

NEWTON COUNTY, INDIANA

By: The Board of Commissioners of the County of Newton, Indiana

Glen "Butch" Cain
Glen "Butch" Cain, President

Kyle D. Conrad
Kyle D. Conrad

Tim Drenth
Tim Drenth

ATTEST:

Newton County Auditor

STATE OF INDIANA)
)SS:
COUNTY OF NEWTON)

Before me, a Notary Public in and for said County and State, personally appeared _____, by me known to be the President of the Board of Commissioners of the County of Newton, Indiana, who acknowledged the execution of the foregoing "Interlocal Agreement for Roselawn Sewer Project" on behalf of said entity.

WITNESS my hand and Notarial Seal this _____ day of _____, 2022.

My Commission Expires:
5/9/2026
My County of Residence:
Newton

Cheryl Myers
Notary Public
Cheryl Myers
(Printed Signature)

February 7, 2022

Be it ever remembered on the 7th day of February, 2022, the day set by the Commissioners for the holding of their regular meeting at the Newton County Courthouse. Comes now Butch Cain, Kyle D. Conrad and Tim Drenth as the duly elected and active Board of Commissioners. Also present were Attorney Pat Ryan, Auditor Tami James and Commissioners Assistant Ashley Large.

Butch Cain called the meeting to order with the pledge to the flag recited by Jim Large.

Payroll/Longevity

Tim Drenth made a motion, second by Kyle D. Conrad to approve payroll and longevity for January 21, 2022. *Motion passed.*

Claims

Kyle D. Conrad moves to approve claims for February 7, 2022, second by Tim Drenth. *Motion passed.*

Paid Time

Kyle D. Conrad made a motion to pay county employees for days that county government was closed due to snowstorm.

Discussion held. Motion withdrawn by Kyle D. Conrad to pay employees.

Kyle D. Conrad moves to delete and eliminate Section 3.11 (Emergency Closing) as currently written in the county handbook under Emergency Closing, second by Butch Cain. Motion passed with Tim Drenth voting opposed. Vote taken 2-1.

Kyle D. Conrad moves to pay all county employees for days that county government was closed due to snowstorm, second by Butch Cain. Motion passed by majority. Vote taken 2-1 with Tim Drenth voting opposed.

Discussion held regarding Highway Department and illness due to COVID occurring on January 27, and January 28th this year.

Kyle D. Conrad made a motion to let the record reflect that the Newton County Highway Department shall be paid for January 27th and January 28th this year for illness due to COVID, second by Butch Cain. Discussion held. Motion passed with Tim Drenth voting nay.

EMA/Homeland Security

Kyle D. Conrad made a motion to declare a State of Emergency and approve County Disaster Emergency Declaration for Travel Restriction on February 2, 2022 at 3:00 o'clock p.m., second by Tim Drenth. Motion passed.

Kyle D. Conrad moves to approve Rescission Order of the County Disaster Emergency Declaration for Travel Restriction on February 4, 2022 at 8:00 o'clock a.m., second by Tim Drenth. Motion passed by majority.

Commissioner President Butch Cain would like to thank all the employees that worked very hard during the snow storm to keep the county safe.

NEXtera ENERGY

Representatives from NEXtera ENERGY came before the Commissioners regarding solar project in Newton County with a presentation regarding the proposed solar energy site panel/ "Reynolds Solar" near Kentland which will provide job opportunities and payments to landowners during the life span (35 years) of the project using (1500 acres) and 350 acres of panels at no risk for county taxpayers. Since it is a utility project will be assessed 95% of value, the State of Indiana through DLGF sends assessed tax bill to the county Assessor for payment of taxes and it is classified as utilities distributable. Discussion held. Zoning will be changed to the "Rural Development District."

County Credit Cards

Tim Drenth moves to approve the following amounts of \$2,162.25 departmental credit card claims, 621.95 Nitco invoice claim and the government center water bill in the amount of \$431.62, second by Kyle D. Conrad.

Park Board

Discussion held on Kayak trailer invoice in the amount of \$6,182.00. Attorney Ryan stated that documentation needs to be forward to the Auditor in the form of a letter from the Park Board stating the requested amount. *Tim Drenth made a motion to approve payment for a Kayak trailer pending documentation to the Auditor from the Park Board second by Butch Cain Motion passed with Kyle D. Conrad voting "nay"*

Building Commissioner/County Planning

Daisy Cicero came before the Commissioners with the Schneider/GIS agreement. Discussion held on automatic renewal and billing is paid out of IT. *Kyle D. Conrad made a motion to approve agreement, second by Tim Drenth. Motion passed by majority.*

Highway

Sharon Domonkas presented road cut application for approval. Discussion held.
Kyle D. Conrad moves to approve road cut application contingent only that the contractor uses flow-able fill, second by Tim Drenth. All in favor, motion passed.

Veterans Service Officer/VSO

Executive Session meeting for new applicant on February 22, 2022 at 1:30 pm.

Other business

Commissioners signed the Internal Controls Adoption Ordinance that was previously approved on November 15, 2022.

Auditor


Discussion held on employee FMLA since December. *Kyle D. Conrad made a motion to approve FMLA for county employee, second by Tim Drenth. Motion passed.*

Adjournment

Tim Drenth moves to adjourn meeting, second by Kyle D. Conrad. All in favor.



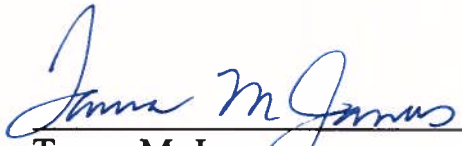
 Glenn "Butch" Cain, President



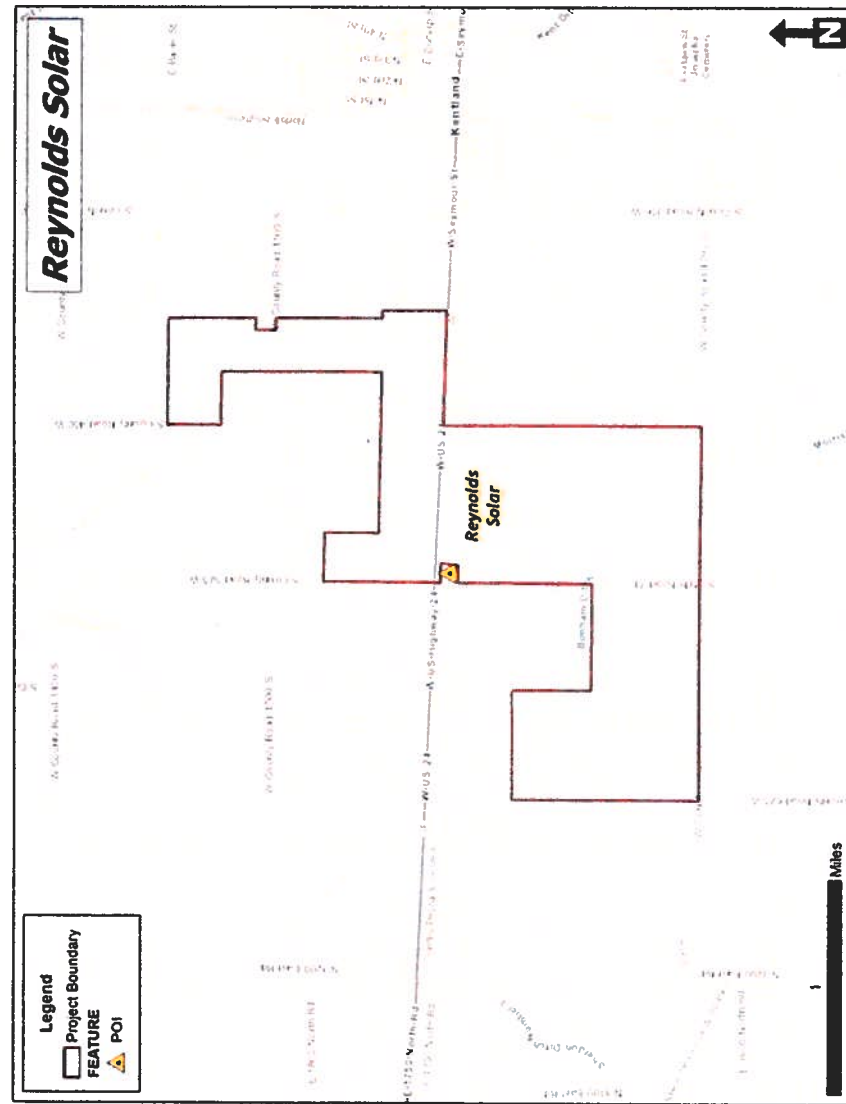
 Kyle D. Conrad

 Tim Drenth

Attest:



 Tamra M. James
 Newton County Auditor

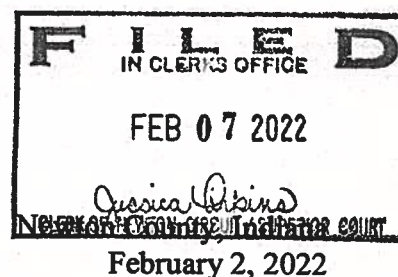


Proprietary & Confidential



NextEra Energy Resources, LLC
700 Universe Blvd E5E/JB
Juno Beach, FL 33408
561.694.4738 office
561.236.8435 mobile

**County Disaster Emergency Declaration
For Travel Restriction**



Authority

Whereas, Newton County, Indiana has been impacted by or is immediately threatened by the following emergency conditions:

February 2, 2022, 15:00 hrs, strong winds began to blow and continue, to do so causing all roadways to become impassable to motor traffic, and; higher accumulation of snow made this immediately dangerous to life safety, and and;

Now, therefore, we, the Newton County board of Commissioners, declare that a local disaster emergency exists for the next 48 hours in the county and that we hereby invoke those portions of the Indiana Code which are applicable to the conditions and have caused the issuance of this declaration to be in full force and effect in the county for the exercise of all necessary emergency measures necessary for protection of lives and property and the prompt restoration of local government services.

The effect of this declaration is to:

- (1) Activate the response and recovery aspects of all applicable county disaster emergency plans.
- (2) Authorize the furnishing of aid and assistance under the plans.
- (3) Declare a Travel Warning, during which travel shall be restricted to emergency personnel only. During a Travel Warning, all citizens are called upon and directed to refrain from all travel, to comply with necessary emergency measures, to cooperative with public officials and disaster services forces in executing emergency operations plans, and to obey and comply with the lawful directions of properly identified officers.

All public officers and employees of Newton County are directed to limit their travel to that which is essential to the discharge their public safety and essential service duties. Such employees are also hereby directed to exercise the utmost diligence in the discharge of duties required of them for the duration of the emergency and in execution of emergency laws, regulations, and directives, state and local.

In accordance with IC 10-14-3-29, (d), this Declaration does not prohibit individuals engaged in employment necessary to maintain a safe rail system, restore a public utility or provide any other emergency public service from traveling within the County during this local disaster emergency.

All operating forces will direct their communications and requests for assistance and operations directly to the Newton County Emergency Operating Center.


Reference is hereby made to all appropriate laws, statutes, ordinances, and resolutions, and particularly to section 10-14-3-29 of the Indiana Code.

There are Three travel advisory levels.

- (1) A travel advisory status of "Advisory" means that routine travel or activities may be restricted in areas because of a hazardous situation. Citizens should use caution or avoid these areas. Schools and businesses may begin to implement their emergency action plans.
- (2) A travel advisory status of "Watch" means that conditions are threatening to the safety of the public. Only essential travel is recommended (i.e. to and from work, emergency situation, etc.). Emergency action plans have been or should now be implemented by businesses, schools, government agencies and other organizations.
- (3) A travel advisory status of "Warning" means that travel may be restricted to emergency personnel only. During a Travel Warning, all citizens are called upon and directed to refrain from all travel, to comply with necessary emergency measures, to cooperative with public officials and disaster services forces in executing emergency operations plans, and to obey and comply with the lawful directions of properly identified officers. Further and more specific restrictions may be included.

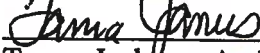
This Declaration shall be given prompt and general publicity and shall be filed promptly in the office of the County Clerk.

In witness, whereof, we have hereunto set our hand this 2nd day of February, 2022 A.D.


President, Board of Commissioners


Board of Commissioners

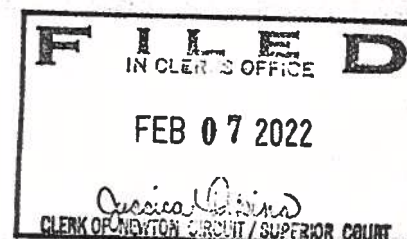

Board of Commissioners

Attest: 
Tamra Jackson, Auditor
James

*IC 10-14-3-29 states that a local disaster emergency declaration may not be continued or renewed for more than seven (7) days except by or with the consent of the governing body of the political subdivision.

County Disaster Emergency Declaration
Travel Restriction

Rescission Order




Whereas, Pursuant to Indiana Code 10-14-3-29 and -29.5 declared a local disaster emergency and a local travel advisory warning with mandatory travel restrictions throughout Newton County; and

Whereas, owing to a lessening of the severe weather conditions, is therefore appropriate to being rescinded the orders by the Board of Commissioners;

NOW, THEREFORE, by virtue of the authority vested in us as the Board of Commissioners, it is hereby ordered as follows.


1. The order which declared a local emergency and corresponding local travel advisory warning with restrictions on travel within Newton County is hereby RESCINDED because the threat to citizens and public-safety personnel caused by the severe weather conditions has sufficiently abated.

In witness, whereof, we have hereunto set our hand this 4th day of February, 2022 at 08:00 hours.


President, Board of Commissioners


Board of Commissioners


Board of Commissioners

Attest: 
Tamra Jackson, Auditor
James

COPY

NAME OF APPLICANT DeYoung Drainage + Excavating LLC
 DATE 1-28-22 Permit Number _____

**APPLICATION FOR A PERMIT TO CUT INTO COUNTY ROAD
OR COUNTY ROAD RIGHT OF WAY**

AUTHORITY—Commissioner's Record 18 Page 201 June 15, 1959
 Amended—Commissioner's Record 19 Page 399-400 October 1, 1985
 Revised—Commissioner's Record 21 Page 202 April 4, 1995

TO: BOARD OF COMMISSIONERS OF NEWTON COUNTY
 COURTHOUSE
 KENTLAND, IN 47951

LOCATION:

Legal Descrip Sec. ___ Twp. ___ N. Rge ___ W. ---Township Name _____

Exact Location (Road Numbers) Crossing 450 W near 1500 S See Attached drawing

THE TYPE OF ROAD SURFACE OR COUNTY ROAD RIGHT OF WAY WHERE CUT IS TO BE MADE
 IS #1 gravel, #2 chip seal

PURPOSE OF OPENING drainage tile installation

NATURE OF OPENING TO BE MADE:

Opening will be 10 feet long in the Road Right of Way.
 Opening will be 1 1/2 feet long in the road surface.
 Opening will be 7 feet inches deep.

THERE WILL BE NO EXCAVATING FOR OPEN DITCHES ON COUNTY HIGHWAY RIGHT OF WAY OF MORE THAN THREE FEET BELOW THE GRADE LINE OF THE CENTER OF ROAD UNLESS THE BOARD OF COMMISSIONERS OF NEWTON COUNTY DEEM IT NECESSARY FOR DRAINAGE OF THE COUNTY ROAD.

THERE WILL BE NO EXCAVATING, ERECTING POLES OR STRUCTURES AT A DISTANCE OF LESS THAN THREE (3) FEET OF A SECTION CORNER, QUARTER SECTION CORNER, OR A PROPERTY CORNER.

RESPONSIBILITY: If this application to cut into road surface and roadbed or county road right of way is granted, I hereby agree that:
ANY OBJECT BEING TRENCHED THROUGH THE ROAD MUST BE BEDDED IN CLEAN SAND AND COVERED WITH AN APPROPRIATE AMOUNT OF #53 STONE. THIS IS TO BE COMPACTED AND COVERED WITH A LAYER OF GEO-GRID AND MORE #53 STONE BEFORE REPLACING THE ASPHALT TO A COMPACTED DEPTH OF THREE (3) INCHES. If a stone road, after bedding with sand, bring to grade with an appropriate amount of #53 stone. The stone is to be compacted even with the top of the traveled road surface and maintained at that elevation for a period of four (4) weeks.

I further agree to erect and maintain all necessary barricades and warning lights required to safely direct traffic over or around the part of the road where the above described work is to be done so long as the work in any way interferes with traffic.

I further agree to move or remove any structures installed under this permit, at applicant's own expense, should future traffic conditions or road improvements necessitate and when requested to do so by THE BOARD OF COUNTY COMMISSIONERS OF NEWTON COUNTY.

I further agree to assume all responsibility for any injury or damage to persons or property resulting directly or indirectly from the work contemplated in this application.

I further agree to stop said work at any time upon request of THE BOARD OF COUNTY COMMISSIONERS OF NEWTON COUNTY.

Ordinance 02-22-05-A
 Ordained and Amended the 22nd day of February, 2005.

I further agree that said work will not interfere with any existing structure along or across said county road, without permission from owner of said structure.

I further agree that all material used in connection with this work will meet the requirements of THE BOARD OF COUNTY COMMISSIONERS OF NEWTON COUNTY.

I further agree to notify the HIGHWAY SUPERINTENDENT OF NEWTON COUNTY preceding the beginning of the work.

CHARGE: ATTACHED hereto payment of a minimum amount of One hundred Dollars (\$100.00) or a fee of Twenty Five Cents (\$0.25) per foot for encroachment upon the County Road or county Road Right of Way whichever is greater, covering the cost of this permit. Check or Bank Draft to be made payable to the Treasurer of Newton County.

Applicant shall notify all public utilities before beginning work.

This application will expire after sixty (60) days if work is not commenced.

FAILURE TO COMPLY WITH THE TERMS OF THIS PERMIT OR FAILING TO APPLY FOR A ROAD CUT PERMIT SHALL SUBJECT YOU TO BE A PARTY OF A FINE UP TO THE SUM OF \$1500.00.

SKETCH

765-490-
6730

Mattha PM
Signature of Applicant

Address: 2406 S. 200 E
Morocco, IN 47963

_____	COUNTY COMMISSIONER	DATE _____
_____	COUNTY COMMISSIONER	DATE _____
_____	COUNTY COMMISSIONER	DATE _____
_____	HIGHWAY SUPERINTENDENT	DATE _____
_____	COUNTY SURVEYOR	DATE _____

COPY



3"
6 in
12 in



DeYoung
Drainage & Excavating, LLC
Drainage • Excavating • Grading

Matt DeYoung
219.394.2124
Cell 765.490.6730

2406 S. 200 E.
Morocco, IN 47963

ORDINANCE NO. 11-15-2021

**NEWTON COUNTY BOARD OF COMMISSIONERS
AN ORDINANCE ADOPTING INTERNAL CONTROL STANDARDS DEVELOPED BY THE
INDIANA STATE BOARD OF ACCOUNTS, NEWTON COUNTY INTERNAL CONTROL
PROCEDURES, AND MATERIALITY STANDARD**

WHEREAS, Indiana Code 5-11-1-27 requires each political subdivision to maintain a system of internal controls in order to promote accountability and transparency;

WHEREAS, in September, 2015, pursuant to 5-11-1-27 (e), the Indiana State Board of Accounts developed and published the "Uniform Internal Control Standards for Indiana Political Subdivisions" to assist public sector managers in complying with the internal control requirements;

WHEREAS, the "Uniform Internal Control Standards for Indiana Political Subdivisions" contain the acceptable minimum level of internal control standards; and

WHEREAS, pursuant to IC 5-11-1-27 (g), after June 30, 2016 all Indiana political subdivisions must develop local policies regarding internal control and ensure that personnel received training on internal control; and

WHEREAS, the Newton County Board of Commissioners find that the County's policy regarding internal controls should include the internal control standards as set forth by the Indiana State Board of Accounts "Uniform Internal Control Standards for Indiana Political Subdivisions" supplemented by adopted county procedures; and

WHEREAS, pursuant to Indiana Code 5-11-1-27 (j) each political subdivision is to develop its own policy on materiality;

NOW, THEREFORE, BE IT ORDAINED that Newton County hereby adopt as policy the internal control standards as set forth in the "uniform Internal Control Standards for Indiana Political Subdivisions" as expressly written and published by the Indiana State Board of Accounts in September, 2015, as amended from time to time.

IT IS FURTHER ORDAINED that Newton County's policy supplements the state's acceptable minimum level of internal control standards with "Newton County Internal Control Procedures."

IT IS FURTHER ORDAINED that a new section, 2 Internal Control Standards, is hereby added to the Newton County Code to read as follows:

SECTION 2 INTERNAL CONTROLS STANDARDS

Newton County adopts as policy the internal control standards as set forth by the Indiana State Board of Accounts "Uniform Internal Control Standards for Indiana Political Subdivisions" and procedures outlined in the "Newton County Internal Control Procedures" documents. All officers, elected officials and employees are required to comply with the policy. Newton County department managers may adopt their own internal control procedures to augment, but not replace or override, the county standards. Employees who fail to comply with this policy are subject to discipline, including but limited to termination of their employment.

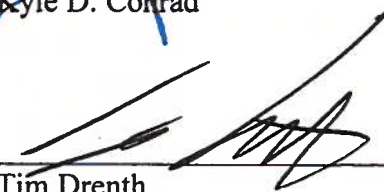
BE IT FURTHER ORDAINED that a loss, shortage, or theft of cash or other asset belonging to Newton County in an amount over \$500 shall be deemed "material" for the purposes of IC 5-11-1-27 (j) and reported to the Indiana State Board of Accounts.

This ordinance passed and adopted this 15th day of NOVEMBER, 2021.

BOARD OF COMMISSIONERS
NEWTON COUNTY, INDIANA



Kyle D. Conrad



Tim Drenth



Glen Cain

Attest: _____
Tamra M. Jackson, Auditor