

The Adams County Board of Commissioners met November 19, 2019 at 10:00 a.m. in the Adams County Service Complex. Present were Commissioners: Rex Moore, Doug Bauman, and Kim Fruechte; County Attorney, Mark Burry; and County Auditor, Mary Beery.

IN RE: MINUTES

Upon a motion by Kim Fruechte, seconded by Rex Moore, for approval of the Adams County Board of Commissioners' Minutes for November 12, 2019 were approved. Motion carried.

IN RE: AUDITOR REPORT

**Health Insurance**

Upon a motion by Rex Moore, seconded by Kim Fruechte, for approval of the Allied Health Insurance funding request for November 18, 2019, in the amount of \$24,750.48 (Medical \$24,766.31 & Pharmacy \$0.00 & Recovered Refund Credit \$15.83). Motion carried.

Upon a motion by Kim Fruechte, seconded by Rex Moore, for approval of payment for the December 2019 consulting fee with Shafley Plan Management in the amount of \$2,916.67. Motion carried.

**Workman's Compensation**

Upon a motion by Rex Moore, seconded by Kim Fruechte, for approval of paying out of the regular claim cycle the claim to Eastern Alliance Insurance Company (Workman's Comp), in the amount of \$2,912.06. Motion carried.

**Weights and Measures Report**

Upon a motion by Rex Moore, seconded by Kim Fruechte, to accept into the record the report by Larry Weaver, Weights and Measures Director, for the period October 16, 2019 to November 15, 2019 stating there had been 73 inspections, with 73 correct and 0 rejected. Motion carried.

IN RE: COUNTY ENGINEER REPORT

**Cumulative Bridge**

County Engineer, Tim Barkey, and Sheriff, Dan Mawhorr, met to discuss the intersection of 650 E and 400 S. This intersection is unusual due to the way the normal flow of traffic is bound. The intersection is a T-intersection on the southeast side of Adams County. The current traffic control is for westbound 400 S to stop, with free flow for all eastbound and southbound traffic. This creates two potential free flow traffic conflicts where a southbound left turning vehicle could come in contact with an eastbound left turning or eastbound through vehicle since none of them has to stop. In the past, Mr. Barkey balked the change because is difficult to change but Dan asked him to look it over again. Mr. Barkey was reluctant to make changes because change sometimes confuses the public.

The Northeastern Indiana Regional Coordinating Council as an unbiased entity was asked to conduct an intersection count at this location to determine traffic flow patterns and to help formulate potential improvements. NIRCC reviewed the crash history and evaluated the intersection for multi-way stop warrants. The intersection does not meet the minimum requirements for a multi-way stop control. There have been zero crashes at this intersection from 2008-2018. They came up with the recommendation of 400 S as thru traffic east and west and 650 E south bound traffic either yield or stop at the intersection of thru traffic.

Sheriff Mawhorr stated two vehicles traveling could easily crash. He felt a yield sign would suffice as it controls the intersection and takes the liability off of the County. Mr. Barkey agreed that the intersection should be controlled in this manner as yield inflicts the least amount of change. The sheriff reported traffic flow is so light that most times no one will have to stop. Mr. Barkey recommends putting a sign at the T-intersection that states cross traffic does not stop and has the right-of-way. This will remove the westbound stop sign on 400 S.

Attorney, Mark Burry, informed everyone that an ordinance will need to be prepared and adopted.

Motion by Kim Fruechte, to order Attorney, Mark Burry, to prepare an ordinance, seconded by Rex Moore. Motion carried.

Mr. Barkey reported bridge B-75 located on 400 W was opened last week. There are still a few items that need completed.

He received a call from INDOT last week and reps from the Federal highway and State of Ohio. They continue to work on agreements for common border bridges and cost sharing on upgrades to the bridges. They have to decide who will be the lead agency. Mr. Barkey has communicated with Ohio and Adams County will be the lead agency on one bridge. An agreement needs signed that spells out who takes care of normal maintenance at a 50/50 cost share. In Mercer County we will be the lead agency on one bridge. Van Wert County lead on three bridges. Ohio counties decided what county would take care of different portions. Allen County takes care of roadway and all culverts within the roadway on the eastern and southern border and Adams County does the same for Jay County. We are required to mow as it is a part of maintaining the road.

INDOT is going to repair the bridge on State road 101 beginning April 2020. This area will be closed to do a bridge overlay which will create a need for a road detour. INDOT has created the unofficial detour from SR 101 to CR 225 to Piqua Road and back to SR 101. INDOT agrees to pay for any damage to county routes due to the detour. Mr. Barkey recommended entering into an agreement with INDOT. They video before and after construction to determine damage to the detour routes.

Motion by Kim Fruechte, to approve and sign the letter of understanding/unofficial detour, seconded by Rex Moore. Motion carried.

IN RE: HIGHWAY DEPARTMENT  
**MVH/Local Road & Street**

Highway Superintendent, Lonnie Caffee, presented the monthly MVH and Local Road & Street report to the Commissioners stating the MVH and the LRS funds have decreased from last year.

Upon a motion by Rex Moore, seconded by Kim Fruechte, to accept the MVH and Local Road & Street report into record. Motion carried.

**Roads**

Mr. Caffee presented the 2019 mowing costs which includes labor and equipment costs. The total cost for mowing side ditches is \$86,591.49.

The crew is working on CR 200 W between SR 116 and CR 950 S to widen which will make the area safer. The project will require 6500 tons of stone costing approximately \$91,000.

They have been working on CR 750 S and CR 850 S for the last three months. There are still 5 to 6 catch basins that have to be moved.

The CR 350 E project between SR 218 and CR 700 S has been completed. The area was widened 2 foot on each side. Brooks will return to apply stone on the edges. The Highway Department put #73 stone at the driveways of landowners.

The CR 900 S project between CR 450 E to 000 has been put on hold due to the weather and will be done next spring.

Mr. Caffee would like to move the mud road (800 N) up to the front of the project list. He needs to be allowed to use his funds to get an outside firm to get the engineering plans completed. Miller Land Surveying did the centerline survey and Tim Barkey recommends contacting them and work out a contract to design and come up with a centerline profile. Miller could make a template on the cross sections to know what needs to be purchased. Hire Miller to describe the right of way that was needed. Tim has not started the bridge program for 2020. Lonnie would like the project to be started next year.

Upon a motion Kim Fruechte, seconded by Rex Moore, to accept the recommendation to get an outside firm to pursue the project. Motion carried.

IN RE: BUILDING MAINTENANCE  
**Superior Court**

Building Maintenance Supervisor, Mike Stimpson, reported the sewer pipe at Superior Court has been fixed. The wall has also been fixed and they will reinstall the toilet tomorrow.

**Service Complex**

Mr. Stimpson has been communicating with the IT Department on adding security lighting in the parking lot. He estimates the project to come in under \$1,500. The hot water heater will be installed tomorrow and has been switched to electric.

IN RE: SHERIFF

Sheriff, Dan Mawhorr, presented for approval the USDA Grant Application. They will purchase three cars with all of the equipment and the grant is for \$44,400 and the \$82,559 will be the county's portion. He projects the grant to be approved by the end of January and then the cars can be ordered.

IN RE: GOLDEN MEADOWS HOME  
**Monthly Report**

Golden Meadows Home Administrator, Kris Nichols, presented the October 2019 Golden Meadows monthly report stating that there were currently 30 residents at Golden Meadows. The report shows \$34,359.27 was received in room and board funds. There were three admissions and one discharge and currently 20 males and 12 females at the home.

Upon a motion by Rex Moore, seconded by Kim Fruechte, for approval of the Golden Meadows report for October 2019 as presented. Motion carried.

**Admission Assessment**

Mrs. Nichols assessed a gentleman in Bluffton but he is not a good fit for the program and she forwarded him to the Bowen Center.

**Permission to Hire**

Mrs. Nichols requested permission to replace a full-time CNA. The current employee has been on medical leave since May 2019. The employee had a heart attack and the doctor has put her on very low activity. The medical leave is past the 26 weeks and she needs to open the position for replacement.

Upon a motion by Rex Moore, seconded by Kim Fruechte, to approve the recommendation and the hiring of a replacement. Motion carried.

IN RE: HEALTH DEPARTMENT

Sanitarian, Jessica Bergdall, and Environmentalist, Nathan Scherer, met with the board to summarize the meeting held in Indianapolis on septic's and privies.

They met with the State Department of Health and the Department of Environmental Management to discuss the proposals for outhouses and septic's. They wanted feedback from the state agencies on if they agreed with the changes. They received good information and feedback from these agencies. The overall meeting was very informative on all sides. IDEM did not understand what was going on and were surprised to what we are dealing with in the county. IDEM pushed the fact that we are working together and the County Health Department is hoping to get an update on the three incidences that were turned in last week. The state seems to be on board with us and the change to the SE 11 bulletin and reference guide to outside privies and structural requirements.

The State agencies have taken our ordinance to implement the updates into their requirements. They will take the privy precast vaults and use as a guideline. Both agencies have rules and we cannot be more or less restrictive with IDEM on land applications. The County Health Department is allowed to be more restrictive.

Attorney Burry stated we will adopt rules with the minimum requirements of the State agencies. The agencies were going to make comments on the draft ordinance that we sent down.

The board questioned if the people currently in violation of the 15' setback will be allowed to make no changes. Mr. Burry stated if when they got a permit it was okay, then they will not have to change to the new requirements. The 15' setback has been in existence for years and we will address the ones who do not have a permit approving their system. The old records could be hard to find and Adams County must come up with a plan for new construction and violations. The board will have to adopt a new ordinance to enforce. There are usually circumstances that do not fit the mold and will be taken on a case by case basis.

The Health Department is issuing a normal black water permit to the Amish Community and a good portion are doing a multiplied flush. It leaves the house and goes to the tank as it is gravity fed. This option is contingent on what the bishops approve. They can install a black water system and not use it but the privy would have to meet our specifications on a precast vault. New homes are following our guidelines but getting the older homes to comply is challenging. Nathan have found close to 90 illegal systems that will have to be addressed.

IN RE: IT

IT Director, Mike Brown, discussed and submitted the contract on IT Election Security with Fire Eye. Clerk, Jim Voglewede informed Mike there was a meeting coming up on a piece of software and hardware that the State is requiring to be used. The firewall in place from CIEM does not link back to the server. It passes through and if it sees information that looks bad it will not pass it through. The State is trying to have the changes implemented before the 2020 elections. This project is only for two elections, they will pay for the 2020 election and through mid-year for 2022 elections. After this time, they will no longer finance and the County will have to finance. They are only covering the Clerk's office but they would supply agents on the firewall that could be installed free of charge. Mr. Brown recommends we do this and it will be expensive when and if we have to finance it. They will support what they need on the appliance that sits on the firewall, and communicate back and forth to the firewall. The contracts must be completed by Friday, November 22, 2019. They will begin shipping the clients next year and to be ready by September 2020. We have not had security software on this issue. They have email portions that will cleanse email but we already have this in place.

Upon a motion by Rex Moore, seconded by Kim Fruechte, to accept Mike Brown's recommendation and to sign and approve the contract. Motion carried.

IN RE: ADAMS COUNTY HOSPITAL ASSOCIATION APPOINTMENTS

Hospital Attorney, Adam Miller, presented for signature the appointments of Susan E.S. Zurcher and Louise M. Ray to be members of the Hospital Association.

Upon a motion by Rex Moore, seconded by Kim Fruechte, to approve the above appointments. Motion carried.

IN RE: COUNTY ATTORNEY REPORT

Nothing reported.

IN RE: ADJOURN

Upon a motion Kim Fruechte, seconded by Rex Moore, the meeting for November 19, 2019 was adjourned. Motion carried.

ATTEST: Mary B. Beery  
Mary B. Beery, Adams County Auditor

Kim A. Fruechte  
Kim A. Fruechte, Commissioner

Rex Moore  
Rex Moore, Commissioner

Douglas L. Bauman  
Douglas L. Bauman, Chairman