

COMMISSIONERS' MEETING

December 13, 2021

The Bartholomew County Commissioners met on December 13, 2021, in the Commissioners Chambers of the Governmental Office Building, 440 Third Street, Columbus, Indiana. Commissioner Larry S. Kleinhenz was present. Commissioner London was present via Zoom. Commissioner Lienhoop was not present. Auditor Pia O'Connor, Attorney Grant Tucker and County Administrator Tina Douglas were also present.

Commissioner Kleinhenz gave the invocation and led the Pledge of Allegiance.

The first item was the Approval of minutes of December 6, 2021. **Commissioner London motioned to Approve the Minutes as presented. Commissioner Kleinhenz seconded the motion which passed 2-0.**

The next item was the Approval of Payroll. **Commissioner London motioned to Approve the Payroll including the ARP Premium Pay as presented. Commissioner Kleinhenz seconded the motion which passed 2-0.**

The next item was the weekly permits report as read by Commissioner Kleinhenz:

| <i>Time frame</i> | <i>New permits</i> | <i>Fees</i> | <i>Value</i> |
|-----------------------------|--------------------|-------------------|--------------------|
| <i>12/06/21 to 12/10/21</i> | <i>21</i> | <i>\$7,798.00</i> | <i>\$7,812,117</i> |

The next item was the Weekly Highway Crew Report as presented by Engineer Hollander (via Zoom) as follows: dura patched; installed sand boxes; moved to new garage. After the weekend storms, they had to cut some trees across roads.

The next item was the Monthly Highway Crew Report for November 2021 as presented by Engineer Hollander. **Commissioner Kleinhenz motioned to Highway Crew Report for November 2021 Accept the report as presented. Commissioner London seconded the motion which passed 2-0.**

The next item was the Decision for the Award of Bid for the Replacement of Bartholomew County Bridges #188 and #189 as presented by Attorney Grant Tucker as follows:

| | |
|-------------------------------------------------|-----------------------|
| <i>1. Duncan Robertson, Inc. (Franklin, IN)</i> | <i>\$1,377,157.65</i> |
|-------------------------------------------------|-----------------------|

- | | |
|-----------------------------------------------|----------------|
| 2. Force Construction Co, Inc. (Columbus, IN) | \$1,544,574.57 |
| 3. Engellau Excavating, LLC (Seymour, IN) | \$1,683,307.86 |

Engineer Hollander had reviewed the bids and recommends accepting the low bid. **Commissioner Kleinhenz motioned to Accept the Low Bid from Duncan Robertson, Inc. for the amount of \$1,377,157.65. Commissioner London seconded the motion which passed unanimously.** It will be after the first of the year and after relocation of some power lines, before work can begin.

The next item was the Consideration of Proposals/Agreements for the Health Department – Environmental – Technology Refresh Project as presented by IT Director Scott Mayes as well as Scott Murray & Dave Cool, both of the Environmental Health Department and via Zoom, as follows:

- **Master Service Agreement with Inspect2Go**
 - *Environmental Health Department needs to modernize the way it works internally and have future capabilities to interact with the public.*
 - *This project includes updates to other depreciated equipment including a video conferencing system and dual monitor replacements, large format scanner, 4 desktop scanner and an in-house Zoom Room.*
 - *Master Service Agreement with Inspect2Go for the Environmental Health Department new software*
 - *5-year agreement – same rate, terms & conditions in one-term period*
 - *Scope of work listed below in replacement of records management software and scanning services and data migration*
- **Replacement of Records Management Software**
 - *Agreement with Inspect2Go for scanning service and data import for the Environmental Health Department*
 - *Total cost paid for out of ARP Funds*
 - **\$27,000.00**
- **Scanning Services and Data Migration (Import)**
 - *Software with Inspect2Go for Environmental Health Department for all office functions (ex: Properties, permitting, plan review, scheduling, inspections, complaints, vital records, reports, invoicing & receipting)*

- *Inspect2Go will scan documents for the Health Department and put in a new Records Case Management System*
 - *Set up Fee* **\$ 0.00**
 - *Reoccurring Maintenance Fee* **\$44,000.00**
 - *Year 1 – Environmental Health Dept. will pay out of Grant Funds*
 - *Year 2 – Maintenance Fee will be paid out of ARP Funds*
 - *Year 3 & following – Environmental Health Department*
- *Alternative Quote for software:*
 - *GovPilot Reoccurring Maintenance Fee* **\$70,000.00**
- ***Hardware Replacement for all of Environmental Health Department***
 - *Replacing all scanning and other hardware in the Environmental Health Office*
 - *Bids*
 - *CDW-G – low bidder* **\$24,373.18**
 - *SHI* **\$24,514.56**
 - *Cost split between Health Dept. and IT*
 - *Health Dept. will pay for scanning equip with Grant* **\$ 9,452.12**
 - *IT will pay for other hardware* **\$14,921.06**

IT Director Mayes stated that this has been a project several years in the making. This is a long term process. The first item is for the Master Services Agreement with Inspect2Go. The second item is a Services Agreement to get all the historical information scanned and into the new system. This is for about 65,000 records as is for \$27,000 which will be paid for out of ARP Funds. The third item is the Software Agreement that will replace the legacy system that is currently in use. This is for \$44,000 annually. **Commissioner Kleinhenz motioned to Approve the Agreements with Inspect2Go as presented for the Health Department – Environmental. Commissioner London seconded the motion which passed 2-0.** IT Director Mayes presented the hardware equipment and addition of scanning equipment. CDW-G was the lowest bid and the costs will be split between the Health Maintenance Grant and the IT Department. **Commissioner London motioned to the Accept the Low Bid from CDW-G in the amount of \$24,373.18 as presented. Commissioner Kleinhenz seconded the motion.** Mark Webber asked what the benefits would be of this upgrade. Dave Cool stated that currently everything is in paper form and if there was a fire, it would be devastating. Also, through

human error, files do get misfiled, where this system the files will always be in the same location. The septic systems files would also have much easier access. They are still having discussions regarding allowing public access. **The vote was called for and passed 2-0.**

Under Miscellaneous, the next item was the Consideration of a Contractor Agreement for Appraisal Services for the Bartholomew County Assessor's Office as presented by Assessor Ginny Whipple via Zoom as follows:

- *Contractor Agreement*
 - *With Don R Scheidt & Co.*
 - *For:*
 - *Consulting*
 - *Analysis*
 - *Appraisal Consulting*
 - *Appraisal Services*
 - *December 1, 2020 to December 31, 2022*
 - *Not-To-Exceed Amount of:* ***\$46,000***

Assessor Whipple stated this is the same Contract as we have had. It replaces the Contract that just ended. **Commissioner Kleinhenz motioned to Approve the Contractor Agreement as presented for a not-to-exceed amount of \$46,000. Commissioner London seconded the motion which passed 2-0.**

The next item was discussion regarding animal control concerns. Via Zoom were Nancy Ray, Kathy Armstrong, Kate O'Halloran, Elaine DeClue, Susan Fields, Tammie Hawley, Brittany Kiel, Amy Scrogan and Abby Ford. Nancy Ray spoke regarding a dog named Thor. He was malnourished and in need of care. In 2018, a neighbor had spoken to several officials and was told there was nothing they could do. Thor died recently, 3 years later, due to continued lack of medical care. She feels a special meeting to be held. They want to update to 2021 standards. Commissioner London asked about the results on the necropsy of Thor. Ms. Ray stated that they did have results and Thor did have cancer. Commissioner London stated that anytime 2 or more Commissioners are in attendance at a time, requires a public meeting which has to be published and is open to the public. He asked if cancer could affect his weight. Commissioner Kleinhenz stated that his continued abuse also affected his weight

loss. Ms. Ray stated that she does not know what the Standard Operating Procedures are for Animal Control, but she would love to see something in place that would have allowed them to have kept the dog instead of returning him to the owner. Commissioner London stated that he wasn't elected at the time the dog was first returned. Thor was not returned the third time, but it was all 3 Commissioners and Animal Control that stepped up, not just Commissioner London. The dog was returned in 2019 but not by an order of the County Commissioners. Ms. Ray believes it was Animal Control Director Mark Case. Director Case stated that the first time he was returned was due to the Prosecutor not pursuing charges. He does not recall a second time. He picked him up the first time and the last time. Tammie Hawley stated he was picked up the second time on January 19th of 2021. She stated that Mark Case picked him up and he told her that he stated the Prosecutor's Office had tied their hands and there was nothing they could do. Ms. Ray asked if the Prosecutor will not file charges, does Director Case still have to give the dog back to the owner. Director Case stated that it probably does fall on him. Ms. Ray asked if he had an SOP to follow as to the steps to take. Commissioner Kleinhenz stated yes, there are procedures in place. Elaine DeClue asked what the chain of command is for a call. Director Case stated that dispatch is called and an Animal Control Officer will investigate. If the dog is not emaciated, the owner is given time to resolve the issue. If a fine is issued and not paid, then he turns it over to the County Attorney and Prosecutor's Office. Thor's owner was fined the first time and the owner was in jail the second time. They filed charges with the Prosecutor's Office. Commissioner Kleinhenz asked to move this conversation on as this is not a court hearing. Ms. DeClue does not understand what has happened with this dog. Commissioner Kleinhenz stated that government can only do as the law allows. We have 200 employees with the responsibility of making certain people obey the laws, yet we have a jail full of people that do not obey. We have one full-time Animal Control Officer and we do a relatively good job. Ms. DeClue stated that she understands but they have 700 to 800 people that are concerned about this case. Attorney Tucker stated that the dog died in the care of a rescue organization of cancer. Ms. Ray stated that the dog was taken by the rescue group to an animal hospital and spent thousands of dollars trying to save him. Brittany Kiel stated that she has heard multiple cases of sick dogs where the dog was taken and returned only to be back in the same situation or worse. She recommends not giving sick dogs back. Director Case stated he had not heard of these and asked for names. She did not have them with her at this time, but she will e-mail them to him. There may be some confusion as to City and County. Kathy Armstrong stated that she knows the Animal Control Director is in a tough situation with his hands tied. She is hopeful that we can create

the rules and procedures to help him out. Commissioner London stated that ultimately he is not sure that you can make certain that it never happens again. He feels a lot of this is a financial and education issue. He would like to use this Animal Advocacy Group to educate people on items just like this. The Commissioners have been working on their animal ordinances, which were updated a couple of months ago and they have taken it seriously. They were too late for Thor and hopefully we can save the next one. Ms. Hawley stated that we do have control over giving an animal back. Commissioner London stated that they have to be careful because animals are considered personal property. Commissioner Kleinhenz stated that they have heard their concerns and they will do everything that they can to do better going forward. He stated that after making a quote to the newspaper over the weekend, he had a call about the Children Advocacy Groups that should be receiving the COVID Premium Pay. It caused him to think about this issue as they do not have another “level” that goes into talk with the animal owner. Commissioner London stated that his 14-year daughter just adopted 2 kittens from CARE last week. Animals are personal property so you have to watch what you do with the animals. They need to see how the changes they recently made pan out and then adjust as they go forward. Commissioner Kleinhenz stated that they have discussed stepping up their effort regarding tethered dogs. They are trying to be more proactive with these animals without rewriting their Ordinances. Commissioner London stated that when it comes to the tethering laws and the temperature, he had reached out to several animal experts and veterinarians and asked if a dog is tethered outside for 5 hours is abuse; is a dog outside in 15 degree temperatures abuse; and is a dog outside in 90 degree temperatures abuse. He was told no; you need other things for abuse. Is the animal able to seek comfort at will? Ms. Hawley recommended that when they have these Zoom meetings, they need to set up a queue. She stated that a starving animal that gets loose, they become a public nuisance as they are looking for food and you don’t know what they would do. Ms. O’Halloran stated that she is aware of a group of people that was formed and then went to the people to see if they could help a person with sheltering/penning animals, even going as far as building a fence free of charge. She feels that if the advocacy group was brought in to provide what is necessary to help the animal, there would be those that will fight at every turn. There are things the advocacy group can help where the laws aren’t clear. She feels that there needs to be some way for the 2 groups to come together and use their energy to help the animals. Ms. Scroghan stated that she was new to this advocacy group. She is just here to support the others. She was able to donate some time at the Humane Society. Commissioner Kleinhenz stated that he has a couple of e-mails that he will put in the public record. He won’t identify the

individuals. One person had stated that the Commissioners had said that “there was not enough public interest to pursue this issue”, which is incorrect. They do not base their agenda on public pressure or how the wind is blowing. Another one is where it was stated that “concerned citizens that will not vote for you” and “will work against you”. There was another email that stated “Tony London is the only Commissioner that cares about animals”. Commissioner London stated that he cannot do anything alone; it takes all the Commissioners to accomplish anything. Commissioner Kleinhenz stated that they do not want to grow government. He hopes to continue to work with this group to make things better. Ms. Ray stated that this has helped as she was unaware of the work they have been doing in regards to the animal issues. Commissioner Kleinhenz stated that they had recently spent a whole day dealing with a single dog. Ms. Ray stated that the Bartholomew County Humane Society has renamed their food give-away program to Thor’s Pet Pantry. People can go to the Humane Society and get food. Her group raised \$742 to donate to the Heritage Fund for vet care. Commissioner London stated that the work investigating the one dog had been done by the other Commissioners as he was unavailable to attend.

The next Commissioners Meeting will be **Monday, December 20, 2021 at 10:00 a.m.**

There being no other business, the meeting was adjourned at 11:22 a.m.

BARTHOLOMEW COUNTY
COMMISSIONERS

LARRY S. KLEINHENZ, CHAIRMAN

CARL H. LIENHOOP, MEMBER

TONY LONDON, MEMBER

ATTEST:

PIA O’CONNOR