

**BE IT REMEMBERED THE BOARD OF COUNTY COMMISSIONERS** met in the Henry County Courthouse Circuit Courtroom on Wednesday April 12, 2023 at 11:00 a.m. with the following members present: Steve Dellinger, Joe Wiley, Bobbi Plummer, Debbie Walker; Henry County Auditor and Joel Harvey; County Attorney.

Steve Dellinger called the meeting to order with the pledge followed by a prayer, led by himself.

Bobbi Plummer made a motion to approve the minutes from the previous meeting. Motion was seconded by Joe Wiley and carried 3-0.

Bobbi Plummer made a motion to approve the claims. Motion was seconded by Joe Wiley and carried 3-0.

Bobbi Plummer made a motion to approve the payroll. Motion was seconded by Joe Wiley and carried 3-0.

Bill Upchurch, Henry County Treasurer, spoke about the most recent tax bills that were mailed out. He explained that since 2008 Henry County has used First Financial Bank's lockbox to help process payments, but First Financial is now using a third party that is located in Cincinnati so Henry County switched to First Merchant's Bank's lockbox which is located in Daleville.

Bobbi Plummer made a motion that was seconded by Joe Wiley to recess the Commissioner Meeting. Motion carried 3-0.

Lisa Loveless, Henry County Recorder, introduced herself as Secretary of the Commission of Public Records and held the meeting.

Steve Dellinger called the Commissioner's meeting back to order.

Bobbi Plummer made a motion to approve monthly reports from InTech and the Jail Annual Report. Motion was seconded by Joe Wiley and carried 3-0.

Bobbi Plummer made a motion to approve the following food and beverage claims: \$3,749.25 to Wayne County Sales, LLC for Project#40 Jordan Arena, \$1,052.63 to Pritchett's Backhoe Services, LLC for Project#43 Osborne Park Softball, \$20,000.00 to M.L. Taylor Construction for Project#41 New Castle Little League Lower Diamond, and \$105,000.00 to K&K Fence Co. Inc. for Project#43 Osborne Park Softball. Motion was seconded by Joe Wiley and carried 3-0.

Corey Murphy, President of the EDC, requested approval to apply for the OCRA grant for small businesses. He stated that at the most recent Council Meeting, the Henry County Council appropriated \$6,000.00 for matching grant funds. The grant would give up to \$10,000.00 to small businesses that apply and are approved. Bobbi Plummer made a motion to allow the EDC to apply for the OCRA grant. Motion was seconded by Joe Wiley and carried 3-0.

Corey Murphy gave an update on Ready 1.0 which gives \$1.6 million to four projects, \$1 million to State Road 109, \$220,000.00 to the Wilbur Wright Trail, \$190,000.00 to the Knightstown Library for ADA accessibility, and \$190,000.00 to the YMCA for a building expansion. Corey is planning to get a committee of representatives together to possibly re-allocate some of these funds.

Corey Murphy gave an update on Ready 2.0. There is a bill that is close to passing that would allocate \$500 million to the IEDC. They are recommending that the regions remain the same. The eight counties in the EIRPC would serve as a fiscal agent in the application. The focus areas are quality of life, quality of place, and quality of opportunity. The EDC plans to use the existing plan. Mr. Murphy believes that projects that are ready to go will be most competitive for the ready dollars.

Corey Murphy gave a brief update on Make My Move. The first mover moved to Spiceland, and they are very close to a second mover. Over 13,000 viewed the website, over 1,200 applied and, over 146 have been pre-approved. There have been 23 offers and 7 acceptances. Penny York has been working hard on this project.

Corey Murphy stated that the Henry County Redevelopment Commission advertised for bids to install water and sewer along Hayes Way, Hayes Way is the relatively new road that connects Brooks Drive to Commerce in the Industrial Park. The bid opened on April 11<sup>th</sup> so work should begin in the next 30-45 days. The RDC took the first step on the plan amendment, and it is scheduled to be adopted by the Planning Commission next week, then it will come to the Commissioners for approval.

Bobbi Plummer made a motion to accept the proposal from East Cost Underwriters Proposal for medical stop loss, with no increase in price from the previous year's contract. Motion was seconded by Joe Wiley and carried 3-0.

Angela Cox spoke about the LIVE Coalition, they successfully submitted their first federal grant for the drug-free communities through the CDC. Angela thanks Debbie Walker, Henry County Auditor for helping with the process. Angela provided the Commissioners with a copy of the work plan that they submitted with the grant that will cover the first year. The grant will begin September the 1<sup>st</sup> and then they will be able to hire a full-time person through the grant. There are twelve sectors of the community that help build the Coalition with volunteers.

Bobbi Plummer took a moment to recognize all departments and thank them for their hard work during this busy season.

Angela Cox announces that the Health Department and LIVE Coalition were able to bring a documentary about Brown County, IN to our community on May 4<sup>th</sup> 2023 at 5:30 p.m. in the First Baptist Church. This is a story about a family who lost a child to an overdose. The family will be in attendance for a Q&A session after the showing.

Angela Cox discusses the opioid settlement money. She is requesting to have a plan for the money based on Henry County's current needs for substance abuse and mental health treatment. Bobbi Plummer voices her support for Angela to move forward with a plan.

Susan Lightfoot, Chief Probation Officer, requests permission to apply for the JRAC grant in the amount of \$122,832.00. Bobbi Plummer made a motion to approve moving forward and applying for the JRAC grant for the probation department. Motion was seconded by Joe Wiley and carried 3-0.

Brian Clark, Henry County Coroner, announced that there were 13 coroner cases that resulted in two autopsies for March of 2023.

Mandy Fleming discussed the Malcon Contract which supplements Medicaid payments. Mandy stated that the contract looks the same as it has in previous years. Bobbi Plummer made a motion to approve the Malcon Contract. Motion was seconded by Joe Wiley and carried 3-0.

Glenn Vann, Grant Administrator, requested a grant number from the Auditor's Office along with permission to apply for grants for multiple departments within the county through Indiana Homeland Security. EMS, EMA, 911, and the I.T. Departments have come together to apply for this opportunity. Mr. Vann believes that the departments banning together will increase the chances of being accepted for the grant. The grant will provide necessary generators, security software, handheld radios, a base station radio, and security hardware. There is a zoom meeting scheduled for April 13, 2023 at 2:00 p.m. between the four department heads, Glenn, and the representative from Homeland Security. The grant will be approximately \$300,000.00. Bobbi Plummer made a motion that was seconded by Joe Wiley to allow Glenn Vann to apply for the Homeland Security Grant. Motion carried 3-0.

Bobbi Plummer made a motion to approve a grant from Ryan Fire Protection to install a Jockey Pump for \$5,485.00. Motion was seconded by Joe Wiley and carried 3-0.

Major Josh Smith and Deputy King discussed the fitness equipment at the new jail. They emphasized the importance of all officers being in excellent physical and mental health. They mentioned that this will also be a recruiting tool for the department that could make up for the difference in salary compared to wealthier counties. Deputy King stated that he does not understand why the facility is not done. The commissioners pointed out that there have been questions raised by the public about the \$28,000.00 already spend on gym equipment and why is another \$48,000.00 needed. They have also been asked by employees if all county employees will be able to utilize this equipment. A debate over the need for more equipment ensues. Major Smith pointed out that there will be less insurance claims if the officers would be physically fit. Bobbi Plummer pointed out that each elected official has a job to do, and that is to serve the public. Joe Wiley suggests getting different quotes to see if we could potentially save some money on the equipment. Bobbi asked will there be a standard of the new officers or will they be required to use this equipment or pass a test before becoming an officer. Major Smith answers that there is a standard when through the academy when an officer is hiring in, but the in between years need something in place. They are looking into creating a culture and offering incentives for the officers to be physically fit. Bobbi Plummer made a motion to table the quote for the fitness center at the sheriff's department and have them obtain two more quotes on the desired equipment. Motion was seconded by Joe Wiley and carried 3-0.

There is a discussion over the newly installed mirrors in the weight room at the new jail. There is an affidavit for payment for this and the work has already been completed. Bobbi Plummer stated that her only concern with paying the bill for this work is that the procedure was not followed, because no one came to ask the commissioners for approval before having the work completed and expecting it to be paid from the bond money. She adds that she does understand that newly elected officials do not know all procedures when they take office and for that she does allow some grace. Steve Dellinger agrees due to additional monies will now need to be spent to put the equipment that was taken down to put the mirrors up and that will have to be put back up somewhere. Bobbi Plummer made a motion to pay the invoice for mirrors in the weight room with the bond money. Motion was seconded by Joe Wiley and carried 3-0.

Bobbi Plummer made a motion to approve the DLZ Work Order Proposal for ADA accessibility installation in the office buildings with changes made to the terms and conditions. Motion was seconded by Joe Wiley and carried 3-0.

Bobbi Plummer made a motion to approve a quote from Peine Engineering replacing the AC unit in the IT room with a mini split for \$16,333.00. Motion was seconded by Joe Wiley and carried 3-0.

Bobbi Plummer made a motion to approve a public official bond for Dakota Clark, Greensboro Twp Trustee for \$15,000.00. Motion was seconded by Joe Wiley and carried 3-0.

Bobbi Plummer made a motion to approve the 2022 Annual Drug & Healthcare Cost Reporting. Motion was seconded by Joe Wiley and carried 3-0.

Bobbi Plummer made a motion to approve a Permission Authorization Form from Duke Energy, allowing them to cut down some small trees along Cherrywood Ave, Motion was seconded by Joe Wiley and carried 3-0.

Butch Baker discussed 911 Week. He wants this to be a part of the commissioners record recognizing Telecommunicators and dispatchers. Butch thanks all telecommunicators for all of their hard work to keep the public safe. Bobbi Plummer also thanks them and adds that Alex was given an award from the Chamber of Commerce making him Hero of the Year. Butch elaborates

that Alex received a 911 call from a girl who was talking about killing herself and he stayed on the line with her and convinced this girl that he cared and so many other people care, and he was able to stop the girl from committing suicide. Butch added that that's what telecommunicators are supposed to do. Bobbi Plummer made a motion to accept the Proclamation declaring April the 9th through the 15<sup>th</sup> of 2023 of Governor Halcomb declaring Public Safety Telecommunicator Week. Motion was seconded by Joe Wiley and carried 3-0. Joe Wiley thanked Butch and asked him to thank his staff as well.

Bobbi Plummer made a motion to appoint Mary Ellen Keck to the Greensboro Township Trustee Board. Motion was seconded by Joe Wiley and carried 3-0.

Bobbi Plummer made a motion to approve Ordinance 2023-04-12(004) Revising Henry County's Purchasing Rules. Motion was seconded by Joe Wiley and carried 3-0.

ORDINANCE NO. 2023-04-12(004)

AN ORDINANCE REVISING COUNTY PURCHASING RULES

WHEREAS, the Board of Commissioners of Henry County has previously adopted Ordinance No. 2004-10-9-15, which established certain rules regarding the purchase of supplies; and,

WHEREAS, the rules for the purchase of supplies should be revised.

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of Henry County, as follows:

Henry County hereby adopts the following rules with respect to the purchase of Supplies:

I. Definitions:

The following terms shall have the definitions set forth below:

A. "Purchasing Agency" – the Board of Commissioners of Henry County provided however, that pursuant to Indiana Code §5-22-4-3, each judge of the Henry Circuit Courts may function as a Purchasing Agency on behalf of his or her court or may request the Board of Commissioners to function as the Purchasing Agency on behalf of his or her court.

B. "Purchasing Agent" – an individual authorized by the Purchasing Agency to act as an agent for the Purchasing Agency in the administration of duties of the Purchasing Agency. Each of the following will hereby be considered a Purchasing Agent:

1. Each elected County Official;
2. The County Highway Superintendent and Engineer;
3. The Superintendent of Memorial Park; and,
4. Such other County officials or employees as may be authorized by the Purchasing Agency from time to time, TO ACT AS A Purchasing Agent.

C. "Purchase" - to buy, procure, rent, lease, or otherwise acquire, including developing a description of requirements, a solicitation or selection of sources, the preparation of specifications and all other functions that pertain to purchasing.

C. "Supplies" – Any property, including equipment, goods and materials but not including real property or improvements to real property.

D. "Services" – the furnishing of labor, time or effort by a person, not involving the delivery of specific supplies or other items that are merely incidental to the required performance.

II. Applicability.

- A. This policy shall be applicable to the purchase of Supplies.
- B. The improvement of real property and other public works projects shall be contracted for and performed pursuant to the provisions of Indiana Code §36-1-12-1, *et. seq.*
- C. The Purchasing Agency may contract for Services, from time to time, as it deems necessary utilizing any method considered appropriate. If the need for Services is urgent and cannot be postponed to the next meeting of the Purchasing Agency, a Purchasing Agent may contract for and obtain Services so long as funds are available and appropriated for the acquisition of the services.
- D. The Purchasing Agency may purchase Supplies with an estimated cost of less than 25,000 on the open market without inviting or receiving quotes. The Purchasing Agent may purchase Supplies with an estimated value of \$500.00 or less on the open market, if there is a line item in the department budget for such Supplies.

III. Trade-Ins or Exchanges

When a Purchasing Agent believes that trading or exchanging county owned property as a part of a purchase and in reduction of the purchase price may be a benefit to the County, the Purchasing Agent should request authorization from the Board of Commissioners to trade the property as part of a purchase and comply with the following:

- A. Specifications for bidders shall describe the property to be traded and may request that bids or alternate bids reflect a reduction of the purchase price by the value of the trade-in, or
- B. The invitation to quote shall describe the property to be traded, and may request that quotes reflect a reduction of the purchase price by the value of the trade-in, or
- C. When property is purchase on the open market under these rules or any law, the Purchasing Agency or Agent may condition the purchase upon the seller's acceptance of a trade-in, if the Purchasing Agency or Agent believes such a condition would secure the best value for the County.

IV. Rules of General Applicability.

- A. The Purchasing Agency or a Purchasing Agent may transmit an invitation for bids, request for proposals, or specifications, by electronic mail or other electronic means, if the transmission of the information, by electronic mail or other electronic means is at least as efficient as mailing the information.
- B. Bids, proposals, and other offers to furnish supplies may be received by electronic mail if the solicitation, requests for proposal, or request for bids, prescribes a procedure for transmitting the offer to the Purchasing Agent or Purchasing Agency.
- C. To the extent that anything in this purchasing policy conflicts with the provisions of Indiana Code §5-22-3-1, *et. seq.*, the provisions of Indiana Code §5-22-3-1, *et. seq.* shall be controlling.

V. Specific Procedures for the Purchase of Supplies

A. Purchases of Supplies with an expected cost in excess of one hundred fifty thousand dollars (\$150,000.00). A purchasing agent shall follow the procedures set forth in Indiana Code §5. The purchasing agent must comply with the provisions of Indiana Code §5-22-7-1, *et. seq.* The purchasing agent shall develop an invitation for bids that includes, the following:

- a. purchase description;
- b. all contractual terms and conditions that apply to the purchase;
- c. the time and place for opening of bids;
- d. a statement considering whether bids accompanied by a certified check or other evidence of financial responsibility;
- e. a statement concerning whether bids may be cancelled or rejected or in whole or in part;
- f. a statement of criteria that will be used to evaluate bids.

2. Publication Requirements.

Notice of invitation for bids must be published in accordance of Indiana Code §5-3-1.

3. Evaluation Criteria.

Bid evaluation criteria may be based upon the following factors:

- a. Inspection
- b. Testing
- c. Quality
- d. Workmanship
- e. Deliverance
- f. Suitability for a particular purpose
- g. Other criteria as are able to be objectively measured and described in the bid specifications

4. Opening of Bids and Awarding of Contract.

All received bids must be opened and read aloud during a public meeting of the Purchasing Agency. The Purchasing Agency may award a contract to the lowest responsible bidder.

B. Purchase between \$50,000.00 and \$150,000.00

If the Purchase is expected to be at least \$50,000.00 and not more than \$150,000.00, a

Purchasing Agent shall invite quotes from at least three (3) persons known to deal in the lines or classes of supplies to be purchased. The Purchasing Agent shall mail an invitation for quotes at least seven (7) days prior to the time fixed for receiving quotes. If the Purchasing Agent receives a satisfactory quote, the Purchasing Agent shall request that the Purchasing Agency award the contract for the purchase to the lowest responsible and responsive offeror for each line or class of supplies required. The Purchasing Agency may reject all quotes and may waive any minor informality, error or omission in any quote received.

C. Purchases less than \$50,000.00

1. All purchases for which the amount of expenditure is not expected to exceed \$50,000.00 may be made by requesting quotes, or in the open market, at the discretion of the Purchasing Agency.

2. Purchases of less than \$10,000.00 may be made by each Purchasing Agent in the Purchasing Agent's discretion utilizing any method deemed appropriate by the Purchasing Agent, provided however, that the Purchasing Agent should endeavor to obtain more than one quote or offer, if practical.

3. All contracts, standard terms and conditions or other agreements that are provided to a Purchasing Agent by a vendor, or that a vendor requests a Purchasing Agent to execute or approve by authorizing a purchase, should be reviewed by the County Attorney prior to the authorization of the purchase.

D. Alternative Procedures

1. Requests for proposals may be utilized when the Purchasing Agent determines that it is not practical or advantageous to purchase a certain type of Supply by competitive bidding and that receiving proposal, is the preferred method for the purchasing the supplies. To utilize a request for proposal, a Purchasing Agent must inform the Purchasing Agency that the Purchasing Agent intends to utilize requests for proposals to purchase supplies. The Purchasing Agency must then develop a request for proposals that complies with Indiana Code §5-22-9-2. The Purchasing Agency shall, upon the recommendation of the Purchasing Agent, make an award to the offeror whose proposal is determined to be the most advantageous to the County, taking into consideration price and other evaluation factors. Awards may be made to more than one offeror if the possibility of awarded to one or more offeror is stated in the request for proposals.

2. A special purchase may be made without the solicitation of bids or other proposals, if authorized and permissible under Indiana Code §5-22-10-1 *et seq.* A Purchasing Agent shall consult with the County attorney prior to making a special purchase. The Purchasing Agent must keep documentation supporting the reasons for determining that a special purchase was appropriate and the method of selecting the vendor.

3. Subject to Section III above, if a Purchasing Agent believes that trading or exchanging County owned property as part of a purchase in reduction of the purchase price is beneficial to the County, the request for bids, request for proposals, or invitation for quotes, must

describe the property that is proposed to be traded and may request a reduction in purchase price of the supplies if the offeror is willing to accept the property that is proposed to be traded.

VI. Supplemental Nature of Rules

These rules are intended to be a supplement to and provide for specific guidance regarding the procedures set forth in Indiana Code §5-22-1-1 for the purchase of Supplies. Henry County may utilize any method as permitted under Indiana Code §5-22-1-1 *et seq.*, for the purchase of Supplies, subject to the provisions of that Article.

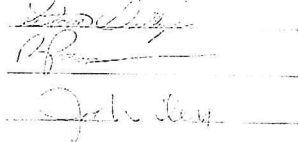
**EFFECTIVE DATE:** This Ordinance shall become effective immediately upon passage by the Board of Commissioners of Henry County.

**SEVERABILITY:** Any provision contained in this ordinance, which is found by a court of competent jurisdiction to be unlawful, or by operation of law, including subsequent legislative enactment, is rendered inapplicable, shall be omitted and the rest and remainder of this ordinance shall remain in full force and effect.

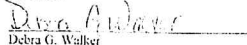
**REPEALER:** All ordinances that are in conflict with the terms of this Ordinance are hereby repealed as of the effective date of this Ordinance.

ADOPTED by the Board of Commissioners of Henry County, Indiana this 12<sup>th</sup> day of April, 2023, by a vote of 4 to 0.

BOARD OF COMMISSIONERS OF HENRY COUNTY



ATTEST:

  
Debra G. Walker

Bobbi Plummer made a motion to adopt Resolution 2023-04-12(005) Authorizing the Disposal of Property. Motion was seconded by Joe Wiley and carried 3-0.

RESOLUTION NO. 2023-04-12(005)

A RESOLUTION AUTHORIZING THE DISPOSAL OF PROPERTY

WHEREAS, Henry County, Indiana ("Henry County") owns a 1987 AM General 1/4 ton Humvee (SN 026200) ("1987 General") that was supplied to Henry County by the United States government and was previously used by the Sheriff's Department; and,

WHEREAS, Henry County also owns a 1985 AM General 1/4 ton Humvee (SN 164659) ("1985 General"); and,

WHEREAS, several years ago, the 1987 General was delivered to a business in Oklahoma for the purpose of repair, the business subsequent ceased operations, and the 1987 General has been stored by a prior owner of the business; and

WHEREAS, the 1985 General has been parked at the County Highway garage for over ten (10) years, is not currently operable and there is no current or anticipated need to use this vehicle; and

WHEREAS, Henry County has contacted the person in possession of the 1987 General, who is willing to transport the 1987 General to Henry County and accept ownership of the 1985 General in satisfaction of any obligation for the repair, transportation, and storage of the 1987 General; and

WHEREAS, Henry County is willing to transfer the 1985 General in satisfaction of any obligation owed for the repair, transportation, and storage of the 1987 General; and

WHEREAS, Indiana Code § 5-22-22-8 permits local governmental units to dispose of worthless property; and,

WHEREAS, property is considered worthless if the value of the property is less than the estimated costs of sale and transportation of the property; and

WHEREAS, Henry County believes that the 1985 General is of no value and should be exchanged for the satisfaction of any obligation owed for the repair, storage, and transportation of the 1987 General.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of Henry County, Indiana, as follows:

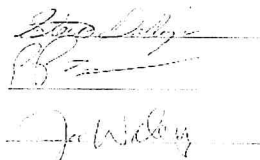
The 1985 General shall be transferred to Michael Duty in exchange for his delivery of the 1987 General to the Henry County Sheriff's Department and the satisfaction of any sums owed to him for the transportation, repair and storage of the 1987 General.

EFFECTIVE DATE: This Resolution shall be effective upon passage

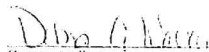
REPEALER: All Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SEVERABILITY: Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation of law shall be deemed unenforceable, shall be omitted but the rest and remainder of this resolution, to the extent feasible, shall remain in full force and effect.

ADOPTED BY THE BOARD OF COMMISSIONERS OF HENRY COUNTY, INDIANA THIS 12<sup>th</sup> DAY OF April, 2023



ATTEST:

  
County Auditor

Joe Wiley clarified that in or around 2012 the Henry County Sheriff's Department received some 1¼ ton AM General Humvees along with some other equipment from the military for the Sheriff's Department to utilize for an undetermined amount of time, but they weren't able to sell them or trade them. One of the Hummers needed some repairs done to it and was sent to a business in Oklahoma for the purpose of repair but that business subsequently went out of business. Captain Kovacs was able to locate and retrieve the 1987 model Hummer and for payment of the repairs and storage the department traded a 1985 Hummer that was inoperable at the Highway department.

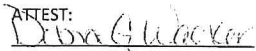
Seth Duggar, Harrison Township Trustee, spoke about the need for the Fire Department's needs. Mr. Duggar found some equipment from Shirley Fire Department that he purchased, putting his budget in the hole. Multiple tests still must be administered. He added that he will be able to get quotes, he just wants to get the fire department up to safety standards, Bobbi Plummer told Mr. Duggar that he will have to go to the County Council for an additional appropriation. Steve Dellinger suggests looking into grants.

Bobbi Plummer moved to adjourn. Motion was seconded by Joe Wiley and carried 3-0.

  
Steve Dellinger, President

  
Joe Wiley, Vice President

  
Bobbi Plummer, Member

ATTEST:  
  
Debra G. Walker, Auditor