

**MINUTES  
FOUNTAIN COUNTY COMMISSIONERS  
MARCH 16, 2020  
6:30 P.M.**

**The following Fountain County Commissioners were present at the meeting:  
Craig Stalter, Don Hesler and Tim Shumaker.**

**Public Hearing**

The Board of Commissioners met in a Public Hearing with discussion to Re-Establish the Cum Funds and increase the Cum Bridge Fund .005 for the year 2021.

**New Business 7:00 p.m. -**

**Cum Bridge Ordinance 2020-3**

Current rate is .06 and the Commissioners and Council would like to increase it .005 for the year 2021 to help with the Covered Bridges.

A motion was made by Don Hesler and seconded by Tim Shumaker to approve the Ordinance at a rate of .0650 for the year 2021. Vote: 3-0

A motion was made by Tim Shumaker and seconded by Don Hesler to suspend the rules for the Cum Bridge Ordinance. Vote: 3-0

A motion was made by Don Hesler and seconded by Tim Shumaker to adopt the cum Bridge Ordinance 2020-3. Vote: 3-0

**CCD Ordinance 2020-4**

Current rate is .0276 for the year 2020.

A motion was made by Tim Shumaker and seconded by Don Hesler to approve the Ordinance at a rate of .0276 for the year 2021. Vote: 3-0

A motion was made by Tim Shumaker and seconded by Don Hesler to suspend the rules for the CCD Ordinance. Vote: 3-0

A motion was made by Tim Shumaker and seconded by Don Hesler to adopt the CCD Ordinance 2020-4. Vote: 3-0

**Cum Voting Systems Ordinance 2020-5**

Current rate is .005 for the year 2020.

A motion was made by Don Hesler and seconded by Tim Shumaker to approve the Ordinance at a rate of .005 for the year 2021. Vote: 3-0

A motion was made by Don Hesler and seconded Tim Shumaker to suspend the rules for the Cum Voting System Ordinance, Vote: 3-0

A motion was made by Don Hesler and seconded by Tim Shumaker to approve the adoption of the Cum Voting Systems Ordinance 2020-5. Vote: 3-0

	<u>Current Rates</u>	<u>Proposed Rate</u>	<u>Max Rate</u>
Cum Bridge	.06	.0650	.10
CCD	.0276	.0276	.0333
Cum Voting	.005	.005	.0167

**PUBLIC COMMENT - Mariann Bratcher property**

This resident was very upset at the county for an incident that happened on her land 16 months ago. A combine had gotten stuck and the county brought rock in to give the combine traction. The combine got out but, the rock was never taken up. This then caused water to back up on her land. It has become quite a problem and they are requesting for the commissioners to do something to get the problem fixed. Don Hesler volunteered to go out to the property and to call on a monthly basis with updates. The County will have to wait until the weather is dry to do any work. She and her son were ok with the decision to wait until summer as long as it actually gets fixed.



### **COMMISSIONER MINUTES - March 2, 2020**

A motion was made by Don Hesler and seconded by Tim Shumaker to approve the minutes of the March 2, 2020 meeting as presented. Vote: 3-0

### **DRAINAGE BOARD MINUTES**

Don Hesler and seconded by Tim Shumaker to approve the Drainage Board Minutes of the March 2, 2020 meeting as presented. Vote: 3-0

### **JOINT MEETING MINUTES**

A motion was made by Tim Shumaker and seconded by Don Hesler to approve the minutes of the March 9, 2020 Joint Council & Commissioners meeting as presented. Vote: 3-0

### **CLAIMS #1- 158 / Payroll Claims**

A motion was made by Tim Shumaker and seconded by Don Hesler to approve the Claims. Vote: 3-0

### **Acknowledgement of Review of Treasurer's Bank Reconciliation and Monthly Comparison Report of Funds by Commissioners as of February 29, 2020.**

#### **Report of Collections - as submitted:**

**Ambulance, Clerk, Health Dept., Recorder, Prosecutor, Sheriff**

### **Review & Acknowledge Treasurer's Bank Reconciliation and Monthly Comparison Report of Funds**

A motion was made by Don Hesler and seconded by Tim Shumaker to acknowledge the Treasurer's Bank Reconciliation for Feb. 29, 2020 and Monthly Comparison Report of Funds. Vote: 3-0

### **UNSAFE BUILDING HEARING**

**65 E Osborn Praire Rd.**

**Veedersburg, IN 47987**

A Certified Notice was sent to Deborah Cross, who is the owner of this property that this property was unsafe, it has been abandoned and unfit for habitation. She was not in appearance at the hearing, so the County will need to proceed with properly covering the open well and septic system.

A motion was made by Tim Shumaker and seconded by Don Hesler to approve to proceed with properly covering the open well and septic system. Vote: 3-0

### **Health Dept Declaration**

Declaring a Public Health Emergency and Exercising Emergency Powers

A motion was made by Don Hesler and seconded by Tim Shumaker to approve Resolution No 2020-7. Vote: 3-0

### **Highway Department Annual Report**

The Highway Secretary and County Auditor reviewed the Annual Report to make sure it balanced with the 2019 Financial Report.

A motion was made by Don Hesler and seconded by Tim Shumaker to approve the Highway Department Annual Report. Vote: 3-0

### **DEPARTMENT HEAD REPORTS**

#### **Highway – Travis Covault**

**Service agreement for DOT Services for the Fountain County Highway Department.**

A motion was made by Don Hesler and seconded by Tim Shumaker to approve Indiana Testing, Inc contract. It was signed by only Craig Stalter. Vote: 3-0

#### **Ambulance – Garth Kagels**

The new drywall is up and should be painted this week. The carpet is discontinued, so it will all have to be replaced.

**Health Dept. – Jenny Eads**

**Dr Sharma declared a Public Health Emergency for Fountain County.**

**EMA-Joe Whitaker**

An Alert on the website, Facebook and Red Alert needs to be put out for the public awareness. The more documentation the better.

A motion was made by Don Hesler and seconded by Tim Shumaker approve the alerts.  
Vote: 3-0

**LIBRARY BOARD – Appointment**

**Terry Fields to replace Trudie Dillon (term expires 12/31/2020)**

A motion was made by Tim Shumaker and seconded by Don Hesler to appoint Terry Fields on the Covington-Veedersburg Library Board of Fountain County for the remainder of 2020.  
Vote: 3-0

**Valley Insurance – Renewal Policy**

**Property/Liability/Auto/Other**

A motion was made by Tim Shumaker and seconded by Don Hesler to approve the Renewal Policy.  
Vote: 3-0

**AT&T Master Agreement & Centrex Contract Renewal  
signed 3/28/2017 – 3/28/2020**

A motion was made by Don Hesler and seconded by Tim Shumaker to approve the Agreement/Contract for 3/29/2020 – 3/29/2023.  
Vote: 3-0

**Fleet Fuel Cards**

Tina Holmes and Brenda Hardy are compiling the list of Fleet Cards needed for each Fountain County owned vehicle. Each individual will have a pin# and each vehicle will have a card.

**Cemetery Commission – Donation**

A motion was made by Don Hesler and seconded by Tim Shumaker to approve the yearly \$1,500 donation to the cemetery commission. Contact for the Cemetery Commission is Bob Shepherd.  
Vote: 3-0




**RESOLUTION 2020-1**

**A RESOLUTION DECLARING A PUBLIC HEALTH EMERGENCY AND EXERCISING EMERGENCY POWERS**

A motion was made by Don Hesler and seconded by Tim Shumaker approve Resolution 2020-1.  
Vote: 3-0

**THE NEXT MEETING WILL BE MONDAY,  
April 6, 2020 8:30 A.M.**

  
**ATTEST: Brenda Hardy**  
**Fountain County Auditor**

  
**Craig Stalter, President**  
  
**Don Hesler**  
  
**Tim Shumaker**



FOUNTAIN COUNTY COMMISSIONERS

RESOLUTION NO. 2020-1

A RESOLUTION DECLARING A PUBLIC HEALTH EMERGENCY AND  
EXERCISING EMERGENCY POWERS

WHEREAS, the novel Coronavirus Disease 2019 (COVID-19) is a severe respiratory illness that has rapidly spread to more than 60 countries in the world, including the United States; and

WHEREAS, on January 30, 2020, the World Health Organization declared the COVID-19 outbreak to be a public health emergency of international concern; and

WHEREAS, on January 31, 2020, Health and Human Services Secretary, Alex M Azar II, declared a public health emergency for the United States; and

WHEREAS, on March 6, 2020, Indiana Governor Eric Holcomb issued Executive Order 20-02, declaring a public health emergency for the coronavirus disease; and

WHEREAS, in response to the outbreak, the Centers for Disease Control and Prevention (CDC) determined that COVID-19 presents a serious health threat and currently recommends community preparedness and everyday prevention measures be taken by all individuals and families in the United States, including voluntary home isolation when individuals are sick with respiratory symptoms, covering coughs and sneezes, washing hands often, use of alcohol-based hand sanitizers and routinely cleaning frequently touched services and objects in order to increase community resilience and readiness for responding to an outbreak; and

WHEREAS, the Governor's Executive Order requires coordination across federal, state and local governments, first responders, private organizations and the entire healthcare structure in Indiana and activates the disaster response and recovery aspects of the state, local and interjurisdictional emergency plans of all counties in Indiana; and

WHEREAS, the Board of Commissioners of Fountain County (the "Commissioners"), is the executive and legislative body of Fountain County, Indiana (the "County"), and has the authority to declare and respond to public health emergencies and is doing so; and

WHEREAS, pursuant to Indiana Code 10-14-3, the Commissioners have the authority to declare a public health emergency and the effect of doing so is to activate the response and recovery aspects of all applicable local or interjurisdictional disaster

emergency plans and authorizes the furnishing of aid and assistance under the plans; and

WHEREAS, pursuant to Indiana Code § 10-14-3-17(j)(5) after the declaration of an emergency, the Commissioners may waive procedures and formalities otherwise required by law pertaining to the performance of work, the entering into of contracts, the incurring of obligations, the employment of permanent and temporary workers, the use of volunteer workers, the rental of equipment, the purchase and distribution of supplies, materials and facilities and the appropriation and expenditure of public funds ; and

WHEREAS, pursuant to Indiana Code § 10-14-3-21(b), the President of the Board of Commissioners and the President of the County Council may, in accordance with the emergency management program and emergency operations plan of the County, enter into a contract or lease with the State of Indiana, accept any loan or employ personnel, and the County may equip, maintain, use, and operate any property and employ necessary personnel in accordance with the purposes for which the contract is executed and do all things and perform acts that the Governor of Indiana considers necessary to effectuate the purpose of the contract; and

WHEREAS, pursuant to Indiana Code 10-14-3-22, the Commissioners may make, amend and rescind orders, rules and regulations necessary to emergency management purposes and to supplement the carrying out the emergency management law that are not inconsistent with orders, rules or regulations adopted by the governor or by a state agency exercising a power delegated to it by the governor, the emergency management program and emergency operations plan of the County, and any such orders, rules and regulations have the full force and effect of law when filed in the office of the clerk of Fountain County;

WHEREAS, Indiana Code 16-20-1-24 authorizes the local health officers to order schools and churches closed and forbid public gatherings when considered necessary to prevent and stop epidemics; and

WHEREAS, in consultation with the Fountain County Health Officers, the Indiana State Department of Health, the Center for Disease Control and other Federal and State agencies, the County Board of Commissioners have determined that it is in the best interests of the public health, safety and welfare of the citizens of Fountain County to declare a public health emergency, to cancel all Fountain County government meetings until further notice, and to take other action consistent with the emergency powers granted under Indiana law.

NOW, THEREFORE, BE IT RESOLVED BY THE FOUNTAIN COUNTY BOARD OF COMMISSIONERS, as follows:



1. The Commissioners hereby declare a local disaster emergency pursuant to Indiana Code 10-14-3-29;
2. The response and recovery aspects of all applicable local or interjurisdictional disaster emergency plans are hereby activated and the furnishing of aid and assistance under the plans is authorized;
3. The procedures and formalities otherwise required by law pertaining to the performance of work, the entering into of contracts, the incurring of obligations, the employment of permanent and temporary workers, the use of volunteer workers, the rental of equipment, the purchase and distribution of supplies, materials and facilities and the appropriation and expenditure of public funds are hereby waived;
4. For purposes of claims, the President of the Board may approve claims and submit the claims to the Auditor for payment;
5. The President of the Board of Commissioners and the President of the County Council may, in accordance with the emergency management program and emergency operations plan of the County, enter into a contract or lease with the State of Indiana, accept any loan or employ personnel, and the County may equip, maintain, use, and operate any property and employ necessary personnel in accordance with the purposes for which the contract is executed and do all things and perform acts that the Governor of Indiana considers necessary to effectuate the purpose of the contract; and
6. The Commissioners may make, amend and rescind orders, rules and regulations necessary for emergency management purposes and to supplement the carrying out the emergency management law that are not inconsistent with orders, rules or regulations adopted by the governor or by a state agency exercising a power delegated to it by the governor, the emergency management program and emergency operations plan of the County, and any such orders, rules and regulations have the full force and effect of law when filed in the office of the clerk of Fountain County;
7. Local health officers are authorized to issue orders to forbid public gatherings when considered necessary to prevent or minimize the spreading of the COV-19;

8. All Fountain County government public meetings are cancelled until further notice, subject to the right of the Commissioners to allow public meetings which are necessary to the operation and function of the County government; and
9. This Resolution shall automatically expire seven days from the date adopted, but its effectiveness may be extended by act of the Commissioners.

Adopted the 16<sup>th</sup> day of March, 2020.

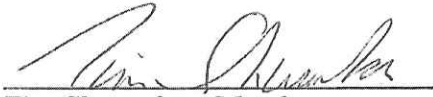
Fountain County, Indiana  
Board of Commissioners,



Craig Stalter, President



Don Hesler, Vice President



Tim Shumaker, Member

Attest:



Brenda Hardy, Auditor

I affirm under the penalties for perjury that I have taken reasonable care to redact each social security number in this document, unless required by law. /s/ J. Kent Minnette

This instrument prepared by: J. Kent Minnette, Indiana Attorney No. 21362-45, Taylor, Chadd, Minnette, Schneider & Clutter, P.C., 105 North Washington Street, Crawfordsville, Indiana, 47933, Telephone: (765) 361-9680.

# Fountain County, Indiana

## Board of Commissioners

### Commissioners Order 20-01

#### FOR: Pandemic or Epidemic Leave Benefit Policy

WHEREAS, on March 16, 2020, Indiana Governor Eric Holcomb issued Executive Order 20-04, issuing further orders and directives to the Coronavirus Disease 2019 Epidemic (COVID-19); and

WHEREAS, on March 16, 2020, the Board of Commissioners of Fountain County issued its Resolution Declaring a Public Health Emergency and Exercising Emergency Powers;

NOW, THEREFORE, I, Craig Stalter, by virtue of the authority vested in me as President of the Board of Commissioners by the laws of the State of Indiana, do hereby order that:

1. Beginning on March 20, 2020, Fountain County will provide paid Pandemic or Epidemic leave benefits to eligible employees as follows:

- 1.1. The purpose of this Leave is to provide additional paid leave for eligible employees who face direct and verifiable exposure to a virus deemed as a pandemic by the World Health Organization (WHO), the Center for Disease Control (CDC), or the Indiana State Department of Health (ISDH, who have been directed to self-quarantine; who develop valid symptoms of the virus; and/or must provide care to their school-age children under the age of thirteen (13) years old when classes and/or day care are cancelled (Child-Care Leave). All Leave under this policy must be approved by the Elected Official/Department Head.

- (A) Each full-time employee will be given a pandemic or epidemic Leave bank in the following manner, which may be increased at the County Commissioners' sole discretion.

- (1) 75 hours - Employees scheduled 1950 annual hours
    - (2) 80 hours - Employees scheduled 2080 annual hours
    - (3) 84 hours - Employees of the Fountain County Sheriff's Office (12 Hour Shifts).

- (B) An eligible part-time employee shall receive a pandemic or epidemic leave bank of 58 hours if they have met the following conditions:

- (1) Worked at least an average schedule of twenty-two and one-half (22 ½) hours per week since December 14, 2019; or
    - (2) New employees hired on December 15, 2019, or after who have worked at



least an average of twenty-two and one-half (22 ½) hours per week from the date of hire until they request leave under this policy.

- (3) The Board of Commissioners may increase this leave at the County's sole discretion.
- (4) Seasonal, part-time and temporary employees who do not meet the above requirements, are not eligible for Pandemic or Epidemic Leave.

1.2. Employees will not be paid for unused pandemic or epidemic leave benefits while they are employed or at termination.

1.3. All pandemic or epidemic leave authorized and taken by an employee will be deducted from his or her pandemic or epidemic leave bank.

1.4. Approved requests for leave under this policy shall be on a signed PANDEMIC or EPIDEMIC LEAVE BENEFIT affidavit form as provided by the Payroll Department of the Fountain County Auditor's Office. All forms must be returned to the Elected Official/Department Head for approval and forwarded to the Payroll Department of the Fountain County Auditor's Office on the bi-weekly payroll voucher and to the Fountain County Administrator upon completion.

1.5. Pandemic or Epidemic leave may be taken prior to the use of an employee's PTO or sick leave.

1.6. Pandemic or Epidemic leave may be authorized in the following circumstances:

- (A) An employee's minor child/children attend a school that is closed due to threat of COVID-19, and the parent and/or legal guardian needs to care for the child/children. This leave is not to be utilized during the school break periods (such as spring break).
- (B) An employee or a member of his or her household or immediate family has tested positive for a virus deemed as a pandemic.
- (C) An employee or a member of his or her household or immediate family is presenting symptoms of a virus deemed as a pandemic or has worked, attended school, or has otherwise had sustained contact with a person who has tested positive for, or has been otherwise diagnosed as having been infected with a virus deemed as a pandemic.
- (D) An employee or a member of his or her household has recently returned from a foreign country that has received a CDC Level 3 Travel Health Notice and is thereby advised to self-quarantine.
- (E) An employee or a member of his or her household or immediate family is informed by a public health agency that he or she has been exposed to another person who has tested positive for a virus deemed as a pandemic.

- (F) An employee at elevated risk due to pregnancy, age (over 60), compromised immune system, or chronic health condition who has been advised by a doctor or other health care professional to self-quarantine.

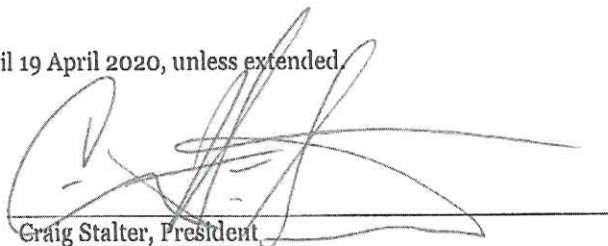
1.7. All Pandemic or Epidemic Leave shall be subject to the following conditions:

- (A) Employees who are healthy, and have not been exposed to the virus deemed as a pandemic, or do not have children under the age of thirteen (13) requiring home child care by the employee are expected to report to work as scheduled unless they have been approved to work from home.
- (B) All employees who utilize Pandemic or Epidemic Leave and/or Child Care Leave under this provision are encouraged to seek opportunities to Work from Home and/or develop a Flexible work schedule to reduce use of time under this policy and meet departmental staffing needs. All time working from home and/or flex time is subject to approval from an employee's direct supervisor.
- (C) Employees must complete and return all appropriate forms for compliance of the Family and Medical Leave Act (FMLA) and the Americans with Disabilities Act (ADA) to the Human Resources Department when applicable under this leave provision.

2. Employees who violate this policy will be subject to discipline, including but not limited to suspension or termination.

This Executive Order will remain in effect until 19 April 2020, unless extended.

So Ordered this 19th day of March, 2020.

  
Craig Stalter, President  
Board of Commissioners of Fountain County, Indiana

Attest:

  
Brenda Hardy, County Auditor



**FOUNTAIN COUNTY COMMISSIONERS**

**EXECUTIVE ORDER NO. 2020-2**

**ORDER EXTENDING RESOLUTION DECLARING A PUBLIC HEALTH  
EMERGENCY AND EXERCISING EMERGENCY POWERS IN RESPONSE TO THE  
CORONAVIRUS DISEASE 2019 EPIDEMIC**

WHEREAS, the novel Coronavirus Disease 2019 (COVID-19) is a severe respiratory illness that has rapidly spread to more than 60 countries in the world, including the United States; and

WHEREAS, on January 30, 2020, the World Health Organization declared the COVID-19 outbreak to be a public health emergency of international concern; and

WHEREAS, on January 31, 2020, Health and Human Services Secretary, Alex M Azar II, declared a public health emergency for the United States; and

WHEREAS, on March 6, 2020, Indiana Governor Eric Holcomb issued Executive Order 20-02, declaring a public health emergency for the coronavirus disease; and

WHEREAS, on March 16, 2020, the Board of Commissioners of Fountain County (the "Commissioners"), pursuant to Indiana Code §10-14-3, declared a public health emergency and the effect of doing so is to activate the response and recovery aspects of all applicable local or interjurisdictional disaster emergency plans and authorizes the furnishing of aid and assistance under the plans; and

WHEREAS, also on March 16, 2020, pursuant to Indiana Code §10-14-3-22, the Commissioners authorized the President of the Board of Commissioners to make, amend and rescind orders, rules and regulations necessary to emergency management purposes and to supplement the carrying out the emergency management law that are not inconsistent with orders, rules or regulations adopted by the governor or by a state agency exercising a power delegated to it by the governor, the emergency management program and emergency operations plan of the County, and any such orders, rules and regulations have the full force and effect of law when filed in the office of the clerk of Fountain County.


NOW, THEREFORE, I, Craig Stalter, by virtue of the authority vested in me as President of the Fountain County Board of Commissioners and the emergency powers conferred to me by the Board during this public health emergency, do hereby order that:

1. The March 16, 2020 Resolution Declaring a Public Health Emergency and Exercising Emergency Powers is extended pending further action by the Board of Commissioners of Fountain County;
2. This Order will remain in effect until the Commissioners extend, modify or revoke the action taken herein;

Date: March 23, 2020



Craig Stalter, President  
Fountain County Board of Commissioners

ATTEST:   
Brenda Hardy, Auditor