

PERRY COUNTY BOARD OF COMMISSIONERS

MINUTES –December 19, 2023

The Perry County Board of Commissioners met at 6:00 p.m., as was duly advertised. Commissioners: President Randy Cole (RC), Rebecca Thorn (RT) and Randy Kleaving (RK) were in attendance. Auditor Kristinia Hammack was also present. There was no *Attorney, Sheriff, or News Representative* in attendance.

The meeting opened with all present reciting the Pledge of Allegiance.

AGENDA

RK made a motion to approve the agenda as amended, seconded by RT. Motion carried 3-0.

PUBLIC COMMENTS

- a) Mike Cox along with Trevor Shepherd P.E., United States Department of Agriculture spoke regarding the Deer Creek Dam Rehabilitation. Over the past few years, the USDA (United States Department of Agriculture) and NRCS (Natural Resources Conservation Service) have been in discussions with the Perry County Soil and Water District and Commissioners about potential rehabilitation plans for the Deer Creek Dam located on the Forest Service property. The NRCS assisted with funding the initial assessment of the Dam, which was due to the Dam not meeting current state high hazard criteria. Through current U.S. Farm Bill funding, the NRCS has been able to secure money for the next step, which is an in-depth planning study for potential rehabilitation. This is for a depth study of environmental, geotechnical, etc. factors that are needed for a final design.

Dam Rehabilitation Planning – Deer Creek – December 2023

Watershed Rehabilitation Program – Goal is to help project sponsors rehabilitate aging dams that are reaching the end of their design life and/or no longer meet federal and state standards/requirements.

Steps/Parts of the Rehabilitation Process:

- Assessment – Completed in December 2021 – 4 options (\$1.1 M to \$4.2 M)
 - Planning – 100%-NRCS
 - Design (Engineering) – 100% - NRCS
 - Construction – 65% Federal/35% Sponsor
- NRCS submitted a request for Planning funding in June 2023.

The planning was funded on November 27, 2023 by the NRCS national office (Watershed Rehabilitation staff)

Plan for Completing the Planning/Environmental for the Rehabilitation:

1. NRCS competed several Regional contracts nationwide with engineering firms to complete a variety of engineering work, including Planning/Engineering Design for watershed rehabilitation.
2. Indiana NRCS will develop a Statement of Work (SOW) for the project and will submit the SOW and other documentation to NRCS Contracting staff
3. The Regional Engineering Firm will review the scope of work and submit a quote for the engineering services to the national contacting staff and Indiana NRCS.
4. If the quote, falls within the funding received the work on the planning efforts will move forward.
5. If the quote is outside of the funding, the contracting staff and NRCS will negotiate with the engineering firm.

Planning – 4 Principal Phases of Work

Phase I – Goals, Objectives, Purpose and Need

- Document Sponsor's Goals and Objectives
- Purpose (s) and Need for the project
- Inspections/surveys/H&H analysis

- Scoping
- Interagency Consultation
- Development of Public Participation Plan (PPP)

Phase II – Inventory Resources and Analyze Resource Data

- Environmental Resources
- Economic Resources
- Social Resources

Phase III – Alternative Formulation Evaluation and Decision

- Formulation/development of all reasonable alternatives
- H&H analysis – upstream and downstream flood impacts
- Preferred alternative – identified as reasonable alternative that maximizes net public benefits

Phase IV – Preparation of Plan-Environmental Document

- Preliminary
- Draft
- Final Plan-Environmental Document

Once all the planning is complete, then the next step will be to move on to request funding for the engineering. Once that goes through, funding for the construction can be requested.

RK asked if there is a time-frame for each phase, and Cox responded for the planning, NRCS wants it done in twelve months, but more likely it is eighteen months. This is what he has heard nationally from their peers. RK asked if this time frame is on the planning, not the construction, and Cox stated yes. He stated the planning is the lengthiest part. There is a lot of input that is needed in this phase.

Cox stated for construction, if the cost is one million dollars, Perry County would have to come up with \$350,000 for their share, and federal would fund the \$650,000.

Obtaining land rights would result if you would have to widen the auxiliary spillway or flood upstream. This is an unknown.

RC stated this is National Forest where the dam is located, and Cox stated that would make this process easier.

RC stated the County's portion of the money will be a challenge, and he asked if once this is corrected, will the Forest Service take this responsibility back over? Cox stated he could not answer that question.

Cox stated there will be required permits to do the work. He feels they will be straight forward. DNR wants these dams to be brought up to the state standard. For the operation and maintenance, there will be an agreement written between NCRS and Perry County that someone will commit to maintain it.

An Incident & Emergency Action Plan (IEAP) will have to be developed. This is required for High Hazard dams per the Indiana Department of Natural Resources (IDNR).

No action is needed from the Commissioners at this time.

RK stated the dam is in good shape, it's just not a high hazard dam. Cox stated there are things that have happened downstream that made it a high hazard dam.

RK stated that the highway has several bridges downstream. Highway Superintendent stated there are three bridges below the dam.

- b) Auditor Hammack stated the Edit Plan is set to expire on December 31, 2023, and she is inquiring to see where the Commissioners are on this plan due to Edit Funds will be received in January. RC stated he has started to work on this plan. Once he gets something put together, he will share it with everyone. Hammack asked if he will have this by the December 28, 2023 meeting, and RC responded possibly.

Hammack stated she has not heard anything on contracts. She has started to compile a list of contracts that have to be taken care of at the December 28, 2023 meeting. She asked the Commissioners to compile a list as well and email that list to her. RC stated some contracts are rollovers and are automatic unless changed. Hammack recommended to review all contracts even if the County does not have to renew them. She mentioned the PCDC contract, and RC stated it will be tied back into the Edit Plan.

MINUTES

a) 12.04.2023

RT made a motion to approve, seconded by RK. Motion carried 3-0.

KRISTINIA HAMMACK, AUDITOR

a) 12.18.2023 Payroll in the amount of \$167,420.27

RT made a motion to approve, seconded by RK. Motion carried 3-0.

b) 12.18.2023 Payroll With-holdings in the amount of \$35,783.77

RK made a motion to approve, seconded by RT. Motion carried 3-0.

c) Health Insurance Claims: \$8,942.33

RT made a motion to approve, seconded by RK. Motion carried 3-0.

d) Flex Spending Claims: \$315.50

Auditor Hammack stated that employees will have ninety days from January 1, 2024 to be spend their 2023 Flex Spending.

RK made a motion to approve, seconded by RT. Motion carried 3-0.

e) Approval of 12.19.2023 Claim Docket: \$179,431.33

RC questioned an invoice from an elected official in the amount of \$8,650. He asked if the Conflict-of-Interest Statements were obtained that need to go with this claim? Auditor Hammack will look into this. RC stated this is a State requirement and County does not want the State Board of Accounts questioning this claim. Hammack stated that this claim will be pulled out of the claim docket and she will bring back to the December 28, 2023 meeting. Tabled this claim until all required documents are obtained.

RT made a motion to approve the claim docket less the \$8,650 claim that was tabled, seconded by RK. Motion carried 3-0.

f) Approval of bond disbursement to Cash-Waggner Enterprise in the amount of \$42,475.00 and \$15,315. They provided environmental ground in place of some of the other ground that was used at the Riverview and Switzer Road. This is the last payment of the five-year agreement.

RT made a motion to approve, seconded by RK. Motion carried 3-0.

STEVE HOWELL, HIGHWAY SUPERINTENDENT

a) Steve Howell appeared asking the Commissioners to sign a letter of support for the 2024 Community Crossing Grant. This grant is for \$1.5 million. RT asked how much more can be done with the extra amount, and Howell responded that he is getting estimates on four different sections of road. He is getting more estimates on connecting roads that tie in with the four roads the Highway plans to do. RT asked what roads the Highway Department will be doing next year, and Howell replied Opera, Leopold-Oriole, Camargo, and Carlisle. RK asked if this will be from Highway 62 to Siberia, or Highway 145 to Siberia, and Howell responded both. This will take care of the \$1 million. He is possibly looking at Branchville tying in to Oriole. Howell stated that estimates have to be obtained, and when the funding is obtained, a bid is obtained. The amounts can go up due to current prices at bid time, or they can go down.

RC asked when the grant application has to be submitted, and Howell stated it opens January 2, 2024 and ends January 30, 2024. He does not rush the application in order to not have any mistakes.

RT made a motion to approve applying for the 2024 Community Crossings Grant, seconded by RK. Motion carried 3-0.

b) Howell wanted to remind the Commissioners that the Edit Plan is where most of the Highway's matching funds for Community Crossings comes from. In addition, all the other paving money comes from this plan.

c) Howell stated that the highway received \$600,000 from the a 10-year Interest Free Federal Loan. In the Spring, bids will be obtained for Acorn and Brushy Fork to get it resurfaced early in 2024.

COMMISSIONERS

a) Engagement of Frost, Brown & Todd to represent the County in a specific legal matter.

RT made a motion to approve, seconded by RK. Motion carried 3-0.

b) The County received one bid from C&S for 30,000 gallons of fuel, plus or minus, for police vehicles as well as county vehicles. The bid offer was for 5 cents per gallon discount off posted retail price at the time of fueling the vehicle. C&S currently has four stations in the County.

RK made a motion to accept bid, seconded by RT. Motion carried 3-0.

- c) Purdue Cooperative Extension Services 2024 Contract, which is an annual contract, that has to be signed every year. Auditor Hammack stated this contract has to be submitted to the Purdue Extension Office so it can be sent before the end of the year.
 - RK made a motion to approve, seconded by RT. Motion carried 3-0.
 - d) The 2024 Organizational Meeting will be on January 2, 2024 at 9:00 a.m.
 - e) The next meeting of Commissioners will be December 28, 2023 at 6:00 p.m.
- Auditor Hammack stated that at this meeting she will hand out all board appointments to review for the January 2, 2024 meeting. This will also be the final Claim Docket for 2023. Contracts will also need to be discussed at this meeting.

The meeting was adjourned at 6:50 p.m. CST.
RT made a motion to adjourn, seconded by RK. Motion carried 3-0.

_____ Randy Cole President	_____ Rebecca Thorn Vice-President	_____ Randy Kleaving
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*Minutes prepared by:
Kristinia L. Hammack, Auditor*