

## FULTON COUNTY BOARD OF COMMISSIONERS

Monday, November 16, 2020

Meeting opened at 6:00 p.m. with Pledge to the Flag. Present: Commissioner Lewis, Commissioner Ranstead, Commissioner Metzger, County Attorney Holli Shorter-Pifer and Auditor Christina Sriver.

**FULTON COUNTY PUBLIC LIBRARY FEE WAIVER REQUEST** – The Aubbeenaubbee branch would like to install a digital sign and requests the permit fee be waived. Steve motioned to approve, Rick seconded; carries.

**HIGHWAY** – John Geier presented permit request 20-31. Rick motioned to approve, Steve seconded; carries. Permit request 20-32 for a drain was motioned for approval by Rick, seconded by Steve; carries. John updated on the department activities. He thanked Dispatch and the Sheriff's department for helping cover the Highway Department closure last week. Bryan read Ordinance 11022020 aloud by title only for the third reading. Steve motioned to approve, Rick seconded; carries. The department was approved for an IPEP grant for \$20,000 for safety equipment. John presented an Authorization to Proceed Form for USI Consultants for engineering services for county roads and bridges not to exceed \$2,000. Steve motioned to approve, Rick seconded; carries. John discussed purchasing a hot box now instead of waiting for the next G.O. Bond as previously planned for. He can transfer some money to pay for the equipment this year. Commissioners approve discussing with Council.

**SHERIFF** – Sheriff Sailors reviewed the October report. Last Friday the jail population was at 84; 10 inmates were moved to Miami County to enable isolating. The population today is 76. A possible change of water softening system at the new jail could save \$23,000. Jail cells were installed last week. He is looking to hire an employee for maintenance for the new jail possibly part-time for the remainder of this year and full-time next year. He is raising funds for a second K-9 unit.

**COMMUNICATIONS** – Gail Karas presented information regarding the meeting she had today. A decision needs to be made regarding contracts that were discussed. She is not happy with the cost of the generator as it has been fluctuating. Commissioners suggest Josh Sriver (IT/Maintenance) help getting another quote. Josh has money to help finance the dispatch center or tower at the new jail. Council should discuss financing at tomorrow's meeting and Commissioners will sign at a later date. The Highway Department will need to build a road to the tower for trucks to have access. She will be requesting CARES Act money for chairs for the dispatch center. Communications can help the Health Department with contact tracing for COVID-19 exposures.

**EMA** – Larry Hoover discussed an issue with the COVID testing center on State Road 25 North. He has requested a public message to slow down traffic in the area to curb a complaint of traffic blocking the highway turning into the site. He may be able to obtain grant funds for two more LUCAS devices for the other two ambulances.

**CORONER** – Jeri Good gave a brief summary of calls; 65 families have been helped so far this year. There were three motor vehicle accidents with deaths this year. She recently attended educational seminars on homicides, medical devices to determine cause of death, investigating infant deaths using 911 calls, profiling teen killers/school shooters, and mass murderers and serial killers and how they are related. She is intending to discuss a vehicle and fogger with the CARES Act funds. The vehicle would be stainless steel and able to be fogged to sterilize.

**TREASURER** – Kathy Easterday reported that a deputy worked over the day’s hours and was out for COVID issues for part of the week. Commissioners passed a resolution in May that states that employees will not be paid over the week’s hours when off on COVID pay. Due to the deputy working over for tax collections Commissioners agree that the employee be paid for the additional hours worked during that week. Bryan motioned to approve the 2.6 hours of regular pay, Steve seconded; carries.

**ORDINANCE TO BECOME A SANCTIONED COUNTY** – Randy Gundrum of The Second Amendment Sanctuary Group explained that the group helps counties adopt an ordinance not to enact any new gun laws that are contrary to the Constitution. Twenty-six counties have adopted this ordinance; enforcement falls under the Sheriff. Holli Shorter-Pifer answered that the Commissioners have the authority to enact the ordinance to specify what arms are allowable to bear. Sheriff Sailors discussed the Red Flag Law, Jake Laird Law in Indiana. The law addresses circumstances where it would be appropriate for a police officer to take custody of a citizen’s firearms. Bryan read the ordinance aloud for the first reading:

**FULTON COUNTY COMMISSIONERS ORDINANCE NO. 11162020-A  
AN ORDINANCE OF THE BOARD OF THE FULTON COUNTY COMMISSIONERS TO PRESERVE THE  
FULTON COUNTY CITIZENS RIGHT TO KEEP AND BEAR ARMS AS GRANTED BY THE 2<sup>ND</sup>  
AMENDMENT TO THE UNITED STATES AND ARTICLE I SECTION 32 OF THE INDIANA STATE  
CONSTITUTION  
(THE 2<sup>ND</sup> AMENDMENT PRESERVATION ACT)**

**WHEREAS**, the Fulton County Commissioners hereby recognize that the 2<sup>nd</sup> Amendment to the Constitution of the United States reads as follows, “A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed,”;

**WHEREAS**, the Fulton County Commissioners affirm that all federal acts, laws, orders, rules, or regulations regarding firearms are a violation of the 2<sup>nd</sup> Amendment; and

**WHEREAS**, Article I Section 32 of the Indiana State Constitution provides that the people of the State of Indiana shall have a right to bear arms, for the defense of themselves and the State.

**NOW, THEREFORE, BE IT RESOLVED AND ORDAINED AS FOLLOWS:**

The Fulton County Board of Commissioners declares that all federal acts, laws, orders, rules, regulations-past, present or future- in violation of the 2<sup>nd</sup> Amendment to the Constitution of the United States are not authorized by the Constitution of the United States to violate its true meaning and intent as given by the founders and ratifiers; and are hereby declared to be invalid in this country, shall not be recognized by this county, are specifically rejected by this county, and shall be considered null and void and of no effect in this county.

It shall be the duty of the Sheriff of this County to take all measures as may be necessary to prevent the enforcement of any federal acts, laws, orders, rules, or regulations in violation of the 2<sup>nd</sup> Amendment to the Constitution of the United States.

This act shall take effect upon approval by the Fulton County Board of Commissioners.

**COVID-19 RESOLUTION** – An updated resolution was presented to follow the State Health Department and the Governor’s executive orders for employees who have been exposed to, test positive for, and/or are showing symptoms of COVID-19.

**RESOLUTION 11162020**  
**PERSONNEL POLICIES RELATED TO PUBLIC HEALTH EMERGENCY DECLARATION FOR  
CORONAVIRUS DISEASE 2019 OUTBREAK**

**WHEREAS**, on March 6<sup>th</sup> the Governor of Indiana issued Executive Order 20-02 which declared a public health emergency exists throughout the State of Indiana as a result of the Coronavirus Disease 2019 (COVID-19) outbreak in the United States and a confirmed report that a fellow Hoosier had contracted this virus; and

**WHEREAS**, since then, on March 11, 2020, the World Health Organization declared COVID-19 to be a global pandemic, and on March 13, 2020, the President of the United States declared a national emergency in connection with COVID-19; and

**WHEREAS**, since the declaration of a public health emergency the Governor of Indiana has announced additional steps being taken to address and respond to the emergency including, but not limited to, signing Executive Orders necessary to protect the health, safety and welfare of all Hoosiers in connection with the continuing and evolving threat posed to public health by COVID-19; and

**WHEREAS**, Fulton County Board of Commissioners adopted Resolution 05182020: Personnel Policies Related to Public Health Emergency Declaration for Coronavirus Disease 2019 on May 18<sup>th</sup>, 2020 establishing procedures for employees who have been exposed to, test positive for, and/or are showing symptoms of COVID-19.

**NOW, THEREFORE**, the Fulton County Board of Commissioners wishes to follow the guidelines established by the State Health Department and the Governor's Executive orders in relation to COVID-19 in place of procedures established in Resolution 05182020.

An outline of procedures will be clarified with the Health Department and delivered to department heads within the next few days. Rick motioned to approve, Steve seconded; carries.

**PRICING AGREEMENT FOR SBS PORTALS** – This will offer deductions to be filed online as well as remote claims and storing invoices digitally with claims. The upfront cost is \$2,000 and then \$400 per month on a monthly basis. Rick motioned to approve, Steve seconded; carries.

**COMMISSIONER CERTIFICATE SALE RESOLUTION** – Tabled until minimum bid amounts can be established.

**HEALTH BOARD APPOINTMENT** – Harry Webb is being recommended to retain the seat for another 4-year appointment. Appointment will be tabled until the questionnaire is received back from the candidate.

**MINUTES** – November 2 minutes were motioned for approval by Rick, Steve seconded; carries.

**CLAIMS** – Approved as presented

Misc. Claims 11/16/20	\$918,199.95
November Jail Construction	\$2,316,045.82

10/23/2020 Payroll	\$305,017.37
11/06/2020 Payroll	\$283,143.08

**TRANSFERS** – Approved as presented

Department	Fund	From Account	To Account	Amount
Drainage Board To bring the account to zero.	County General	Replacement Board Member	Engineering Study	\$285.00
Title IV-D Paint and carpet for prosecutor’s office.	County General	Administrator-\$12,000 Administrative Assistant-\$10,000	Repair & Maint.	\$22,000
Highway To cover remaining payroll for Clerk.	MVH	Extra Help	Clerk	\$4,500

**OLD BUSINESS** – None

**NEW BUSINESS** – Matt Streater offered a tractor and loader purchase to the 4-H Fair Board and New Holland will buy the tractor back next year for the same amount of money.

**RECESS** – Commissioner Ranstead motioned to recess at 7:48 p.m., Commissioner Metzger seconded; carries 3-0.