

**DAVIESS COUNTY COMMISSIONERS
MINUTES**

Tuesday, May 9, 2023

**Daviess County Commissioners Room, Daviess County Government Center
Washington, Indiana**

The Daviess County Commissioners met Tuesday May 9, 2023, at 9:00 AM in the Commissioners' Room of the Daviess County Government Center. (The Public is invited to watch a live stream of meeting, go to www.daviess.org and click "Watch Public Meetings")

Fr. Juan Ramirez from Our Lady of Hope Catholic Church gave the opening prayer.

ROLL CALL

Roll Call

Present: Nathan Gabhart, President, Ron Arnold, Secretary.

Absent: Michael Taylor, Vice President.

MEETING MINUTES 4/25/2023

Motion: Approved 4/5/2023 Meeting Minutes **Action:** Approved as presented, **Moved by** Ron Arnold, Secretary, **Seconded by** Nathan Gabhart, President.
Motion passed unanimously.

HIGHWAY DEPARTMENT

PROJECT UPDATES

MONTGOMERY BRIDGE

Chris Winkler, Daviess County Highway Department Supervisor, came to the Commissioners with the Montgomery Bridge update. Mr. Winkler stated the work crew are in the process of bringing the bridge down. Mr. Gabhart stated the County is working with the Town of Montgomery as far as getting more structure in the Agreement as to when payments will start, payment terms and the timeframe The Town of Montgomery will need to pay their portion back. Mr. Gabhart stated this will help future Commissioners as this will take several years to pay back.

HIGHWAY 50 PURCHASE UPDATE

Chris Winkler, Daviess County Highway Department Supervisor, gave the Auditor's office a signed copy of Road Transfer Memorandum of Agreement Between the Indiana Department of Transportation and Daviess County, Indiana Concerning the Transfer of a Portion of Old US 50 in Daviess County, Indiana.

BILLINGS MINE

Chris Winkler, Daviess County Highway Department Supervisor, stated he sent an email to Michael Castillo that is working with the surety company. Mr. Winkler and Mr. Castillo are to meet in 2 weeks to get an update. Mr. Castillo stated they are trying to combine the Shamrock Mine in Dubois County and the Billings Mine work at the same time since equipment will be in the area. Mr. Castillo believes they can get the 700 E, south of Old Highway 50, road back in. Mr. Winkler and the Commissioners discussed whether the road needs to be redesigned. Mr. Winkler stated the road will just need to be re-connected at 700E and the south end at the dead end.

SPECIAL PUBLIC MEETING UPDATE

Chris Winkler, Daviess County Highway Department Supervisor, talked about a special public meeting of the Daviess County Commissioners that was held at the Highway Department on May 2, 2023, at 12:00 PM. In attendance were all three commissioners, the highway superintendent, County Attorney, and three management attendees from Responsible Energy Operations LLC, or REO, Josh Phillips, Kevin Houston and their attorney, Will Illingworth. The Commissioners sought further assurances that the 30-month closure of CR 200 N (at the Antioch mine) would be sufficient, and County Road (CR) 200 N would be returned to its current condition or better after 30 months. The reopening date of the road would therefore be in June/July 2025. REO provided assurances by showing a rendering of their mining activity and that they will be back filling the pit with dirt, such that 30 months (from the December 2022 agreement date) should be sufficient to get CR 200 N. back in place. REO also explained they currently have strong demand for this type of coal from Duke Energy and other buyers, therefore showing the removal of this coal and such reclamation is a priority. The parties discussed the \$86,000 road bond REO posted and the \$5.5-million-dollar reclamation (or surety) bond to bring the dirt back to grade. The County has received \$240,000 per closure agreement for the purpose of hard surfacing CR 500 E as an additional route to be used by the public. The coal company/REO agreed to attend meetings on August 22, 2023, and November 28, 2023, to provide quarterly updates to the commissioners. REO also agreed to provide a more specific date for the closure of CR 200 N. The Commissioners specifically stated they do not plan to extend beyond the 30-month date, and that any extension requires the approval of all parties, and that it does not appear that REO needs longer than 30 months to extract the coal. Upon motion made and seconded, with no further business, the meeting was adjourned.

4H PAKING LOT

Chris Winkler, Daviess County Highway Department Supervisor, stated they have started to receive checks from EDC and the City of Washington on the 4-H joint parking lot project. Mr. Gabhart stated as far as the County's responsibility, the project is finished. The 4-H plans on removing a building then plan on rebuilding on the lot. 4-H may call the County Highway Department when they are ready to start building the planned building to pave up to the new building. The Commissioners stated it's not a guarantee, but they would look into it and help if they can.

COMMUNITY CORRECTIONS PARKING LOT

Chris Winkler, Daviess County Highway Department Supervisor stated they put gravel down in the Community corrections parking lot.

ROAD UPDATES

Chris Winkler, Daviess County Highway Department Supervisor stated they have put gravel down on CR250S between CR125E and Highway 257. They are putting gravel down on CR325S between CR250Ss and CR225S. There are a couple landowners on CR 225S, 325E and 400 E not wanting to sign the agreement for the right-a-way so they may have to cut off that project and not be able to make it all the way through.

ISOLATION PROTOCOL- DAVIESS COUNTY HEALTH DEPARTMENT [doc 1](#), [doc 2](#), [doc 3](#)

Dr. Holsopple, County Health Officer, stated his appreciation of how quickly the Montgomery Bridge project has been moving. Mr. Gabhart thanked Dr. Holsopple, whose office is next to the bridge, for his cooperation since his office is directly affected by the construction.

Dr Holsopple, County Health Officer, stated they have met with the County Judge, Sheriff Department, City of Washington Police, City of Washington Mayor and Child Services due to the increase in

Tuberculosis in the county. HIV, Syphilis and Gonorrhea are also on the rise in the County. Dr. Holsopple stated if there is active Tuberculosis in the County, there must be some isolation. The Health Department went to the Judge inquiring on the protocol for isolation. Judge Smith wrote up an Isolation Protocol, which was presented to the Commissioners. Dr. Holsopple stated the Health Department will keep the Commissioners in the loop of what needs done. Dr. Holsopple stated the protocol outline is more on an individual basis than a mass outbreak. It does address some mass outbreaks, whether it be schools or other outbreaks. Dr. Holsopple stated the Health Department will come back to the Commissioners if something needs addressed. Mr. Gabhart stated he is willing to be the contact person if something needs to be addressed and he will inform the other Commissioners and Jen Welsh, Daviess County Auditor or the Health Department can include all the Commissioners in the email. Mr. Arnold asked Dr. Holsopple to be more specific on the numbers of HIV in the County. Ms. Sullender came to the podium and informed the Commissioners that the number of cases of HIV in Southern Indiana has increased significantly. We had 7 cases of HIV, but 2 cases left the community so currently Daviess County has 5 cases. The Health Department is currently trying to find the source of the disease in the County. The Health Department has started offering free HIV testing. Mr. Swartzentruber, County Attorney, stated there is a petition that needs to be prepared for an order of isolation for quarantine so that's been submitted together with the other material. Mr. Swartzentruber requested that the Commissioners formally approve the Petition as it is. Mr. Swartzentruber stated Judge Smith had some small changes to make to the Petition. Mr. Swartzentruber stated this will be an evolving process. Dr. Holsopple stated so far, the Health Department has not had to use the Isolation Protocol.

Motion: Approved Isolation Protocol, **Action:** Approved as presented, **Moved by** Ron Arnold, Secretary, **Seconded by** Nathan Gabhart, President.

Motion passed unanimously.

PRESCRIBED CONTRACT FOR ANNUAL ADJUSTMENTS AND CYCLICAL REASSESSMENT- CRYSTAL OSTBY

The Commissioners were presented with the final Contract for Annual Adjustments and Cyclical Reassessment with Nexus that was approved at the last meeting.

Motion: Approved Contract for Annual Adjustments and Cyclical Reassessment with Nexus, **Action:** Approved as presented, **Moved by** Ron Arnold, Secretary, **Seconded by** Nathan Gabhart, President.

Motion passed unanimously.

INQUIRY TO PURCHASE 5 NE 15TH ST - GARY RAUSCH

Ron Arnold, County Commissioner, stated Mr. Rausch called him inquiring about purchasing the property at 5 NE 15th Street in Washington. Grant Swartzentruber, County Attorney, stated in the past the neighbors have been notified, per a statute, inquiring if any neighbors were interested in the property. Mr. Swartzentruber stated there were no interested parties. Mr. Swartzentruber stated two appraisals were needed to allow the County to sell. Mr. Swartzentruber stated the County cannot sell for less than the midpoint of the two appraisals. Mr. Gabhart suggested that if they have no need for the property that the County move forward obtaining the two appraisals. Mr. Swartzentruber suggested asking Mr. Rausch to place a bid and see if it falls in the range needed with the appraisals. Mr. Gabhart asked Mr. Swartzentruber to help guide the County in the selling process going by the statute. Mr. Swartzentruber, at the request of Mr. Arnold, is to review the statutory process to figure out if an appraisal is necessary in the selling process.

Mr. Gabhart also stated he had someone reach out to him inquiring about purchasing a lot on Vantress Street, but they have not sent the exact location yet. Mr. Gabhart is supposed to receive an email with the address.

OCRA COMMUNITY DEVELOPMENT BLOCK GRANT- CARRIE J. SHAW

Carrie Shaw, Grant writer with the Daviess Community Hospital, came before the Commissioners requesting approval to apply for The OCRA Community Grant under the facility planning portion. The hospital would use these funds to build a new EMS station. The Hospital is currently doing renovation on the 3rd floor where the EMS station is currently stationed. The hospital will be relocating the Med Surg patients to the 3rd floor after the renovation. The EMS would then lose their housing station. The hospital is looking at building on property the hospital currently owns on Bedford Road behind the medical clinic. The hospital has met with the Southern Indiana Development Commission who would be the grant administrators. SIDC advised the hospital that the County must apply for the grant with the hospital being the sub-awardees. Ms. Shaw stated that the Grant was up to \$500,000.00. Ms. Shaw stated this is not a guarantee. They will open it up for a bid, contractors will bid on the project, and whoever comes in with the most appropriate bid will win the contract. The Hospital is asking the County to consider applying for the Grant. Mr. Gabhart asked if the Hospital is required to award the bid to the lowest bid or if they could award the bid to the most reputable contractor. Ms. Shaw stated the award will go to the lowest bid, but they will make sure they are qualified. Mr. Arnold explained that SIDC has a scoring process on bids and that it is not solely based on the lowest bid. They have many considerations when determining who wins the bid. Ms. Shaw stated the winning bid must be a state certified engineer. Ms. Shaw stated the Hospital will handle all the paperwork. Ms. Shaw stated she is currently going through the training process to become an auditor to handle the grant process for these types of grants. Mr. Gabhart stated he thinks it is a great idea to have a standalone EMS station to give EMS a permanent location. Mr. Gabhart also stated the Commissioners will do anything to support that.

Motion: Approved OCRA Community Grant Submission, **Action:** Approved as presented, **Moved by** Ron Arnold, Secretary, **Seconded by** Nathan Gabhart, President.

Motion passed unanimously.

VISITORS BUREAU COMMISSION UPDATES

Nathan Gabhart, County Commissioner, stated they are close to having a Contract in place for the Visitors Commission and the Executive Director of the Chamber. Darin Holder, Daviess County Councilman, and Mr. Gabhart received the Visitors Commissions scope of work The Visitors Commission wanted to develop. Mr. Gabhart stated it was practical and logical. There are a few changes The Board of Commissioners want to make. One being, they are to follow the same invoice cycle as the County and to ensure everything will run through the Auditor's office with no weekly mandates. Second, an annual update to the Commissioners at the end of the Fiscal Year is required. Mr. Gabhart stated currently, that is May 31st in going more with the budget year but there is another stipulation that the budget must be submitted by June 15th. Mr. Arnold stated the report specified the reporting is on a periodic basis. The Visitor's Commission is mandated to report annually but the Commissioners can request it at any time. Mr. Arnold and Mr. Gabhart agreed that until things run smoothly, the Visitors Commission will report quarterly. Mr. Gabhart stated the Commissioners has informed the Visitor's Commission that the Foundation component to the Commission was a good thought but the involvement and communication back to their Governing Body was not very good, so the Commissioners ask they cease any operations for the Foundation Component with no subsidiary group. Mr. Gabhart stated this will be one group and they are in this together. The Council will review the Ordinance then both the County Council and The Board

of Commissioners will approve the Ordinance because there are elements that reflect both. Mr. Swartzentruber stated the scope of work should reflect and state that the Chamber of Commerce will follow and abide by whatever Ordinances that are passed.

COURTHOUSE RENOVATION UPDATES

Nathan Gabhart, County Commissioner, stated RQAW are in their 2nd round of meetings today with Courthouse Department Heads. The design process is scheduled to be wrapped up on May 23rd. The construction documents will then be created, and bids will be put out in June/July. The bids should be coming back in July/August. Decisions will then be made. The County Council is currently looking at ways to fund the project based on the potential dollar amounts. Mr. Gabhart stated that in August/September, the Commissioners will be looking at secondary space for the different departments during renovations. That will be at the end of the 2nd quarter/beginning of the 3rd quarter. Mr. Arnold asked if RQAW has indicated how much space will be needed. Mr. Gabhart stated RQAW has not given any specifications yet. Mr. Gabhart stated that some departments will go fully remote, as they have the capability to do so. The Commissioners will look at the specifications the other departments that don't have the capability to go fully remote. Mr. Gabhart stated he met with Dale Quackenbush, County IT Department, last week. Some departments are going to need video, and some will need audio. The Commissioners will then score each room, examples being the basement of the Annex building, the old Mapping Office and the Commissioners Room. The Commissioners will then see which room has the specs and square feet fitting the needs of each department. Mr. Arnold stated the idea is to completely vacate the courthouse during renovation. Mr. Gabhart stated if all bids come back appropriately, the renovation is on track to keep moving forward.

PAYROLL DOCKET- Payroll Docket 5-5-23

Motion: Approved Payroll Docket, **Action:** Approved as presented, **Moved by** Ron Arnold, Secretary, **Seconded by** Nathan Gabhart, President.
Motion passed unanimously.

CLAIMS DOCKET - 4/25/23 Postage docket, 4/28/23 Utility Docket, 5/12/23 Claims docket

Motion: Approved Claims Docket, **Action:** Approved as presented, **Moved by** Ron Arnold, Secretary, **Seconded by** Nathan Gabhart, President.
Motion passed unanimously.

INFORMATION

VETERAN AFFAIRS TRAINING

ADJOURN

Motion: Approved **Action:** Adjourn, **Moved by** Ron Arnold, Secretary, **Seconded by** Nathan Gabhart, President.
Motion passed unanimously.

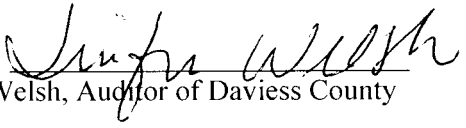
BUDGET REPORT

Nathan Gabhart 5-23-23
C. Phil Tal 5-23-23
Ronald 5-23-2023

President, Nathan Gabhart

Secretary, Ron Arnold

Vice President, Michael Taylor

ATTEST: 
Jennifer Welsh, Auditor of Daviess County