

APRIL 14, 2025

The Jay County Commissioners met in session on Monday, April 14, 2025, at 9:00 a.m. in the courthouse auditorium. Attending was Doug Horn, Duane Monroe, auditor Emily Franks, attorney Wes Schemenaur, and Chad Aker, president, presiding. Doug Horn made a motion to approve the minutes from March 31, 2025 as presented. Duane Monroe seconded the motion and the motion passed by unanimous vote.

HIGHWAY BIDS

There were two bids received for Asphalt Emulsions. The first bid received was from KTech with AE90 at \$1.94 a gallon, and \$1.92 a gallon for dust lay. The second bid was from Asphalt Materials with AE90 at \$1.71 a gallon, and \$1.80 for dust lay. Doug Horn made a motion to accept both bids for asphalt emulsions to allow the highway to use both companies. Duane Monroe seconded the motion and the motion passed by unanimous vote.

There were four bids received for Bridge #139 on Seventh St. as part of the community crossings grant. The first bid was from Brumbaugh Construction at \$1,025,000, the second bid was from HIS Constructors at \$1,195,480, Milestone Construction at \$1,429,678.04 and Beatty Construction at \$1,228,000.

Doug Horn made a motion to take the bids under advisement for the county attorney and engineers to ensure the lowest bid meets all qualifications. Duane Monroe seconded the motion and the motion passed by unanimous vote. Stephanie Klarer, assistant superintendent/ERC, noted they were under a tight schedule for the grant to award the bid. They will need to send the award of notice for 10 days and INDOT would like an answer by the end of April. An engineer from EGIS will try to review the quote by the end of the commissioners meeting today.

JAY COUNTY REDEVELOPMENT COMMISSION

Carl Walker, president, came to the commissioners to give a quarterly update on the ARP monies as part of the signed interlocal agreement. He asked the commissioners if moving forward invoices from CWC Latitudes, in relation to work on the 68 Acre development, could be paid out of ARPA monies. The commissioners saw no issue with the request. Mr. Walker also asked if only a portion of the money was spent before the deadline, would they be required to pay back the full amount. Mr. Schemenaur believed only the money the county did not spend by December 31, 2026 would be returned.

SENATE BILL-1

Rick Hall, Barnes & Thornburg, attended the commissioners' meeting via phone. Mr. Hall spoke about the impact of Indiana Senate Bill 1 on new energy projects. The bill would allow for property after January 1, 2025 to depreciate all the way down to zero and would see the company pay no property taxes at the end of life. As of now, they self-report and it would be better and safer to work on a cleanup bill in the next couple of weeks. Mr. Hall asked the commissioners to join other counties with energy projects for a cost of \$5,000. He added that energy companies are also against the bill, because property tax money is a large incentive for counties. Doug Horn made a motion to approve the agreement with Barnes & Thornburg to lobby on behalf of the county in relation to senate bill one. Duane Monroe seconded the motion and the motion passed by unanimous vote.

JAY COUNTY COUNTRY LIVING

The center was on the agenda to accept donations of beds from Persimmon Ridge. There were no members of the board or director present. The commissioners tabled the request until someone could be present to answer discuss the matter.

USI CONSULTANTS AND VIALYTICS

Ben Beer, USI Consultants, and Slater Rush, Vialytics, came to commissioners to discuss a software that would establish and maintain road condition ratings. LTAP requires this in order to remain eligible for Community Crossings Grants. Mr. Aker noted it would also help SCJA with their projects as well. The department has been doing the ratings manually by

driving the roads and just by eyesight. This requires a certification that is not currently held by anyone in the department. Otherwise, they are having to contract this out to an engineer. Mr. Rush explained their system would take pictures every 5-10 feet, then the roads would be reviewed and given a rating. This would allow the department to know more subjectively what roads are most in need of repair. The agreement would be with Vialytics to buy miles to use their system and then the county could do their own assessments. Mr. Monroe questioned what the cost would be annually for the product. Mr. Rush stated they would waive the setup fee, but it would typically be for a three-year term. The department again stated they would either have to get certified or get a consultant as they would not be allowed to do it themselves anymore.

Mr. Monroe asked if the fee could be paid out of the department's current budget. Ms. Klarer suggested it could be paid out of their road paving budget. Mr. Horn noted while you can be drowning in data if not sure how to use it, it would be beneficial to work on a long-term plan. Ms. Klarer added she believed the system would be more accurate and more efficient. As an example, they just spent \$4,000 for an INDOT inspection that could be done by the department before and after to check for damage. Mr. Horn asked for the number of roads in the county. Ms. Klarer confirmed they had 727 miles of road.

The commissioners asked if a contract had been drawn up for review. Mr. Rush stated there was not a contract, but a reference to their general terms and conditions. He added that the county would own the data. Mr. Beer stated that LTAP requires the information by December 1, 2025, so there is time to discuss. Duane Monroe made a motion to table the decision until the next commissioners' meeting on April 28th, 2025. Doug Horn seconded the motion and the motion passed by unanimous vote.

HIGHWAY

Bob Howell, superintendent, reported they have moved all the material from US Aggregates and have been using it to repair soft spots. He spoke about small inventory inspections with Perry Knox from SCJA, adding they do not have an inventory of small structures. The goal would be to have an inventory of everything. Mr. Aker who attended the presentation had already told Mr. Knox the county did not have the money in the current budget. Mr. Monroe believed the information would be beneficial and urged the department to figure out a way to pay for it. When asked about the cost of the project, Ms. Klarer stated they only currently had one quote for the service. Mr. Schemenaur suggested it be advertised for bid before discussing the cost. Ms. Klarer also believed they could find money in the budget to cover structures from 10 feet up to 19.9 feet in length and could work on structures from 4 feet to 10 feet at a later date. Anything over 20 feet is considered a bridge and is included on the bridge inventory. The larger structures, where a vehicle could fall through, would be the department's priority. Mr. Aker suggested the department start with the inventory and Vialytics before revisiting the proposal.

Lastly, Mr. Howell reported they will be attending a training on April 28th and 29th through LTAP on bridge maintenance. While they have not completed it prior, they will be looking at cleaning off bridge decks to help water get off the bridge.

EGIS reviewed the lowest bid for the work on Bridge #139 with Brumbaugh Construction and determined it met all the qualifications for bid. Duane Monroe made a motion to accept the bid with Brumbaugh Construction as presented. Doug Horn seconded the motion and the motion passed by unanimous vote.

SOLAR FARM/BATTERY STORAGE MORATORIUM

John Hemmelgarn, and Paii McLaughlin, Jay-Portland Building & Planning, came to commissioners to discuss a solar farm and battery storage moratorium. It has passed the first stage at the plan commission and will be opened up for public comment at the commissioners' meeting on April 28th, 2025. They asked for clarification on what the process would be for public comment. Mr. Aker suggested those wanting to speak could sign in and then would be limited to two minutes. Doug Horn moved to address the

moratorium at the next commissioners meeting on April 28th, 2025 for public comment. Duane Monroe seconded the motion and the motion passed by unanimous vote.

Mrs. McLaughlin wished to add that a request was made to their office to provide a copy of all landowners who had signed leases with the solar farms. It was then published by that person on Facebook. While they see no purpose in what was done, the information was public record and required to be given out.

OWNER OCCUPIED REHAB

Darlesia Lee, Assistant Director ECI Regional Planning District, came to commissioners to give an update on the Owner-Occupied Rehab (OOR) Program. All the contracts from the prior meeting have been signed by contractors and homeowners. They are starting working on some of the project this week including one that started today. She presented the 2nd batch of homes for commissioners' approval as they have met all requirements. They are in the process of scheduling the required radon testing. Duane Monroe made a motion to release the 2nd batch contingent on OCRA approval. Doug Horn seconded the motion and the motion passed by unanimous vote. Mrs. Lee reported that the way the project is bid out, if an issue is found, the contractor would need to stop and see if money is available for additional remediation. OCRA, has it built to max out at \$25,000 per home, but there might be other solutions. However, the contractors should have bid with some contingencies built into their quote.

Mrs. Lee reported that the Safer Streets for All (SS4A) steering committee has come together with interest from all townships. She is looking for more participation with local media to generate traffic for their survey. The questions are general enough that everyone can participate in the survey.

LIFEWORKS COUNSELING & WELLNESS LLC

Brooke Aker, owner, came to discuss a contract renewal for mental health services for county employees. The services are available to all county employees and will be kept anonymous. She added that her goal is always solution oriented and services are not intended to be unending. The current contract expires at the end of April and she would like to make a change to the new contract. The change includes a fee for post-incident debriefing following a critical incident which can be informal and based on therapeutic need. Duane Monroe made a motion to renew the contract with Lifeworks for one year. Doug Horn seconded the motion and the motion passed by unanimous vote.

COURTHOUSE SECURITY

Larry "Ray" Newton, sheriff, came to commissioners to discuss courthouse security outside of normal business hours. He noted issues including availability of current employees, lack of additional employees to cover, and cost of overtime wages. A few solutions were offered including having departments requiring security after hours pay for the overtime out of their budget; adding a third full time security officer, or having a custodian take care of locking up after a meeting. Mr. Aker suggested it be looked into whether security was needed after hours for most meetings or could be requested, if needed. He then asked how much notice the department would request for meetings. Monte Shrack, courthouse security, asked for at least a couple weeks' notice for afterhours meetings.

Melissa Elliott, clerk, expressed concerns on who would be responsible for when the courthouse was open. As an example, when the building is open for elections, would people be allowed to free roam the building. Mr. Schemenaur noted an official policy for security after hours was never established. It was decided to take it to a committee for review of a policy to include the sheriff, auditor, county attorney, courthouse superintendent, EMA director, commissioner and council member.

RESOLUTION 2025-08

Chad Aker noted the resolution went along with the same concerns presented earlier in the meeting by Rick Hall, Barnes & Thornburg. Doug Horn noted while he was in favor of tax cuts, his major concern with Senate Bill 1 was that it included very little revenue replacement

for the county to operate. Doug Horn made a motion to approve Resolution 2025-08 as presented. Duane Monroe seconded the motion and the motion passed by unanimous vote.

A RESOLUTION OPPOSING ANY TAX POLICY THAT IMPACTS LOCAL GOVERNMENT REVENUE WITHOUT REPLACEMENT OF REVENUE STREAM

WHEREAS, state leaders and lawmakers have advocated for and proposed multiple pieces of legislation in the 2025 legislative session that will cut residential property tax bills and business personal property tax bills and change how these liabilities are calculated; and,

WHEREAS, a local income tax adoption could be a helpful tool for some units; however, it is not at all adequate to replace the revenue being eliminated, making it a necessity rather than an option; and,

WHEREAS, with an essentially mandated income tax increase being the only alternative proposed by lawmakers, the homeowners who these tax measures endeavor to assist will be among the same individuals paying additional income tax, making businesses the only recipient of the tax cuts; and,

WHEREAS, if proposed measures are adopted, Jay County will be forced to make significant cuts to law enforcement, emergency medical services, roads, bridges, economic development, and quality of life initiatives; and,

WHEREAS, the unprecedented cuts in government services are being proposed when, despite the success of the Community Crossings grant program, Jay County is asking legislators to at lease preserve the status quo in terms of road funding so as not to compound the well-documented, high percentage of our roads and bridges that continue to be in less than satisfactory condition; and,

WHEREAS, as of this date, the statewide local impact of primarily tax-related bills is estimated to be \$2 billion, a staggering figure, that would cause widespread negative effects, increase tax burdens on individuals, while offering only additional relief to businesses in an already tax-friendly state; and,

WHEREAS, the impact to Jay County of these significant real property and business personal property tax cuts as well as changes to how property taxes are calculated, Jay County would lose an estimated \$997,880.00 in CY 2026, \$1,863,020.00 in CY 2027, and \$2,506,760.00 in CY 2028.

BE IT RESOLVED by the Board of Commissioners of Jay County, Indiana, that we oppose any tax policy that impacts local government that does not come with a corresponding replacement revenue stream implemented by the State of Indiana and does no harm to our ability to carry out the expectations of our citizens now and in the future.

PASSED AN ADOPTED THIS 14TH DAY OF APRIL 2025.

RUNDELL, ERNSTBERGER, & ASSOCIATES

An amendment to the original agreement with Rundell, Ernstberger, and Associates and the commissioners regarding the 68 Acre Development was presented for approval. The agreement would modify the overall contract from \$395,000 to \$393,000. Doug Horn made a motion to approve the amended agreement. Duane Monroe seconded the motion and the motion passed by unanimous vote.

OTHER BUSINESS

The payroll docket was presented for commissioners' approval. Duane Monroe made a motion to approve the payroll docket as presented. Doug Horn seconded the motion and the motion passed by unanimous vote.

The Jay County County Living Report for March was presented for commissioners' approval. Duane Monroe made a motion to approve the report as presented. Doug Horn seconded the motion and the motion passed by unanimous vote.

The clerk's report for March was presented for commissioners' approval. Doug Horn made a motion to accept the report as presented. Duane Monroe seconded the motion and the motion passed by unanimous vote.

The treasurer's report for March was presented for commissioners' approval. Duane Monroe made a motion to approve the report as presented. Doug Horn seconded the motion and the motion passed by unanimous vote.

The commissioners agreed to move forward with a county auction with Bricker's Auction Company for May 2025. The final date is yet to be determined.

An emergency claim to EGIS related to services for the Owner-Occupied Rehab program for invoice#3 and #4 in the amount of \$36,187.50 was presented for commissioner approval.

Doug Horn made a motion to approve the claim as presented. Duane Monroe seconded the motion and the motion passed by unanimous vote.

An emergency claim to 4TC Corporation for electrical work completed at Jay County Country Living for \$28,830 was presented for commissioner approval. Doug Horn made a motion to approve the claim as presented. Duane Monroe seconded the motion and the motion passed by unanimous vote.

An emergency claim to Dragos Macelaru for a purchase of an easement along Seventh Street related to the Bridge#139 project for \$21,400 was presented for commission approval. Duane Monroe made a motion to approve the claim as presented. Doug Horn seconded the motion and the motion passed by unanimous vote.

With no further business, Duane Monroe made a motion to adjourn at 11:22 a.m; Doug Horn seconded the motion and the motion passed by unanimous vote.

JAY COUNTY COMMISSIONERS

Chad Aker

Duane Monroe

Doug Horn

Attest: Jay County Auditor