the review of the existing ordinance and it was found to require clarification indicating anything within the corporate limits of jurisdictional boundaries are subject to the rules of the Area Planning Commission.

MOTION: Cary Groninger

SECOND: Robert Conley

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the ordinance amendment to include clarification indicating anything within the corporate limits of jurisdictional boundaries are subject to the rules of the Area Plan Commission.

ORDINANCE NO. 21-03-16-003 (2021030937)

As recorded in the office of the Kosciusko County Recorder.

IN THE MATTER OF ZONING WITH PERMITS ORDINANCE AMENDMENT:

Matt Sandy, Area Plan, presented an ordinance amendment with regard to the new online permitting processes. Sandy stated, as has been previously discussed, establishing a fee schedule for improved location permits to offset some of the hosting costs for the software has been reviewed and recommended by the Area Planning Commission, with a start date of January 1, 2022.

MOTION: Cary Groninger

SECOND: Robert Conley

AYES: 2 NAYS: 0

Brad Jackson Abstained

UNANIMOUS

TO: Approve the recommendation of the Area Planning, establishing a fee schedule for improved location permits, effective January 1, 2022.

ORDINANCE NO. 21-03-16-002 (2021030936)

As recorded in the office of the Kosciusko County Recorder.

IN THE MATTER OF INTERNET SERVICE PROVIDER UPGRADE:

Bob Momeyer, Systems Administrator, stated our current internet service provider agreement will soon expire. Understanding we have grown past our initial service level of Google Basic, Momeyer explored options for an expanded plan and presented the lowest quote obtained, which was from Daston Corporation. Momeyer concluded, with the reduction of some features no longer needed and the upgrade to Google Business Plus, the annual price with a 3-year contract would be \$30,240, which is below the previous annual cost of \$31,288

MOTION: Cary Groninger

SECOND: Robert Conley

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the 3-year internet service provider agreement with Daston Corporation, at an annual cost of \$30,240 as presented.

IN THE MATTER OF CYBER SECURITY GRANT REQUEST:

Ed Rock, Emergency Management, stated he recently received notice of grant funds available for the use of cyber security, which could be used for employee training and requested approval to submit the grant application for \$16,000.

MOTION: Cary Groninger

SECOND: Robert Conley

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the request to apply for a cyber security grant, to be used for employee training in the amount of \$16,000.

IN THE MATTER OF CONCRETE REPAIR PROPOSAL:

Marsha McSherry, County Administrator, presented a quote from Precision Concrete Cutting in the amount of \$6,931.13 for the repair of the any tripping hazards along the sidewalks around any county buildings.

MOTION: Cary Groninger

SECOND: Robert Conley

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the quote from Precision Concrete Cutting in the amount of \$6,931.13 for the repair of the any tripping hazards along the sidewalks around any county buildings.

IN THE MATTER OF BID RECOMMENDATIONS – PAVING:

Steve Moriarty, County Highway Superintendent, came before the Board to present his recommendation regarding the paving bids opened at the March 2, 2021 Commissioners Meeting, under the awarded Community Crossings 50/50 match grant.

Moriarty recommended Phend & Brown's bid of \$785,234.70, as it was the lowest of the two bids received.

MOTION: Cary Groninger

SECOND: Robert Conley

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the recommendation of Phend & Brown's bid of \$785,234.70.

IN THE MATTER OF REZONING REQUEST-SWANSON:

Dan Richard, Plan Commission Director, presented a request to rezone 1.27 acres, located on the northwest corner of the intersection of Old US 30 and CR 600W, from Agricultural to Agricultural II, for the purpose of sub-dividing in order to sell off the portion of ground with the house on it. Richard stated it is the unanimous recommendation of the Area Planning Commission to allow the rezoning.

Richard Helm, Attorney for the Petitioner, distributed copies of a previously recorded land easement, stating at the time the Petitioners purchased their property in 2005, there was an

undiscovered error in the zoning supporting the agreement and the intent of the rezoning is to make it possible to correct such error.

With no one present to speak in favor or against the request, the Commissioners closed the meeting to the public.

MOTION: Cary Groninger

SECOND: Robert Conley

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the request to rezone 1.27 acres, located on the northwest corner of the intersection of Old US 30 and CR 600W, from Agricultural to Agricultural II.

ORDINANCE NO. 21-03-16-001 (2021030935)

As recorded in the office of the Kosciusko County Recorder.

Being no further business to come before the Commissioners, the meeting was adjourned.

KOSCIUSKO COUNTY COMMISSIONERS

March 30, 2021

The Kosciusko County Commissioners met for their regular meeting on March 30, 2021 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN.

Those present were:

Robert Conley-President

Cary Groninger-Vice President

Brad Jackson-Member

Ed Ormsby-County Attorney

Michelle Puckett – County Auditor

Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF KEDCO QUARTERLY UPDATE:

Suzie Light, along with Josh Gordon, KEDCO Board President, presented an update which included the following:

- Convene, build and show are the categories KEDCO will be working under in 2021
- Updates are being made to the OCRA funded post-covid loan program
- There are 245 new project initiatives
- KEDCO launched a county-wide housing initiative and established Kosciusko Workforce Housing Corporation and the Kosciusko Development Land Trust
- The Argonne Road Corridor vision plan was completed in 2020, which included 6 different catalyst sites with mixed-use development opportunities
- Warsaw Tech Park planning is underway
- Clearly Kosciusko podcasts have been seeing a lot of downloads

IN THE MATTER OF SHSP 2021 RADIOS GRANT REQUEST-SHERIFF:

Shane Bucher, Chief Deputy Sheriff, presented a reimbursement grant request in the amount of \$150,000, to be used to purchase new portable radios for merit deputies and at least 30 mobile radios for officers' vehicles, stating new radios are needed to replace some of the current radios which will be not be compatible with the new tower system the county is purchasing.

Ed Rock, Emergency Management Director, stated the grant, which he is also asking to apply for, is a competitive grant, available to all response agencies, in increments of up to \$150,000.

The Commissioners asked for clarification on the current radios not working with the new system. Rock stated the particular brand of radios, purchased when the state switched to the 800-megahertz system, are not capable of being upgraded to work with the county's tower project and added dual-band radios should be capable of being upgraded with some additional funding.

Bucher stated the Sheriff's Office has been advised that only a few of their current radios will work and they will need to purchase equipment to upgrade the few radios that are upgradable, as well as purchase replacement radios for those that are not. The estimated cost to the Sheriff's Office at this time is approximately \$300,000.

The Commissioners stated they would reach out to the vendor on the tower project for more information, as they were not under the impression that radios would need to be purchased.

MOTION: Brad Jackson	TO: Approve the request to apply for the
SECOND: Cary Groninger	SHSP 2021 Radios grant, in the amount of
AYES: 3 NAYS: 0	\$150,000.
UNANIMOUS	

IN THE MATTER OF SHSP 2021 RADIOS GRANT REQUEST-EMA:

Ed Rock, Emergency Management Director, requested the same grant as discussed above, in the amount of \$22,000, to be used to replace the EMA vehicle radio, the emergency operations center and some portable radios.

MOTION: Cary Groninger	TO: Approve the request to apply for the
SECOND: Brad Jackson	SHSP 2021 Radios grant, in the amount of
AYES: 3 NAYES: 0	\$22,000.
MOTION CARRIED	

IN THE MATTER OF KABS- INDOT 5339 PURCHASE AGREEMENT:

Tony Peterson, KABS General Manager, presented a purchase agreement in the amount of \$119,591.20 for 100% replacement costs of 2 vans under the CARES Act.

MOTION: Cary Groninger	TO: Approve the INDOT 5339 purchase
SECOND: Brad Jackson	agreement in the amount of \$119,591.20 for
AYES: 3 NAYS: 0	100% replacement costs of 2 vans under the
UNANIMOUS	CARES Act.

IN THE MATTER OF CONVENTION & VISITORS (CVB) BUREAU UPDATE:

Jill Boggs, CVB Director, and Doug Hanes, CVB Board Chair, presented an update which included the following:

- As a destination marketing organization, the CVB is responsible for promoting the county as an attractive travel destination and works hard to enhance the county's public image as a dynamic place to live and work
- The impact of travel in our county was significant in 2019, generating over 47.1 million dollars of tax revenue, with 9.3 million dollars in local taxes
- Based upon studies conducted, it is believed the county will make a significant come-back due to its dynamic destination, which is worthy of travel
- Hotels reporting data, were down nearly 40% in occupancy rate at the end of 2020, which in comparison, is equal to what others areas around the state are seeing
- Revenue from county innkeeper's tax was down roughly 66% in our county and as a result the CVB has seen a decrease in their budget, although a grant has been awarded in efforts to aid in the decrease
- CVB is focused on building a mobile-first digital 2021-2022 experience guide, which is geared toward further development of enticing visitors into our community as well as actively working to draw "Hoosiers by Choice", or people who choose to move to our county from other areas

Boggs, in closing, asked the Commissioners to consider looking at destination development as an area of economic development worthy of attention while working to develop the county's master plan under Forward Kosciusko.

Hanes shared with the Commissioners that Jill Boggs, while she does a great job of promoting the Visitor Bureau, neglected to mention that the visitor's guide as well as the website have both won awards over the past several years, due in part to Boggs' hard work. Hanes concluded that Boggs has done an outstanding job of creating relationships with agencies within the community such as KEDCO and the Chamber of Commerce as well as with the Tourism Commission and the CVB board is very supportive of her efforts and the job she does.

IN THE MATTER OF RADIO COMMUNICATIONS PROJECT-DISPATCH CENTER:

Marsha McSherry, County Administrator, presented quotes to the Commissioners from J Lane in the amount of \$15,636.25 and from Comfort Carpets in the amount of \$16,384.04 for static dissipative carpet, to be installed in the dispatch center at the time the new equipment is installed. McSherry recommended the quote from J Lane.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the quote from J Lane in the

amount of \$15,636.25 for static dissipative

carpet, to be installed in the dispatch center at

the time the new equipment is installed

IN THE MATTER OF DEMOLITION OF 211 WEST FORT WAYNE STREET:

Marsha McSherry, County Administrator, presented quotes to the Commissioners to demolish the house the county owns at 211 W. Ft. Wayne St., stating the property was formerly rented out but has been vacant for over a year. McSherry recommended Ransbottom Excavating for \$19,380.00.

MOTION: Cary Groninger

SECOND: Robert Conley

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve Ransbottom Excavating for

\$19,380.00 to demolish the house the county

owns at 211 W. Ft. Wayne St.

IN THE MATTER OF LANDSCAPING/FLOWER POTS FOR COURTHOUSE AND JUSTICE BUILDING:

Marsha McSherry, County Administrator, presented quotes to the Commissioners for landscaping and flower pots around the Justice Building and Courthouse, stating a 3rd vendor dropped out at the last minute. McSherry stated quotes were received from Anderson Property Management for \$8,300 and from M & D Lawn Care for \$26,114, and stated M & D Lawn Care would have to purchase the pots up front and offered pricing around \$12,000 for the second year. McSherry recommended Anderson Property Management.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve Anderson Property

Management for \$8,300.

IN THE MATTER OF TRACTOR PURCHASE:

Steve Moriarty, County Highway Superintendent, requested approval to purchase a 6110M John Deere tractor, from GreenMark Equipment, and also a boom mower with ditching attachment from Quality Equipment, stating due diligence has been done to find the lowest price available at \$142,402.26.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the purchase of a 6110M John

Deere tractor, from GreenMark Equipment,

and a boom mower with ditching attachment

from Quality Equipment, for \$142,402.26.

IN THE MATTER OF RAILROAD GRADE CROSSING GRANT:

Steve Moriarty, County Highway Superintendent, requested the Commissioners approve the contract with INDOT, in the amount of \$20,800, which Moriarty stated is 100% reimbursable and was awarded for railroad markings.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the contract with INDOT, in

the amount of \$20,800 for a 100%

reimbursement grant for railroad markings.

IN THE MATTER OF BID OPENING-SMALL STRUCTURE ON COUNTY FARM ROAD:

Steve Moriarty, County Highway Superintendent, along with Ed Ormsby, County Attorney, opened the bids received for small structure on County Farm Road. The following were the results:

Bidder	Cost
JCI Bridge Group	\$157,000
LaPorte Construction Co	\$167,000
Ransbottom Excavating	\$71,565
Selge Construction	\$162,552.50
LDP Excavating	\$79,685

Moriarty made the recommendation to the Commissioners to take all the bids under advisement and stated he would review the bids and return to the April 13, 2021 meeting with his recommendation.

Being no further business to come before the Commissioners, the meeting was adjourned.

KOSCIUSKO COUNTY COMMISSIONERS

April 13, 2021

The Kosciusko County Commissioners met for their regular meeting on April 13, 2021 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley-President	Ed Ormsby-County Attorney
Cary Groninger-Vice President	Michelle Puckett – County Auditor
Brad Jackson-Member	Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF WEEK OF YOUNG CHILD PROCLAMATION:

Sherry Searles, Director of LaunchPad, which is an initiative by the Chamber of Commerce, United Way and The Community Foundation to solve the childcare crisis within the county. Searles stated the county has been deemed a childcare desert, where there is only one childcare seat for every three children that need care, which not only effects the availability of workers to work but also employers’ ability to attract and retain talent. Searles presented a proclamation to be adopted by the Commissioners, stating April 10-16, 2021, is the national week of the young child.

The Commissioners accepted the proclamation, declaring April 10-16, 2021 The Week of the Young Child.

IN THE MATTER OF AMERICAN LEGION POST 49 HONOR AND REMEMBRANCE COMMITTEE:

John Mort, American Legion Commander Post 49, introduced Don Finnegan, State Director for the Honor and Remember program. Finnegan gave a brief presentation, explaining what the organization is and what members do to honor families of the fallen. The presentation included the following:

- The Honor and Remember program began following the loss of Tony Lutz, who was killed in action in 2005, and as part of his father’s grief, he began mentoring to other families who were also grieving, assuring them they were not alone and that their fallen family member had not died in vain and that their sacrifice would not be forgotten.
- In an effort to create a symbol that people could recognize, the Honor and Remember flag was launched on Memorial Day 2008 as a nationwide symbol of remembrance for those from any war or conflict that died in action or that died as a result of their service from afflictions such as agent orange or post-traumatic stress disorder.
- Indiana was the 13th state of 26 to adopt and recognize the flag as a symbol of their military fallen. In 2020, Governor Holcomb signed HB 1045 to allow all 425 state-owned buildings to fly or display the flag. Although the Bill does not encompass county buildings, Finnegan expressed appreciation for our county’s support by flying the flag.

- Honor and Sacrifice flags have also been created to honor those who have lost their lives during their service as public service workers, such as police, EMS and fire fighters.
- Personalized flags are often presented to families as a remembrance and a keepsake.

Finnegan invited Commissioner Conley to stand and join him at the front of the meeting room stating; Private 1st Class Elbert Conley, was assigned to 25th Infantry Division on the 11th of January, 1945. The Division landed in Luzon, the Philippines, and during the Luzon Campaign the Division was credited for 165 days of contiguous combat. It was finally taken back from the front line on the 30, June with some deserved rest.

A certificate was presented, which read:

This honorary member flag is presented with eternal gratitude and respect, in memory of Private 1st Class Elbert K. Conley. With this flag, we honor this patriot's unwavering dedication and remember their selfless sacrifice. By displaying this symbol collectively as a nation, we humbly recognize the enormity of your loss, and respectfully say thank you.

In closing, Finnegan shared the statement; we don't know them all but we owe them all a debt that can never be repaid and thank all of those who gave their tomorrows so that we are able to enjoy these beautiful todays.

IN THE MATTER OF SHSP 2021 RADIOS GRANT REQUEST-911 DISPATCH:

Sarah Lancaster, 911 Director, presented a reimbursement grant request in the amount of \$150,000, to be used to purchase radios and backup communications in the event that something happens to either of the government buildings and in addition will allow for spare compatible radios to be available with the new system being installed.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the request to apply for the SHSP 2021 Radios grant, in the amount of \$150,000.

IN THE MATTER OF TELECOMMUNICATION WEEK:

Kyle Dukes, County Sheriff, gave a shout out to the sheriff's dispatch family and team for all their hard work, stating it is one of the toughest jobs at the sheriff's office with last year's call volume at 84,000 active calls.

IN THE MATTER OF CONSTITUTIONAL SANCTUARY COUNTY:

Ed Ormsby, County Attorney, presented the following announcement:

1. The County has an announcement regarding President Biden's recent actions concerning the people's right to keep and bear arms under the 2nd Amendment to the U.S. Constitution.
2. Kosciusko County is a Constitutional Sanctuary County pursuant to a resolution and ordinance passed on December 22, 2020, which specifically includes the county being a 2nd Amendment Sanctuary County.
3. On April 8, President Biden announced at the White House Rose Garden executive orders and other actions regarding the right to keep and bear arms. During President Biden's announcement, President Biden said, **"Enough prayers. Time for some action."** The White House also said that the actions being announced were only initial actions and that there are more to come.
4. Some of the executive orders and actions announced were the following:
 - 4.1. "The Justice Department, within 30 days, will issue a proposed rule to help stop the proliferation of "ghost guns." For those who do not know, "ghost guns" is a term that President Biden likes to use for homemade guns.
 - 4.2. "The Justice Department, within 60 days, will issue a proposed rule to make clear when a device marketed as a stabilizing brace effectively turns a pistol into a short-barreled rifle subject to the requirements of the National Firearms Act."
 - 4.3. "The Justice Department, within 60 days, will publish model "red flag" legislation for states. Red flag laws allow family members or law enforcement to petition for a court order temporarily barring people in crisis from accessing firearms if they present a danger to themselves or others. The President urges Congress to pass an appropriate national "red flag" law."
 - 4.4. "The President will nominate David Chipman to serve as Director of the Bureau of Alcohol, Tobacco, and Firearms. ATF is the key agency enforcing our gun laws, and it needs a confirmed director in order to do the job to the best of its ability." For those that do not know, David Chipman is a radical, anti-gun activist.

5. With regard to what other actions that may be expected to come, Biden's Gun Policy issued during his presidential campaign states, among other things, the following five items:
 - 5.1. "As President, Biden will ban the manufacture and sale of assault weapons and high-capacity magazines."
 - 5.2. "Biden will also institute a program to buy back weapons of war currently on our streets. This will give individuals who now possess assault weapons or high-capacity magazines two options: sell the weapons to the government, or register them under the National Firearms Act."
 - 5.3. "Biden supports legislation restricting the number of firearms an individual may purchase per month to one."
 - 5.4. "Biden will enact legislation to prohibit all online sales of firearms, ammunition, kits, and gun parts."
 - 5.5. And lastly, number 5, Biden will "Put America on the path to ensuring that 100% of firearms sold in America are smart guns. Today, we have the technology to allow only authorized users to fire a gun. For example, existing smart gun technology requires a fingerprint match before use."
6. Obviously, the County is very concerned about these developments.
7. At the next County Commissioners Meeting on April 27, the County will be taking up a Resolution to state its policy on the right of the people to keep and bear arms under the 2nd Amendment to the U.S. Constitution and Article 1, Section 32 of the Indiana Constitution. Sheriff Dukes will also be present and will issue a Proclamation from the Kosciusko County Sheriff's Office regarding the same.
8. The Commissioners and the Sheriff invite all citizens concerned about their right to keep and bear arms to be present at that Meeting.

IN THE MATTER OF UPS REPLACEMENT-EMERGENCY PURCHASE:

Marsha McSherry, County Administrator, reported an emergency purchase was made for two UPS units, which are battery-operated backup units for power to the dispatch center, the security system and other systems within the courthouse. The units are necessary to prevent any lapse in service for the systems mentioned, from when a power outage occurs to when the backup generator is activated. McSherry stated with one of our existing units down, there has been a temporary generator placed at the justice building until the replacements can be installed, which could take up to five weeks.

Ed Ormsby, County Attorney, stated the emergency purchase was made pursuant to Indiana statute and the memo is on file and will be kept for five years, as required under the statute.

MOTION: Cary Groninger

TO: Approve the emergency purchase as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF BID RECOMMENDATION – SMALL STRUCTURE ON COUNTY FARM ROAD:

Steve Moriarty, County Highway Superintendent, presented his recommendation regarding the small structure bids opened at the March 16, 2021 Commissioners Meeting for small structure 651 on County Farm Road, just north of CR 450S.

Moriarty recommended Ransbottom Excavating and Trucking's bid of \$71,565.00.

MOTION: Cary Groninger

TO: Approve the recommendation of Ransbottom Excavating and Trucking's bid of \$71,565.00.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF MOWER PURCHASE UPDATE:

Steve Moriarty, County Highway Superintendent, stated since receiving Commissioner approval at the last meeting to purchase a mower/excavator tractor from GreenMark, they have pulled their Sourcewell quote due to a mistake on the quote.

Moriarty requested approval to accept the Sourcewell quote of \$159,483.92 from Kenn-Feld Group and Kalida Truck Equipment.

MOTION:	Brad Jackson	TO: Approve the Sourcewell quote of
SECOND:	Cary Groninger	\$159,483.92 from Kenn-Feld Group and
AYES:	3	NAYS: 0
UNANIMOUS		Kalida Truck Equipment.

IN THE MATTER OF THE TROYER GROUP-CONTRACT AMENDMENT NO. 4:

Steve Moriarty, County Highway Superintendent, presented LPA-Consultant Contract Supplemental Agreement No. 4 with The Troyer Group in the amount of \$51,000, for PE and right-of-way services and funding for the Husky Trail project to move forward.

MOTION:	Cary Groninger	TO: Approve the LPA-Consultant Contract
SECOND:	Brad Jackson	Supplemental Agreement No. 4 with The
AYES:	3	NAYS: 0
UNANIMOUS		Troyer Group in the amount of \$51,000.

IN THE MATTER OF VETERAN OF THE MONTH-MARK FICK:

Rich Maron, Veteran Service Officer, introduced Veteran of the Month, Mark Fick, stating Mark Gerald Fick was born on May 8, 1968 to Ben and Iris Fick. He grew up in Warsaw, graduated from Warsaw Community High School in 1987 and signed up to serve in the U.S. Army in January of 1988.

Fick did his Basic Training at Fort Benning, Georgia. His first assignment sent him to the 1-35 Armor Battalion 2nd Brigade 1st Armored Division in Erlangen, West Germany, where he was from May 1988-May 1991. From June 1991-1994, he was at Fort Campbell Kentucky and he received his 1st Combat Infantry Badge for his service in Desert Storm with the 2nd Battalion 187 infantry. From August 1994-1995 he was assigned to the 5th Battalion 20 infantry in South Korea and from 1995-1997 he was re-assigned to the 1st Battalion Thirty Fifth Armored Division, stationed at Fort Riley, Kansas.

From August 1997-1998, Fick was sent back to South Korea with the 1st Battalion Seventy Second Armored Division and from September 1998-2000, he served at Fort Drum, New York with 2/22 Infantry Division.

Fick did his third tour from September 2000-2001 in South Korea with 2nd and 72 Infantry and from 2001-2010 was stationed at Fort Carson, Colorado with the 3rd Armored Cavalry Regiment, where he was awarded a 2nd Combat Infantry Badge. His final set of orders from November 2010-2012 were served at Fort Knox, Kentucky with the 1st Army Division. Fick retired on the 1st of January, 2012 after 24 years of faithful service to his country and the United States Army.

Fick is happily married to his lovely wife, Millie. They have a beautiful daughter, Brooke and a wonderful granddaughter, Harper.

Fick's awards include:

Bronze Star 1

Meritorious Service Medal

Good Conduct Medal-8 clusters

Overseas Ribbon-7 clusters

CiB 2

Army Commendation Medal-6 clusters

Army Achievement Medal-7 clusters

Armed Forces Ribbon

Global War on Terrorism Ribbon

Air Assault Badge

Fick was promoted to Sergeant 1st Class in 2007 and is now in charge of Transportation with Warsaw Community Schools, as Maron noted every bus driver in Warsaw is here today to give honor to a great soldier and apparently a pretty good boss.

Maron and the Commissioners thanked Fick for his service and presented him with a plaque.

Fick thanked the Commissioners for recognizing him, stating he is proud, proud to serve, and proud of what he does now. He pointed to a gentleman in the audience, former teacher Jim LeMasters, stating he's kept in touch with him since high school and has backed him through both of his careers. Fick stated it was a good military career and now he has a second career he can be proud of, which he accredits to LeMasters.

Being no further business to come before the Commissioners, the meeting was adjourned.

KOSCIUSKO COUNTY COMMISSIONERS

April 27, 2021

The Kosciusko County Commissioners met for their regular meeting on April 27, 2021 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley-President
Cary Groninger-Vice President
Brad Jackson-Member

Ed Ormsby-County Attorney
Michelle Puckett – County Auditor
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF ABATE-MOTORCYCLE SAFETY MONTH PROCLAMATION:

Jerry Ganger, representative of ABATE of Indiana, presented a proclamation, requesting to declare May 2021 as motorcycle safety awareness month.

Commissioner President, Robert Conley read the Proclamation and asked for a motion declaring May 2021 Motorcycle Safety Awareness Month.

MOTION: Brad Jackson
SECOND: Cary Groninger

TO: Accept the Proclamation declaring May
2021 Motorcycle Safety Awareness month.

AYES: 3 NAYS: 0
UNANIMOUS

IN THE MATTER OF 2ND AMENDMENT FREEDOM POLICY AND ORDINANCE:

Ed Ormsby, County Attorney, presented an Ordinance, stating pursuant to the announcement made at the last Commissioners Meeting regarding the right to keep and bear arms, the following is presented for consideration:

2ND AMENDMENT FREEDOM POLICY AND ORDINANCE**WHEREAS:**

1. The Board of Commissioners ("Board") of Kosciusko County, Indiana ("County"), is the executive body of County government pursuant to the provisions of I.C. 36-2-2-2 and the legislative body of County government pursuant to the provisions of I.C. 36-1-2-9;
2. The Constitution of the United States of America ("U.S. Constitution") is the supreme law of the United States of America and the Constitution of the State of Indiana ("Indiana Constitution") is the supreme law of the State of Indiana;
3. The 2nd Amendment to the U.S. Constitution ("2nd Amendment") states: *A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms shall not be infringed;*
4. Article I, Section 32 of the Indiana Constitution ("Article I, Section 32") states: *The people shall have a right to bear arms, for the defense of themselves and the State;*
5. An act, law, treaty, order, rule, regulation, and any other governmental document of purported legal force (each a "Law," and collectively, "Laws") of the federal government that violates the 2nd Amendment or a Law of the state government or the state's political subdivisions that violates Article I, Section 32 is null, void, and unenforceable; and,
6. The County is a Constitutional Rights Sanctuary County pursuant to Ordinance 20-12-22-002 adopted and passed by the Board on December 22, 2020, and the County will steadfastly and proactively support and defend the U.S. Constitution and the Indiana Constitution, including, but not limited to, the 2nd Amendment and Article I, Section 32.

NOW, THEREFORE, THE FOLLOWING IS HEREBY ORDAINED BY THE BOARD:

1. The County shall not comply with, assist, or use any personnel or financial resources to enforce, administer, or cooperate with, any Law that violates the 2nd Amendment or Article I, Section 32.
2. Any Law that eliminates, reduces, represses, diminishes or subverts the rights of any law-abiding citizen to keep and bear any arms, ammunition, magazines, parts, or accessories of arms in any amount, size, form, capacity, or function that is legal as of **January 1, 2021**, shall be presumed to be a violation of the 2nd Amendment and Article I, Section 32, unless and until such time as it is rightfully and legally determined, without further right of appeal, to be otherwise by the Indiana Appellate

Court, Indiana Supreme Court, the U.S. 7th Circuit Court of Appeals, or the Supreme Court of the United States.

3. The County supports and advocates that Indiana become a 2nd Amendment Sanctuary State and hereby directs the County Attorney to prepare a letter to the State Representatives and Senators for the County in support and advocacy of such.

MOTION: Brad Jackson

TO: Accept the 2nd Amendment Freedom Policy and Ordinance as presented.

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

ORDINANCE NO. 21-04-27-001 (2021041501)

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF 2ND AMENDMENT FREEDOM POLICY PROCLAMATION:

Kyle Dukes, County Sheriff, issued a brief statement declaring his support of the Ordinance approved above, and presented the following Proclamation:

**PROCLAMATION SUPPORTING THE 2nd AMENDMENT FREEDOM POLICY
AND ORDINANCE OF KOSCIUSKO COUNTY**

WHEREAS:

1. Kosciusko County has passed and adopted this day of April 27, 2021, the 2nd Amendment Freedom Policy and Ordinance, Ordinance number **21-04-27-001**; and,
2. The Sheriff of Kosciusko County ("Sheriff") has taken an oath of office to support the Constitution of the United States of America and the Constitution of the State of Indiana and to faithfully, impartially and diligently discharge the duties of the office of Sheriff for the County, according to law.

NOW, THEREFORE, THE FOLLOWING IS PROCLAIMED BY THE SHERIFF:

1. The Sheriff does hereby declare his support in favor of the 2nd Amendment Freedom Policy and Ordinance.
2. The Sheriff does hereby adopt the policy stated in the 2nd Amendment Freedom Policy and Ordinance as his own and that of the Kosciusko County Sheriff's Office.

So proclaimed by the Kosciusko County Sheriff's Office this 27th day of April, 2021.

MISCELLANEOUS NO. 21-04-27-002 (2021041502)

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF SHSP 2021-WAWASEE SCHOOL CYBER GRANT REQUEST:

Kyle Dukes, County Sheriff, presented a request to apply for a grant through the Indiana Homeland Security, stating by teaming up with Wawasee School Corporation, Syracuse PD, North Webster PD and Milford PD, approximately \$100,000 of the \$223,000 grant would to be used for new Dell computers for all County Sheriff's Office vehicles, including the reserve vehicles.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the request to apply for the

SHSP 2021-Wawasee School Cyber grant in
the amount of \$223,000.

IN THE MATTER OF AMERICAN RESCUE PLAN (ARP) OF 2021 ORDINANCE:

Marsha McSherry, County Administrator, presented an Ordinance for approval, stating having an ordinance in place prior to receiving the distribution of funds is a requirement under the ARP Act guidelines. McSherry stated the county has received notification of the award amount of \$15 Million.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Accept the American Rescue Plan of

2021 Ordinance as presented.

ORDINANCE NO. 21-04-27-005 (2021041505)

As recorded in the office of the Kosciusko County Recorder

Commissioner Jackson expressed concern with the distribution of this funding, stating he fears this will further aid in the bankruptcy of the country, but stated if the county is to receive the funds, we need to do what is necessary to receive them. Commissioner Conley agreed, stating grant money is nothing more than taxpayer dollars distributed at the direction of government officials. Commissioner Groninger added the county has already established a committee to decide how to most effectively use the funds, and in addition noted the strict guidelines attached to the spending.

IN THE MATTER OF ANNUAL OPERATIONAL REPORT-COUNTY HIGHWAY:

Steve Moriarty, County Highway Superintendent, presented the 2020 Annual Operational Report for Local Roads and Streets, and Bridges for approval.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

TO: Approve the 2020 Annual Operational
Report for Local Roads and Streets and
Bridges, as presented.

UNANIMOUS

IN THE MATTER OF EMS D15 LANE-VACATION CONTINUANCE-IRVING:

Dan Richard, Area Planning, requested a continuance in the matter of request for vacation on EMS D15 Lane for Irving, which had been scheduled for today. Richard stated the matter was continued at the last Area Plan Commission meeting, and therefore requested a continuance until the Commissioners' May 25, 2021 meeting. Steve Snyder, Attorney for the Petitioner, agreed and requested the same.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Accept the continuance of Irving, EMS D15 Lane-Request for Vacation to May 25, 2021.

IN THE MATTER OF REZONING REQUEST-COHAGAN:

Dan Richard, Plan Commission Director, presented a request to rezone 14+ acres, located south and west of Warsaw near the intersection of CR 200S and CR 400W, from Agricultural to Agricultural II. Richard stated the request was initially viewed negatively with the potential of up to 14 platted lots within an agricultural district, but following the Petitioners' voluntary condition to not create more than 3 more lots, it was the unanimous recommendation of the Area Planning Commission to allow the rezoning from Agricultural to Agricultural II, with a maximum of 3 more lots.

Steve Snyder, Attorney for the Petitioner, stated the Petitioners would simply like tracks available to sell to their children.

With no one present to speak in favor or against the request, the Commissioners closed the meeting to the public.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the request to rezone 14+ acres, located south and west of Warsaw near the intersection of CR 200S and CR 400W, from Agricultural to Agricultural II, with a maximum of 3 additional lots.

ORDINANCE NO. 21-04-27-003 (2021041503)

As recorded in the office of the Kosciusko County Recorder.

IN THE MATTER OF REZONING REQUEST-FEHR:

Dan Richard, Plan Commission Director, presented a request to rezone a tract of ground off the northeast side of Silver Lake, from Residential to Agricultural, stating having reviewed this request in the past, several conditions were included with this request. With the conditions proposed, the Area Planning Commissioner unanimously recommended to allow the rezoning from Residential to Agricultural. The conditions include limiting the number of animals and keeping the animals out of the water. Before campsites would be allowed, an additional hearing would be required before the Board of Zoning Appeals.

Steve Snyder, Attorney for the Petitioner, stated there were a number of concerns addressed at the Area Planning Commission hearing, which were all included in the conditions voluntarily offered by the Petitioners. In addition to the conditions presented at the hearing, the Petitioners have also voluntarily agreed to leave a 100-foot buffer zone on the east side of the property as Residential.

Morris Jones, Adjacent property owner, shared the following concerns:

- Increased traffic and farm animal transportation through his restricted subdivision to access the property, would prefer access be utilized from Dixie Drive
- The buffered area does not include a plan for planting trees

Snyder stated the subdivision referenced does not have any restrictive covenants that would prevent the Petitioner from accessing the property using the public roadway and there is no plan to plant trees in the buffered area, but is voluntarily being set aside in an effort to protect the adjacent property owners.

Richard stated the land has been used for agricultural purposes for years and the addition of a residence with potentially 5 horses is minimal in comparison to the 40 additional homes that could have been allowed if someone had purchased the property with a different intent.

With no one further present to speak in favor or against the request, the Commissioners closed the meeting to the public.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Accept the recommendation of the Area Planning Commission to rezone a tract of ground off the northeast side of Silver Lake, from Residential to Agricultural, with the restrictions agreed upon.

ORDINANCE NO. 21-04-27-004 (2021041504)

As recorded in the office of the Kosciusko County Recorder.

Being no further business to come before the Commissioners, the meeting was adjourned.

KOSCIUSKO COUNTY COMMISSIONERS

May 11, 2021

The Kosciusko County Commissioners met for their regular meeting on May 11, 2021 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley-President

Cary Groninger-Vice President

Brad Jackson-Member

Ed Ormsby-County Attorney

Michelle Puckett – County Auditor

Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF VETERAN OF THE MONTH-GARY HURD:

Rich Maron, Veteran Service Officer, introduced Veteran of the Month, Gary Hurd, stating Hurd was born in Auxier, Kentucky, on April 12, 1947, the youngest of 10 children, to Isom and Worley Hurd. He grew up in Claypool, Indiana, graduated from Claypool High School in 1965, and joined the US Air Force in November of 1965.

Hurd did his basic training at Lackland Air Force Base and his tech school at Shepherd Air Force Base, both in Texas. His first assignment took him to Stewart AFB in Smyrna, Tennessee, where he was a crew chief on a C-130 for 2 ½ years. He then received an overseas assignment to Clark Air Force Base in the Philippine Islands, where he got temporary duty assignments in and out of Viet Nam. Hurd was discharged in 1969.

Hurd married Sandra England in March 1970 and worked for Kosciusko REMC for 31 years. He has 2 children, Dr. Tabitha Temple and Timothy Hurd, and 5 grandchildren. He is an active member of New Hope Freewill Baptist Church, is fully retired and now enjoys his hobbies, which include gardening, cutting fire wood, and visiting church members who are sick or shut-in.

Maron and the Commissioners thanked Hurd for his service and presented him with a plaque.

Hurd thanked the Commissioners for the honor, stating he appreciated the privilege to get to serve his country like he did and he would do it all over again if he could.

IN THE MATTER OF KEDCO-INCENTIVES POLICIES AND PROCEDURES HANDBOOK:

On behalf of Alan Tio, Suzie Light, presented the Kosciusko County Economic Development and Redevelopment Incentives Policy and Procedure Handbook, which was designed to more effectively manage the process the County already has in place, and offers all businesses information about the incentives. KEDCO is going to work with the applicants to gather

information about their job creation and investment projects, analyze available local incentive tools, provide a cost benefit analysis and recommendations to local units of government, work with legal counsel to draft resolutions, incentive agreements and other documents, and coordinate all meetings between the parties and presentations at public meetings.

In closing, Light requested the Commissioners approval, stating the handbook was presented to the Redevelopment Commission and they have adopted it and upon your approval, it will also be presented to the County Council.

Cary Groninger stated he agrees with offering companies a single point of contact so they know what is available, in order for the county to assist with attracting new businesses.

Brad Jackson stated Ed Ormsby, County Attorney, had reviewed the document and did not have any objections to it.

Motion: Cary Groninger

Second: Brad Jackson

Ayes: 3 Nays: 0

Motion Carried

To: Approve the recommendation of the
Incentives Policy and Procedures
Handbook as presented.

IN THE MATTER OF 2022 INDOT OPERATING AND CAPITAL GRANT REQUESTS:

Tony Peterson, KABS General Manager, gave a brief update, stating KABS has been providing public transportation to Kosciusko County for 40 years now, having been established in 1981, and even through the pandemic, provided over 32,000 rides.

Peterson then presented the 2022 INDOT Operating and Capital grant request, in amounts of \$485,995 in federal funds and an estimated \$137,204 in state funds, the state amount scheduled for review between August and October, is subject to change. Under the 80% state and 20% local match agreement, two medium transit replacement buses totaling \$60,750 each, are also included.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the 2022 INDOT Operating
and Capital grant request as presented.

IN THE MATTER OF WARSAW PUBLIC LIBRARY BOARD APPOINTMENT:

Marsha McSherry, County Administrator, presented the recommendation of the Warsaw Public Library to reappoint Christopher Merrill to serve on the Warsaw Public Library Board.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Accept the recommendation to
reappoint Christopher Merrill to serve on the
Warsaw Public Library Board.

Being no further business to come before the Commissioners, the meeting was adjourned.

KOSCIUSKO COUNTY COMMISSIONERS
May 25, 2021

The Kosciusko County Commissioners met for their regular meeting on May 25, 2021 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN.

Those present were:

Robert Conley-President

Cary Groninger-Vice President

Brad Jackson-Member

Ed Ormsby-County Attorney

Michelle Puckett – County Auditor

Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF ZONING ORDINANCE AMENDMENT-AREA PLANNING:

Matt Sandy, Area Planning, presented an ordinance amendment to the zoning ordinance, stating the Planning Commission has been looking into ways to effectively address concerns arising as residential districts continue to extend into agricultural districts. Often times when people that are not accustomed to agricultural processes construct a residential home within an agricultural district, they expect the Planning Commission to do something to control the processes that go on around them.

With an 8-0 vote, the Planning Commission has recommended the requirement of a disclaimer, which would be signed, recorded, and cross-referenced with the deed, at the time the building permit is obtained. This would advise them of common agricultural practices taking place within the area they intend to build, which would remove the ability to remonstrate to the Planning Commission but would not remove any other legal means they may have.

MOTION: Brad Jackson

TO: Accept the ordinance amendment as presented.

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

ORDINANCE NO. 21-05-25-002 (2021051175)

As recorded in the office of the Kosciusko County Recorder.

IN THE MATTER OF RESOLUTION FOR HEALTHCARE FREEDOM & PRIVACY AND AGAINST MANDATORY COVID-19 IMMUNIZATION REQUIREMENTS:

Ed Ormsby, County Attorney, presented the following resolution for consideration:

WHEREAS:

1. This resolution is not to suggest that a COVID-19 vaccine should or should not be taken by any individual. Instead, this resolution is in support of individual liberty and freedom of choice.
2. The Board of Commissioners ("Board") of Kosciusko County, Indiana ("County"), is the executive body of County government pursuant to the provisions of I.C. 36-2-2-2 and the legislative body of County government pursuant to the provisions of I.C. 36-1-2-9.
3. The Constitution of the United States of America ("U.S. Constitution") is the supreme law of the United States of America.
4. The right to privacy is not mentioned in the U.S. Constitution, but the Supreme Court has said that several of the amendments create this right, including the 4th Amendment which states: *The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated.*
5. The Constitution of the State of Indiana ("Indiana Constitution") is the supreme law of the State of Indiana.
6. Article I, Section 11 of the Indiana Constitution also states: *The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable search or seizure, shall not be violated.*
7. The County is a Constitutional Rights Sanctuary County pursuant to Ordinance 20-12-22-002 adopted and passed by the Board on December 22, 2020, and the County will steadfastly and proactively support and defend the U.S. Constitution and the Indiana Constitution.
8. It is an unreasonable seizure of a person for the government to require a COVID-19 vaccine for all persons regardless of age, medical condition, or other factors, for the reasons to be stated below.
9. It is an unreasonable invasion of privacy, except in certain healthcare related facilities and other exceptional circumstances, to require a person to disclose the status of his or her COVID-19 immunization status for employment, education, access to events, or engagement in normal commercial and recreational activities for the reasons to be stated below.
10. Nevertheless, so called COVID-19 immunization passports are starting to be used in other states and localities. For example, the Excelsior Pass is being used in New York State. For further information on this, see this New York Post article: https://nypost.com/2021/05/19/what-is-the-excelsior-pass-and-how-does-it-work/?utm_campaign=iphone_nyp&utm_source=facebook_app. Also, Indiana

University is requiring that its students produce proof of COVID-19 immunization before returning to school in the Fall. According to an IU spokesperson, there will be "strong consequences" for those who choose not to get the vaccine and do not meet the exemption criteria. Students who violate the requirement could have their registration canceled, CrimsonCard access terminated and access to IU systems, such as Canvas and email, restricted. They also will not be able to participate in on-campus activities. For further information on this, see this IndyStar article: <https://www.indystar.com/story/news/health/2021/05/21/indiana-university-require-covid-vaccine-fall-semester-return/5200034001/>

11. As a partial response to potential COVID-19 immunization passport requirements, the 2021 Indiana General Assembly added Chapter 11 to Indiana Code 16-39.
12. Indiana Code §16-39-11-3 defines an "immunization passport" as any written, electronic, or printed information regarding whether an individual has or has not received a vaccine to produce immunity against COVID-19.
13. Indiana Code §16-39-11-5 establishes that the State of Indiana and its local units of government are prohibited from issuing or requiring an immunization passport, except as set forth in the section.
14. The Board wholeheartedly supports the addition of Chapter 11 to Indiana Code 16-39 as described above.
15. However, the Board also expresses additional grave concerns that COVID-19 immunization passport requirements could create in non-government settings, including, but not limited to, concerns associated with civil liberties, privacy of personal health information, religious freedom, discrimination, and individual choice with regard to a person's own healthcare.
16. In order to prevent concerns associated with such significant issues, and for the further reasons stated in this resolution, the Board desires to encourage businesses and schools in the County to avoid any measures or mandates that require employees, customers, patrons, students, or other persons, except in certain healthcare related facilities and other exceptional circumstances, to get a COVID-19 vaccine or to produce health information on COVID-19 immunization status, otherwise known as COVID-19 immunization passports.
17. The U.S. Occupational Safety and Health Administration ("OSHA") has also put employers on notice that, should an employer attempt to require employees to receive injections of a COVID-19 vaccine, a resulting adverse reaction for the employee will be considered "work-related" for which the employer may be held liable. See these two articles for further information:
 - 17.1. <https://www.enr.com/articles/51691-osh-imposes-new-guidance-for-employer-required-covid-19-vaccines?fbclid=IwAR3QYatg9UxDoEdakUitUJLRuEEqPmgOy8Alzi4I7sGoxR-RDR78MZJj-WMI>
 - 17.2. <https://www.lifesitenews.com/news/employers-may-be-liable-for-any-adverse-reaction-from-mandated-coronavirus-shots-osh>
18. It is reasonable for a person or parent, in his or her own personal circumstances, to have the individual freedom and liberty to make his or her own informed healthcare decision on whether to get a COVID-19 vaccine for the reasons stated below.
19. Per recent CDC guidance, persons that have received a COVID-19 vaccine should not have to wear masks or be afraid of those who have not received the COVID-19 vaccine.
20. The COVID-19 vaccines have not yet been approved by the FDA. The FDA has issued an Emergency Use Authorization only for the vaccines.
21. The long-term effects of COVID-19 are unknown. For example, data on the long-term effects from the COVID-19 vaccines on female fertility are still being gathered and are not fully known. Also, the CDC recently announced that it is investigating reports of heart inflammation in teenagers and young adults who have received the COVID-19 vaccines.
22. There also have been some deaths and other significant adverse consequences associated with the COVID-19 vaccines according to The U.S. Department of Health and Human Services' Vaccine Adverse Event Reporting System, which can be found at <https://vaers.hhs.gov/>.

23. Vaccine Information Statements, also known as VISs are documents produced by the CDC, in consultation with panels of experts and parents, to properly inform vaccinees (or their parents/legal representatives) about the risks and benefits of each vaccine. Federal law (under the National Childhood Vaccine Injury Act) requires a healthcare professional to provide a copy of the current VIS to an adult patient or to a child's parent/legal representative before vaccinating an adult or child. However, VISs for the COVID-19 vaccines have not yet been developed.
24. It is unreasonable and detrimental to credibility, trust, fairness, justice, and relationships for governments, businesses, or schools to force persons to get a COVID-19 vaccine when there is significant information yet unknown and for the other reasons stated in this resolution.
25. It is not unreasonable for a person to be skeptical of COVID-19 information. For example, the media has pushed panic to achieve ratings and readership, COVID-19 has often been more about politics than science, and the credibility of the U.S. Government has not been high with regard to COVID-19.
26. Not all persons are at high-risk for death or significant adverse long-term effects from COVID-19. For example, below are tables from the CDC as of May 19, 2021, for COVID-19 deaths in the U.S. for the years 2020 and 2021 broken down by age categories.

State	Sex	Age Group	Year					
United States	All	All	All					
Year in which death occurred	Sex	Age Group	All Deaths involving COVID-19 [1]	Deaths from All Causes	Deaths involving Pneumonia [2]	Deaths involving COVID-19 and Pneumonia [2]	All Deaths involving Influenza [3]	Deaths involving Pneumonia, Influenza, or COVID-19 [4]
2020	All Sexes	0-17 years	195	34,092	612	36	178	949
2020	All Sexes	18-29 years	1,473	63,417	1,781	610	148	2,781
2020	All Sexes	30-39 years	4,266	89,169	4,150	1,862	316	6,848
2020	All Sexes	40-49 years	11,274	133,285	10,169	5,291	489	16,573
2020	All Sexes	50-64 years	56,575	556,623	55,411	28,560	2,082	85,202
2020	All Sexes	65-74 years	81,998	675,114	79,404	42,126	1,878	120,872
2020	All Sexes	75-84 years	105,856	822,560	98,342	51,752	1,895	154,088
2020	All Sexes	85 years and over	122,342	1,012,908	101,640	49,278	1,800	176,295
2020	All Sexes	All Ages	383,979	3,387,468	351,509	179,515	8,786	563,608

State	Sex	Age Group	Year					
United States	All	All	All					
Year in which death occurred	Sex	Age Group	All Deaths involving COVID-19 [1]	Deaths from All Causes	Deaths involving Pneumonia [2]	Deaths involving COVID-19 and Pneumonia [2]	All Deaths involving Influenza [3]	Deaths involving Pneumonia, Influenza, or COVID-19 [4]
2021	All Sexes	0-17 years	100	9,936	121	22	4	203
2021	All Sexes	18-29 years	731	20,140	607	364	3	976
2021	All Sexes	30-39 years	2,137	29,985	1,696	1,102	4	2,734
2021	All Sexes	40-49 years	5,997	45,806	4,496	3,216	9	7,283
2021	All Sexes	50-64 years	32,652	194,401	26,260	18,812	81	46,150
2021	All Sexes	65-74 years	45,428	242,639	37,401	26,330	86	56,548
2021	All Sexes	75-84 years	52,378	287,706	42,232	28,727	93	65,954
2021	All Sexes	85 years and over	50,643	335,960	37,528	22,996	63	65,210
2021	All Sexes	All Ages	190,066	1,166,573	150,341	101,569	343	239,058

These tables show that in the U.S. in 2020, for ages 0-17, there were only 195 COVID-19 deaths out of a total of 383,979 COVID-19 deaths, or, in other words, only .05% of total COVID-19 deaths. For ages 18-29, there were only 1473 COVID-19 deaths, or .38% of the total COVID-19 deaths. On the other hand, 95.5% of all COVID-19 deaths were for ages 50 and above. 2021 to date also shows a similar statistical breakdown. Another CDC table shows that ages 85 and older are 8700x more likely to die from COVID-19 than ages 0-17. <https://www.cdc.gov/coronavirus/2019-ncov/covid-data/investigations-discovery/hospitalization-death-by-age.html>. An individual risk factor calculator from Johns Hopkins also shows the differences can be much higher than 8700x. <https://covid19risktools.com:8443/riskcalculator>. This information demonstrates the multi-factored complexity of the issue and that draconian, over-generalized decisions like those made in New York and by Indiana University are ill-considered and unreasonable.

NOW, THEREFORE, THE FOLLOWING IS HEREBY RESOLVED BY THE BOARD:

1. Every person who wants to get a COVID-19 vaccine should be able to do so, and every person or parent that does not want to get a COVID-19 vaccine for themselves or their child should not be required to do so.
2. It is an unreasonable seizure of a person, contrary to the 4th Amendment of the U.S. Constitution and Article 1, Section 11 of the Indiana Constitution, for the government to require a COVID-19 vaccine for all persons regardless of age, medical condition, and other factors.

3. It is an unreasonable invasion of privacy, except in certain healthcare related activities and other exceptional circumstances, to require a person to disclose the status of his or her COVID-19 immunization for employment, education, access to events, or engagement in normal commercial and recreational activities.
4. Indiana Code §16-39-11-5 establishes that the State of Indiana and its local units of government are prohibited from issuing or requiring a COVID-19 immunization passport, except as set forth in the section, and the Board wholeheartedly supports the addition of Chapter 11 to Indiana Code 16-39 as described.
5. Lastly, the Board encourages businesses and schools in the County to avoid any measures or mandates that require employees, customers, patrons, students, or other persons, except in certain healthcare related facilities and other exceptional circumstances, to get a COVID-19 vaccine or to produce health information on COVID-19 immunization status, otherwise known as COVID-19 immunization passports.

MOTION: Brad Jackson

TO: Approve the resolution as presented.

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

RESOLUTION NO. 21-05-25-001 (2021051174)

As recorded in the office of the Kosciusko County Recorder

The Commissioners discussed briefly their united support for the right of every individual citizen to choose for themselves whether or not to receive the vaccination, while stating the County Health Department is still fully engaged in providing vaccinations to all residents who want to receive the vaccine.

IN THE MATTER OF BRIDGE #30 EMERGENCY REPAIRS:

Steve Moriarty, County Highway Superintendent, requested approval for an emergency expenditure for bridge #30.

County Attorney, Ed Ormsby, stated emergency expenditures have to be documented under Indiana code, and although bridge #30 can still be traveled, it is at risk of further deterioration if repairs are not made in a timely manner.

Moriarty stated the expenses for the emergency repair to stabilize the bridge will be reimbursed by federal assistance, and the bridge will eventually be replaced.

MOTION: Cary Groninger

TO: Approve the emergency expenditure for bridge #30 as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF EMS D15 LANE-VACATION CONTINUANCE-IRVING:

On behalf of Attorney Steve Snyder, Matt Sandy, Area Planning, requested a continuance, stating Snyder, the Area Planning Commission, and the County Highway, have been working on an agreement and would like the matter reset for June 22, 2021, to allow time to finalize the agreement.

MOTION: Cary Groninger

TO: Accept the continuance of Irving, EMS D15 Lane-Request for Vacation to June 22, 2021.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF FURTHER BUSINESS-CR 400E CLOSURE:

Tammy Wise, school bus driver and resident, stated she has heard the railroad crossing on CR 400E, west of Sidney, may be closing, and shared the following concerns:

- a heavy amount of traffic would be diverted to the Packerton Road
- the amount of accidents already occurring at the intersection of Packerton Road and SR 14 is alarming
- farm machinery and school bus travel would be greatly impacted

- emergency vehicle access to the southern part of the county would be affected

Gwen Ostrom, school bus driver and resident, shared similar concerns, stating she would be diverted to the Packerton Road or SR 13 at Sydney, which is typically blocked by a stopped or parked train.

IN THE MATTER OF FURTHER BUSINESS-READI GRANT PROGRAM:

Cary Groninger shared an update, stating the Governor has set aside \$500 Million for a READI (Regional Economic Advancement Development Initiative) grant program, which was established to support partnerships within regions of the state, in the development of projects that would add a regional economic development. Groninger said we will be partnering with the NE Indiana Regional Partnership, meeting in Ft. Wayne, and eventually applying for some of the grant funding.

Being no further business to come before the Commissioners, the meeting was adjourned.

KOSCIUSKO COUNTY COMMISSIONERS

June 8, 2021

The Kosciusko County Commissioners met for their regular meeting on June 8, 2021 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley-President
Cary Groninger-Vice President
Brad Jackson-Member

Ed Ormsby-County Attorney
Michelle Puckett – County Auditor
Marsha McSherry – County Administrator

Minutes (May 25, 2021 & May 27, 2021 Financial Meeting) were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF VETERAN OF THE MONTH-JAMES ALLEN HORN:

Rich Maron, Veteran Service Officer, introduced Veteran of the Month, James Allen Horn, stating Horn was born to Paul and Joanne (Shearer) Horn, of Bourbon, Indiana, on November 19, 1948, at McDonald's Hospital in Warsaw. When Horn was 10, the family moved to Plymouth and he became a proud Pilgrim, graduating from Plymouth High School in 1967. Horn then spent one year at Grace College, but instead on enrolling in his second year, Horn decided to visit the Naval Recruiting Office in South Bend, where he aced the test and was recruited immediately.

Horn was sent to bootcamp in Waukegan, Illinois, where he played a trumpet in the Navy band. At Bootcamp, Horn selected the rating of Yeoman, the Pacific as his ocean and requested to be put on a submarine. He was sent to Groton, Connecticut for submarine school, which lasted about 4 months, after which he was sent to San Diego, California. Horn made the trip out west in his 1965 VW Beetle with a broken starter. By parking on a hill each time, Horn had no problem pushing the VW and getting it started by popping the clutch.

Horn attended Yeoman School in San Diego during the summer of 1969, and after graduating, received orders to a Nuclear Fast Attack Submarine, USS Flasher SSN613, stationed at Pearl Harbor, Hawaii. Horn reported for duty on Monday morning, just as the Flasher was headed out to play war games for a week. On his first dive, Horn got his initiation into submarines as they dove down to 700 feet, the flooding alarm sounded, and the Flasher did an emergency blow and headed for the surface like a balloon. As the Flasher was 239 feet long and weighed over 4,000 tons, it was not a smooth ascent to the surface, and Horn found himself on the floor of a small Yeoman's office, buried by books. After a few months of preparation, the Flasher headed out to sea on a top-secret mission, requiring the sub to stay submerged for 65 days, which was a total success and each crew member received a Presidential Citation from President Nixon.

All submariners are required to learn all the systems on the submarine, including electrical, hydraulics, nuclear reactor, potable water, sanitation and high-pressure steam, as well as learn to drive the submarine, controlling bearing and depth. After completing all the requirements, a submariner is considered "qualified in submarines" and dolphins are pinned to his chest. Horn

earned his qualifications and after 1½ years on the Flasher, he received orders to submarine staff Comsubpac, Command Submarine Force Pacific, where he worked for the assistant to Admiral Paul Lacey in the communications department, which was a big deal during the Cold War.

On staff duty, Horn heard a rumor that a submarine in the Western Pacific needed a Yeoman, so he volunteered and was selected. He was given 3 hours to pack and board a plane at Hickman AFB, where he was the only sailor on a jet full of soldiers headed for Vietnam. After making a stop at Quam, they proceeded to Clark AFB in the Philippines, where Horn deplaned and then boarded a bus headed for Subic Bat Naval Base in Olongapo, where he joined the crew of the USS Gudgeon SS567 after being initiated by being tossed into Subic Bay waters. Horn recalls being glad he had his tetanus shot. The Gudgeon was a diesel electric submarine, built in the 1950's, which was a new experience for a nuclear qualified submariner and since he was on temporary duty, they didn't have a bunk for Horn, so a mattress was tossed on a torpedo and that was his bed for several months. The Gudgeon left Subic Bay and patrolled the South Pacific and since diesel electric submarines can visit ports that nuclear subs cannot, the Gudgeon ported at Zamboanga Philippines, Port Moseby New Guinea, Brisbane Australia and Suva Fiji and during his trip south, the Gudgeon passed the equator, which is a big deal in the Navy. Sailors that have never crossed the equator are initiated and become Shellbacks. The ceremony, called the Order of Neptune, has been a Navy tradition for 400 years. This initiation was rough for most of the crew but they took it easy on Horn since he was on temporary duty. After Fiji, the Gedgeon headed back to Pearl Harbor, Hawaii and Horn returned to staff duty at Comsubpac.

Horn enjoyed the Navy but before re-enlisting, his father took ill, so he returned to Plymouth to help work on the farm and after his father passed, his mom sold the farm and he went to work at L.M. Berry in Warsaw, where he worked in the art department creating yellow page ads. In 1977, Horn returned to Grace College, graduating in 1981 with a Bachelor's in Art Education. He received a teaching degree but decided to pursue another career when he was hired by Chet Dekko of Dekko Foundation Fame. He worked for Group Dekko, starting as an engineer and worked his way up, ending up in international sales. Horn had customers in China, Australia, New Zealand, and South America and was influential in opening a Dekko manufacturing plant in Ballina, Ireland. Horn retired from Dekko after 28 years.

Horn currently lives in Winona Lake with his beautiful wife, Mary. They have 2 children and 4 wonderful grandchildren. Horn enjoys playing golf and belongs to the American Legion Post 253 in North Webster.

Maron and the Commissioners thanked Horn for his service and presented him with a plaque.

Horn thanked the Commissioners for the honor, stating it's hard to believe you can get an award for doing something you enjoy. Serving his country and being on a submarine are things he truly enjoyed and if his father hadn't gotten sick, he probably would have stayed in the Navy. Horn concluded, stating people say being under water for 65 days is something hard to do but with all the testing for the qualifications required, 65 days feels like a day.

IN THE MATTER OF 2022 COMMUNITY CORRECTIONS GRANT REQUESTS:

Barry Andrew, Community Corrections Director, presented a request to apply for 2022 Community Corrections Drug Court and Home Detention grants, as well as letters of support, if approved.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the requests to apply for 2022 Community Corrections Drug Court and Home Detention grants as presented.

IN THE MATTER OF COUNTY HEALTH & WELLNESS-GET WALKING PROGRAM-MILLION STEPPERS RECOGNITIONS:

Jackie Franks, Purdue Extension-Health and Human Sciences Educator, presented a summary of the Get Walking program offered to county employees, stating 84 employees and 25 other community participants were enrolled and tracked their daily steps along with the amount of water consumed. Total steps walked were over 37 million and over 2,000 gallons of water were reported.

Five employees reported over 1 million steps and were awarded certificates and presented with gift cards. They were: Amy Irwin, Brooke Greer, Cheryl McGettrick, Michelle Hyden, and Monica Medina-Conde.

IN THE MATTER OF SOPHOS-CONTRACT RENEWAL:

Bob Momeyer, Systems Administration, requested approval to renew the anti-virus protection contract with Sophos for 3 years at \$29,677.50.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the request to renew the anti-virus protection contract with Sophos for 3 years at \$29,677.50.

IN THE MATTER OF PICNIC TABLE PURCHASE-JAIL:

Marsha McSherry, County Administrator, requested approval to purchase 2 picnic tables for the cellblocks in the jail at a cost of \$3,261.12 each, stating the stainless steel tables are constructed for institutional use.

There was a brief discussion regarding some recent property damage within the jail and the intent is to find tables that are less destructible for inmates. The 2 tables will be tested for durability before additional tables are purchased.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the purchase 2 picnic tables for the cellblocks in the jail at a cost of \$3,261.12 each.

IN THE MATTER OF DUMP TRUCK PURCHASE:

Steve Moriarty, County Highway Superintendent, requested approval to purchase 2 single-axel dump trucks, through the National Auto fleet Group, at a cost of \$196,742.19 each, stating the funds have been budgeted.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the purchase of 2 single-axel dump trucks, through the National Auto fleet Group, at a cost of \$196,742.19 each.

IN THE MATTER OF NONPROFIT 2022 BUDGET REQUESTS:

The following nonprofit organizations appeared before the Commissioners to request funding for the 2022 budget year:

- ❖ **St. Joe River Basin** – Matt Meersman, MACOG-River Basin Program Director, stated MACOG serves the St. Joe River Basin Commission, an agency organized by the State of Indiana to protect water quality as well as mitigate flooding by organizing to control the drains. With approximately 20% of Kosciusko County draining into Lake Michigan, areas of interest include Syracuse and Turkey Creek, with recent projects such as placement of trees within Syracuse to direct stormwater. With 6 counties contributing to the basin, and Kosciusko making up about 6%, the amount requested for 2022 calculates to \$3,705, just a slight increase from last year.
- ❖ **Historical Society** – Jerry Frush, President, and Greg Steffe, Co-Director were present. Frush stated the Historical Society relies on grants and donations, however last year was a little bit short, with several planned events having to be cancelled due to the pandemic. They are hopeful this year will be better and are already planning to continue with the John Dillenger display, which had to be put on hold. The requested amount submitted for 2022 was \$25,000.
- ❖ **4-H Council** – Kelly Heckaman, introduced Andrew Ferrell, the new 4-H and youth development educator. Ferrell extended his gratitude for how well he has been welcomed into the community and stated he looks forward to working to make our youth development strong within our county. Heckaman stated they are looking forwarding to having as close to

a normal fair as possible this year, not just shows and exhibits as was observed last year. The requested amount for 2022 was \$44,347, which was not increased from last year.

- ❖ **Cardinal Services** – Matt Boren, newly appointed executive director, introduced Marcie Arndt, stating she will be taking his place. Boren gave a brief update on some staffing issues Cardinal has observed in the past, stating through some support from the state, they have recently been able to make significant increases in wages, which is helping tremendously. Boren stated the 3 programs supported each year are KABS, Headstart and Career Links and gave the following updates:
 - KABS- owned by the county and operated by Cardinal, provides transportation for low income individuals, about 80% of which is used for work or education. Riderships, which although decreased about 25% during the pandemic, are steadily increasing. Wages for drivers were able to be increased and driver positions are currently fully staffed.
 - Headstart – serves children living below the poverty level, from birth to 5 years in many classroom settings to prepare them for kindergarten, as well as offers support for the families with guidance in areas of medical health as well as mental health.
 - Career links- assists with employment for people who are either physically or mentally disabled and/or debilitated by a life occurrence, sometimes working with students still in high school and sometimes later in life. Part of the program is designed to help make the transition from high school to college or out into the workforce.
- ❖ **Home Health Care** – Glenn Hall, Administrator, introduced Rachel Grasmick, stating she is a former manager who now works part-time doing new hire orientation, is also doing some grant writing. Hall gave a brief update, stating during the pandemic, staff consisted of 2 full-time RNs, 1 part-time RN and between 5 and 7 aids and homemakers, who between just the few of them, logged over 72,000 miles and made over 5,900 patient visits within the county. The purpose of the program is to help patients remain in their homes for as long as possible and the home care side of the business, Hall continued, has suffered as funding is being cut in all agencies. Fund-raising, which has never been done to support the business is being considered. The requested amount submitted for 2022 was \$50,000, just a slight increase from last year.
- ❖ **Beaman Home** – Jennifer Hayes, Executive Director, gave a brief update sharing a success story of a mom and 3 children who were able to utilize the 3-bedroom transitional unit through the winter, which allowed time to find worthy housing when it became available, and they are now on the path to success. An expansion of the transitional housing is in the planning stages to help bridge the gap, as 3-bedroom housing is hard to come by. The requested amount submitted for 2022 was \$40,000, which is a slight increase, mainly due to the state and other contributors plans to reduce funding.
- ❖ **Council on Aging** – David Neff, Executive Director of Kosciusko County Senior Services, stated the covid pandemic has had a significant and direct impact on seniors, specifically in the following ways:
 - Senior Activity Center-was closed for nearly a year, but has opened and is almost back to normal.
 - Transportation- declined slightly but with the collaboration with KABS, people were still able to get to crucial medical appointments.
 - Home Meal Delivery- increased significantly, as people were asked to shelter in place.

The requested amount submitted for 2022 was \$40,000, with the increase mainly due to concerns related to changes within the way United Way plans to award funding, going forward. Neff shared from the letter he received, as of June 30, 2021, United Way is discontinuing its 'member agency' approach to grant making and will move to an 'open application' process in the fall. At the top of the letter, Neff noted, it reads United Way is taking steps to become a stronger resource for children and families across the region, which he concluded, he interprets to mean after 25 years of Senior Services being a partner and receiving monthly payments, they will not receive anything after June 30th. There was a brief discussion of alternate opportunities and possible ways of offsetting such a deficit.

Being no further business to come before the Commissioners, the meeting was adjourned.

KOSCIUSKO COUNTY COMMISSIONERS

June 22, 2021

The Kosciusko County Commissioners met for their regular meeting on June 22, 2021 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley-President
Cary Groninger-Vice President
Brad Jackson-Member

Ed Ormsby-County Attorney
Michelle Puckett – County Auditor
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF KOSCIUSKO COUNTY HISTORICAL SOCIETY MEMBERSHIP DRIVE:

Jerry Frush & Sally Hogan, spoke on behalf of the Historical Society seeking the Commissioners support and media recognition with a goal of obtaining additional memberships. With a decline in memberships due to the pandemic, and the need to replace several of their computers in the next year or so, promoting a membership drive is necessary to help support their operations.

IN THE MATTER OF KABS QUARTERLY CONTRACT INVOICE:

Tony Peterson, KABS General Manager, presented the quarterly INDOT Contract Invoice in the amount of \$162,896 for approval, stating only Federal funds were used for this period

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the quarterly contract invoice report in the amounts of \$162,869.00 for the federal share portion.

IN THE MATTER OF WORK RELEASE RADIO REPLACEMENT-SYSTEMS ADMINISTRATION:

Bob Momeyer, Systems Administrator, requested approval to purchase a replacement radio for Work Release in the amount of \$24,500, stating the previous radio used for communication between the county and the facility broke, causing a short disconnect. The replacement would eliminate the temporary bi-pass of the system, currently in use. Momeyer stated funds are available within their budget to cover the cost.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the request to purchase a wireless radio system in the amount of \$24,500.

As a side-note: The Commissioners asked Momeyer to remember the Historical Society as computers are being replaced, stating those no longer used for county needs may be useful for the Historical Society.

IN THE MATTER OF COUNTY VIRTUAL MEETINGS POLICY-COUNTY ATTORNEY:

Ed Ormsby, County Attorney, opened the discussion regarding the County's policy on virtual meetings, stating "We have a virtual meetings policy that we can consider, whether it be today or at the next meeting. The virtual meetings policy is pursuant to a new Indiana statute that will allow one of the Commissioners to participate virtually, as long as they can be heard and seen contemporaneously with everyone else. The State statute provides that a Commissioner, and it's not just Commissioners, it's any governmental body, but for purposes here today, a Commissioner, can miss no more than 50% of the meetings. The Commissioners have had some preliminary review of that statute and they think that's a high number to miss, and are considering making it lower, that there can be no more than 35% of the meetings missed, and so

we will have that policy available, if you want to adopt those terms today, or we can do it at the next meeting.”

There was a brief discussion regarding what Commissioners felt would be a reasonable number of meetings they could each be permitted to miss. The following was presented as a motion:

MOTION:	Cary Groninger	TO: Accept 35% as the most meetings a
SECOND:	Brad Jackson	Commissioner can miss.
AYES:	3	NAYS: 0
UNANIMOUS		

IN THE MATTER OF BRIDGE 227 REQUEST FOR RIGHT OF WAY:

Steve Moriarty, County Highway Superintendent, requested approval of a right-of-way service agreement for Bridge 227, between the County Highway and USI, stating construction is scheduled to begin in 2024.

MOTION:	Cary Groninger	TO: Accept the right-of-way service
SECOND:	Brad Jackson	agreement for Bridge 227, between the
AYES:	3	NAYS: 0
UNANIMOUS		

IN THE MATTER OF EMS D15 LANE VACATE PUBLIC WAY:

Dan Richard, Area Plan Director, stated the Area Planning Commission does not have a recommendation at this time, as he is aware Attorney Steve Snyder has been working with the County Highway on coming up with an agreed upon proposal to vacate a portion of public way on D15.

Steve Snyder, Attorney for the Petitioner, stated the Area Plan Commission had initially said they would support the vacation request, subject to an agreement with the Highway Department for a turn-around easement. Snyder concluded, stating he has no objection to postponing a decision until an official agreement is reached and the recommendation is available from Area Plan.

MOTION:	Cary Groninger	TO: Approve postponing the vacation request
SECOND:	Brad Jackson	until the July 20, 2021 meeting.
AYES:	3	NAYS: 0
UNANIMOUS		

IN THE MATTER OF FURTHER BUSINESS:

Todd Durnil-Pyramid Architecture: presented a change order request, stating the concrete contractor came with a value engineering proposal of an additional \$35,495 to use pilings instead of pads, beneath the 3 largest towers, which will reduce the amount of excavation needed.

MOTION:	Cary Groninger	TO: Approve the change order as presented.
SECOND:	Brad Jackson	
AYES:	3	NAYS: 0
UNANIMOUS		

Chris Magiera-County Resident: suggested adopting an ordinance or resolution to prohibit or ban the use of coerced teaching of what is known as critical theory; critical race theory, critical sex theory and the whole umbrella organization, to county employees as part of HR compliance and also to the extent this body has any authority over the school system within the county, that the use of critical theory as a standard curriculum item is also banned.

County Attorney, Ed Ormsby, stated we are currently under review of a critical race theory proposed policy, which is not yet ready to be presented, but we are anticipating a visit from the current Attorney General, Todd Rokita, to speak on the issue from both a state and county level, to assure us that what is being taught meets with the standards that are announced in the Constitution, that every man is created equal. More information will be available at the next meeting.

Being no further business to come before the Commissioners, the meeting was adjourned.

KOSCIUSKO COUNTY COMMISSIONERS

July 6, 2021

The Kosciusko County Commissioners met for their regular meeting on July 6, 2021 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley-President
Cary Groninger-Vice President
Brad Jackson-Member

Ed Ormsby-County Attorney
Michelle Puckett – County Auditor
Marsha McSherry – County Administrator

Bob Conley made the following statement on behalf of the Commissioners:

We have had tremendous interest expressed for our meeting with the Attorney General, Todd Rokita, which is focused on his office's publication, "Parents Bill of Rights". It is helping Hoosier parents understand their legal right to exercise their voice in their children's education and other matters. In addition to parents, students, and teachers, this topic is gathering offers to every business, employee and taxpayer in the county, a chance to learn from each other and therefore; it's entirely appropriate for the county executive branch to understand the community's perspective as the board executes it's duties on behalf of those constituents. This has been proven in the response the Commissioners have received across the county so far. Based on that response, the Commissioners believe that the 120-person capacity of the courtroom will be far exceeded as the meeting will run well beyond the original planned amount of time of 1 hour.

Therefore; in order to accommodate the countywide learning session and ensure a conducive less-formal learning environment, as well as not to interfere with the County Council meeting that begins at 6PM in this courtroom, the special Commissioners meeting scheduled for July 8th at 5PM has been cancelled. Instead, the Commissioners, in their individual capacities, will host the Attorney General, Todd Rokita, and this public learning session, which will be held the same date and time, of July 8th at 5PM, in the Winona Lake Heritage Room-the former Rodeheaver Auditorium, which has a capacity of 1200 people. The address for the Heritage Room is 901 Park Avenue, Winona Lake, 46580.

There will be ample time for the public to speak, to ask questions and to exercise and express comments, concerns and personal experiences. Everyone is welcome to attend that meeting.

Minutes were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF VETERAN OF THE MONTH-JOE LYLE HARRIS:

Rich Maron, Veteran Service Officer, introduced Veteran of the Month, Joe Lyle Harris, stating December 7, 1941, Pearl Harbor and the start of WWII, Joe Lyle Harris was 16 years old and a junior at Rushsylvania High School in Ohio and he thought for sure the war would end before he got out of high school. He graduated in May of 1943 and most of his buddies were signing up for the Navy to join the war effort, so he told his dad he wanted to join the Navy before he got drafted.

Boot camp would take him to the Great Lakes Naval Training Center in Great Lakes, Illinois. After 8 weeks of basic, he was accepted to Quartermaster School, which was also at Great Lakes. He graduated on March 20, 1944, in the top 10 of his class. He was assigned to Solomons, Maryland, to join the crew of the LCI-Landing Craft Infantry 600. With an initial crew of 24 enlisted and 4 officers, the LCI 600 was commissioned at the New Jersey Shipbuilding Corporation, in Barber, New Jersey on April 29, 1944; from there to Pier 42, North River, New York, then passing the Statue of Liberty on port side onto Solomons, Maryland, then to Chesapeake Bay, Maryland and then onto Norfolk, Virginia, where the 600 was painted camouflage green. They knew then, they were headed to the Pacific.

When they left for the Panama Canal, Harris was seasick the whole 5-day trip and the Captain was going to put him off the ship but Harris persuaded him to let him stay aboard as they made

their way to San Diego. July 21st, they left San Diego with 21 other LCI ships, headed for Pearl Harbor, Hawaii, arranged in 3 columns. Harris’ ship headed a 7-ship column. They arrived 10 days later at Pearl Harbor on August 4th. On the 13th, they brought 150 Marines aboard and headed for Maui. They practiced zigzagging, towing, and beaching with the Marines on the beaches of Maui. These Marines would be part of the Invasion of Iwo Jima on February 19, 1945.

January 12, 1945 started as an uneventful day until about 10AM, when 2 Japanese 2-man subs got into Ulithi, Anchorage. About noon, they got orders to pick up a sailor on a destroyer that was patrolling the entrance to Anchorage, and transfer him to the hospital ship for appendicitis. Harris started steering in the pilot house and requested the CO to come up to the coning tower to steer because it had a better view and wanted to see if the Japanese subs would do any damage to the fleet that was in Anchorage. The CO confirmed and Harris believes that saved his life. They had been underway for about 20 minutes, when they noticed the water ahead was changing colors and the crew on the fantail (the back of the ship) radioed up to the tower that they were getting very close to some coral. The CO ordered Harris to turn hard right rudder, and the second he did, the ship exploded. That was the last thing Harris remembered until felt himself swaying in the air, being hoisted up to the hospital ship solace. Later Harris learned they had hit a mine. In all, 3 crew members lost their lives that day and almost all of the crew suffered some form of injury but every one of the crew and officers were able to get off the ship before it sank. Harris lost a front tooth, had a broken nose, and a gash above his eye. He spent 13 days on the solace recovering, then onto the carrier Hoggatt Bay, which took them back to Pearl Harbor.

While in Pearl Harbor, Harris was called to officer’s headquarters and received the Purple Heart and then had to swear that he wouldn’t say anything about the kamikaze attacks. Harris said he never saw a kamikaze, but he agreed. When he returned to the states, it was never mentioned in any newspapers. The train ride home for a 30-day survivor leave took 3 ½ days, after which, Harris’ folks drove him to Columbus, where he stayed at the Norwich Hotel, waiting on his new orders. While on leave, Harris was gifted a diary to keep track of dates and events.

Harris’ next orders sent him to a receiving station for overseas departures in Shoemaker, California, and 2 days later, news arrived that President Roosevelt had died. Harris’ next destination was Leyte, Philippines. From there, he went to Samar Islands and on the 4th of July, he went ashore to celebrate. As soon as they made the beach, Harris recalls some the natives saying, “Hi Joe” and he told the group with him how friendly they were and wondered how they knew his name already. That was when Harris discovered they called all the GI’s Joe.

On July 31, 1945, the Cruiser, USS Indianapolis, was supposed to come into the harbor at Tacloban, Philippines, but it never arrived. They soon discovered that a sub had sunk the Indianapolis around midnight on July 29th with 1190 crew on board. 850 got off the ship but only 316 were picked up on August 3, 1945. The Indianapolis had just delivered the first atomic bomb to Tainian.

Harris recalls, August 15, 1945, a day he will never forget. While attending an outside movie, they could hear chanting, but couldn’t make out what was being said. Turned out, the chanting was coming from ships out in the harbor, “THE WAR IS OVER”! From then on, Harris recalls everything changed, no tight securities, you could go anyplace you wanted, the stress and worry was over.

Those who had the most points, would be able to go home first, and since Harris had been the Navy longer than most, he was one of the first to go home. He got a train to Kenton, Ohio and didn’t tell his folks he was coming home; he wanted to surprise them. At the train station in Kenton, a family took him to Route 68, where he could hitch a ride home. At that time, if you wore a uniform, everyone was eager to help you. He got a ride with a man who asked him if his folks knew he was coming home. Harris told him it was a surprise and the man agreed to take him right to his house if he would allow the man to see his mother greet him. When they arrived at the house, Harris stayed outside so the man could see his mother’s face and he smiled and drove off.

Included with Harris’ bio, was the following list of Naval losses in WWII:

Carriers	11	Destroyers	71
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Battleships 2
Cruisers 10

Escorts 10
Submarines 53

For 24 years, Joe Harris taught math and coached golf at Warsaw High School. He married Joan on January 1, 1947 and they've been married for 74 years. They have 5 children; 3 boys, Mike and Jim, who were able to be here today, and John. Also 2 daughters, Bonnie and Vicki. They have 11 grandchildren and when the 2 boys were asked how many great-grandchildren, they were not able to come up with a total.

By applause, both Joe and Joan Harris were acknowledged for their contributions. Maron and the Commissioners thanked Harris for his service and presented him with a plaque.

IN THE MATTER OF VOTE CENTER PROJECT UPDATE:

Ann Torpy, County Clerk, presented the proposed draft of the Kosciusko County Vote Center plan, stating there is a public meeting set for July 22, at 6PM in this same room, to allow for public comment, support or otherwise, regarding the proposed plan. August 19th is the deadline to finalize public comments, which will go to the county election board following any changes.

IN THE MATTER OF ELECTION EQUIPMENT PURCHASE:

Ann Torpy, County Clerk, presented a request to purchase encoders for the ePoll books, which Torpy stated will attach to the iPads used at the vote centers and will program the correct ballot for each individual voter according to their voter card, thus making it possible for voters living and working in different towns to cast their votes without the need travel to a specific poll location.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the request to purchase encoders for the ePoll books, from the election budget as presented.

IN THE MATTER OF 2022 HOLIDAY CALENDAR ADOPTION:

Michelle Puckett, County Auditor, presented the 2022 holiday calendar and Commissioner meeting schedule for adoption, stating they follow the federal holidays and all meetings will be held on Tuesday, with the exception of November 7, which is a Monday, since November 8th is election day.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the adoption of the 2022 holiday calendar and meeting schedule as presented.

IN THE MATTER OF OFFICE HOLDER/DEPARTMENT HEAD BUSINESS:

Ed Rock, Emergency Management Director requested approval to apply for an HMEP or Hazardous Materials grant, used each year for training and exercise for emergency responders. Rock stated the \$15,000 grant is 100% reimbursable.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYES: 0

MOTION CARRIED

TO: Approve the request to apply for the HMEP grant, in the amount of \$15,000.

IN THE MATTER OF VIRTUAL MEETINGS POLICY:

Ed Ormsby, County Attorney, presented a resolution regarding electronic meetings for consideration, stating the resolution would establish a policy by which members of the Board of County Commissioners may participate by means of electronic communication. According to the last meeting, the Commissioners agreed to lower the threshold of meetings that can be missed from 50% to 35%.

MOTION: Cary Groninger

SECOND: Brad Jackson

TO: Approve the resolution of electronic meetings policy as presented.

AYES: 3 NAYS: 0
UNANIMOUS

RESOLUTION NO. 21-07-06-001 (2021070241)

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF INDIANA HEALTHY WORKPLACES GRANT REQUEST:

Marsha McSherry, County Administrator, presented a request to apply for the Indiana Healthy Workplaces grant, stating it is an advance grant to benefit the health and wellness committee.

Darren Longenecker, from Creative Benefit Solutions, stated the \$10,000 grant would be used specifically for coaching employees with chronic conditions to lead healthier lives, ultimately reducing costs for the county.

MOTION: Cary Groninger	TO: Approve the request to apply for
SECOND: Brad Jackson	\$10,000 Indiana Healthy Workplaces grant as
AYES: 3 NAYS: 0	presented.
UNANIMOUS	

IN THE MATTER OF JUSTICE BUILDING PARKING LOT:

Marsha McSherry, County Administrator, presented a request to seek out a civil engineer to assist in the reconfiguring of the parking lot at the justice building, to make it more efficient and to put in more parking space.

MOTION: Cary Groninger	TO: Approve the request to seek out a civil
SECOND: Brad Jackson	engineer for the justice building parking lot.
AYES: 3 NAYS: 0	
UNANIMOUS	

IN THE MATTER OF FURTHER BUSINESS TO COME BEFORE THE COMMISSIONERS:

Brian Smith, Leesburg, asked if any county funds were used in the rental of the auditorium that will be used for the meeting on Thursday. Commissioner Conley stated he believes it was taken care of by the Attorney General's office, as they are putting on the meeting, and the Commissioners are asked to attend to represent the community and that is the extent to which they are involved.

Don Zolman, stated he wanted to make the Commissioners aware he has written a Kosciusko County Taxpayer Bill of Rights, which he will posting online and will be promoting signatures on a petition, encouraging county officials to focus on county business. Included in items listed in his bill of taxpayer rights, Zolman stated, is taxpayers deserve to have county officials work in the best interest of the health of Kosciusko County residents as well as county officials who know their boundaries.

Zolman shared concerns, including many visits to county offices during the pandemic, where he saw officials not wearing masks and Commissioners passing ordinances or resolutions to which they claim to have authority to determine what is or isn't constitutional.

Zolman concluded, stating he would be glad to meet with each commissioner individually to go over things, he looks forward to their recommendations and we will see what comes from the petition drive.

Travis McConnell, Warsaw requested clarification on the holidays approved earlier in the meeting, asking if Juneteenth was included in the approved holidays.

County Auditor, Michelle Puckett, stated the list of holidays the Commissioners approve is not all-inclusive and the county has 2 optional holidays that each employee can use on dates of their choosing. McConnell also shared concerns regarding the closing of any poll locations.

Being no further business to come before the Commissioners, the meeting was adjourned.

KOSCIUSKO COUNTY COMMISSIONERS

July 20, 2021

The Kosciusko County Commissioners met for their regular meeting on July 20, 2021 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley-President
Cary Groninger-Vice President
Brad Jackson-Member

Ed Ormsby-County Attorney
Michelle Puckett – County Auditor
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF COMMISSARY REPORT-SHERIFF'S OFFICE:

Kyle Dukes, County Sheriff, presented the Commissary Report from January to July 2021.

Purchases listed included the following:

- 3 vehicles; 2 for the detective bureau and 1 for the patrol division (\$94,014)
- Work release director wage and benefit package (\$42,500)
- 3 new work stations and paint for the front office (\$10,542.28)
- Body cameras with wiring, software, etc. (\$19,145)
- Body armor-pistol and rifle proof vests for all deputies and front office admin staff (\$4,562.24)

In addition, Sheriff Dukes stated Camp HERO went extremely well this past week, with 115 kids participating.

IN THE MATTER OF ORDINANCE AMENDMENT-DAY CARE CENTER ZONING:

Matt Sandy, Area Planning, presented an ordinance amendment stating Area Plan was approached by the Chamber of Commerce regarding the need for child day care services throughout the county, which has been an ongoing concern. While the current ordinance supports day cares within commercial properties or within an occupied personal residence, there is no provision for someone to operate from a residence that no one occupies. Within residential districts, petitioners would still be required to go before the Zoning Board of Appeals, therefore giving other property owners the right to have any concerns considered. Some of the requirements for consideration include a maximum of 16 children and sufficient parking for workers as well as parents coming and going. Upon review, the Plan Commission gave a unanimous recommendation to support the amendment.

MOTION: Brad Jackson

TO: Approve the ordinance amendment as presented.

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

ORDINANCE NO. 21-07-20-001 (2021071069)

As recorded in the office of the Kosciusko County Recorder.

IN THE MATTER OF EMPG SALARY 2021 GRANT REQUEST:

Ed Rock, Emergency Management Director, presented the EMPG Salary 2021 reimbursement grant request, stating this annually requested grant supports 50% of the wages for Ed Rock, EMA Director, and his assistant.

IN THE MATTER OF EMPG COMPETITIVE 2021 GRANT REQUEST:

Ed Rock, Emergency Management Director, presented the EMPG Competitive 2021 reimbursement grant request in the amount of \$40,000, stating one of the primaries of this grant is cyber security, which we are currently in the process of determining what is specifically needed and what will ultimately be used by the county. If awarded, funding would be used for that purpose.

MOTION: Cary Groninger
 SECOND: Brad Jackson
 AYES: 3 NAYES: 0
 MOTION CARRIED

TO: Approve both the EMPG Salary 2021 and the EMPG Competitive 2021 grant requests as presented.

IN THE MATTER OF NONPROFIT RECOMMENDATIONS FOR 2022 BUDGET:

There was a brief discussion regarding the 2022 nonprofit requests submitted. Commissioner Jackson stated only 2 of the organizations requested slight increases, with the rest holding the line from the previous year, which he said he appreciated and recommended approval on all requests as they were submitted.

County Auditor, Michelle Puckett, clarified that St. Joe River Basin had also requested a slight increase from \$3,705 to \$3,750, but that it may have looked like a typo with the numbers being so close. Jackson then amended his recommendation to leave St. Joe River Basin at the same amount as last year.

MOTION: Brad Jackson
 SECOND: Cary Groninger
 AYES: 3 NAYS: 0
 UNANIMOUS

TO: Approve the nonprofit requests as submitted, with the exception of St. Joe River Basin, which will remain the same as 2021.

IN THE MATTER OF ARP COMMITTEE RECOMMENDATION-SAFETY COMMUNICATION TOWER PROJECT:

Commissioner Groninger stated it is the recommendation of the ARP Committee, since parts of the broadband and tower project qualify under ARP guidelines, to utilize available ARP funding, which will then offset some of the costs already appropriated through the EDIT fund. Groninger requested approval to begin submitting \$1.28M of qualifying expenditures to ARP. In addition, Groninger stated there may be more costs that qualify under ARP but these are the ones we are sure of at this time.

MOTION: Brad Jackson
 SECOND: Cary Groninger
 AYES: 3 NAYS: 0
 UNANIMOUS

TO: Approve the request to submit \$1.28M of qualifying expenditures of the safety communication tower project to ARP for approved expenditures under ARP guidelines.

IN THE MATTER OF INDOT AGREEMENTS-AUTHORIZATION TO SIGN:

Ed Ormsby, County Attorney, presented a resolution authorizing the Commissioner President to electronically sign agreements with INDOT on behalf of all of the Commissioners, after meeting the standard requirements of a public meeting and vote, in order to streamline the process.

MOTION: Cary Groninger
 SECOND: Brad Jackson
 AYES: 3 NAYS: 0
 UNANIMOUS

TO: Approve the resolution authorizing the Commissioner President to electronically sign agreements with INDOT on behalf of all of the Commissioners, after meeting the standard requirements of a public meeting and vote.

RESOLUTION NO. 21-07-20-002 (2021071070)

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF COMMUNITY CROSSINGS MATCH GRANT FOR 2021-2 LETTER OF COMMITMENT:

Steve Moriarty, County Highway Superintendent, presented a letter of commitment for approval, stating the letter is confirmation of available funding, which will be used to support 50% of the costs of a Community Crossings \$1.61M project under the 2021-2 grant.

MOTION: Cary Groninger
 SECOND: Brad Jackson
 AYES: 3 NAYS: 0
 UNANIMOUS

TO: Approve the letter of commitment for the Community Crossings 2021-2 project, as presented.

IN THE MATTER OF SPEED LIMIT ORDINANCES-MULTIPLE ROADWAYS:

Steve Moriarty, County Highway Superintendent, requested approval of speed limit ordinances to match the existing signs already posted on the following roadways:

Location	Speed	Ord
• Ogden Point Road from Seth Ward Road to the end	25 mph	(004)
• Lung Lane	20 mph	(005)
• Morrison Island Road to the bridge	20 mph	(005)
• Natti Crow from Turkey Creek Road to Lung Lane	20 mph	(005)
• CR 1050N from Turkey Creek Road to Lung Lane	20 mph	(005)
• Grand Blvd on Morrison Island	15 mph	(006)
• Pickwick Park Drive	20 mph	(007)
• Island Avenue	20 mph	(007)
• Kings Road	20 mph	(007)
• Garden Avenue	20 mph	(007)

MOTION: Brad Jackson
SECOND: Cary Groninger
AYES: 3 NAYS: 0
UNANIMOUS

TO: Approve the speed limit ordinances as presented.

ORDINANCE NO. 21-07-20-004 (2021071072)
As recorded in the office of the Kosciusko County Recorder

ORDINANCE NO. 21-07-20-005 (2021071073)
As recorded in the office of the Kosciusko County Recorder

ORDINANCE NO. 21-07-20-006 (2021071074)
As recorded in the office of the Kosciusko County Recorder

ORDINANCE NO. 21-07-20-007 (2021071075)
As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF REQUEST FOR VACATION & EASEMENT-IRVING:

Matt Sandy, Area Planning, stated an easement agreement has been reached between the Petitioner and the County Highway for turnaround rights at the end of EMS D15 Lane for maintenance and therefore the Area Planning Commission has given a unanimous recommendation the approve the vacation request.

Steve Snyder, Attorney for the Petitioner, stated the half cul-de-sac that was originally platted, prohibited construction of any building on the back portion of the lot. By vacating the half cul-de-sac with the turnaround easement, the Petitioner would have no setback to contend with if he wanted to construct a small garage.

With no one present to speak for or against the request, the Commissioners closed the meeting to the public.

MOTION: Cary Groninger
SECOND: Brad Jackson
AYES: 3 NAYS: 0
UNANIMOUS

TO: Accept the recommendation of the Area Planning Commission to approve the request to vacate a portion of public way on EMS D15 Lane as presented, as well as the easement agreement presented.

ORDINANCE NO. 21-07-20-003 (2021071071)
As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF FURTHER BUSINESS TO COME BEFORE THE COMMISSIONERS:

Commissioner Groninger presented an invoice in the amount of \$66,667 from the Bowen Center for testing still going on at the fairgrounds. The amount is 2/3 the cost, with the City of

Warsaw taking care of the other 1/3. The invoice is payable through CARES Act funding we have set aside.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the amount of \$66,667 to Bowen Center for testing costs from CARES Act funding.

Also, Groninger stated he has been attending 11-County Commissioner and Mayors caucus meetings, which looks at how 11 counties, as a region, can work together to support economic development. As a result, the Northeast Indiana Strategic Development Commission has been created, which Groninger has been elected to sit on and is looking forward to being part of. He will be reporting back with any updates and/or opportunities to further growth within our community.

Don Zolman distributed a copy of the Kosciusko County Taxpayers Bill of Rights to each Commissioner and stated he has been circulating it and has several hundred signatures so far, as well as a number of volunteers ready to take to the streets to get some additional signatures.

Zolman extended gratitude to the Commissioners for what they do, stating in many ways it has been good and he has appreciated it. He stated, since the last meeting he has spoken with each Commissioner individually; however, the County Attorney has not returned his calls. He shared concerns regarding the health issues he had not felt were addressed to his satisfaction and requested the Commissioners consider how their choices could affect everyone in a negative way.

In conclusion, Zolman stated he went to the CRT meeting where members of Rokita's team acknowledged him by name when he arrived but he was not called on during the meeting. He disagreed that people from other counties attended and were given the opportunity to speak, which he felt was inappropriate during a community meeting where our county's interests were to be discussed.

Zolman and Attorney Ormsby disagreed on several issues related to the meeting, including how it was initiated and conducted.

Dr. Chris Magiera of Warsaw, thanked the Commissioners for the work they do in watching out for the Liberty of the citizens of our county and stated anything the Commission can do for Liberty would be greatly appreciated. Critical theory, Magiera stated, should be placed in the dust bin of bad ideas.

Brian Smith of Leesburg, stated many people who spoke on CRT were not from our county, he was disappointed Commissioner Conley wouldn't shake his hand after a conversation they had after the meeting, and he felt he was not shown the respect he deserves as a taxpaying citizen. In closing, Smith stated he has not received a response to his request for a copy of the letter Zimmer-Biomet sent to the Commissioners.

Commissioner Conley stated he no longer shakes hands since the Covid outbreak and considers it a courtesy to others.

Ed Ormsby stated the Zimmer-Biomet letter would be released to the press to be made public later today.

Being no further business to come before the Commissioners, the meeting was adjourned.

Kosciusko County Council
Kosciusko County Commissioners
July 22, 2021
(Financial Meeting)

The Kosciusko County Council and The Kosciusko County Commissioners met for a special financial meeting on Thursday, June 22nd, 2021 at 1:00 PM in the Old Courtroom of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Ernie Wiggins, Council President	Robert Conley, Commissioner President-ABSENT
Sue Ann Mitchell, Council Vice-President	Cary Groninger, Commissioner Vice-President
Jon Garber, Council Member-ABSENT	Brad Jackson, Commissioner
Kathy Groninger, Council Member	
Mike Long, Council Member	Michelle Puckett, Auditor
Joni Truex, Council Member	Marsha McSherry, Administrator
Kimberly Cates, Council Member	

The meeting was called to order by Commissioner Vice-President, Cary Groninger.

Groninger opened the discussion, stating Forward Kosciusko is a project currently underway, designed to help the county establish a comprehensive plan to further develop growth and to utilize some of the parks, trails and other natural assets our community has to offer.

James Turnwald, of MACOG (Michiana Area Council of Governments) provided an overview of what they have done to help other counties facilitate growth by organizing a parks board, which included the following information:

- The Forward Kosciusko website is forwardkosciusko.com or you can follow on Facebook for more information
- From the community survey, there is a lot of interest in more recreational space for which a county parks board would be useful in organizing a path to create a 5-year master plan in order to accomplish growth and be successful in this area
- With trail connection within the county and surrounding counties being so high on the list of desirable assets, having a parks board is typically a requirement for qualifying for any grant funding
- Surrounding counties have already established county parks boards, which would be beneficial if the county would decide to connect our trails with those outside the county
- MACOG was useful in the establishment of Marshall County's parks board and would be willing to assist Kosciusko County as well, with minimal, if any fees
- There are so many benefits to having trails, blueways and parks to offer, not only for attracting tourism but for the residents, often by increasing the value of existing properties

IN THE MATTER OF THE 2022 FINANCIAL DISCUSSION & RECOMMENDATIONS:

County Auditor, Michelle Puckett, presented the following financial information:

COUNTY GENERAL

- A historical review of the county general balance shows that with the same expenditures versus receipt cycle currently observed, a negative cash balance by the end of 2023 is indicated
- The current budget projection is \$27.4M, with annual revenues of approximately \$21M
- The actual projected cost for health insurance is \$3.5M, which is set aside in EDIT as well as \$3M in county general, until a determination is made on where it will be paid from

EDIT (Economic Development Income Tax)

- At the end of 2022, \$3.5M is estimated to start the 2023 budget
- The projection indicates a decrease in cash; spending \$5.5M, receiving \$4.5M
- Health insurance is still included here as well as the general fund

CCD (Cumulative Capital Development)

- This is tax rate driven, in which the max rate permitted by statute is being collected
- This fund is a bit more stable; spending a little over \$2M, receiving an estimated \$2.2M

Additional discussion included the following:

- Most departments held the line on their budget projections as best they could
- Wage committee recommendations will afford some flexibility but not as much as in previous years, as the budget line item is budgeted at 5% this year as opposed to 10% in prior years

- ARP funding is a completely separate fund and not included in the budget projection
- Unspent CARES Act fund dollars are included in the revenues in the general fund
- Dollars that will not be spent from the EDIT fund for the tower project, as they will be paid with ARP funding, will remain in the fund
- As the public safety communications project progresses, more funding is being made available and if full funding for the project through the ARP fund is approved, it is possible we could receive reimbursement for some the expenses already paid from EDIT
- Research is being done regarding whether county drainage projects qualify under the ARP funding
- The greatest observed increases are in health insurance but the hope is the recent switch in carriers will reflect a significant savings

Brad Jackson presented the following Wage Committee recommendations:

- 2022 wage increase of 4%
- Sheriff staff base salary increase of 10% for work release officers, jailers, and sheriff merit deputies over the next 2 years; split at 5% in 2022 and the other 5% in 2023 plus the yearly percentage increases
- The court bailiff changes have already been voted on by Council
- Systems administration new employee in 2022 to learn the system before both current employees retire in 2024, with the second person to be hired at the time of the retirement
- Specific to 13 employees, part-time wages for those doing the same work as full-time, earning below the rate of pay of full-time, to increase to the same rate of pay

Various information for supporting the sheriff staff recommendation was discussed, including City of Warsaw's recent pay increase for their deputies as well as solid comparisons with surrounding counties deputies.

(Joni Truex and Brad Jackson left the meeting)

An all-day meeting in place of the evening meeting to discuss budgets, with time slots for each department head individually, was suggested and selected as August 26, from 8am to 4pm.

Cary Groninger presented the following highlights from the ARP Committee meeting;

- There is a new list from Strategic Planning's last meeting with some of the ideas interfacing with some that are possibilities under the ARP funding
- We should utilize as much funding for the tower project as qualifies
- Some improvements within the jail for showers may qualify under sanitation
- KEDCO would like to utilize some funding for small community workforce housing projects under infrastructure. A much broader discussion is recommended in order to develop a strategy on keeping the dollars generated from the investment within the county, and not made part of an annex where any revenue would go to the town, at least not right away
- The City is considering a parking garage and some other downtown development at the old Owen's property, which could be something to consider assisting in order to utilize space for county use
- The county-owned lot north of the justice building is under review for a possible parking garage or reconfiguration, as the county is currently approximately 30 spaces short of being sufficient for employees
- The Tippy-Chapman sewer district has inquired about some possible assistance through funding
- Drainage projects are being kept in mind for consideration

County Auditor, Michelle Puckett, was asked a number of questions regarding options for reversing the deficit. Puckett provided the following information:

Public Safety LIT (local income tax) would not all come back to the county but would be distributed between the county, towns, and municipalities upon receipt. However, all of the dollars collected could be used for expenses of the sheriff, the jail and work release. This does not include 911, per statute.

PSAP (public safety answering point), or 911 tax, all comes back to the county but can only be used for PSAP expenses.

With the county at the place where there are more expenditures than receipts, there are really only 2 options to consider; increasing revenues by means of increasing taxes or making substantial cuts to the budget, which would most likely mean a reduction of staff.

The county is at the max levy on property tax, and although public reaction is never favorable of tax increases, it should be considered that the county has operated for a very long time, with some of the lowest income as well as property tax rates in the state.

Being no further business to come before the Council, the meeting was adjourned.

KOSCIUSKO COUNTY COMMISSIONERS

August 3, 2021

The Kosciusko County Commissioners met for their regular meeting on August 3, 2021 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN.

Those present were:

Robert Conley-President
Cary Groninger-Vice President
Brad Jackson-Member

Ed Ormsby-County Attorney
Michelle Puckett – County Auditor
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF VETERAN OF THE MONTH-MORRIS FOLK:

Rich Maron, Veteran Service Officer, introduced Veteran of the Month, Morris Folk, stating he was born on Election Day, November 7, 1950 to Wilfred and Martha Folk. He was the youngest of 4, growing up and attending school in the Claypool area, making the move to Warsaw in the 10th grade, and graduating from Warsaw High School.

Folk was drafted in November of 1969 and was sent to Indianapolis for his physical. In January of 1970, he received orders to report to Fort Knox, Kentucky for basic training and from there was sent to Fort Eustis, Virginia, for advanced infantry training. After completing AIT, he received orders for Qui Nhon, Vietnam but returned home after 2 ½ months on a red cross emergency leave to harvest crops when his dad needed to have surgery. He then applied to be attached to Fort Harrison on the north side of Indianapolis but after 30 days, he received orders to return to Vietnam just before Christmas so they celebrated early that year.

Folk worked in transportation and was assigned to the motor pool, where he drove a water truck, taxicab, bus and wrecker, as well as did mechanical work. While there, the camp came under mortar attack and one of the mortars blew up just a few feet away from him. Folk recalls that by the grace of God, it was like a big hand shoved him down behind some sandbags and he heard the shrapnel fly by but was never hit. Three other mortars lodged in the building's eve behind them but never exploded. Later in his tour, the Viet Cong blew up the ammo dump, which was outside of town, a few miles away. There was one big explosion that blew his tv off his foot locker and many more explosions followed. Folk was granted some R&R and went to Sydney Australia. When he was returning back to his unit, he ran into a guy from Warsaw, Dave Cox, who was ahead of him in school. Dave was on his way back home.

Folk remembers driving a load of soldiers to go see Bob Hope, although he didn't go because there were too many soldiers and you were so far away you could barely see him.

While in Vietnam, Folk's mother wrote to President Nixon, asking why her son was not allowed to carry a gun or rifle while in Vietnam. Folk was called down to HQ about that one.

Folk would spend 16 months in Vietnam before returning home. He was promoted to the rank of Spec 4 and given an early out because the Army was starting to scale back. His return home was a tough and difficult time. He recalled, people yelled, spit, and heckled Vietnam Soldiers. He

was really disappointed at our country but is happy that things have changed and feels appreciated now.

Folk returned home in the end of February, 1972, but never told anyone he was coming. His girlfriend at the time, Cathleen Boyer, who would later become his wife, didn't know he was coming. He made her promise to finish college before he informed her that he was a civilian again. They were married on October 14, 1973 and have been married for 47 years. They have 2 sons; Jeremy and Clayton, who have become their father's heroes. Morris and Cathleen are so proud of the men they have become, for what they have accomplished, and for their high standard of values. They have 2 grandsons; Edward, 9 and Lawrence, 6.

Morris and Cathleen have traveled to all 50 states and a few countries. He was a Snap-On dealer for Kosciusko County for 38 years, before retiring in 2016. The couple were sent on the Honor Flight to the Nations' Capitol by Snap-On Tools, who sent all eligible veterans that worked for them and wanted to go. Folk has visited the Vietnam War Memorial twice now and both times looked up Willard Clinton Debolt, whom he never knew but knew he was from Warsaw and had laid down his life for his country. Folk's father was a WWII Veteran that served in the Philippines and Japan and his uncle, James Folk, was a Korean War Veteran.

Morris and Cathleen are current members of the Cook Chapel Church, and Morris is a member of the Gedeon's International, and the Echoes of the Past Tractor Club. They still love to travel, spend a few weeks in Florida during the winter, camp a bunch in the summer, and spoil the grandkids every chance they get.

Maron and the Commissioners thanked Folk for his service and presented him with a plaque.

IN THE MATTER OF EAGLE SCOUT RECOGNITION:

The Commissioners extended appreciation and presented a plaque to recognize Jeffrey Naundorf Miller for his accomplishments as Eagle Scout. Miller, who has obtained 137 merit badges, which is as many as you can possibly earn, was accompanied by two scout leaders to accept the recognition.

IN THE MATTER OF JDAI GRANT REQUEST:

County Sheriff, Kyle Dukes, presented a request to apply for the 2021 Patrick Leahy Bulletproof Vest Partnership (BVP) grant in the amount of \$24,000, stating it would be used to purchase bullet-proof vests for deputy sheriffs. Research will be done as well, on the possibility of supplying vests for jail officers.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the request to apply for the

2021 Patrick Leahy Bulletproof Vest

Partnership (BVP) grant in the amount of \$24,000.

IN THE MATTER OF VACALL & JETTING SYSTEM REQUEST-HIGHWAY:

Steve Moriarty, County Highway Superintendent, requested approval to purchase a vacall and jetting system for \$188,725 from the 2021 budget, once the county attorney has reviewed the agreement.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the request to purchase a vacall

and jetting system for \$188,725 from the

2021 budget.

IN THE MATTER OF FURTHER BUSINESS TO COME BEFORE THE COMMISSIONERS:

Vicki Morton, Syracuse, shared the following:

- The duties of the County Commissioners include supervising construction of roads and bridges-several roads within the county are in disrepair, specifically Morrison Island Road, which floods with any amount of rain
- At the Commissioners July 6 meeting, the Commissioners invited the public to attend the meeting on Critical Race Theory (CRT), stating everyone would be allowed to speak but she was not called upon to speak

- Since Mr. Ormsby is paid by the hour, she asked if he would be compensated for his attendance at the July 8 CRT meeting

Ed Ormsby responded, stating he will not be billing the county for attending the private party meeting.

In closing, Morton stated she believes in teaching all US history, even if a lot of it is not flattering.

Dr. Chris Magiera-Warsaw, shared the following:

- In reference to the Sheriff's request to apply for federal grant dollars for bullet-proof vests, the Commissioners should be aware anytime you accept money from the federal government, you lose part of your sovereignty because no money comes from the federal government without strings and every time a local sheriff engages in a joint task force with federal agents, they become federal agents and are no longer under the control of Commissioners or the people of the county.

Being no further business to come before the Commissioners, the meeting was adjourned.

KOSCIUSKO COUNTY COMMISSIONERS

August 17, 2021

The Kosciusko County Commissioners met for their regular meeting on August 17, 2021 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley-President
Cary Groninger-Vice President
Brad Jackson-Member

Ed Ormsby-County Attorney
Michelle Puckett – County Auditor
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF KABS QUARTERLY CONTRACT CLAIM:

Tony Peterson, KABS General Manager, presented the quarterly INDOT claim from April 1-June 30, 2021 in the amount of \$167,030 for approval, stating funding will be 100% federal.

MOTION: Cary Groninger
SECOND: Brad Jackson

AYES: 3 NAYS: 0
UNANIMOUS

TO: Approve the quarterly INDOT claim in the amount of \$167,030 for approval as presented.

IN THE MATTER OF FACADE GRANT-LETTER OF SUPPORT REQUEST:

Marsha McSherry, County Administrator, read the following letter:

I am attaching a letter for review and approval at your next meeting of the Kosciusko County Commissioners. This pertains to our efforts to obtain a grant through Office of Community and Rural Affairs (OCRA) Historic Renovation Grant Program. They need to have evidence that the community supports our efforts to improve the exterior of our historic building, the old post office. The county is not being asked for funds. We are only seeking verbal approval of our efforts to secure funds from the state government in our efforts to keep the historic district of Warsaw beautiful and vibrant.

MOTION: Cary Groninger
SECOND: Brad Jackson

AYES: 3 NAYS: 0
UNANIMOUS

TO: Approve the letter of support as presented.

IN THE MATTER OF CREATIVE BENEFIT SOLUTIONS LLC:

Ed Ormsby, County Attorney, presented a Renewed Benefit Consultant Service Agreement and a Lease Agreement renewal for approval, stating CBS manages the group health plan and

employee clinic for the county to help control claims and expenses and uses office space at 205 N Lake St.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve both the Renewed Benefit

Consultant Service Agreement and the Lease Agreement renewal as presented.

IN THE MATTER OF BRIDGE 227 REQUEST FOR RIGHT OF WAY:

Steve Moriarty, County Highway Superintendent, requested approval of a right-of-way agreement for Bridge 227, between the County Highway and INDOT.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Accept the right-of-way agreement for

Bridge 227, between the County Highway and INDOT as presented.

IN THE MATTER OF HGACBUY CONTRACT:

Steve Moriarty, County Highway Superintendent, requested approval of a contract with HGACBuy, stating they are a company that does public purchasing on behalf of local government entities, which follows all state codes.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Accept the contract with HGCABuy for public purchasing as presented.

IN THE MATTER OF FURTHER BUSINESS:

Marsha McSherry-County Administrator: stated by September 21, 2021, under recently adopted HEA 1169, someone will need to be appointed each year, as the person responsible for cyber incident reporting to the state. McSherry recommended Bob Momeyer.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the appointment of Bob

Momeyer as the person responsible for cyber incident reporting to the state, as required under HEA 1169.

Marsha McSherry-County Administrator: presented an agreement with CSD (Custom Sound Designs) in the amount of \$12,284.50 to add additional wireless microphones to the new system, stating the purchase has been approved and recommended by the Cares Act Committee.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the purchase in the amount of

\$12,284.50 to add additional wireless microphones to the new system, as recommended by the Cares Act Committee.

IN THE MATTER OF REQUEST FOR VACATION-JONES:

Dan Richard, Plan Commission Director, presented the plat of the Lake View Acres Subdivision, showing the planned use of the roadway was to reach potential future development. With water and sewer hookups as possibilities, the Area Planning Commission's recommendation with a vote of 7-2, was to not allow the vacation.

Steve Snyder, representing Tori Fehr, adjacent land owner, stated vacating access to the property would significantly limit potential options for development if the use of the property changes in the future.

Morris Jones, adjacent land owner, stated he has been mowing the access area for 35 years and no one ever uses it. In addition, he stated water and sewer under the town of Silver Lake is currently at capacity and could not support the development of another subdivision.

Cynthia Jones, adjacent land owner, stated she has reviewed many previous vacation requests the Commissioners have approved, and with no use of the access in roughly 45 years, she doesn't believe the request to vacate is unreasonable.

Linda Duncan, adjacent land owner, stated she supports the vacation to eliminate the potential for any traffic to pass through at the edge of her property.

Tori Fehr, adjacent land owner, stated although she has no intention of using the access to her property, she supports leaving it open for the flexibility of any future development.

With no one further to speak in favor or against the request, the Commissioners closed the meeting to the public.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Accept the recommendation of the Area Planning Commission to not allow the vacation presented.

IN THE MATTER OF REZONING REQUEST-VEST:

Dan Richard, Plan Commission Director, presented a request to rezone a tract located just a quarter mile to northwest of here, formerly known as a video store, from Industrial II to Commercial. Richard stated it is the unanimous recommendation of the Area Planning Commission to allow the rezoning.

Mike Vest, property owner, stated it is his intention to relocate his tattoo studio to the location and did not realize when he purchased the property it would need to be zoned commercial to house the type of business it was purchased for.

With no one further to speak in favor or against the request, the Commissioners closed the meeting to the public.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the request to rezone a tract, located just a quarter mile to northwest of here, formerly known as a video store, from Industrial II to Commercial.

ORDINANCE NO. 21-08-17-001 (2021081000)

As recorded in the office of the Kosciusko County Recorder.

IN THE MATTER OF REZONING REQUEST-BOWMAN (AKA BOWEN):

Dan Richard, Plan Commission Director, presented a request to rezone a tract located near CR 600W and CR 850S, between Yellow Creek and Diamond Lakes, from Residential to Agricultural, for the purpose of eliminating the size limit of accessory building allowed. With much of the tract restricted by wetlands and really no other potential for development, Richard stated it is the unanimous recommendation of the Area Planning Commission to allow the rezoning.

With no one present to speak in favor or against the request, the Commissioners closed the meeting to the public.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the request to rezone a tract located near CR 600W and CR 850S, between Yellow Creek and Diamond Lakes, from Residential to Agricultural.

ORDINANCE NO. 21-08-17-002 (2021081001)

As recorded in the office of the Kosciusko County Recorder.

Being no further business to come before the Commissioners, the meeting was adjourned.

KOSCIUSKO COUNTY COMMISSIONERS

August 31, 2021

The Kosciusko County Commissioners met for their regular meeting on August 31, 2021 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN.

Those present were:

Robert Conley-President
Cary Groninger-Vice President
Brad Jackson-Member

Ed Ormsby-County Attorney
Michelle Puckett – County Auditor
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF VETERAN OF THE MONTH-DAVID MANN:

Commissioner Conley stated the Veteran of the Month could not be present this morning but said a card and a certificate would be delivered to him at his home later today.

Rich Maron, Veteran Service Officer, shared the following of Veteran of the Month, David Mann, stating he was born in Warsaw, Indiana on October 19, 1945 to Jack and Treva Mann and he has a brother Ken and sister-in-law, Diana.

Mann grew up in Mentone, attended Mentone Elementary and then graduated from Warsaw High School in 1963. He was drafted into the Army on November 8, 1965 at the age of 20, and served in 4th Infantry Division, 1st Battalion, 8th Infantry. He received orders for Vietnam in August of 1966, where he served 1 year, doing recon and heavy mortars and was discharged on August 22, 1967 and returned home to Kosciusko County 3 days later.

After 4 years of apprenticeship he began his trade as tool and die maker at Sun Metal, where he worked until 1973 when he got a job with Zimmer and would end his working days with Royal Crown in Milford, retiring in 2005.

David was married on February 14, 1970 to Debra Levernier of Milford. They live in Warsaw, have a son, Tyrone and daughter-in-law, Mary Ellen who they live in Centennial, Colorado and a daughter, Monica Purdy that lives in Parish, Florida. They have 4 grandchildren; Jackson and Preston Mann, and Gavyn and Isabella Purdy.

David has been very active at Warsaw Community Church, and says he loves the Lord, his wife, his family, fishing, hunting, and muscle cars, in that order.

In September 2018, David was diagnosed with acute myeloid leukemia, which went into remission in March of 2019 but it returned in September and although Dave is still fighting the leukemia, he proclaims “I have a mighty God and I am trusting Him for complete healing”.

Maron said a prayer for David and his family.

IN THE MATTER OF COVID SICK LEAVE POLICY:

Commissioner Groninger stated the county’s sick leave policy in relation to Covid, which allowed employees who were exposed to or contracted the virus, to be paid for their time off, expired June 30, 2021 and because there has been another opportunity found to reimburse the county for some of these costs through September 30th, the Commissioners would like to reinstate the policy back to July 1 through September 30, 2021.

County Auditor, Michelle Puckett, stated the federal tax credit available to assist with Covid pay for employees has been extended until September 30, which will reimburse up to 90% of those wages through a tax credit. Amendments are being made to quarter 1 and 2 of the county’s tax returns to account for the reimbursement. At this time, Puckett stated, the extension is scheduled to expire on September 30, but like everything else with the virus, this is subject to change.

MOTION: Cary Groninger
SECOND: Brad Jackson

AYES: 3
UNANIMOUS

NAYS: 0

TO: Approve the extension of the county's sick leave policy in relation to Covid to July 1 through September 30, 2021.

In conclusion, Puckett stated she will be working with HR to identify employees who have utilized their own personal time to be off from July 1 to current so those days can be reinstated.

IN THE MATTER OF FURTHER BUSINESS TO COME BEFORE THE COMMISSIONERS:

Commissioner Groninger, shared the following:

- Two bids have been received on the engineering for the Justice Building parking lot that will be presented for review and approval at a later date

County Surveyor, Mike Kissinger, questioned the Covid policy just approved, asking if the 10 days goes clear back to beginning. The Commissioners clarified, there are 20 total available days, 10 were available in 2020 and 10 are available from January 1 through September 30, 2021.

Being no further business to come before the Commissioners, the meeting was adjourned.

KOSCIUSKO COUNTY COMMISSIONERS September 14, 2021

The Kosciusko County Commissioners met for their regular meeting on September 14, 2021 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley-President
Cary Groninger-Vice President
Brad Jackson-Member

Ed Ormsby-County Attorney
Michelle Puckett – County Auditor
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF NAPPANEE PUBLIC LIBRARY BOARD APPOINTMENT:

Jason Fields, Director of the Nappanee Public Library, presented the recommendation to reappoint Randy Cripe to serve on the Nappanee Public Library Board for a second term.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Accept the recommendation to reappoint Randy Cripe to serve on the Nappanee Public Library Board.

IN THE MATTER OF USAGE AGREEMENT FOR COVID TESTING SITE:

Marsha McSherry, County Administrator, presented a Usage Agreement with the City of Warsaw, for the purpose of sharing rent of a room inside the Shriner's Building at the fairgrounds for a covid testing site. McSherry stated 2/3 of the monthly fee of \$4,000 will be paid from the ARP fund, with the remaining 1/3 to be paid by the City of Warsaw.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the Usage Agreement with the City of Warsaw as presented.

IN THE MATTER OF 2022 NONPROFIT CORRECTION:

Michelle Puckett, County Auditor, presented a revised spreadsheet stating an error was found in the spreadsheet presented in July comparing nonprofit approved amounts for 2021 and requested amounts for 2022. Since the Commissioners made their recommendation to Council for the

2022 budget based on incorrect figures and Council has not yet adopted the 2022 budget, a new recommendation based on the revised spreadsheet is appropriate.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve leaving the 4-H Council the same as they requested, apply a 3% increase for Cardinal Services, Home Health Care, Historical Society, Beaman Home & Senior Services, and increase St Joe River Basin by the requested \$213.

IN THE MATTER OF FURTHER BUSINESS:

Justice Building Parking Lot: Cary Groninger, County Commissioner, stated 2 bids for the Justice Building parking lot were received from Engineering Resources for \$32,600 and Veridus Group for \$47,000.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the lower bid of \$32,600 from Engineering Resources.

Justice Building Boiler Emergency Repair: Marsha McSherry, County Administrator, presented quotes for an emergency repair on the boiler system at the Justice Building in amounts of \$147,204 for heat exchangers on all the boilers to prevent the damage, with filters to separate particles in the water, and \$14,721 for the glycol mixture. Commissioner Groninger stated contaminants in the water are causing the boilers to burn out on a regular basis.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the quotes as presented.

ARP Committee Update: Commissioner Groninger made a public announcement stating the process to apply for ARP funding was approved at the last ARP committee meeting. Anyone wanting more information on how to apply should contact County Auditor, Michelle Puckett, and her staff.

Groninger stated a HELP grant from OCRA was approved through Council, which will allow for a project coordinator to assist towns in planning for and possibly utilizing some of the ARP funds for growth.

Misc.: Commissioner Conley stated the last day of our Veterans' Service Officer is September 23, 2021 and applications, which are available online and through human resources, are being accepted.

Marsha McSherry, County Administrator, presented an emergency request in the amount of \$11,561.84 on behalf of the IT Department, to replace a core switch for the server, which went down and then failed to allow the system to come back up. While IT was able to create a temporary patch, replacement of the supporting hardware is essential.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the emergency purchase in the amount of \$11,561.84 to replace a core switch for the server.

Being no further business to come before the Commissioners, the meeting was adjourned.

KOSCIUSKO COUNTY COMMISSIONERS
September 28, 2021

The Kosciusko County Commissioners met for their regular meeting on September 28, 2021 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley-President
Cary Groninger-Vice President
Brad Jackson-Member

Ed Ormsby-County Attorney
Michelle Puckett – County Auditor

Minutes were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF KEDCO QUARTERLY UPDATE:

Suzie Light, presented an update which included the following:

- 65 clients receive one-on-one business coaching on goal-setting, growth strategies and technical support
- Although OCRA funds are no longer available, KEDCO is still moving forward with small business loans with other funds
- Supporting employers to help them retain employees
- 16 housing development projects are currently in various stages

IN THE MATTER OF HOOSIER HOMES PROGRAM RESOLUTION:

Suzie Light presented a Cooperative Agreement as well as a Resolution to support the agreement, stating it is an opportunity for employees to access down payment assistance through a state-wide program called Hoosier Homes, which area banks have been invited to participate in. This opportunity was recommended by the Steering Committee, working to promote local a housing strategy.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the Hoosier Homes Program Cooperative Agreement and Resolution as presented.

RESOLUTION NO. 21-09-28-003 (2021091570)

As recorded in the office of the Kosciusko County Recorder.

IN THE MATTER OF ENGAGEMENT AGREEMENT-ASSESSOR:

Susan Engelberth, County Assessor, stepped forward and Commissioners confirmed the agenda item had already been resolved.

IN THE MATTER OF ARP GRANT REQUESTS-COUNTY ADMINISTRATOR:

On behalf of County Administrator, Marsha McSherry, Michelle Puckett, County Auditor, presented recommendations from the ARP Committee to approve moving forward in the application process with two projects; one in the amount of \$30,000.00 for county office disinfection and one in the amount of \$18,666.69 for the county's portion of rent of the fairgrounds space for covid testing.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Accept the recommendation of the ARP Committee to move forward in the application process for the project in the amount of \$30,000.00 for county office disinfection.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Accept the recommendation of the ARP Committee to move forward in the application process for the project in the amount of \$18,666.69 for the county's portion of rent of the fairgrounds space for covid-19 testing.

IN THE MATTER OF REQUEST FOR 2022 ANNUAL HIGHWAY BID DATE:

Steve Moriarty, County Highway Superintendent, requested November 9, 2021, at 9AM, as the deadline to accept 2022 annual highway bids.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Accept November 9, 2021 at 9AM, as the deadline to accept 2022 annual highway bids.

IN THE MATTER OF KOSCIUSKO HOMECARE & HOSPICE:

Glenn Hall, Executive Director of Kosciusko Homecare & Hospice, shared concerns with the Commissioners regarding the continuing decline of available resources. Services provided through the homecare program have historically enabled many people to remain in their homes and out of expensive hospitals and nursing homes, and with the shortage of nursing staff for over the past year, Hall stated he would just like the public to be aware there is a need and extended a plea to anyone who may be interested in the paid positions they have available, to please submit applications so people within the community can continue to receive the same quality of service they deserve.

The Commissioners extended a request to the media to share the information with the community.

IN THE MATTER OF HOOSIER ENDURING LEGACY PROGRAM (HELP)-LETTER OF INTEREST:

Commissioner Groninger, requested approval of a letter of interest, which is required in order to move forward in the application process of the HELP grant. This is a program that would allow the county to hire a person to help with community development by offering direction on the best strategies for utilizing any covid recovery funding.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the letter of interest, required to move forward in the application process of the HELP grant.

IN THE MATTER OF VETERAN SERVICE OFFICER:

Following the application and interview process for a new Veterans' Services Officer, Commissioner Conley announced the selection of Darryl McDowell.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the selection of Darryl McDowell as the new Veterans' Services Officer.

IN THE MATTER OF EMS C27C LANE VACATION-CLARK:

Richard Helm, Attorney for Petitioner, Whitney Clark, stated based on information gathered since the filing of the petition, a different direction seems more suitable in this matter and he withdrew the request to vacate.

Steve Snyder, representing multiple people who opposed the petition at the original hearing, stated although he agrees with opposing counsel on a different approach, he requested the Commissioners issue a denial in order to delay potential future requests.

Attorney Helm, stated a delay in the process would simply slow the inevitable, and requested the request to withdraw be recognized.

Following a voluntary withdraw, no further action is required on behalf of the Commissioners.

IN THE MATTER OF EMS T34 LANE VACATION-ARNOLT:

Dan Richard, Area Plan Director, presented a request to vacate the west end of a roadway originally platted as West Boundary Drive in the Oswego/Tippecanoe Lake area. Richard stated there is a discrepancy in ownership and having reviewed some very old property exchanges, County Auditor, Michelle Puckett, agrees there is a question as to ownership. However, a unanimous recommendation was made by the Area Planning Commission to allow the vacation,

if the Petitioner can show they have proper standing to make the request. Auditor records currently show it is under private ownership and therefore cannot be vacated.

Steve Snyder, Attorney for the Petitioner, stated as of this morning, the home owners association signed a deed relinquishing any interest they may have in the 100 ft. strip of ground and because of the discrepancy in the chain of title, it is believed to be a public roadway.

With no one to speak for or against the petition, the Commissioners closed the matter to the public.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Accept the recommendation of Area Plan to vacate the 100 ft. strip as presented, based on the assumption the county does have ownership of the land.

ORDINANCE NO. 21-09-28-003 (2021091574)

As recorded in the office of the Kosciusko County Recorder.

IN THE MATTER OF INFRASTRUCTURE DEVELOPMENT ZONE ORDINANCE-KREMC:

Steve Snyder, Attorney for Kosciusko REMC, presented an ordinance for the establishment of Infrastructure Development Zone, stating by virtue of state statute, entities that are willing to expand broadband internet service in rural areas can qualify for personal property tax exemption on the investment they make.

The lack of broadband in rural areas has been an ongoing issue across the state and this was made even more clear during the pandemic as schools went virtual. Since REMC already has in place the majority of infrastructure needed, they have opted to make the investment. In order to qualify under the statute, a county executive municipal legislative body must adopt an ordinance to designate a zone, which adequate eligible infrastructure is not available in. This is true in the rural areas of our county.

Snyder, in agreement with County Auditor, Michelle Puckett, believes the unincorporated areas of Kosciusko County will encompass REMC's area and will allow the ordinance to be as effective as we could make it.

Upon the opportunity extended, no public comment was presented.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the Ordinance declaring the unincorporated areas of Kosciusko County as an Infrastructure Development Zone.

ORDINANCE NO. 21-09-28-002 (2021091571)

As recorded in the office of the Kosciusko County Recorder.

IN THE MATTER OF REZONING REQUEST-LEWIS:

Dan Richard, Plan Commission Director, presented a request to rezone 2 acres located in the Boner Lake/Wawasee area just off Warner Road, from Agricultural to Residential. Richard stated the petitioner has exhausted their allowable number of sell offs and are seeking to do one more tract, which will be platted as a one-lot subdivision. It was the unanimous recommendation of the Area Planning Commission to allow the rezoning from Agricultural to Residential.

Megan Lewis, wife of the petitioner, stated her in-laws purchased 29 acres and she and her husband would like to purchase 2 of those acres and build a house.

With no one present to speak against the request, the Commissioners closed the meeting to the public.

MOTION: Brad Jackson

SECOND: Cary Groninger

TO: Approve the request to rezone 2 acres, located in the Boner Lake/Wawasee area just

AYES: 3
UNANIMOUS

NAYS: 0

off Warner Road, from Agricultural to Residential.

ORDINANCE NO. 21-09-28-004 (2021091572)

As recorded in the office of the Kosciusko County Recorder.

IN THE MATTER OF FURTHER BUSINESS:

Emergency Paid Sick Leave Policy: Michelle Puckett, County Auditor, advised the deadline of the current policy, providing paid leave to employees for covid-related absence, will expire September 30th, prior to the next Commissioner meeting. Puckett stated the expiration of the IRS 941 quarterly reimbursement credit, which was the basis for extending the policy, had not been extended as of this morning, but she will continue to watch for any updates.

There was a brief discussion with Cathy Reed, Human Resources, who confirmed without the policy employees would remain eligible for 10-days of unpaid covid-related absence without risk of termination.

No action was taken and the Commissioners requested Human Resources communicate to the employees the policy expiration as well as advise of them of available covid-related options.

Being no further business to come before the Commissioners, the meeting was adjourned.

KOSCIUSKO COUNTY COMMISSIONERS
October 12, 2021

The Kosciusko County Commissioners met for their regular meeting on October 12, 2021 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley-President
Cary Groninger-Vice President
Brad Jackson-Member

Ed Ormsby-County Attorney
Michelle Puckett – County Auditor
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF VETERAN OF THE MONTH-JOSEPH NEIL WESTENDORF:

Darryl McDowell, newly appointed Veteran Service Officer, introduced Veteran of the Month, Joseph Neil Westendorf, stating Westendorf was born April 22, 1930 in Bluffton, Indiana to Joseph and Elsie Westendorf and was one of 5 children. He attended Central Catholic Fort Wayne High School and joined the United States Air Force in 1951, conducting his basic and specialized training at Lackland Air Force Base in Texas, and then stationed at Castle AFB, California, assigned to the 93rd Motor Vehicle Squadron.

Westendorf served 4 years during the Korean War era and was honorably discharged in January, 1955, at the rank of Staff Sergeant. He then returned to Fort Wayne, Indiana, to own and operate 2 gas stations, retiring in 2018 from Gladieux Refinery.

Westendorf married the love of his life, Dorothy Bennett, on October 17, 1953. They have 9 children; Doug, Debbie, Laura, Kim, Nancy, Jo Ann, Barbara, Joey, and Michelle, and are also blessed with 19 grandchildren, 24 great-grandchildren, and 4 great-great-grandchildren.

Today, at the age of 92, he and Dorothy live in Oswego, Indiana.

Westendorf expressed his gratitude for the recognition stating it wasn't just him, it was everybody and he enjoyed his time in the service.

McDowell and the Commissioners thanked Westendorf for his service and presented him with a plaque.

IN THE MATTER OF BOWEN CENTER ANNUAL REPORT:

Tera Robinson, Director of the Warsaw office and Michael Murphy, Director of the Syracuse location, introduced several members of the Bowen Center staff and presented the following information:

- Provided approximately 118,000 services this past year, with \$2.7M under assistance
- Employs 431 people within Kosciusko County
- Offers many services, including: skill services, outpatient and residential treatment services, inpatient, and the Enchanted Hills community project
- A health Clinic was started this year
- A Covid testing site was provided

IN THE MATTER OF RADIO FUNDING CONCERNS:

Tim Sammons, Pierceton Chief of Police, shared the following concerns regarding the need to replace existing radios with the changes expected as the communication tower project continues:

- The cost to upgrade radios for the town of Pierceton is estimated at \$56,000
- Under the direction of our local emergency management director, a grant application was submitted and it has since been denied, along with all similar grant requests
- In searching for alternative solutions, the burn grant was reviewed but does not indicate radios is an allowable expense
- Concerns arise when considering the impact such an expense will have on the small budgets area towns have to work with

Commissioner Groninger stated although the existing radios may not be able to utilize some of the functions the new system will offer, they will still work with the new system. The incentive for departments to upgrade to new radios at this time, would seem to be the window of opportunity in which to take advantage of the discount being offered through the company installing the system.

In addition, Groninger stated there is still much more research being done to help identify options for assistance in purchasing new radios for those who need them or would like them.

IN THE MATTER OF PRECINCT DISTRICT PLAN-CLERK:

Ann Torpy, County Clerk, presented the following information regarding precinct recommendations:

- The 2020 Census provided a calculation of current population per Commissioner's district and indicated what changes should be made to meet the state's requirement of a deviation below 10%
- Currently, the northern district has 26,220 residents, the middle district has 33,919, and the southern district has 20,101, which is a 52% deviation between the southern and middle district
- Commissioners are to review the districts every ten years and make adjustments needed to meet the state's requirement
- With the deadline of December 31st to approve a new district plan, a map proposing where changes would seem appropriate was presented

IN THE MATTER OF REDISTRICTING PRECINCTS-ORDER:

Ann Torpy, County Clerk, presented an order for approval stating House Bill 1581 changed the districts of the State Senate, the US House, and the State House boundary lines. This created a need to establish 2 new precincts, which are the only changes being made to the redistricting.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the Order, making changes to the districts as presented in order to meet the requirements of HB 1581.

IN THE MATTER OF GRANT UPDATES-EMA:

Ed Rock, Emergency Management, gave an update on grant requests stating the radio and one of the cybersecurity grants were both denied; however, approvals have been received for the salary reimbursement and the other cybersecurity grant.

IN THE MATTER OF AUDITOR RECOGNITION:

The Commissioners recognized Michelle Puckett, County Auditor, for achieving a perfect annual audit for the 3rd straight year in a row.

IN THE MATTER OF GLYCOL REPLACEMENT-JUSTICE BUILDING:

Marsha McSherry, County Administrator, presented a proposal in the amount of \$14,721 from CORE Mechanical Services for Glycol for the justice building boiler system in order to keep the pipes from freezing.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the CORE Mechanical Services proposal in the amount of \$14,721 from CORE Mechanical Services for Glycol for the boiler system to keep the pipes from freezing.

IN THE MATTER OF RAILROAD GRANT REQUEST:

Steve Moriarty, County Highway Superintendent, requested approval to apply for a 100% reimbursable grant in the amount of \$40,000, for the purpose of railroad crossing updates.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the request to apply for a 100% reimbursable grant in the amount of \$40,000, for the purpose of railroad crossing updates.

IN THE MATTER OF FURTHER BUSINESS TO COME BEFORE THE COMMISSIONERS:

Rick Helm, Attorney for the Town of Sidney, shared the following:

- Working with the county's attorney, Ed Ormsby, there has been a resolution prepared regarding 2 properties the town of Sidney wishes to obtain in order to make improves to the town
- The property owner has agreed to quitclaim both properties to the town
- Both properties were available for purchase through the 2021 tax sale; one of the properties sold, one did not
- An adjustment to the resolution is needed to include the tax sale bidder's obligation on the purchased parcel
- Upon making the change to the resolution, approval of the resolution is requested

Ed Ormsby confirmed agreement with the changes proposed.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the resolution, upon changes made as presented.

Marsha McSherry, County Administrator, presented a conditional deed of gift combat material for static display from the US Army TACOM Division, which must now be approved and returned annually and must include a picture of the tank that sits on the northwest corner of the courthouse, showing the tank is on display and the condition of the tank is being maintained.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the submission of the paperwork as described in this matter.

Being no further business to come before the Commissioners, the meeting was adjourned.

KOSCIUSKO COUNTY COMMISSIONERS
October 26, 2021

The Kosciusko County Commissioners met for their regular meeting on October 26, 2021 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley-President
Cary Groninger-Vice President
Brad Jackson-Member

Ed Ormsby-County Attorney
Michelle Puckett – County Auditor
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF 2022 VEHICLE REQUESTS-SHERIFF'S OFFICE:

Shane Bucher, Sheriff's Office, requested approval to proceed with the purchase of five patrol vehicles from the 2022 approved budget, stating the lowest of the bids received were within \$40 of each other for the same vehicle and therefore his recommendation is to purchase 3 from Rice Ford at \$35,440 each and 2 from Kerlin's at \$35,474 each.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the request to purchase five patrol vehicles from the 2022 approved budget: 3 from Rice Ford at \$35,440 each and 2 from Kerlin's at \$35,474 each.

IN THE MATTER OF JAG GRANT REQUEST-SHERIFF'S OFFICE:

Shane Bucher, Sheriff's Office, presented a request to apply for the JAG grant in the amount of \$322,500, which is available through the Department of Justice to help purchase radios for the new system.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the request to apply for the JAG grant in the amount of \$322,500 to help purchase radios for the new system.

IN THE MATTER OF 2022 CHIRP GRANT REQUESTS-SHERIFF'S OFFICE:

Shane Bucher, Sheriff's Office, presented the following 2022 CHIRP grant requests:

- Operation Belt Up \$3,000
- CHIRP-DUITF OWI \$30,000
- CHIRP-Click it to Live it \$22,500

Bucher stated the grants are the same as the County has utilized for several years.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the 2022 CHIRP grants as presented.

IN THE MATTER OF 2022 COUNTY ATTORNEY ENGAGEMENT LETTER:

Ed Ormsby, County Attorney, presented the 2022 County Attorney Engagement Letter. Commissioner Groninger stated he had presented the agreement in the amount of \$60,320 to Council for approval with the main difference being most county offices will need to have their own budget for legal fees.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the 2022 County Attorney Engagement Letter as presented.

IN THE MATTER OF 2022 INTER-LOCAL AGREEMENT FOR TERMINAL SERVICES DATA:

Marsha McSherry, County Administrator, presented annual renewals for Terminal Services Data agreements, stating all outer-lying law enforcement agencies within the county contribute to the cost of remote access to software for data searching, noting there were no changes from the previous year's agreements.

MOTION: Brad Jackson
SECOND: Cary Groninger

TO: Approve the 2022 Inter-local Agreements
for Terminal Services as presented.

AYES: 3 NAYS: 0
UNANIMOUS

IN THE MATTER OF 2022 NONPROFIT AGREEMENTS:

Michelle Puckett, County Auditor, presented the 2022 Nonprofit Agreements, stating the agreements reflect the amounts approved during the 2022 budget cycle.

MOTION: Brad Jackson
SECOND: Cary Groninger

TO: Approve the 2022 Nonprofit
Agreements as presented.

AYES: 3 NAYS: 0
UNANIMOUS

**IN THE MATTER OF 2020 INTER-LOCAL AGREEMENTS-KCCRVC & SOLID
WASTE DISTRICT:**

Michelle Puckett, County Auditor, presented two 2022 Inter-Local Agreements between the County Auditor and the KCCRVC and the Solid Waste District, stating the agreements allow the Auditor to continue to serve as controller for the commission of both entities.

MOTION: Cary Groninger
SECOND: Brad Jackson

TO: Approve the 2022 Inter-Local
Agreements with the KCCRVC and the Solid
Waste District.

AYES: 3 NAYS: 0
UNANIMOUS

IN THE MATTER OF RIGHT-OF-WAY FOR THE 1300N PROJECT:

Steve Moriarty, County Highway Superintendent, presented a request for the President of the Commissioners to be appointed as the signature approval for the right-of-way of the 1300N Project.

MOTION: Brad Jackson
SECOND: Cary Groninger

TO: Approve the appointment of signature
approval for the right-of-way of the 1300N
Project.

AYES: 3 NAYS: 0
UNANIMOUS

IN THE MATTER OF UNOFFICIAL DETOUR ROUTE-SR 14:

Steve Moriarty, County Highway Superintendent, requested approval of 2 unofficial detour routes off of SR 14, one at Peru Road, south to 1200S and the other at Packerton Road to 1200S, while INDOT works to replace 2 small structures.

MOTION: Brad Jackson
SECOND: Cary Groninger

TO: Approve the unofficial detour routes off
of SR 14, one at Peru Road, south to 1200S
and the other at Packerton Road to 1200S.

AYES: 3 NAYS: 0
UNANIMOUS

IN THE MATTER OF REZONING REQUEST-STROMBECK:

Dan Richard, Plan Commission Director, presented a request to rezone a tract of ground located just off of SR 13, just south of the town of North Webster, from agricultural to commercial.

Richard stated the Area Planning Commission unanimously recommended to allow the request.

Steve Snyder, Attorney for the Petitioner, stated the proposal for the property is to rezone the remainder of the parcel to further the growth and development in the area of frontage along Armstrong Road.

With no one present to speak in favor or against the request, the Commissioners closed the meeting to the public.

MOTION: Brad Jackson
SECOND: Cary Groninger

TO: Accept the recommendation of the Area
Planning Commission to allow the request to

AYES: 3
UNANIMOUS

NAYS: 0

rezone a tract of ground located just off of SR 13 just south of the town of North Webster, from agricultural to commercial.

ORDINANCE NO. 21-10-26-002 (2021101374)

As recorded in the office of the Kosciusko County Recorder.

IN THE MATTER OF REQUEST FOR VACATION -RIDENOUR:

Dan Richard, Area Planning Director, presented a unanimous recommendation from the Area Planning Commission to vacate a portion of roadway titled as a public way but is actually being used for a utility easement within Cripplegate Crossing Subdivision. The request is, with the assistance of NIPSCO, to relocate the utilities currently in place on lot 7 in order to accommodate a proposed development.

Steve Snyder, Attorney for the Petitioner, stated the utility easements within the subdivision appear to be excessive and the request is presented with 2 letters of support from surrounding property owners.

With no one present to speak in favor or against the request, the Commissioners closed the meeting to the public.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3
UNANIMOUS

NAYS: 0

TO: Accept the recommendation of the Area Planning Commission to allow the vacation of the utility easement within Cripplegate Crossing Subdivision as presented

ORDINANCE NO. 21-10-26-001 (2021101373)

As recorded in the office of the Kosciusko County Recorder.

Being no further business to come before the Commissioners, the meeting was adjourned.

KOSCIUSKO COUNTY COMMISSIONERS

November 9, 2021

The Kosciusko County Commissioners met for their regular meeting on November 9, 2021 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley-President

Cary Groninger-Vice President

Brad Jackson-Member

Ed Ormsby-County Attorney

Michelle Puckett – County Auditor

Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF VETERAN OF THE MONTH-RICHMOND SLONE:

Darryl McDowell, Veteran Service Officer, introduced Veteran of the Month, Richmond Slone, stating Slone was born in Blue River, Kentucky and was one of ten children. His family moved to Claypool, Indiana in 1959, where he attended Claypool and Warsaw High School, graduating in 1967. He was drafted into the U.S. Army in 1969, attended basic training at Fort Campbell, Kentucky and Advanced Individual Training (AIT) at Fort Polk, Louisiana before his deployment to Vietnam with the 199th Infantry Brigade. He later served with the 25th Infantry Division. In June of 1970, his company was assigned to the Cambodia Campaign and he was awarded the Purple Heart while in action.

Richmond served two years in the U.S. Army and was honorably discharged in August of 1971 with the rank of Specialist (E4). During his service he received the Combat Infantry Badge, Purple Heart with Oak Leaf Cluster, Vietnam Service Medal with two Bronze Service Stars, Army Commendation Medal with Oak Leaf Cluster, Republic of Vietnam Campaign Medal, and the Expert Rifleman Badge.

After proudly serving his county, Richmond returned to Warsaw and worked for 47 years at Kimble Glass in several positions, retiring as a Supervisor and Consultant in 2017. He married his wife, Avis, in 1983, and they have two children, Travis and Allison, and two grandchildren, Preston and Paxton. Today Richmond and Avis live in Etna Green.

McDowell and the Commissioners thanked Slone for his service and presented him with a plaque.

Slone expressed his gratitude for the recognition stating it was an honor to serve his country, he feels truly humbled to have been chosen to accept this acknowledgement, and would like to take this opportunity to recognize and remember 94 of his comrades from the 5th Battalion, 12th Infantry Division of the 199th Infantry Brigade who died while serving in Vietnam and made the ultimate sacrifice for all of us.

IN THE MATTER OF KABS QUARTERLY CONTRACT INVOICE:

Tony Peterson, KABS General Manager, presented the INDOT Contract Invoice for reimbursement for period July 1, 2021 to September 30, 2021. Peterson stated the amount of reimbursement requested is \$121,085, which is 100% federally funded with no state funds to claim.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the quarterly contract invoice report in the amounts of \$121,085, which is 100% federally funded with no state funds to claim.

IN THE MATTER OF ANY OFFICE HOLDER/DEPARTMENT HEAD:

Mike Kissinger, County Surveyor, on behalf of the Commissioners, County Offices, and the residents of the county, congratulated County GIS Director, Bill Holder, for being the recipient of the David C. Ford Award, which is the highest GIS award in the state. Holder was recently recognized for his work with the County Historical Society to map cemeteries and gravestones, his service as President of the Indiana Geological Information Council (IGIC) in 2008 and 2009 as well as for being one of the original signors of a letter in 2008 requesting data from each Indiana county for the Data Harvest Program, which is still very much alive today.

Kissinger encouraged everyone to visit the County's GIS site, stating you will not find a finer site in the State of Indiana, the amount of information available is incredible.

IN THE MATTER OF JOHNSON CONTROLS PROPOSAL:

Marsha McSherry, County Administrator, presented the 2022 annual contract renewal with Johnson Controls in the amount of \$11,560 for the controls of the HVAC system.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the 2022 annual contract renewal with Johnson Controls in the amount of \$11,560.

IN THE MATTER OF COUNTY HEALTH OFFICER REAPPOINTMENT:

Jodi Cox, County Resident, presented a petition and read a statement regarding the reappointment of County Health Officer, Dr. Remington, which included the following:

- Nearly 600 signatures have been collected requesting the commissioners NOT reappoint Dr. Remington as health officer
- The mask mandate was already decided before the school board meeting with parents
- Dr. Remington's opinion during the weekly county covid meetings seemed to vary
- Mandating an unproven vaccine is irresponsible
- Children are being forced to wear masks, which have been thrown into bags, dropped on floors, lunch tables, etc.
- No other local schools are following the mandate

IN THE MATTER OF BRIDGE #123 LETTER OF COMMITMENT:

Steve Moriarty, Highway Superintendent, requested approval on a letter of commitment for the 2027 grant request for Bridge #123, stating this is the Cherry Creek bridge on Packerton Road. The requested amount of the 80/20 grant project will be 1.7M, with 447,000 in local match.

MOTION: Cary Groninger
SECOND: Brad Jackson
AYES: 3 NAYS: 0
UNANIMOUS

TO: Approve the letter of commitment for the 2027 grant request for Bridge #123 as presented.

IN THE MATTER OF OPENING BIDS FOR THE COUNTY HIGHWAY 2022 ANNUAL SUPPLIES:

Steve Moriarty, Highway Superintendent, along with County Attorney, Ed Ormsby, opened bids submitted for the 2022 annual highway supplies. The following were the submissions:

Vendor	Location	Supply
Debco Metal Culverts	Francesville, IN	Aluminum structural plate Multi-plate structures Aluminum box culvert Corrugated metal culverts
CivilCon	Jeffersonville, IN	Culvert and structural plate pipe, Aluminum structural plate
Great Lakes Chloride	Warsaw, IN	Calcium chloride products
Osburn Associates	Logan, OH	Appendix F-Road signs and posts
Stello Products	Spencer, IN	Appendix F-Road signs and posts
Ceres Products	Wabash, IN	Diesel fuel
Phend & Brown	Milford, IN	Gravel and limestone materials
IMI Aggregates	Huntington, IN	Limestone aggregate materials
Hanson Aggregates Midwest	Peru, IN	Limestone aggregate materials
Speedway Sand & Gravel	Fort Wayne, IN	Materials/Service Gravel aggregate materials
Elkhart County Gravel	New Paris, IN	Gravel & limestone materials Aggregates
R.J. Keirn Trucking	Claypool, IN	Limestone and slag aggregate materials
Ransbotton Excavating	Claypool, IN	Limestone aggregates
The Daltons	North Webster, IN	Weed spray materials & application
Bellman Oil Company	Bremen, IN	Diesel fuel
Columbia City Mill Service	Columbia City, IN	Slag aggregate materials
St. Regis Culvert	Indianapolis, IN	Appendix C-Corrugated metal pipe Structural plate pipe arches
Primco	Fort Wayne, IN	Cast in place bridges
Pierceton Trucking	Warsaw, IN	Liquid bituminous materials
Asphalt Materials	Warsaw, IN	Liquid bituminous materials
Central Paving	Logansport, IN	Winter/summer coldmix patch
Phend & Brown	Milford, IN	Plant rental for mixing asphalt
Niblock Excavating	Columbia City, IN	Bituminous hotmix asphalt loaded in county trucks
Phend & Brown	Milford, IN	Bituminous hotmix asphalt loaded in county trucks
Phend & Brown	Milford, IN	Bituminous hot mix asphalt laid in place by contractor
Niblock Excavating	Columbia City, IN	Bituminous hotmix asphalt laid in place by contractor
Brooks Construction Company	Fort Wayne, IN	Bituminous hotmix asphalt laid in place by contractor
Lemler Oil	Bourbon, IN	On-road and off-road diesel fuel
Petroleum Trader Corp	Fort Wayne, IN	On-road and off-road diesel fuel
American Timber Bridge	Portage, MI	Timber bridge products
Metal Culverts Inc	Jefferson City, Mo	Corrugated metal pipe
CivilCon	Jeffersonville, IN	Pipe arches

Moriarty made the recommendation to the Commissioners to take all the bids under advisement, stating he would review the bids and return to the November 23, 2021 meeting with his recommendations.

Bids were available for public inspection following the meeting.

IN THE MATTER OF FURTHER BUSINESS TO COME BEFORE THE COMMISSIONERS:

Katrina Lewis:

- Objects to the re-appointment of Dr. Remington
- Presented studies to support her objection to her elementary aged children being forced to wear masks

Dr. Chris Magiera:

- Medical care is the keystone to liberty as well as to oppression and tyranny
- When a person opposes liberty, they do it for one of three reasons; pragmatism, malice or ignorance
- Everyone who makes rules should first ask- is it constitutional, can we afford it and do we need it

Brad Skiles:

- Shared experiences of what medical care is available in our area for the treatment of covid
- Would expect our county to think independently to ensure the health and safety of our community and blames Dr. Remington for not evaluating and making available what is working

Linda Kitch:

- Freedom means having the right to chose what is best for your children

Dr. K T Kishan:

- The medical community was caught off guard by covid and the impacts it has had all over the world and has not done a good job of educating the public
- Masks are designed to protect other people from what the person wearing it may be spreading and although no study has proved masks are effective, there is still a chance they may slow the spread of some germs
- Having freedom means having responsibility and educating ourselves on what is best

Terry Wood:

- Raised questions regarding relationships between members of the school board and members of the health board which could appear to have influenced votes to retain Dr. Remington
- Although the word responsibility does not appear in the Constitution, it was encapsulated in the word duty, which indicates we all have a duty as citizens to stand for our rights

Katie Fussle:

- Requested the Commissioners support the concerns raised today by not reappointing Dr. Remington
- Consideration should be given to the long-term effects mask wearing may have on children

Bob Weaver, Health Department:

- Dr. Remington has been the health officer for approximately 26 years and he has never issued an order or a mandate
- There is only one school district within the county with a mask mandate, and it was not by Dr. Remington's order

Matt Dick:

- Questioned whether the position of health commissioner should be an elected position

County Attorney, Ed Ormsby, stated state law provides for the appointment of county board of health members by the county commissioners. The board of health then appoints a public health officer for a term of 4 years. Senate Bill 5, recently passed by the legislature, added the obligation of county commissioners to either approve or not approve the appointment

Raelene Hirschy:

- Stated 26 years is too long for the same person to hold a position and requested consideration of the requests made today to not reinstate Dr. Remington

Jackie Bradley:

- Agrees there should be term limits on public positions
- There is too much unknown about the vaccine

Teresa Martin:

- Has grandchildren in the Warsaw school system, is concerned with the decisions made by Dr. Remington and requested the commissioners consider the information shared today

Elizabeth Oppel:

- Has witnessed tremendous oppression in many parts of the country concerning the covid pandemic and is thankful to live in and be part of a county where leaders care about their community
- Around the world, freedoms are being taken away a little at a time so it is harder to recognize
- We need to support our local officials in their fight for freedom for us and for our children

Commissioner Conley thanked the public for presenting their comments, stating they will each be taken into consideration and the oaths taken to do what is best for the county are not taken lightly.

Being no further business to come before the Commissioners, the meeting was adjourned.

KOSCIUSKO COUNTY COMMISSIONERS

November 23, 2021

The Kosciusko County Commissioners met for their regular meeting on November 23, 2021 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley-President
Cary Groninger-Vice President
Brad Jackson-Member

Ed Ormsby-County Attorney
Michelle Puckett – County Auditor
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF 2022 CONTRACTUAL SERVICES AGREEMENT-PURDUE EXTENSION:

Jackie Franks, Purdue Extension, presented the 2022 Contractual Services Agreement between Purdue Extension and Kosciusko County for approval.

MOTION: Cary Groninger
SECOND: Brad Jackson

TO: Approve the 2022 Contractual Services Agreement as presented.

AYES: 3 NAYS: 0
UNANIMOUS

IN THE MATTER OF ASSISTANT ANR EDUCATOR-PURDUE EXTENSION:

Kelly Heckaman, Purdue Extension, introduced Emily Luc as the new Assistant ANR (Ag and Natural Resources) Educator, stating as her job has transitioned to 50% Director and 50% ANR Educator, it has enabled her to hire a full-time assistant.

IN THE MATTER OF CARDINAL SERVICES REALLOCATION OF FUNDS:

Matt Boren, Executive Director, Cardinal Services, presented a request to reallocate some of the previously approved 2022 nonprofit funding, stating the application, as submitted, included support for the Headstart program, the bus service, and employment services. However, as a result of the pandemic, some unforeseen funding issues have developed for the Headstart program and they would like to utilize all the approved funding for the Headstart program. Boren stated, although there are no specific outlines of how to utilize the funding, he did not want to deviate from the approved application without approval of the Commissioners.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0
UNANIMOUS

TO: Approve the requested use of funds as presented, for the awarded 2022 nonprofit funding.

IN THE MATTER OF DRAINAGE TRACT DEED TO COUNTY:

Bruce Woodward presented a deed for a leftover subdivision lot on the east side of Fox Farm Road, north of the round-about, which has been acting as a drainage ditch for many years. Woodward stated his family wishes to gift it to the county instead of continuing to pay taxes on it.

MOTION: Cary Groninger

TO: Approve the deed as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0
UNANIMOUS

IN THE MATTER OF EMS T48A SEWER CONNECTION-MATCHETT:

Steve Snyder, Attorney for the Petitioner, presented a request authorizing placement of a private sewer line in a public way, stating the engineer's suggestion is to run the private line across a portion of the sewer district's public way and therefore, authorization is requested.

MOTION: Brad Jackson

TO: Approve the sewer connection as presented.

SECOND: Cary Groninger

AYES: 3 NAYS: 0
UNANIMOUS

IN THE MATTER OF RAILROAD CROSSING CLOSURE AGREEMENT:

Ed Ormsby, presented a railroad crossing closure agreement with Norfolk Southern, which is for the closing of the crossing at CR 400E at Milepost B 404.43. Conditions within the agreement, since the closure is being considered at the request of Norfolk Southern, include:

- Within 120 days of a signed ordinance, providing for the elimination of the grade crossing, the county will receive \$250,000
- At their sole expense, Norfolk Southern will remove the crossing, reimburse the county for barricades erected, construct a turn-around at the south side of the tracks, as well as extend 2 existing culverts

Will Miller, Public Safety Director, Norfolk Southern, extended appreciation to the county for their consideration, stating Norfolk Southern is striving to build the railroad of tomorrow and this area between Ft. Wayne and Chicago, is a very valuable location. In addition, they believe this project will significantly improve SR 13.

MOTION: Cary Groninger

TO: Approve the Railroad Crossing Closure Agreement as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0
UNANIMOUS

Attorney Ormsby, requested approval for President, Bob Conley, to sign the agreement on behalf of the Commissioners.

MOTION: Brad Jackson

TO: Approve the signing of the agreement by President, Bob Conley, on behalf of the Commissioners.

SECOND: Cary Groninger

AYES: 3 NAYS: 0
UNANIMOUS

Attorney Ormsby, requested approval on the corresponding ordinance to close the crossing at CR 400E.

MOTION: Brad Jackson

TO: Approve the ordinance to close the crossing at CR 400E as presented.

SECOND: Cary Groninger

AYES: 3 NAYS: 0
UNANIMOUS

ORDINANCE NO. 21-11-23-001 (2021111172)
As recorded in the office of the Kosciusko County Recorder.

IN THE MATTER OF NORTH WEBSTER COMMUNITY PUBLIC LIBRARY BOARD APPOINTMENT:

Marsha McSherry, County Administrator, presented the recommendation of the North Webster Community Public Library to appoint Amanda Fretz to serve on the Library Board, along with a letter commending Linda Stookey for her 16 years of service.

MOTION: Brad Jackson	TO: Accept the recommendation to appoint
SECOND: Cary Groninger	Amanda Fretz to serve on the North Webster
AYES: 3 NAYS: 0	Community Public Library Board.
UNANIMOUS	

IN THE MATTER OF THE 2022 APPOINTMENTS BY COMMISSIONERS:

Commissioner Conley presented the following appointments for approval:

<u>2022 Board Appointments</u>		<u>Term Exp</u>	<u>Term (Yrs)</u>
Alcohol Beverage Commission	Alan Alderfer	12/31/22	(1)
Board of Zoning Appeals	Kevin McSherry	12/31/22	(1)
Board of Zoning Appeals	Lee Harman	12/31/22	(1)
Bowen Center Board	Jon Garber	12/31/22	(1)
Drainage Board	Cary Groninger	12/31/22	(1)
Emergency Mngt Advisory Board	Cary Groninger	12/31/22	(1)
KCCRVC	Mark Skibowski	12/31/23	(2)
KEDCO	Brad Jackson	12/31/22	(1)
OrthoWorx	Brad Jackson	12/31/22	(1)
PTABOA	Susie Stookey	12/31/22	(1)
	Phyllis Olinger	12/31/22	(1)
Redevelopment Commission	Dan Thystrup	12/31/22	(1)
	Mike Metzger	12/31/22	(1)
	Doug Hanes	12/31/22	(1)
St Joseph River Basin	Jon Roberts	12/31/22	(1)
Strategic Planning Committee	Brad Jackson	12/31/22	(1)
	Marsha McSherry	12/31/22	(1)
Wage Committee	Brad Jackson	12/31/22	(1)

MOTION: Brad Jackson	TO: Approve these 2022 Recommendations
SECOND: Cary Groninger	for Appointments as presented.
AYES: 3 NAYS: 0	
UNANIMOUS	

2022 Department Head Appointments

Area Plan Director	Dan Richard	12/31/22	(1)
County Administrator	Marsha McSherry	12/31/22	(1)
County Attorney	Edward Ormsby	12/31/22	(1)
County Highway Superintendent	Steve Moriarty	12/31/22	(1)
GIS	Bill Holder	12/31/22	(1)
Homeland Security/LEPC	Ed Rock	12/31/22	(1)
HR Director	Cathy Reed	12/31/22	(1)
Systems Administrator	Bob Momeyer	12/31/22	(1)
Veteran Officer	Darryl McDowell	12/31/22	(1)

MOTION: Cary Groninger	TO: Approve these 2022 Recommendations
SECOND: Brad Jackson	for Appointments as presented.
AYES: 3 NAYS: 0	
UNANIMOUS	

2022 Misc Recommendations for Appointments

Drainage Board	Dennis Darr	12/31/25	(4)
Weights & Measures	John Slone	12/31/22	(1)

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve these 2022 Recommendations
for Appointments as presented.

Board of Health-Medical Director	William Remington	12/31/25	(4)
	Larry Coplen	12/31/25	(4)
	Brian Reichenbach	12/31/25	(4)

Commissioner Conley stated these 2022 recommendations for appointments will not be decided at this time.

There was a brief discussion regarding the difficult decision that has to be made and the Commissioners agreed more time is needed to consider all the information being collected.

IN THE MATTER OF BID RECOMMENDATIONS FOR 2022 ANNUAL HIGHWAY SUPPLIES:

Steve Moriarty, County Highway Superintendent, stated bids were opened for 2022 Annual Highway Supplies at the November 9, 2021 meeting and the recommendation is to accept all bids for 2022.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the Highway's

recommendation to accept all bids for 2022.

IN THE MATTER OF 2022 TRUCK ORDERS-HIGHWAY:

Steve Moriarty, County Highway Superintendent, requested approval to order 2 dump trucks for 2022; 1 single axel in the amount of \$224,475 and 1 tandem in the amount of \$259,235.

Moriarty stated both trucks will be purchased through National Auto Fleet Group, which is a Soucewell Group to ensure the best pricing available.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the request to order 2 dump
trucks for 2022; 1 single axel in the amount
of \$224,475 and 1 tandem in the amount of
\$259,235.

IN THE MATTER OF REZONING REQUEST-SCHRADER:

Matt Sandy, Area Plan, presented a unanimous recommendation of the Area Planning Commission to allow the rezoning of a small tract in Wooster, from Commercial to Residential, stating the business that used to be on the property is no longer there and the surrounding properties are zoned residential. The purpose of the request is to build a residential structure.

With no one to speak in favor or against the request, the Commissioners closed the meeting to the public.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the request to rezone a tract, in
Wooster, from Commercial to Residential.

ORDINANCE NO. (S/B 21-11-23)-002 (2021111173)

As recorded in the office of the Kosciusko County Recorder.

IN THE MATTER OF REZONING REQUEST-IND NORTH DISTRICT WESLEYAN:

Matt Sandy, Area Plan, presented a request to rezone a tract located on the northwest corner of SR 15 and Dixie Drive in Silver Lake, from Residential Commercial. Surrounding properties are zoned residential. Consideration was given to the remonstrances received and it was the unanimous recommendation of the Area Planning Commission to oppose the rezoning.

Commissioner Conley stated the Petitioner had contacted him, asking that the matter be tabled to allow further deliberation with Area Plan.

MOTION: Cary Groninger

TO: Refer the matter back to the Area Plan
Commission for further review.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

Being no further business to come before the Commissioners, the meeting was adjourned.

KOSCIUSKO COUNTY COMMISSIONERS

December 7, 2021

The Kosciusko County Commissioners met for their regular meeting on December 7, 2021 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley-President

Ed Ormsby-County Attorney

Cary Groninger-Vice President

Michelle Puckett – County Auditor

Brad Jackson-Member

Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF VETERAN OF THE MONTH-WILLIAM LEON TUCKER:

Darryl McDowell, Veteran Service Officer, introduced Veteran of the Month, William Leon Tucker, stating he was born March 23, 1929 near Silver Lake, Indiana, to William Lowell and Ruby Tucker. Leon was one of 7 children, consisting of 1 brother and 5 sisters.

Leon graduated from Sidney High School and Purdue University with a Bachelor's of Science in Agriculture. While attending Purdue, he was a member of their Reserve Officer Training Corps (ROTC). After graduation, he enlisted into the US Army as an intelligence analyst, and after basic training at Indian Town Gap, Pennsylvania, he was stationed at Camp Palmer, Japan, for General Intelligence and Order of Battle Training. After completing his initial military training, he was stationed with the 2nd ROK (Republic of Korea) Corps located 35 north of Chuncheon, Korea. During his time in Korea, his primary responsibility was interpretation of aerial reconnaissance, which was performed nightly by US planes. His findings would go up to the US Chain of Command to determine what the next day missions would be for US and Korean troops.

Private First-Class Tucker served in the US Army for 2 years and was honorably discharged in October 1953. He received numerous recognitions and honors including the Korean Service Medal with 3 Bronze Stars, the United Nations Service Medal and the National Defense Service Medal.

After serving his country proudly during the Korean War era, Leon returned to Milford, Indiana, to work as a farmer. He reduced his farming operation in 2010 but continues to be actively involved in his farm operations. He has served on numerous boards during his lifetime, including being an elder and Sunday School teacher at Milford Christian Church, numerous local and state cattlemen and limousine breed associations, cooperative elevator boards, and soil and water conservation boards.

Leon married the love of his life, Dorothy Pinkerton, on August 26, 1951, in Milford, Indiana. They have 5 children; Craig, Brian, Steve, and twin daughters Laura and Lydia, 12 grandchildren, and 22 great-grandchildren-with 2 more on the way.

Today, at the age of 92 years young, Leon Tucker still lives at home near Milford, Indiana.

McDowell and the Commissioners thanked Tucker for his service and presented him with a plaque.

Tucker expressed his gratitude stating the recognition is a little overwhelming and he is not a hero, he is a farmer like so many other people. He stated it was a real experience to be in the Korean War, at that time called a conflict but for financial reasons later changed to a war. Just being 5 years after World War II, it didn't receive a lot of notoriety but people died by the thousands, something like 4 million died in that war trying to free that nation and save it from an eternity of communism and if you haven't seen communism up close and personal, hopefully you never will because it's terrible. We appreciate the South Korean people today, our civil alert is so energetic, so full of life, that it just thrills us to see what they've been able to when they were freed from that terrible thing.

IN THE MATTER OF MED TECH ACCELERATOR STUDIO PROJECT:

Alan Tio, KEDCO CEO, presented a request to utilize \$50,000 for the launch of a new program designed to help encourage the start-up of companies in the medical technology field. Tio stated \$100,000 was previously approved for Covid-19 loans for small businesses and since those dollars were not used, he would like approval to put them towards this program. In conclusion, Tio stated the plan is to run the program for 3 years, adding 5 new companies each year, and would therefore encourage the consideration of a 3-year commitment of \$50,000 each year. Additional financial support for the program is being requested through federal grant programs as well as from the City of Warsaw.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the reallocation of \$50,000 for 2021, \$50,000 for 2022, and \$50,000 for 2023, subject to the approval of County Council.

As mentioned above, matching federal dollars in the amounts awarded by City and County, will be requested to further support the project. Tio requested approval for a letter of support.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Generate a letter of support for the program.

IN THE MATTER OF KEDCO REVOLVING LOAN PROGRAM:

Alan Tio, KEDCO CEO, requested the consideration of reallocating the remaining \$50,000, previously approved for Covid-19 loans for small businesses which were not used, to the existing KEDCO small business revolving loan fund.

The matter was taken under advisement.

IN THE MATTER OF 2022 KEDCO AGREEMENT:

Alan Tio presented the 2022 KEDCO Fee for Service Agreement for KEDCO's support as the County's economic development organization, stating there were no changes from the 2021 agreement.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the 2022 KEDCO Agreement as presented.

IN THE MATTER OF PUBLIC SAFETY ORDINANCE:

Ed Ormsby, County Attorney, presented an ordinance titled Kosciusko County Public Safety Communication System Purchase and Programming of Land Mobile Radios, stating the purpose is to establish the technical requirements and the process of purchasing and programming the land mobile radios, which will work on the new public safety communications system the county is developing.

MOTION: Cary Groninger

SECOND: Brad Jackson

TO: Approve the ordinance establishing the technical requirements and the process of

AYES: 3
UNANIMOUS

NAYS: 0

purchasing and programming the land mobile radios, which will work on the new public safety communications system the county is developing.

ORDINANCE NO. 21-12-07-001 (2021120355)

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF 2022 BOARD OF HEALTH RECOMMENDATION FOR APPOINTMENT OF MEDICAL DIRECTOR:

Commissioner Conley opened the floor for the recommendation of appointment. Commissioner Groninger stated this has been a topic of discussion for some time, noting additional time was taken in making this decision to ensure significant time was given to review all the information presented. Groninger stated he has served with Dr. Remington through the pandemic and feels he is a good man and has been a steady hand at the wheel during this crisis.

Commissioner Jackson stated although he agrees Dr. Remington has done a great job, after having many conversations with Remington, Jackson does not feel aligned enough to support the approval of his reappointment.

Commissioner Conley stated he feels Dr. Remington has done an exemplary job and it would be doing the County a service to approve his reappointment.

MOTION: Cary Groninger

SECOND: Robert Conley

AYES: 2

NAYS: 1

Jackson Opposed

TO: Approve the Board of Health's

reappointment of Dr. Remington as Medical Health Director.

IN THE MATTER OF 2022 BOARD OF HEALTH RECOMMENDATION FOR APPOINTMENT OF BOARD MEMBER:

Commissioner Conley opened the floor for the approval of the reappointment of Larry Coplen to continue to serve as the public representative.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3

NAYS: 0

UNANIMOUS

TO: Approve the Board of Health's

reappointment of Larry Coplen as the public representative.

IN THE MATTER OF 2022 BOARD OF HEALTH RECOMMENDATION FOR APPOINTMENT OF BOARD MEMBER:

Commissioner Conley opened the floor for the approval of the appointment of Dr. Gregory Haase to serve as the physicians' representative.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3

NAYS: 0

UNANIMOUS

TO: Approve the Board of Health's

appointment of Dr. Gregory Haase to serve as the physicians' representative.

IN THE MATTER OF 2022-2025 BRIDGE INSPECTION CONTRACT:

Troy Kintzel, County Highway Assistant Superintendent, requested approval of the 2022-2025 bridge inspection contract between the LPA, the consulting firm which is USI, and the County Highway Department.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3

NAYS: 0

UNANIMOUS

TO: Approve the 2022-2025 bridge

inspection contract as presented.

IN THE MATTER OF REZONING REQUEST-SHAW:

Matt Sandy, Area Plan, presented a request to rezone a 5.71acre tract, located on the southside of 300N, just west of 350W, from Agricultural to Agricultural II for the purpose of sub-dividing

into a 2-lot subdivision. Sandy stated it is the unanimous recommendation of the Area Planning Commission to allow the rezoning.

Angie Shaw, Petitioner, stated the property has been in the family for generations and her intention is to give each of her children one of the lots. With no one else present to speak in favor or against the request, the Commissioners closed the meeting to the public.

MOTION: Brad Jackson
SECOND: Cary Groninger

AYES: 3 NAYS: 0
UNANIMOUS

TO: Approve the request to rezone a 5.71 acre tract, located on the southside of 300N, just west of 350W, from Agricultural to Agricultural II.

ORDINANCE NO. 21-12-07-002 (2021120354)

As recorded in the office of the Kosciusko County Recorder.

IN THE MATTER OF REZONING REQUEST-ELKHART COUNTY GRAVEL:

Matt Sandy, Area Plan, presented a request to rezone the southwest corner of the existing gravel pit off of CR300, which is a non-conforming use and has had hearings through the years for expansion, from Agricultural to Industrial III for the purpose of an asphalt plant. There is currently a temporary exception and they are looking for something more permanent. Sandy stated it is the unanimous recommendation of the Area Planning Commission to allow the rezoning.

Steve Snyder, Attorney for Petitioner, stated the purpose of the request is to allow for a permanent asphalt plant on approximately 11 acres of the southwest corner of the property, with Brooks Construction as the operator of the plant through a leased land agreement. With the demand as it is, this would provide a benefit within this immediate area if approval is granted through the Board of Zoning Appeals to allow 2 uses on a single tract; 1 for the mineral extraction and 1 for the asphalt plant.

With no one else present to speak in favor or against the request, the Commissioners closed the meeting to the public.

MOTION: Cary Groninger
SECOND: Brad Jackson

AYES: 3 NAYS: 0
UNANIMOUS

TO: Approve the request to rezone approximately 11 acres from Agricultural to Industrial III for the purpose of an asphalt plant.

ORDINANCE NO. 21-12-07-003 (2021120353)

As recorded in the office of the Kosciusko County Recorder.

IN THE MATTER OF COMPREHENSIVE PLAN UPDATE:

Matt Sandy, Area Plan, presented an update on the comprehensive plan, stating with the assistance of the Community Foundation, the project has been well received and is entering the final phase of the process and presentations to the Plan Commission, the Commissioners, and the legislative bodies of the small towns are anticipated by late winter/early spring, for approval.

IN THE MATTER OF GEOPERMITS UPDATE:

Matt Sandy, Area Plan, presented an update on the GeoPermits system, stating it has been nearly a year since the online permitting system was made available countywide and it is being widely used and seems to be a great fit for the County. As a reminder, the permit fees will go into effect the 1st of the new year; \$10 for accessories and additions, and \$25 for all others.

Being no further business to come before the Commissioners, the meeting was adjourned.

KOSCIUSKO COUNTY COMMISSIONERS
December 14, 2021

The Kosciusko County Commissioners met for their regular meeting on December 14, 2021 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley-President
Cary Groninger-Vice President
Brad Jackson-Member

Ed Ormsby-County Attorney
Michelle Puckett – County Auditor
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for release of payment on 12/21/21.

IN THE MATTER OF EAGLE SCOUT RECOGNITIONS:

The Commissioners extended appreciation and presented plaques to recognize Evan Brower and Logan Roberson for their accomplishments as Eagle Scouts.

IN THE MATTER OF OPIOID SETTLEMENT:

Ed Ormsby, County Attorney, stated a nationwide settlement has been reached to resolve all litigation brought against 3 pharmaceutical distributors; McKesson, Cardinal Health and AmerisourceBergen, which have agreed to pay up to 21 billion dollars over 18 years, and manufacturer; Jansen Pharmaceuticals and its parent company; Johnson & Johnson, which have agreed to pay up to 5 billion dollars over no more than 9 years for a total of 26 billion dollars. With 22.7 billion dollars earmarked for use by participating states and subdivisions to remediate the impacts of the opioid crisis, Ormsby recommended the Commissioners opt into the settlement stating the number of subdivisions participating will determine the amount each state will receive. Signing the agreement releases the parties mentioned from any further liability.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the recommendation to

participate in the settlement as well as give

authority to either Commissioner to sign any necessary documents.

IN THE MATTER OF AMENDED CAPITAL IMPROVEMENT PLAN:

Ed Ormsby, County Attorney, presented for consideration An Order Adopting an Amended and Restated Capital Improvement Plan Pursuant to IC 6-3.6.

Commissioner Groninger clarified this is the same tax we have had on our local income, and this is only an adjustment to the plan of how the money will be used.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the Order Adopting an

Amended and Restated Capital Improvement

Plan Pursuant to IC 6-3.6. as presented.

ORDER NO. 21-12-14-001 (2021120825)

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF PUBLIC SERVICE COMMUNICATIONS TOWER MOU-SIDNEY:

Ed Ormsby, County Attorney, presented for consideration a Memorandum of Understanding between the County and the Town of Sidney for the use of land in order to construct a 180 ft. tower to provide radio communications coverage for the public safety radio system and broadband internet.

Commissioner Groninger clarified a fourth tower is necessary in this part of the county due to an unforeseen grade relief around the Eel River Valley, which would not otherwise allow for sufficient coverage for our public safety communication.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

TO: Approve the Memorandum of

Understanding between the County and the

Town of Sidney as presented.

UNANIMOUS

**IN THE MATTER OF REDISTRICTING OF COUNTY COMMISSIONER DISTRICTS
ORDINANCE:**

Ed Ormsby, County Attorney, presented for consideration An Ordinance to Redistrict the County Commissioner Districts After the 2020 Federal Decennial Census, stating maps were available.

There was a brief discussion regarding the changes which included some annexations and the need to balance the numbers within each district. It was noted that while it is important to balance the numbers, votes are collected countywide for all 3 Commissioners.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the Ordinance to Redistrict the County Commissioner Districts After the 2020 Federal Decennial Census as presented.

ORDINANCE NO. 21-12-14-002 (2021120826)

Rerecorded to include map (2021120847)

As recorded in the office of the Kosciusko County Recorder

**IN THE MATTER OF REDISTRICTING OF COUNTY COUNCIL DISTRICTS
ORDINANCE:**

Ed Ormsby, County Attorney, presented for consideration An Ordinance to Redistrict the County Council Districts After the 2020 Federal Decennial Census, stating maps were available.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the Ordinance to Redistrict the County Council Districts After the 2020 Federal Decennial Census as presented.

ORDINANCE NO. 21-12-14-003 (2021120827)

Rerecorded to include map (201120848)

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF ARP GRANT REQUESTS-COUNTY ADMINISTRATOR:

Marsha McSherry, County Administrator, presented the following ARPA grants for approval:

- \$2.4M for Public Safety Communications Project for the tower installation and equipment to provide critical public safety infrastructure
- \$522,881.48 for Public Safety Communications-EDIT Reimbursement for the reimbursement of dollars previously spent from EDIT which qualify under ARPA funding
- \$771,669.85, which is the recommended 10% of the total amount awarded, for Administrative Expenses for the administration of the grant including legal opinions on expenditures from the grant dollars etc.

McSherry stated the ARPA Committee as well as County Council have each given their approval to proceed with these grants as presented.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Accept the recommendations of the ARPA Committee and County Council to move forward in the application process for the projects in the amounts as presented.

IN THE MATTER OF 2022 APPOINTMENT OF OFFICERS:

Commissioner Jackson nominated Cary Groninger as President, and himself as Vice-President as 2022 officer appointments.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Accept the 2022 appointment of officers as presented.

IN THE MATTER OF FURTHER BUSINESS:

Communications Radios: Tim Sammons, Pierceton Police Chief, stated having come before the Commissioners a few weeks prior with a request for radios under the ARPA grant, he wanted to return personally and say thank the Commissioners for their approval as well as all the hard work done behind the scenes to make that happen. In addition, as was previously disclosed, he had also applied for funding under the JAG grant and just learned he was awarded a portion of the funding needed.

Being no further business to come before the Commissioners, the meeting was adjourned.