

MINUTES
MARSHALL COUNTY COUNCIL MEETING
THURSDAY, SEPTEMBER 12, 2024

BE IT REMEMBERED: That on Thursday, September 12, 2024, the Marshall County Council met in a public meeting at the Marshall County Building, Room 203, 112 W. Jefferson Street, Plymouth, Indiana, at 9:00 a.m. pursuant to the call of the President. Board members present were President Jesse Bohannon, Vice President Tim Harman; Members James Masterson, Deborah Johnson, Will Patterson and Adam Faulstich; Attorney Marcel Lebbin; and County Auditor, Angela C. Birchmeier. Council Member Nicole Cox arrived following the Dustin's Place presentation. The meeting streamed live at <http://www.youtube.com/@MarshallCountyIN>, the invocation was given by Brandon Schadek, the Pledge of Allegiance was said, noting a quorum is present the business at hand was heard.

PUBLIC INPUT CONCERNING AGENDA ITEMS

No public input concerning agenda items was heard.

DUSTIN'S PLACE

Dustin's Place Co-Founder/Executive Director Viki Brown explained that Dustin's Place provides no cost, no wait support for grieving children. She explained that one in 10 Indiana children experience the loss of a parent or sibling. Accidental drug overdose is the leading cause of death in persons aged 25-49. Dustin's Place is one of three facilities in the state that provides grief counseling to children. They serve seven counties with most children from Marshall, St. Joseph, and Starke Counties. They are providing support in 13 schools and are working with State Representatives to bring grief support to the school curriculum. She further explained that they were recently given the opportunity to expand to a larger space and have set a goal to raise \$800,000 for renovations.

MARSHALL COUNTY ECONOMIC DEVELOPMENT CORPORATION

Marshall County Economic Development Corporation President/CEO Greg Hildebrand and McGuire Sponsel Principal Ben Worrell provided a PowerPoint presentation on Project Roadrunner B&G Truck Conversions, Inc. Mr. Worrell provided a short history of Project Roadrunner. There are currently 18 Indiana employees, and they are looking for future growth to net 60 new jobs, with an estimated average wage of \$25 per hour. The new positions will include welding, metal fabricating, painting, and administration. The capital investment to the expansion project is \$4 million. A request was made to consider a 7-year phase in abatement on both personal property and real estate improvements. The abatement percentage schedule would be 100%, 85%, 71%, 57%, 43%, 29%, 14% on the additional investment. **Tim Harman moved, second by Will Patterson, to support the abatement request in spirit as presented. Motion carried 7-0.** Discussion was held on the next steps. **Tim Harman moved, second by Adam Faulstich, to establish the Economic Revitalization Area in the designated geographical area as requested. Motion carried 7-0.**

COUNCIL ITEMS

Ord. 2024-4(6) Establish New Fund 8118: Public Health Emergency Preparedness: Tim Harman moved, second by James Masterson, to approve Ord. 2024-4(6) Establish New Fund 8118: Public Health Emergency Preparedness. Motion carried 7-0.

Consent Agenda: Having had the opportunity to review the consent agenda items including additional appropriations and transfer of appropriations, **James Masterson moved, second by Adam Faulstich, to approve the additional appropriations and transfer of appropriations under the consent agenda as presented. Motion carried 7-0.**

ADDITIONAL APPROPRIATION ORDINANCE 2024-1(10): Notice of Proposed Additional Appropriation was advertised in the Pilot News, posted on the county website, and bulletin boards on August 29, 2024.

General/Veterans Service Officer (1000-012): **James Masterson moved, second by Adam Faulstich, to approve the additional appropriation request of \$5,000 into Wages-Overtime. Motion carried 7-0.**

General/Commissioners (1000-068): **James Masterson moved, second by Adam Faulstich, to approve the additional appropriation request of \$2,000 into Travel/Mileage. Motion carried 7-0.**

General/Commissioners (1000-068): **James Masterson moved, second by Adam Faulstich, to approve the additional appropriation request of \$1,500 into Training. Motion carried 7-0.**

LIT Special Purpose (1114): **James Masterson moved, second by Adam Faulstich, to approve the additional appropriation request of \$12,400 into Wages-Longevity. Motion carried 7-0.**

Local Road & Street (1169): **James Masterson moved, second by Adam Faulstich, to approve the additional appropriation request of \$100,000 into Bituminous. Motion carried 7-0.**

MVH (1176): **James Masterson moved, second by Adam Faulstich, to approve the additional appropriation request of \$25,000 into Wages-Overtime. Motion carried 7-0.**

CDBG-Owner Occupied Rehab Project (8113): **James Masterson moved, second by Adam Faulstich, to approve the additional appropriation request of \$24,850 into Home #5-11341 Castle Dr, Plymouth; \$23,175 into Home #7-1009 Lake Ave, Plymouth; \$21,320 into Home #8-1208 Sycamore Street, Plymouth; and, \$22,900 into Home #9-101 W. Randolph St, LaPaz.**

Motion carried 7-0.

Public Health Emergency Preparedness (8118): **James Masterson moved, second by Adam Faulstich, to approve the additional appropriation request of \$23,225 into Wages-Emergency Preparedness Coordinator/Environmentalist and \$1,775 into Employer Social Security. Motion carried 7-0.**

Community Crossings (9001): **James Masterson moved, second by Adam Faulstich, to approve the additional appropriation request of \$105,674.05 into Deer Tr (SR 17-Cul-de-sac); \$25,209.39 into Fawn (Pine Ln-Deer Trl); \$81,597 into Pine (SR 17-Deer Trl); \$22,208.38 into Martha (Sunset-Robert); \$39,987.92 into Robert (Martha-Sunset); \$391,083 into 9C (Sycamore-Union); \$38,587.14 into Easy (Union-Cul-de-sac); \$308,166.20 into Elm (US 6 – City Limit); \$39,220.91 into Sheryl (Sunset-Cul-de-sac); \$62,063.97 into Sunset (Sheryl-Martha); \$176,804.08 into Lawrence (Olive-Dead End); \$96,349.50 into Main (Rose-French) \$145,689.10 into Nataka (13-Cul-de-sac); \$22,999.03 into Olive Lane (Olive-Olive); \$22,354.39 into Olive Lane S (Olive-Olive); \$205,660.20 into Rose Road (SR 6- Main); and, \$118,152.05 into Nataka (Nataka-Olive). Motion carried 7-0.**

IOCS Problem Solving Court (9015): **James Masterson moved, second by Adam Faulstich, to approve the additional appropriation request of \$406.33 into Drug Testing Supplies. Motion carried 7-0.**

TRANSFER OF APPROPRIATIONS ORDINANCE 2024-2(9):

General/Circuit Court (1000-232): James Masterson moved, second by Adam Faulstich, to approve the transfer request of \$500 from Wages-Clerical into Office Equipment; \$500 from Wages-Reporter Per Diem Venue into Office Equipment; \$250 from Wages-Bailiff Per Diem Venue into Office Equipment; and, \$750 from Court Appointed Doctors into Office Equipment. Motion carried 7-0.

Cum Bridge (1135): James Masterson moved, second by Adam Faulstich, to approve the transfer request of \$5,000 from Equipment Rental into Debris Removal Bridges. Motion carried 7-0.

Local Roads & Streets (1169): James Masterson moved, second by Adam Faulstich, to approve the transfer request of \$12,000 from Equipment Rental into 7th Road Mitigation. Motion carried 7-0.

MVH/MVH Restricted (1176/1173): James Masterson moved, second by Adam Faulstich, to approve the transfer request of \$10,000 from MVH Wages-Overtime into MVH Restricted Wages-Overtime; \$200,000 from MVH Restricted Subcontractor Services into MVH Subcontractor Services; \$200,000 from MVH Subcontractor Services into MVH Bituminous; \$100,000 from MVH Bituminous into MVH Restricted Bituminous; \$10,000 from MVH Wages-Road Foreman into MVH Employer Social Security; and, \$15,000 from MVH Restricted Wages-Road Foreman to MVH Restricted Employer Social Security. Motion carried 7-0.

Rainy Day (1186): James Masterson moved, second by Adam Faulstich, to approve the transfer request of \$100,000 from Stone, Gravel, Aggregates into Bituminous. Motion carried 7-0.

Crisis CoAg Covid19 (8825): James Masterson moved, second by Adam Faulstich, to approve the transfer request of \$4,999.99 from Wages-Overtime into Wages-School Liaison; \$997.47 from Wages-Overtime into Employer PERF; and, \$4,000 from Travel/Mileage into Supplies. Motion carried 7-0.

Ord. 2024-10(7): Amending Salary Ord. 2023-25: Nicole Cox moved, second by Deborah Johnson, to approve Ord. 2024-10(7): Amending Salary Ord. 2023-25, Section: Marshall County Probation Department, Fund 1000-273, reducing the Probation Officer hours from Fund 2000 Adult Probation Administrative and increasing the Probation Officer hours in Fund 2100 Supplemental Adult Probation; in Section IOCS Pre-Trial Grant, Fund 9013-005, reflecting Probation Officer as FLSA Status Non-exempt to be effective January 1, 2024; and Section Marshall County Health Department, Fund 1159, adjusting the Emergency Preparedness Coordinator/Environmentalist number of hours to be paid to 838; Section Local Health Public Services Fund 1161, adjusting the Emergency Preparedness Coordinator/Environmentalist number of hours to 604; and Section Public Health Emergency Preparedness, Fund 8118, adjusting the Emergency Preparedness Coordinator/Environmentalist number of hours to 378, to be effective August 19, 2024. Motion carried 7-0.

Minutes of August 8, 2024: Tim Harman moved, second by Adam Faulstich, to approve the minutes of August 8, 2024 by striking the Plan Commission paragraph as presented and replacing it with the Council written submission, which reads as follows: “Plan Commission Board President David Hostetler appeared at the request of the Council to discuss the Council’s willingness to provide additional funding for the Planning department’s urgent needs, despite the department having exhausted its annual budget for legal and advertising. Mr. Hostetler asserted that he works for the County Commissioners, since they appointed him to the Planning Commission. At President Bohanon’s request, Council Attorney Lebbin attempted to present Indiana Code explaining that the planning commission reports to the Commissioners as the executive and legislative body, but also reports to the Council for fiscal oversight.

Mr. Hostetler interrupted Mr. Lebbin stating, "They (the Council) are not my boss." There was a lively exchange between Mr. Hostetler and Mr. Lebbin. President Bohannon gaveled Mr. Hostetler down and insisted upon regular order. Mr. Hostetler then left abruptly. Council members discussed whether to seek a cease and desist order without monetary damages.

Attorney Lebbin informed the Council that it is a felony for an individual to encumber unappropriated funds. Council Member Masterson suggested the Plan Commission attorney, the Commissioners' attorney, and the Council attorney meet to discuss a resolution. **Jesse Bohannon moved, second by Adam Faulstich, to allow James Masterson to mediate between the attorneys. Motion carried 6-0." Motion carried 6-0-1, with Will Patterson abstaining.**

Minutes of August 29, 2024: **James Masterson moved, second by Deborah Johnson, to approve the special meeting minutes of August 29, 2024 as presented. Motion carried 7-0.**

Claims: **Nicole Cox moved, second by Will Patterson, to approve the submission of a Lebbin Law invoice in the amount of \$1,950 and a Cender Dalton invoice in the amount of \$1,139.35. Motion carried 7-0.**

Culver Union Township Public Library Appointment: This item was tabled. The Council is seeking an interested candidate to fill the unexpired term of Jennah Fairchild on the Culver Union Township Public Library Board.

Job Classification & Compensation Subcommittee Report: Human Resources Administrator Jennifer Daake requested the board accept the recommendations made by the subcommittee following review of the submitted job description changes received during the review period of February 1st through April 30th. The Health Department: create a new position of Office Manager/Administrative Assistant, classified as a COMOT3. The Sheriff Department: Administrative Services Assistant, adjusting the job description, with no change in classification and Bookkeeper, adjusting the job description, re-classified as a COMOT4. The Clerk's Office: adjusting the Deputy Clerk job description, re-classified as a COMOT4; adding the First Deputy/Voter Registration & Election Administrator job description, classified as a SO/COMOT3; and, adjusting the First Deputy/Bookkeeper job description, re-classified as a SO/COMOT4. The Treasurer's Office: First Deputy and Second Deputy job descriptions, with no change in either classification. The Auditor's Office: First Deputy, Deputy Auditor/GIS and Property Records, Property Records, Settlement Deputy, Payroll, and General Claims job descriptions, with no change in classifications. She further explained, the changes, if approved, will be effective January 1, 2025. **James Masterson moved, second by Deborah Johnson, to approve the recommendations as presented. Motion carried 7-0.**

Administrator Daake presented the Wage Rate by Category Sheet, as recommended by the subcommittee, and requested the board accept the recommendation. **James Masterson moved, second by Nicole Cox, to accept the Wage Rate by Category Sheet as presented. Motion carried 7-0.**

Public Safety Committee: The committee is continuing discussion about offering a matching grant with local units to help with EMS and fire needs. A process for determining need and monetary award has not been finalized. If agreements are to be made with the local units, it will require Commissioner support. **Tim Harman moved, second by Will Patterson to allow President Bohannon to present the project to the Commissioners. Motion carried 7-0.**

PUBLIC INPUT

No public input was heard.

RECESS

A recess was taken from 9:46 a.m. until 10:01 a.m. Attorney Marcel Lebbin was not present for the remainder of the meeting.

2025 BUDGET HEARING

Will Patterson moved, second by James Masterson, to open the budget hearing. Motion carried 7-0.

Solid Waste: Director Marianne Peters presented the 2025 budget request in the amount of \$542,532, with a maximum levy of \$424,822. **Nicole Cox moved, second by Adam Faulstich, to approve the 2025 Solid Waste budget on first reading. Motion carried 7-0.**

Marshall County Tourism Commission: Board President Brian Teall and Vice President Wyatt Stephan presented the 2025 Annual Budget in the total sum of \$500,000, with revenues estimated to be \$500,621. **Tim Harman moved, second by Nicole Cox, to approve the 2025 Marshall County Tourism Commission budget as presented. Motion carried 6-0.**

Marshall County Budget

Commissioners: The total budget submitted is \$5,501,071. Professional Services increased \$35,000; Postage reduced \$2,000; and Trash Hauling & Recycling reduced \$2,000.

Drainage Board: The total budget submitted is \$7,800.

Cumulative Capital Development (CCD): The total budget submitted is \$1,134,490.

Medical Benefits Self Insurance: The total budget submitted is \$3,299,114.

County IV-D Incentive: The total budget submitted is \$4,500.

Building Maintenance: The total budget submitted is \$680,565. Repair & Maintenance Supplies reduced \$3,000 and Janitorial Supplies reduced \$3,000.

Human Resources: The total budget submitted is \$105,497. Drug Testing reduced \$200; Safety Committee reduced \$500; Travel/Mileage reduced \$250, and Training reduced \$250.

Highway: The total budget submitted is \$6,299,628. Wages-PT Clerical reduced \$500; Dues & Subscriptions reduced \$200; and Telephone reduced \$500.

Cum Bridge: The total budget submitted is \$2,604,473.

Local Roads and Streets: The total budget submitted is \$962,000.

General - Sheriff: The total budget submitted is \$3,063,292. Wages-Overtime reduced \$5,000 and Legal Services reduced \$500.

LIT Special Purpose: The total budget submitted is \$6,487,565. Wages-Overtime reduced \$5,000; Prisoner Meals reduced \$35,000; Uniforms/Clothing reduced \$2,400; Professional Services reduced \$5,000; Prisoner Care reduced \$20,000; and Office Furniture & Fixture reduced \$5,000.

Extradition/Sheriff Assistance: The total budget submitted is \$20,000.

Firearms Training: The total budget submitted is \$30,000.

Misdemeanant-County Corrections: The total budget submitted is \$104,000.

Sex/Violent Offender Administration: The total budget submitted is \$7,700.

Statewide 911: The total budget submitted is \$569,563.

Central Dispatch: The total budget submitted is \$329,389.

K9 Program: The total budget submitted is \$2,000.

DARE: The total budget submitted is \$15,000.

DEA Forfeiture: The total budget submitted is \$28,000.

Lake Enforcement DNR Grant: The total budget submitted is \$65,000.

Drug Free Community: The total budget submitted is \$70,000.

Clerk: The total budget submitted is \$468,600.
Voter Registration: The total budget submitted is \$60,350.
Election Board: The total budget submitted is \$291,500.
Clerks Records Perpetuation: The total budget submitted is \$122,500.
Clerk IV-D: The total budget submitted is \$28,000.
Park & Recreation Board: The total budget submitted is \$28,000.
Treasurer: The total budget submitted is \$213,760.
Recorder: The total budget submitted is \$156,845.
ID Security Program: The total budget submitted is \$8,000.
Surveyor: The total budget submitted is \$237,432.
Surveyor Corner Perpetuation: The total budget submitted is \$53,364.
Coroner: The total budget submitted is \$188,550. Vehicle Maintenance Supplies reduced \$100 and Repair Furniture & Equipment reduced \$200.
LEPC: The total budget submitted is \$22,988.
Assessor: The total budget submitted is \$196,900.
Sales Disclosure-County Share: The total budget submitted is \$7,800.
Reassessment: The total budget submitted is \$575,350.
Prosecutor: The total budget submitted is \$793,170.
Pre-Trial Diversion: The total budget submitted is \$196,322.
Prosecutor IV-D: The total budget submitted is \$21,570.
DTF: The total budget submitted is \$47,941.
Extension: The total budget submitted is \$290,258. Professional Services reduced \$200; Travel/Mileage reduced \$1,000; and Professional Improvement reduced \$2,000.
Veterans Service Officer: The total budget submitted is \$70,473.
Plan Commission: The total budget submitted is \$308,287. Professional Services reduced \$100,000.
Board of Zoning Appeals (BZA): The total budget submitted is \$7,700.
Building Commission: The total budget submitted is \$89,600. Training reduced \$500 and Office Equipment reduced \$300.
Unsafe Building: The total budget submitted is \$85,000.
Information Systems: The total budget submitted is \$203,801.
Museum: The total budget submitted is \$163,883.
Historical Society: The total budget submitted is \$84,343.
Superior Court #1: The total budget submitted is \$376,411. Wages-Clerical reduced \$1,000.
Superior Court # 2: The total budget submitted is \$576,937. Wages-Law Clerk PT reduced \$4,000; Wages-Bilingual Stipend reduced \$600; Office Supplies reduced \$500; Jury Supplies reduced \$200; Jury Meals reduced \$500; and Travel/Mileage reduced \$1,500.
Superior Court # 3: The total budget submitted is \$270,076.
PSC Drug Court: The total budget submitted is \$5,000.

A recess was taken from 12:00 p.m. to 12:11 p.m.

Community Corrections: The total budget submitted is \$362,802.
Community Corrections-Prosecutor Pretrial Diversion: The total budget submitted is \$61,964.
Community Corrections-Problem Solving Court: The total budget submitted is \$65,000.
Community Corrections Project Income: The total budget submitted is \$501,300.
Community Transition Fund: The total budget submitted is \$11,133.
Circuit Court: The total budget submitted is \$319,147. Wages-Bilingual Stipend increased \$100 and Dues and Subscriptions reduced \$400.
CASA: The total budget submitted is \$62,350.

Probation: The total budget submitted is \$796,390.

Adult Probation Administrative: The total budget submitted is \$199,535.

Supplemental Adult Probation: The total budget submitted is \$17,500.

Weights & Measures: The total budget submitted is \$28,795.

EMA: The total budget submitted is \$86,230. Other Operating Supplies reduced \$2,000 and Training reduced \$500.

Soil & Water: The total budget submitted is \$47,625.

Health: The total budget submitted is \$693,907. Group Life Insurance reduced \$41,735 and Office Rent reduced \$24,000.

Health First: The total budget submitted is \$1,071,709.

Auditor: The total budget submitted is \$408,532.

Plat Mapping: The total budget submitted is \$40,723.

Auditor Ineligible: The total budget submitted is \$31,000.

County Officials Training Fund: Total budget submitted is \$25,000.

Council: The total budget submitted is \$318,783.

Auditor Birchmeier stated the General Fund advertised budget is \$16,356,260 and was reduced by \$96,900.

A Budget & Finance Subcommittee meeting is scheduled for September 30th.

ADJOURNMENT

With no further business to come before the Council, **the meeting was adjourned at 12:46 p.m. upon motion by Tim Harman, second by Adam Faulstich. Motion carried 7-0.**

Jesse Bohannon, President

Tim Harman, Vice President

James Masterson

Deborah Johnson

Nicole Cox

Will Patterson

Adam Faulstich

Attest:

Angela C. Birchmeier, Auditor