

## WHITLEY COUNTY COMMISSIONERS

October 3, 2022

The Whitley County Commissioners met in regular session Monday, October 3, 2022, at 1:00 PM in the Commissioners' Room located on the 1st floor of the Whitley County Government Center. Commissioners in attendance were Chair Chad Banks, Vice Chair Theresa Baysinger and Commissioner George Schrumpf. Others in attendance were Attorney Matt Shipman, Auditor Tiffany Deakins, Commissioner's Assistant Cami Hippenhammer, HR Director Jennifer Shinabery, Chief Deputy Auditor Tamela Tincher, Planning Director Nathan Bilger, Treasurer Kay Gatton, Clerk Cindy Doolittle, Recorder Rosemary Brown, Janelle Schmitt from the Whitley County Sheriff's Department, Paula Worden, Katy Fry, Scott Wagner, Brad Allen & Jenny Stephenson from the Engineer Office, Mark Sturtevant, David Waterman from Blue Lake Association, Beth Johnson from USI Engineering, Sarah Haag, Joan Null, Rob Schuman, Gene Cruise for Surf Internet, Ardonna Angel from the EDC, Kent Martin, Richard Brooks, Councilman Tom Warner, and John Phillips.

Chair Banks opened the meeting with the Pledge of Allegiance.

**COUNTY ATTORNEY REPORT:** Attorney Shipman stated that he has reviewed all documents for the upcoming tax sale, and everything is correct, he told the Commissioners that Thorncreek Township Fire Department will be burning the wood near the end of October from the storm in June.

**SURF BROADBAND UPDATE:** Gene Cruise was present to give the Commissioners an update on a grant that Surf had applied for on behalf of Whitley County. This grant could award 5.2 million dollars to the County if accepted. Surf still needs the 1.7 million dollars of the ARPA funds from the County and would now contribute 3.3 million of their own funds. If this grant is awarded 9,500 households would be able to get fiber internet instead of just the approximate 770 households that had previously been presented.

**ARPA RESOLUTION:** Attorney Matt Shipman worked with BakerTilly on completing the ARPA Resolution for the Commissioners. The Resolution is a plan that the Commissioners have come up with to spend the ARPA funds that have been awarded to Whitley County. If the resolution were to be approved, it would then go to the Council for final approval and anytime that the Commissioners would like to spend the money a authorization from the County Council would need to be approved. Commissioner Baysinger made a motion to approve Resolution 2022-10, seconded by Schrumpf and carried with a 2/1 vote with Banks voting against.

**ANNUAL BID NOTICE & US 33 UNOFFICIAL DETOUR:** Highway Director Katy Fry was present to seek approval for the annual notice to bidders for the Highway Department. Attorney Shipman did review the notice and stated that it is good. Commissioner Baysinger made a motion to approve the notice to bidders and allow for the Chair to sign. Schrumpf seconded the motion and it passed with a 3/0 vote. Katy let Commissioners know that INDOT will be replacing a bridge and are putting forward an unofficial detour for east or west off US 33. This document requires all three Commissioners to sign and is good to have, in case there is any damage from the detour to the roads that INDOT will repair them. Commissioner Schrumpf made a motion to approve, seconded by Baysinger and carried with a 3/0 vote. Highway Director Fry is seeking approval to move forward with an engineering study of Lincolnway west for the County. She is not requesting additional funds as she has the funds available in her budget, she just needs to get Council approval to transfer them. Commissioners asked that Katy speak to Council about this, and they do feel it would be a good idea to have the study completed. The cost will be \$44,000 to complete the study coming from the Highway budget. Commissioner Baysinger made a motion for a favorable pass to Council and allow Banks to sign the document, seconded by Schrumpf and passed with a 3/0 vote.

**IN THE MATTER OF DNR HISTORIC MUSEUM GRANT:** Commissioner Banks noted that the Commissioners tabled a part of the DNR grant application for the Museum at their last meeting. Cami Hippenhammer was able to verify that the ADA compliancy that was in question was fine and that Commissioners could move forward. Baysinger made a motion to approve the covenant, seconded by Schrumpf and passed with a 3/0 vote. There is also a matching form that needs to be re-signed as the dollar amount had changed since the last meeting, but still fell in the approved amount. Schrumpf made a motion to approve the new matching form, seconded by Baysinger and carried with a 3/0 vote.

**IN THE MATTER OF COMMUNITY CORRECTIONS MEETING DATES:** Community Corrections Director Paula Worden is seeking approval for the 2023 meeting dates for the Community Corrections Advisory Board and the Executive Committee. Commissioner Baysinger made a motion to approve the dates as presented, seconded by Schrumpf, and carried with a 3/0 vote.

**IN THE MATTER OF THE SOLAR ORDINANCE & PLAT APPROVALS:** Planning Director Nathan Bilger was present to have two plats approved and an ordinance for solar energy. The first plat is for Birchwood Acres Amended, this would be adding a 3<sup>rd</sup> lot and was approved by the Plan Commission at their September meeting. Schrumpf made a motion to approve the plat, with a second by Baysinger and carried with a 3/0 vote.

The second plat is the Stetzel Family Farm, this is a formality that requires platting, long-term they will plan on adding back on the buildings to the current platting. This was also approved by the Plan Commission. Commissioner Schrumpf made a motion to approve the request, seconded by Baysinger and passed with a 3/0 vote. The Commissioners have been asked to pick one of four presented Solar Code Ordinances for Whitley County. Commissioners tabled the ordinance at the last meeting so that other options could be presented regarding the decommissioning of the solar panels. Nathan presented 4 options and the Commissioners decided to go with alternate 2 which would require a bond be held, but the property owners would hold the surety bond not the county. Commissioner Baysinger made a motion to approve Ordinance 2022-17 with alternate 2, Schrumpf seconded, and the motion passed unanimously with a 3/0 vote. Nathan gave a brief update on US 30 and let Commissioners know that INDOT is moving forward with a study of US 30 that should be completed in the next two years.

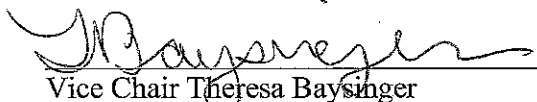
**MINUTES AND CLAIMS:** The claim distributions from September 20, 2022, through October 3, 2022, were reviewed by the Commissioners. Commissioner Banks checked the accounts payable, and payroll claims and noted that he saw the last expenses have been submitted for the Larwill sewer project to be paid from CEDIT. Baysinger made a motion to approve the payroll claims, seconded by Schrumpf and passed with a 3/0 vote. Commissioner Schrumpf made a motion to approve the accounts payable claims, with a second by Baysinger and carried with a 3/0 vote. The Commissioners reviewed the regular meeting minutes from September 19th, 2022. Commissioner Baysinger made a motion to approve the meeting minutes, seconded by Schrumpf and carried with a 3/0 vote.

**IN THE MATTER OF OTHER BUSINESS:** Commissioner Banks introduced the new Engineer for the county Brad Allen, Brad comes to the County from GII.

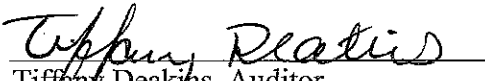
There being no further business and no further questions or comments from the public, Chair Banks adjourned the meeting at 2:07 PM.

#### WHITLEY COUNTY COMMISSIONERS

  
Chair Chad Banks

  
Vice Chair Theresa Baysinger

\_\_\_\_\_  
Commissioner George Schrumpf

Attest:   
Tiffany Deakins, Auditor