

MARSHALL COUNTY
BOARD OF COMMISSIONERS
MINUTES
DECEMBER 2, 2024

The Board of Commissioners of Marshall County, Indiana, met for a regular meeting in the Commissioner's Meeting Room 203, 112 W. Jefferson Street, Plymouth, Indiana at 8:30 a.m., Monday, December 2, 2024. Present were Commissioners, Stan Klotz, President; Mike Burroughs, Vice President; Kevin Overmyer, Member; County Attorney, James Clevenger; and County Auditor, Angela C. Birchmeier.

The meeting was opened, streamed live at <https://www.youtube.com/@MarshallCountyIN>, the Pledge of Allegiance was given, and the business at hand was heard.

HIGHWAY DEPARTMENT

Highway Department Superintendent Jason Peters presented three aerial placements from Brightspeed on S. Lake Drive and N. Underwood Road, N. Lake Drive and 4B Road, and N. Lake Drive and Breezy Point Lane in Polk Township, for the purpose of installing aerial fiber optic cable.

Mike Burroughs moved, second by Kevin Overmyer, to approve the three aerial placement requests from Brightspeed on S. Lake Drive and N. Underwood Road, N. Lake Drive and 4B Road, and N. Lake Drive and Breezy Point Lane, in Polk Township for the purpose of installing aerial fiber optic cable. Motion carried 3-0.

Superintendent Peters presented two right-of-way cut requests from Northern Indiana Public Service Company as follows:

- WO #53164-912: N. Redwood Road, between W. 1st Road and Tyler Road, in Polk Township, for the purpose of replacing aging infrastructure and improving system reliability.
- 18710 Tamarack Road, between Lincoln Street and Tamarack Road, in Union Township, for the purpose of installing a gas main to a new business.

Kevin Overmyer moved, second by Mike Burroughs, to approve two right-of-way cut requests from Northern Indiana Public Service Company as presented. Motion carried 3-0.

Superintendent Peters provided an update on the following projects:

Bridge 1, Ule Road (Local Project): The letting date will be January or February 2025.

Bridge 232, Randolph Street: We were informed that the State will be contributing approximately 96% of the costs for bridge construction. INDOT issued Purchase Order #0020137990 for Construction Inspection in the amount of \$340,000.

Bridge 231, Center Street, Bremen: The required INDOT/Federal Highway Administration (FHWA) consulting parties meeting is scheduled for Thursday, December 12th at 1:00 p.m. at the Bremen Public Library. A remote option is available via Microsoft Teams. The final Alternatives Analysis Report approval is dependent on the consulting parties meeting and the final approval of the Historic Bridge Alternative Report (HBAR).

Bridge 88, 12th Road east of Olive Trail: The Minor Projects Programmatic Agreement (MPPA) verification was submitted to the Cultural Resources Office on August 9, 2024.

Bridge 108, East 7th Road: The scope meeting was held November 26th, with INDOT and United Consulting.

Bridge Inspections 2022-2025 Phase II: Four signs have been updated due to the changing requirements for emergency vehicles.

Mill Pond Dam Improvements: The Indiana Department of Natural Resources (IDNR) permit for the pipelining was submitted in early November. The approximate permit review and approval timeline is 90 days.

Call for Projects (NOFA) – HSIP Countywide Striping Initiative: The county has been awarded a total of \$450,000 for the HSIP Countywide Striping Initiative in three phases, Construction Engineering (\$54,000), Construction (\$360,000) and Construction Engineering (\$36,000). The project has been assigned DES #2401543.

Call for Projects (NOFA) – Linden Road: No update.

Call for Projects (NOFA) – Michigan Road Bridge #2540: No update.

Call for Projects (NOFA) – Safety Guardrail Installation: A financial commitment letter was presented for the project. The total cost is estimated to be \$518,000, with a ten percent local match of \$51,800.

Call for Projects (NOFA) Safety Grant – Digital Speed Limit Trailer: A financial commitment letter was presented for the project. The total cost is estimated to be \$70,000, with a ten percent local match of \$7,000.

Kevin Overmyer moved, second by Mike Burroughs, to approve the request to apply for the Highway Safety Improvement Program (HSIP) grants for the Guardrail Installation and Digital Speed Limit Trailer projects and to allow the Board President to sign the financial commitment letters. Motion carried 3-0.

Energy Efficiency Conservation Block Grant (EECBG): Martell has signed the contract.

Annual Bid: The bids will be opened today at 10:30 a.m.

HUMAN RESOURCES

Human Resources Administrator Jennifer Daake presented an updated Personnel Policies Handbook for approval under Ordinance 2024-25. She explained the changes will be effective January 1, 2025 and the following sections were changed: Section 3.2 Work Hours: Hours were added for each department, Section 3.18 Overtime and Compensatory Time: Excluded positions were included, Section 5.19 Whistleblower and Section 5.7.9 Social Media Accounts of Public Officials: Policies have been added. **Kevin Overmyer moved, second by Mike Burroughs, to approve Ordinance 2024-25: An Ordinance Amending the County of Marshall, Indiana Personnel Policies Handbook, as presented on first reading. Motion carried 3-0.**

Kevin Overmyer moved, second by Mike Burroughs, to suspend the rules and pass Ordinance 2024-25: An Ordinance Amending the County of Marshall, Indiana Personnel Policies Handbook, on second and third reading. Motion carried 3-0.

COMMUNITY CORRECTIONS

Community Corrections Director Beau Holcomb presented a request to apply for the Psychostimulant Support grant provided by the Department of Health and Human Services Administration (HRSA) through Beacon Health. He explained funds will be used to provide incentives such as gift cards and ride vouchers to participants. **Mike Burroughs moved, second by Kevin Overmyer, to allow Community Corrections to apply for the Psychostimulant Support Grant and enter into a Memorandum of Understanding with Beacon Health System, Memorial Hospital-South Bend as presented. Motion carried 3-0.**

ATTORNEY REPORT

Old Business

Highway-Bridge 1: The paperwork for acquisition of Parcel 1 is complete. Payment has been made to the owners of Parcel 2 – 5. The Auditor's Office has not received the deeds for recording.

Plan Commission: An Intergovernmental Agreement between the City of Plymouth and Marshall County has been prepared for Planning Services while the Marshall County Plan Commission hires a replacement for Ty Adley. The County will pay the City \$875 per month during the term of the agreement. Discussion was held concerning the amount of the payment.

An Extension/Employment Agreement has been prepared for the Marshall County Plan Commission Director for Ty Adley's attendance at three night meetings in December, 2024 of the Plan Commission and BZA. Services include preparation and participation for those meetings. The total fee for all three meetings is \$1,500. The agreement shall be treated as an independent contract with no other benefits. **Kevin Overmyer moved, second by Mike Burroughs, to approve the Extension/Employment Agreement for Marshall County Plan Commission Director as presented. Motion carried 3-0.**

Food Bank Sub-Recipient Agreements: The Sub-Recipient Agreements for American Rescue Plan (ARPA) Funds for the six county food banks have been prepared. The agreements need to be completed with an amount of ARP funds to be inserted and a form for supporting information concerning the acquisition of food and food storage equipment. The six food banks are Argos UMC Shepherd's Food Pantry, Bourbon Helping Hands, Bread of Life Community Food Pantry, Culver Community Food Pantry, Grace Food Pantry of Bremen, and Marshall County Neighborhood Center. **Mike Burroughs moved, second by Kevin Overmyer, to approve the Sub-Recipient Agreement for ARP Funds between Marshall County and the six food banks in the amount of \$12,500 each as presented. Motion carried 3-0.**

Public Safety Matching Grant Funds Program: Sub-Recipient Agreements have been prepared for the Town of Argos, Town of Bourbon, Tippecanoe Township, and Polk Township for their Fire and EMS Departments. The final dollar amounts need to be inserted and the forms and supporting information of expenditures added. **Kevin Overmyer moved, second by Mike Burroughs, to approve the four Sub-Recipient Agreements for ARP Funds between Marshall County and the Town of Argos, Town of Bourbon, and Tippecanoe Township in the amount of \$50,000 each and Polk Township in the amount of \$24,991.36. Motion carried 3-0.**

Kevin Overmyer moved, second by Mike Burroughs, to allow any unspent funds appropriated in account line 7.3-Transfer to Other Unit of Government be applied to Polk Township. Motion carried 3-0.

Lake of the Woods Establishment of Conservancy District: Judge Sarber has scheduled a hearing on the petitions and most matters for Friday, December 13, 2024, at 10 am. The Judge is keeping the Auditor busy with updated reviews of landowners' signatures on petitions and confirmation of ownership and assessed values.

New Business

Park Place Encroachments: A letter has been drafted to the homeowners and will be mailed.

AUDITOR REPORT

November 18, 2024 Minutes: **Mike Burroughs moved, second by Kevin Overmyer, to approve the November 18, 2024 minutes as presented. Motion carried 3-0.**

Accounts Payable Claim: **Kevin Overmyer moved, second by Mike Burroughs, to approve the accounts payable claims as presented. Motion carried 3-0.**

Payroll Claim: **Mike Burroughs moved, second by Kevin Overmyer, to approve the payroll claims as presented. Motion carried 3-0.**

PUBLIC COMMENT

Travis Dexter, 16705 16C Road, Culver, requested Marshall County be a part of the process for a future Confined Feeding Organization (CFO) Development that has contract agreement relations with commercial entities.

COMMISSIONER ITEMS

EMA Building: **Kevin Overmyer moved, second by Mike Burroughs, to remove the REMC electric to the old EMA Building. Motion carried 3-0.**

Council on Aging: **Mike Burroughs moved, second by Kevin Overmyer, to approve the INDOT Section 5311 Grant Agreement under Contract #88996 and the Section 5339 Grant Agreement under Contract #89053. Motion carried 3-0.**

Ordinance 2024-24: **Kevin Overmyer moved, second by Mike Burroughs, to approve Ordinance 2024-24: Amendment and Restatement of Marshall County On-site Sewage Systems on first reading. Motion carried 3-0.**

MACOG Traffic Counts – 4th Road & Olive Road: Vice President Burroughs provided the MACOG Traffic Count Report reflecting the volume of traffic, speed, and classification of vehicle. It was determined that no action needs to be taken.

A recess was taken from 9:12 a.m. until 10:30 a.m.

2025 Annual Highway Bids: Twenty items were advertised for bid. Following Attorney Clevenger opening the bids, **Mike Burroughs moved, second by Kevin Overmyer, to accept and take the 2025 Annual Highway Bids under advisement. Motion carried 3-0.**

ADJOURNMENT

With no further business to come before the board, **Mike Burroughs moved, second by Kevin Overmyer, to adjourn the meeting at 11:03 a.m. Motion carried 3-0.**

Stan Klotz, President

Mike Burroughs, Vice President

Attest:

Kevin Overmyer, Member

Angela C. Birchmeier, Auditor