

MIAMI COUNTY COMMISSIONERS  
25 N BROADWAY  
PERU, IN 46970  
September 7, 2021

Commissioner Hunt called the regular meeting of the Board of Commissioners to order. All Commissioners are present.

**COURTHOUSE REMODEL**

Tom Salzar, Bona Vita Architecture came before the board to review the quote provided at the previous meeting, which will review the space needs of the Courthouse. Mr. Salzar noted Bona Vita Architecture would provide a proposed layout and construction costs associated with the project. Commissioner Musselman made a motion to approve the quote from Bona Vita for \$9,800. Commissioner Weaver 2<sup>nd</sup> the motion and it passed 3-0.

**HEALTH OFFICER-COUNTYWIDE MASK MANDATE REQUEST**

Dr. James Rudolph, Miami County Health Officer came before the board to discuss the recommendation tabled from last meeting regarding the countywide mask mandate. Dr. Rudolph noted positive COVID cases continue to be recorded in the Health Department. Dr. Rudolph met with the schools and recommended they follow the CDC guidelines for masking, but received pushback because of contact tracing. Dr. Rudolph understands the frustration of sending healthy kids home, but contact tracing follow the IC Code. Dr. Rudolph noted that Maconaquah Schools have closed due to the number of cases reported in their school amongst the students and staff. North Miami and Peru Schools have stopped contact tracing and sending kids back to school that were sent home due to contact tracing. Dr. Rudolph stated 35% of Miami County residents are vaccinated, with the majority of them being the elderly, which is why he is encouraging the board to take action in helping curb the spread. Dr. Rudolph requested the board not make the decision personal or political, look at the data available regarding the effectiveness of helping curb the virus by wearing a mask. Commissioner Weaver feels that until pharmaceutical companies can do something to help the people when they have COVID that she cannot support a mask mandate. Dr. Rudolph stressed that wearing a mask reduces the spread of the virus and keeps people out of the hospital. Dr. Rudolph noted that the current recommendation is for anyone 2 and over to wear masks whenever they are inside. The county is currently at a high level of orange and the mask is the only weapon we have to stop the spread of the virus.

Sam Watkins, Peru Community School Superintendent spoke on behalf of the school board, who have made it clear they do not want a mask mandate. Superintendent Watkins explained the ever-changing rules by the CDC, Federal, State and Local government have made it nearly impossible to have any consistency in what the school is doing. Peru Schools are taking all measures possible, such as routine disinfecting, cleaning, etc. Superintendent Watkins noted that last year thousands of educational hours were lost because of quarantining students and staff that never got sick. The school looks for

practical ways to monitor the COVID numbers and if the numbers increase will move to virtual learning.

Jill Sharp thanked the board for their work. Ms. Sharp understands they are in a tight spot with making this decision. Ms. Sharp stated the COVID virus is a living organism that will adapt and is not going away. People do not want to wear masks anymore. The IC Code says these things are a recommendation, not that they have to be done. Ms. Sharp feels that as adults, they can take care of their children and it should be personal choice.

Michael Selleck stated that he works for a government agency and spent many months last year prepping for the pandemic. Mr. Selleck was speaking on the government side of things and while could not share all the details, stated he was currently prepping for things much bigger than the masks.

Michelle Seymour spoke about protecting children and the things she has put in place in her own home to accommodate a child who cannot be vaccinated. Ms. Seymour respects Dr. Rudolph and his job, but she needs to protect her children and does not feel wearing masks all the time is the answer. Ms. Seymour has noticed a change in her children's behavior since being forced to wear masks at school all day and it is taking a mental and emotional toll on their health.

Catherine Kunkle feels that masks should be a personal choice as she is responsible for her own health.

Jon Faust feels it is the responsibility of the board to help reduce the spread of the virus in the county. Mr. Faust recommends putting the mask mandate in place and see if the numbers drop. Dr. Rudolph noted it would not be an unlimited order and tied to the color code of the county. If numbers dropped us to yellow, masks would no longer be required.

Lynette Smith spoke in favor of the mask mandate. Ms. Smith begged the board to enforce the order and if the numbers drop, the masks go away. Ms. Smith believes the board should err on the side of caution and would like to see the county be more cautious.

Leland Brown spoke in favor of the mask mandate. Mr. Brown has 2 kids in school and hated virtual school. Mr. Brown feels more people need compassion and empathy. If people would wear the masks, it would keep kids in school.

Dr. Rudolph thanked everyone for listening, those who voiced their opinions, sharing their opinions and for remaining civil.

Commissioner Hunt thanked everyone for his or her comments. Commissioner Musselman thanked Dr. Rudolph for how he has handled himself the last 2 meetings. Commissioner Musselman appreciated that while not everyone may agree, he was still respectful.

Commissioner Musselman made a motion to refuse to adopt a countywide mask mandate. Commissioner Weaver 2<sup>nd</sup> the motion and it passed 2-1 (Hunt opposed).

### **COUNTY HEALTH INSURANCE**

Angela Overman, Apex came before the board to request permission to move the county's current pharmacy benefit manager from Magellan to True RX. Ms. Overman explained the new company would be more competitive with pricing, provide a savings to the county by switching and allow those who are required to use specialty drugs to potentially receive at no cost. Average savings by changing is expected to be \$259,000. The change would be effective January 1, 2022. Commissioner Weaver made a motion to move pharmacy benefit managers from Magellan to True RX. Commissioner Musselman 2<sup>nd</sup> the motion and it passed 3-0.

### **HIGHWAY DEPARTMENT**

Kerry Worl, Highway Superintendent presented a request from BSM Groups for QC Communications to bury fiber optic cable at Mexico Road and W 200 N. Commissioner Musselman made a motion to approve the request from BSM Groups for QC Communications to bury fiber optic cable at Mexico Road and W 200 N. Commissioner Weaver 2<sup>nd</sup> the motion and it passed 3-0.

Colin Smith with Butler, Fairman and Seufert, Inc. presented a general service agreement to the board for review. This agreement would allow the county to utilize BF & S's engineering services since the county does not currently have one. Attorney Steve Downs will review the contract.

Mr. Sullivan presented a task letter from the general services agreement for hourly rates, which would not exceed \$5,000. Mr. Sullivan explained this would allow the county access to the services with BF & S for "on call" services.

Mr. Sullivan stated BF & S is working on the final phase of Eagle's Pointe through Community Crossings. The agreement should be completed by October.

Janice Hughes, Highway Office Manager thanked BF & S for all their support as the county has relied on them heavily since losing the engineer.

### **REASSESSMENT BIDS**

Karen LeMaster, Assessor presented the specs for the reassessment contract bid. Assessor LeMaster explained the bids would be due September 17, 2021, with the board opening on September 20, 2021 and final award on October 4, 2021.

### **BROADBAND PROJECT**

Rob Schwartz, REMC came before the board to discuss the broadband project. Attorney Steve Downs explained the bidding process needed to take place for a public works project due to the cost. Attorney Downs will work with REMC on the bid specs, as long the specs are not specific to a company.

## **MINUTES**

Commissioner Musselman made a motion to approve the 8/16/21 minutes. Commissioner Weaver 2<sup>nd</sup> the motion and it passed 3-0.

## **CLAIMS**

Commissioner Musselman made a motion to approve claims. Commissioner Weaver 2<sup>nd</sup> the motion and it passed 3-0.

## **PAYROLL**

Commissioner Weaver made a motion to approve payroll. Commissioner Musselman 2<sup>nd</sup> the motion and it passed 3-0.

## **WAIVER OF TAXES**

The board received a request from City of Peru to waive taxes on 107 Daniel. Commissioner Musselman made a motion to approve the request to waive taxes on 107 Daniel. Commissioner Weaver 2<sup>nd</sup> the motion and it passed 3-0.

## **4 COUNTY MEMORANDUM OF UNDERSTANDING**

The board received the memorandum of understanding for 4 County for the OCRA Grant. Commissioner Musselman made a motion to approve the memorandum of understanding. Commissioner Weaver 2<sup>nd</sup> the motion and it passed 3-0.

## **DOWNTOWN CHRISTMAS OPEN HOUSE**

The board received a request to decorate the Courthouse and grounds with lit presents, bears, clown face, Santa house, etc. for the downtown Christmas open house on November 17, 2021. Commissioner Weaver made a motion to approve the request with the exception of the lit clown face. Commissioner Musselman 2<sup>nd</sup> the motion and it passed 3-0.

## **PURDUE EXTENSION**

The board reviewed the memorandum of understanding for Purdue Extension. The memorandum of understanding outlines the method of processing reimbursement of expenses and notes that Purdue Extension Agents are Purdue employees and the office support staff are employed by Miami County. Commissioner Musselman made a motion to approve the memorandum of understanding for Purdue Extension. Commissioner Weaver 2<sup>nd</sup> the motion and it passed 3-0.

## **IT**

The board received a quote for \$747.98 for Zero Trust, which only allows programs approved and trusted to run. This prevents breaches and attacks better than a normal antivirus that relies on definitions. Commissioner Musselman made a motion to approve the quote for \$747.98 for Zero Trust. Commissioner Weaver 2<sup>nd</sup> the motion and it passed 3-0.

## **PLAN COMMISSION**

The board received quotes for a new desk for the Plan Commission office. Auditor Brown stated no old desks were available and the current Administrator's desk is falling apart. The board received a quote from RD Filip for \$975 and GJ's for \$1,499.

Commissioner Musselman made a motion to approve the quote from RD Filip for \$975. Commissioner Weaver 2<sup>nd</sup> the motion and it passed 3-0.

## **OLD JAIL DEMO**

The board received a quote from Heartland Environmental for the asbestos survey for \$2,300 on the old jail. The company would also test for lead based paint as part of their analysis. Auditor Brown noted this is part of the services needed performed to tear the old jail down. Funding would come from ARP funds. Commissioner Musselman made a motion to approve the quote from Heartland Environmental for the asbestos survey for \$2,300. Commissioner Weaver 2<sup>nd</sup> the motion and it passed 3-0.

## **HEALTH DEPARTMENT**

Auditor Brown presented quotes for the Health Department for cameras for \$7,140 and door system for \$10,925. The door system would be installed at the new Health Department and be like what is used on the Courthouse/Annex buildings. Auditor Brown noted these items could be paid for out of ARP funds. Commissioner Weaver made a motion to approve the quote for new cameras for \$7,140. Commissioner Musselman 2<sup>nd</sup> the motion and it passed 3-0. Commissioner Musselman made a motion to approve the quote for the new door system for \$10,925. Commissioner Weaver 2<sup>nd</sup> the motion and it passed 3-0.

Commissioner Hunt noted they have not received the cooler for the new morgue, which was ordered 5 months. It is uncertain when it will be delivered, so MC Contracting is going to build a cooler, which could possibly be cheaper to do.

## **SOLID WASTE**

Samantha St. John, Solid Waste Director came before the board to ask why Solid Waste was not included on the ARP bonus. Auditor Brown explained only Miami County employees were eligible for the bonus and Solid Waste employees are not those of the county. Director St. John stated that Solid Waste follows the same guidelines as the county and she did not understand why they were not considered employees. Auditor Brown further explained none of Solid Waste funding flows through the county; they function solely on fees collected. Auditor Brown went on to state Solid Waste is a separate entity from Miami County and the employees with Solid Waste are not paid by the county. Therefore, it did not make them eligible for the bonus. Commissioner Musselman explained it was nothing personal, but the guidelines of the funding must be followed.

## **HIDDEN HILLS**

Attorney Downs received the notice from the court of the owners of properties working with the DNR on how to repair the dams. The only way the county would be liable is if a road goes over the dams.

**PUBLIC COMMENT**

Charlie Smith raised concerns regarding the proposed solar farm with a local farmer and the potential damage to drains and ditches. Mr. Smith feels that board should be paying attention to what is being proposed and be proactive on the matter.

Elaine Anderson stated the Surveyor needs to provide a drainage plan to include in the solar ordinance. Ms. Anderson feels the board is ultimately responsible to ensure solar farms are done properly.

Sheriff Hunter stated Secure Tech recently did an evaluation of our current security system equipment and has recommended an upgrade. Sheriff Hunter will forward the quote to the board.

**ADJOURN**

Commissioner Musselman made a motion to adjourn. Commissioner Weaver 2<sup>nd</sup> the motion and it passed 3-0.

**Adjourned**

**MIAMI COUNTY BOARD OF COMMISSIONERS**

\_\_\_\_\_, **Chairman**  
**Alan Hunt**

\_\_\_\_\_, **Vice Chairman**  
**Keith Musselman**

\_\_\_\_\_, **Member**  
**Brenda Weaver**

**Attest:** \_\_\_\_\_, **Auditor**  
**Mary Brown**