

## COMMISSIONERS' MEETING

January 24, 2022

The Bartholomew County Commissioners met on January 24, 2022, in the Commissioners Chambers of the Governmental Office Building, 440 Third Street, Columbus, Indiana. Commissioners Larry S. Kleinhenz, Carl H. Lienhoop and Tony London were present. Auditor Pia O'Connor, Attorney Grant Tucker and County Administrator Tina Douglas were present.

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

The first item was the Approval of minutes of January 10, 2022. **Commissioner London motioned to Approve the Minutes as presented. Commissioner Kleinhenz seconded the motion which passed unanimously.**

The next item was the Approval of Payroll. **Commissioner Kleinhenz motioned to Approve Payroll as presented. Commissioner London seconded the motion which passed unanimously.**

The next item was the Ratification of Claims. **Commissioner London motioned to Ratify the Claims as presented. Commissioner Kleinhenz seconded the motion which passed unanimously.**

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

<i>Time frame</i>	<i>New permits</i>	<i>Fees</i>	<i>Value</i>
01/10/22 to 01/14/22	22	\$3,333.00	\$1,914,320

The next item was the Proposal for one ice machine for the new Highway Garage Facility as presented by Maintenance Director Rick Trimpe as follows:

- |  |                   |
|--|-------------------|
| • <i>South Central Co, Inc. (Columbus, IN)</i>                     | <i>\$4,386.85</i> |
| • <a href="http://www.Amazon.com">www.Amazon.com</a>               | <i>\$4,394.00</i> |
| • <a href="http://www.acitydiscount.com">www.acitydiscount.com</a> | <i>\$4,394.00</i> |

This will be paid for out of ARP funds. Director Trimpe stated that this is more sanitary than the older ice machines. This machine includes a place to get ice water. It is in stock in Indianapolis. **Commissioner Kleinhenz motioned to Accept the low bid from South Central Co., Inc. in the amount of \$4,386.85. Commissioner London seconded the motion which passed unanimously.**

The next item was the Weekly Highway Crew Report as presented by Highway Engineer Danny Hollander (via Zoom) as follows: crack sealed in Harrison Township; patched roads in Jackson Township; ran the ditcher in Harrison Township; moved pipe in storage from the old garage to the new garage; and washed trucks.

The next item was the Presentation of the November and December Monthly Highway Financial & Budget Reports and the December Highway Crew Accomplishments as presented by Engineer Hollander. Engineer Hollander stated that the MVH revenues were higher than expected for last year. **Commissioner Kleinhenz motioned to Accept the Reports as presented. Commissioner London seconded the motion which passed unanimously.**

The next item was the Consideration of a Financial Commitment Letter to INDOT for the Community Crossing Matching Grant (CCMG) Applications for 2022 as presented by Engineer Hollander as follows:

- *Financial Commitment Letter stating:*
  - *Bartholomew County has the funds available and set aside to match the cost*
  - *Applications #11451*
  - *Expected Cost of Project:       \$2,000,000.00*
  - *County Match Amount:         \$1,000,000.00*

**Commissioner Lienhoop motioned to Accept and Sign the Financial Commitment Letter to INDOT as presented. Commissioner Kleinhenz seconded the motion which passed unanimously.**

The next item was the Consideration of a Lease Agreement with Gravity Diagnostics, LLC. for a Temporary COVID-19 Testing Site as presented by Health Department – Nursing Director Amanda Organist as follows:

- Indiana Department of Health has partnered with Covington, Kentucky based “Gravity Diagnostics” to provide staff and supplies needed to collect and analyze up to 5,000 COVID-19 test per day (throughout the State) including Rapid & PCR tests.
- The State hopes to have up to 45 sites available throughout the State if the need warrants.

- Gravity Diagnostics will be using the “old” Public Nursing site at 2675 Foxpointe Drive, Suite B and will be responsible for maintaining adequate insurance to cover loss or damage & required to maintain liability insurance, in an amount acceptable to the landlord (Commissioners).
- Term: February 1, 2022 to July 31, 2022

Director Organist stated the last time the State provided testing, it was done at the Fair Oaks Mall. This is just to utilize the previous Nursing building. **Commissioner Kleinhenz motioned to Accept the Lease Agreement with Gravity Diagnostics as presented. Commissioner London seconded the motion which passed unanimously.** Commissioner Kleinhenz stated that we are required to provide space for this testing site. We are not expending money due to having the previous Nursing Facility available.

The next item was the Consideration of Contractor Agreements for the Health Department – Nursing Division as presented by Director Organist as follows:

- ***Rachel Bryant***
  - *Full Time Contractor Agreement*
  - *For RN to Assist in COVID-19 Clinics, investigations and other duties as assigned by the Director of Nursing.*
  - *Compensation is \$28.00 per hour.*
  - *Paid out of ARP Funds.*
  - *Specific Dates & Hours worked shall be agreed upon on a weekly basis for the duration of the agreement.*
  - *Term: February 7, 2022 through December 31, 2026.*

**Commissioner Lienhoop motioned to Accept the Contractor Agreement with Rachel Bryant as presented. Commissioner Kleinhenz seconded the motion which passed unanimously.**

- ***Tracy Day***
  - *Full Time Contractor Agreement*

- *For RN to primarily assist as School Liaison, COVID-19 Clinics and other duties as assigned by the Director of Nursing.*
- *Compensation is \$45 per hour.*
- *Paid out of Grant Funds.*
- *Specific dates & hours worked shall be agreed upon on a weekly basis for the duration of the agreement.*
- *Term: February 1, 2022 through June 30, 2023.*
- *Grant Application was approved October 25, 2021 for funds through the Crisis COAG Supplemental Workforce Grant to provide the Local Health Department with a School Liaison to Schools in the County to assist with COVID needs.*
- *Amount requested:     \$330,000.00*
- *County Council approved use of the funds on January 11, 2022.*

Director Organist stated that they were granted 3 positions. This is to fill the first position. **Commissioner Kleinhenz motioned to Accept the Contractor Agreement with Tracy Day as presented. Commissioner London seconded the motion which passed unanimously.** Director Organist has another person to interview next Monday. She is still looking for people to fill the 3<sup>rd</sup> position. Mark Webber asked about the backgrounds of the personnel above. Director Organist stated that Tracy Day is a student at IUPUC working on her Bachelor's Degree. Rachel Bryant was working at Atterbury and was looking for another job.

The next item was the Consideration of an Equitable Sharing Agreement and Certification for the Prosecutor's Office as presented by Office Manager Brenda Mijares as follows:

- *Equitable Sharing Agreement & Annual Certification Report for Prosecutor's Office.*
- *Completion of the Certification which reports asset seizure money received and spent for the year is required annually to comply the National Code of Professional Conduct for Asset Forfeiture.*
  - *Beginning Equitable Sharing Fund Balance & Funds Received:*     \$2,637.36
  - *Shared Funds Spent:*     \$     0.00
  - *Remaining balance for the year ended 12/31/21*     \$2,637.36

*\*\*\*Electronic submission must be sent within 60 days of the end of the Agency's fiscal year to the Department of Justice and the Department of the Treasury\*\*\**

Manager Mijares stated that they present every year for the Federal Government. She is asking to be allowed to electronically file this. Their amount is much less than the Sheriff's amount. **Commissioner Kleinhenz motioned to Accept the Equitable Sharing Agreement for the Prosecutor's Office as presented. Commissioner London seconded the motion which passed unanimously.**

The next item was the Consideration of an Equitable Sharing Agreement and Certification for the Sheriff's Department as presented by Chief Deputy Chris Lane as follows:

- *Equitable Sharing Agreement and Annual Certification Report for the Sheriff's Department.*
- *Completion of the Certification which reports asset seizure money received and spent for the year is required annually to comply the National Code of Professional Conduct for Asset Forfeiture.*
  - *Beginning Equitable Sharing Fund Balance:* \$ 24,456.01
  - *Total Equitable Sharing Funds Received:* \$218,068.60
  - *Expenditures spent for Law Enforcement equipment, training and education:* \$ 10,717.54
  - *Remaining balance for the year ended 12/31/21* \$231,807.07

*\*\*\*Electronic submission must be sent within 60 days of the end of the Agency's fiscal year to the Department of Justice and the Department of the Treasury\*\*\**

Chief Deputy Lanes stated that this is the annual report they are required to file. They had a large seizure near the end of last year. **Commissioner London motioned to Accept the Equitable Sharing Agreement for the Sheriff's Department as presented. Commissioner Kleinhenz seconded the motion which passed unanimously.**

The next item was the Consideration of a Memorandum of Understanding (MOU) between Bartholomew County, Bartholomew County Sheriff's Department and the Bartholomew Consolidated

School Corporation (BCSC) for a School Resource Officer (SRO) as presented by Chief Deputy Lane as follows:

- *Memorandum of Understanding with:*
  - *The Sheriff's Department and Bartholomew Consolidated School Corporation (BCSC).*
  - *The School Resource Officer (SRO) is an employee of the Sheriff and the salary and benefits will be paid for by the County. Bartholomew Consolidated School Corporation (BCSC) will fully reimburse the County for the SRO's salary and benefits.*
  - *The County will provide a police vehicle for the SRO. BCSC will provide gasoline for the SRO police vehicle up to a maximum of 130 gallons of gasoline per month per SRO vehicle.*
  - *2-year agreement.*
  - *Term: January 1, 2022 through December 31, 2023.*

Chief Deputy Lane stated these are the agreements with the schools for SRO's. BCSC pays for the entire year where FHSC pays only for the days of school in session. **Commissioner London motioned to Accept the MOU with BCSC as presented. Commissioner Kleinhenz seconded the motion which passed unanimously.**

The next item was the Consideration of a Memorandum of Understanding (MOU) between Bartholomew County, Bartholomew County Sheriff's Department and the Flatrock-Hawcreek School Corporation (FHSC) for a School Resource Officer (SRO) as presented by Chief Deputy Lane as follows:

- *Memorandum of Understanding with:*
  - *The Sheriff's Department and Flatrock-Hawcreek School Corporation (BCSC)*
  - *Sheriff to supply 1 Deputy for assignment within FHSC.*
  - *The School Resource Officer (SRO) is an employee of the Sheriff and the salary and benefits will be paid for by the County. Flatrock-Hawcreek School*

*Corporation (FHSC) will reimburse the County for 210 work days for the 2022 calendar year for costs associated.*

- *The County will provide a police vehicle for the SRO. BCSC will provide gasoline for the SRO police vehicle up to a maximum of 130 gallons of gasoline per month while school is in session.*
- *1-year agreement.*
- *Term: January 1, 2022 through December 31, 2022.*

**Commissioner Kleinhenz motioned to Accept the MOU with FHSC as presented. Commissioner Lienhoop seconded the motion which passed unanimously.** Chief Deputy Lane stated that last week they had several employees down with COVID, but things seem to be doing better this week.

The next item was the Consideration of Amendment No. 3 to the Master Service Agreement between HomeWAV, LLC and Bartholomew County, Indiana as presented by Jail Commander John Martoccia as follows:

- ***Amendment No. 3***
  - *HomeWAV will provide Compas Tablets for inmates to use for educations portion, providing a change for every inmate to obtain their GED.*
  - *Original Agreement signed December 30, 2019.*
    - *Master Service Agreement with HomeWAV to provide inmate telephone, remote video visitation, and messaging over the internet at the jail. The equipment listed on Exhibit A includes 47 kiosks, router, and 2 PoE switchers. In addition to telephone and remote video visitation, the system provides inmate email and messaging, paperless forms and documents, scanning and emailing inmate mail items, commissary ordering with the current provider, and professional visits, (e.g. public attorneys) as shown on Exhibit B. Cost of services will be paid by inmate fees, and so, the 4-year agreement comes with no cost to the County.*
  - ***Amendment No. 1*** *was approved February 3, 2020 adding 3 additional kiosks.*

- *Amendment No. 2 was approved April 5, 2021 – HomeWAV will now keep the video and voice recordings for a period of 1 year at no charge to the County. This was previously 90 days.*

Commissioner Kleinhenz wanted to commend Jail Commander Martoccia for the job he has done over the past 2 years with all the COVID issues and everything else going on. Jail Commander Martoccia stated that these are tablets for those inmates in good standing that could work on getting their GED including the test. There are no taxpayer dollars used for this. The tablets can also be used for communications with their families and to order from the Commissary. They can also look for employment. They can view the law library. It also goes along with their current drug treatment program and they can even have church services on these. They can purchase movies and music. It is all regulated by the Department. They will not have access to the internet with these tablets. **Commissioner London motioned to Accept Amendment No. 3 to the Master Service Agreement with HomeWAV as presented.** Commissioner Kleinhenz stated that he recognizes the difficulty of running the jail. He does understand that occupied hands help keep people out of trouble. The reasons he listed are good, but he feels that keeping them busy will be good. He remembers when the outgoing calls were collect or relatives were pressured to put money in their Commissary account. He is concerned this will make it easier and he is also concerned that an inmate watching a movie laying in his bunk is not what he envisions for an inmate. Commander Martoccia understands that completely. He does feel it will help with keeping them out of tearing up County property. Commissioner Kleinhenz stated it is a difficult issue. He is concerned that they will be fought over or damaged in fights. Commander Martoccia stated that charges would be sent to the Prosecutor's Office as they are done now for destroying any property. Each movie will be \$8-\$10 dollars, though there will be some free movies available to the inmates. Johnson County uses this program. Commander Martoccia believes Scott County is using a similar program. **Commissioner Lienhoop seconded the motion which passed 2-1 with Commissioner Kleinhenz as the dissenting vote.** John Clark asked what the cost would be. Commander Martoccia stated that there was no cost to the County and they would provide one tablet per inmate. John Clark asked how the company was making money. Commander Martoccia stated it is from the sale of movies and such.

The next item was the Auditor's American Rescue Plan (ARP) Report as presented by Auditor Pia O'Connor. This report must be submitted to the State by January 31, 2022. Auditor O'Connor

presented a spreadsheet for the Annual Report that is due to the Department of the Treasury. She based this report on the final rules that were made recently. They have expanded the scope of what can be expended. The amount of County Government Revenue that had to be calculated has changed in how it derived. The first column is what was approved in the budget. She has listed actual costs that have occurred. The \$10,000,000 can be used for Government Revenue losses. She has increased the amount for the Jail HVAC as they believe it will exceed the amount that was used as a place holder. The new report will have 5 line items as opposed to the previous report of 20 line items. Commissioner London stated that they have not substantively changed the plan but the Federal Government has changed the accounting of the funds. It is somewhat amazing that the Federal Government has streamlined a process. If a unit received less than \$10,000,000, they would not have any accounting to do. **Commissioner Kleinhenz motioned to Accept and Approve the ARP Report as presented. Commissioner London seconded the motion which passed unanimously.** Commissioners Kleinhenz and Lienhoop thanked Auditor O'Connor for her work on this. Commissioner London wanted to give her a pat on the back for her knowledge and work. Other communities have had to hire consultants to do this while we have an Auditor that is quite capable of this work.

The next item was the Consideration of Resolution 2022-1 Amending Resolution 2021-19 and Amending Resolution 2021-18 – A Resolution Establishing the Approval Process for the American Rescue Plan “Employee Premium Pay” as follows:

- ***Resolution 2022-1***
  - *Amends Resolution 2021-19 passed on December 20, 2021*
  - *Amends Resolution 2021-18 passed on December 6, 2021*
  - *This Resolution is to pay employees who were not listed in Resolution 2021-18 and Resolution 2021-19 who were required to report to work in person, during the period of the COVID-19 Public Health Emergency during 2020. The Resolution is effective immediately.*

Commissioner Lienhoop stated that this is to pay employees who were required to report in person during the COVID Emergency. **Commissioner Kleinhenz motioned to Approve Resolution 2022-1 as presented. Commissioner Lienhoop seconded the motion with passed 2-1 with Commissioner London being the dissenting vote.**

The next item was Discussion regarding Sponsoring the film “The Addict’s Wake” as follows:

- *The Commissioners will be hosting a “Recovery Out Loud Event” with a free viewing of “The Addict’s Wake” independent film by Glory Girl Production.*
- *This is a story of addiction in Brown County and throughout our Nation.*
- *Director Michael Husain, Producer & Executive Producer Lisa Hall*
  - *Recovery Out Loud – “The Addict’s Wake” film followed by Q&A*
  - *Date: Wednesday, February 9, 2022*
  - *Time: 6:00 p.m. to 9:00 p.m.*
  - *Location: YES Cinema, 328 Jackson St (downtown), Columbus, IN*
    - *Space is limited to no more than 100 attendees.*
    - *No outside food or drink will be permitted.*
    - *Concessions will be available by Yes Cinema.*

Commissioner London stated that they had frank discussions of addiction at the Commissioner’s Conference. He was introduced to this film at this conference. It was made in neighboring Brown County. It really hits home with addiction and mental health as well as the cost to the community. They are offering this film for communities. He approached the other Commissioners about hosting this movie and they were in agreement. He reached out to YES Cinema and they were on board. The question and answer session will be with actors from the film as well as community members that are involved in the addiction. **Commissioner London motioned to Host the film “The Addict’s Wake”.** **Commissioner Kleinhenz seconded the motion.** He did ask what the process was for the 100 people. Commissioner London stated that he would be at the door with a clicker. If the need is there, YES Cinema is willing to host another showing. The only cost is \$1,500 to the producer and that will be paid out of ARP funds. Council member Jorge Morales stated that he is in favor of it and it kind of mirrors what they are trying to do with ASAP. He stated it would be great if they can provide it electronically at the same time. Commissioner London stated that they are working on a link to start watching the movie at 7:00 with the YES Cinema group. He stated it is a hard film to watch as it actually shows the real use of Narcan. **The vote was called for and passed unanimously.** Commissioner London asked Mark Webber and John Clark to spread the word about this.

The next item under Miscellaneous was Elaine Tirmenstein. She wanted to speak regarding animal welfare and rescue. She stated that back in the 2020 census, the County had a population of 82,000 and about 70% of nationwide households had pets. She would like to see the following changes to the Animal Ordinances. She wonders what the plans are and what directions can they take to update the ordinances in regards to the care of animals. According to Section 3 under animal care, it states that no owner will be allowed to not feed, shelter and care for their animal. She feels that they need to establish guidelines as well as stiffer penalties for infractions. She thinks we all need to ban together to get this accomplished. Jill Nabors also spoke. She has made it her life's passion to protect animals. She noted the lack of females in the Commissioners meeting and wonders if that is why we are not interested in protecting animals. She moved here from Tennessee. She thought this community was progressive. She commends them for their work on puppy mills. But, nothing has been done to protect the next Thor case. They need the specific ordinances. This is a community issue. She understands that this is a farming community. She runs a 12-acre horse farm. She understands that funding is a huge issue, but Texas just updated their laws. They can use crowd funding. Nancy Ray also spoke. She wanted to comment on the tablets for the inmates. She thinks it is very sad that the inmates are treated better than the animals out in the weather. Commissioner Kleinhenz stated that Jill Nabors had read the email that she had sent. He stated that in August, they updated their ordinance and it was largely regarding puppy mills. However, every section was reviewed and updated as needed. Their goal is that every animal is fed, watered, and sheltered. He stated that they have so many laws on the books and there are so many people that break the laws and end up in jail. He agrees that animals need to have food, water & shelter, but it also infuriates him when someone abuses a family member. He is open to continue to hear and discuss, but creating laws is not always the answer. Commissioner London stated that they create ordinances for fines but they cannot cause someone to be arrested. Ms. Nabors stated that their comments are not the answer.

The next Commissioners Meeting will be **Monday, January 31, 2022 at 10:00 a.m.**

There being no other business, the meeting was adjourned at 11:16 a.m.

BARTHOLOMEW COUNTY  
COMMISSIONERS

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CARL H. LIENHOOP, CHAIRMAN

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LARRY S. KLEINHENZ, MEMBER

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TONY LONDON, MEMBER

ATTEST:

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PIA O'CONNOR