

Hancock County Board of Commissioners
Regularly Scheduled Meeting
August 31, 2021

Commissioners met for a regular session. Those present were Board of Commissioners President John Jessup, Commissioner Vice President Marc Huber, Commissioner Bill Spalding, Auditor Debra Carnes and County Attorney Scott Benkie. Commissioner Jessup called to order the August 31, 2021 Hancock County Commissioners Board meeting at 6:00 PM.

Clerk's Department

- Clerk Lofgreen requested sole use of the Commissioners Courtroom for early voting in 2022. Commissioner Huber noticed this would affect four commissioner's meetings. Commissioner Jessup suggested discussing further at the next meeting.
- Introduced order delegating authority to re-precinct boundaries. She requested Commissioner's adopt the order and attend the next two County Election Board meetings on September 16th and October 14th to provide submissions.
- Commissioner Huber made a motion to approve the Order Delegating Authority for the creation of precinct boundaries for the Election Board. Commissioner Spalding seconded the motion. **Motion carried 3-0.**
- Discussed Technical Correction Notice and requested approval to submit.
- Commissioner Huber made a motion to allow Clerk Lofgreen to submit any 2022 precinct technical corrections as needed. Commissioner Spalding seconded the motion. **Motion carried 3-0.**
- Clerk Lofgreen requested to be on the September 7th agenda.

Highway Department

- Gary Pool (Highway Engineer) will be offering two items for RFI's Regional Transit and county parking lot snow removal with vendors required to provide their own salt.
- The consultant will start next week to assist with Segment B and may expand to assist RDC.
- Due to the New Palestine Dragon Run, 600 W will be closed September 11th from 8-11AM.
- Commissioner Huber made a motion to allow the closure of 600 W from US52 south to the school September 11th from 8-11AM for the New Palestine Dragon Run. Commissioner Spalding seconded the motion. **Motion carried 3-0.**
- County Attorney Benkie is reviewing Segment B condemnations; project will begin in December.
- Segment B on 600 W will soon force 45 mph speed limit and should increase the safety in that location. Construction speed will be 35 mph. Some ditch slope in transition will be >4:1.

Claims & Payroll

Commissioner Huber made a motion to approve claims and payroll. Commissioner Spalding seconded the motion. **Motion carried 3-0.**

Commissioner Minutes

Commissioner Huber made a motion to approve the Commissioner minutes for August 17, 2021 as presented. Commissioner Spalding seconded the motion. **Motion carried 3-0.**

New Jail Update

Jack Wagle with Garmong updated Commissioners on the new jail.

Sheriff's Department

- Sheriff Burkhart discussed with Commissioners three surplus vehicles that Rush County has and suggested purchasing as backup vehicles. Sheriff expects new vehicles by the end of October. For 2022, 21 vehicles will be needed at a price of \$13,800 monthly.
- He advised Commissioners a deputy will travel out of town.

Accept Performance Bonds

- Commissioner Huber made a motion to release the cash bond for Harvey Construction for Wyndstone Section 5 monuments in the amount of \$1,125. Commissioner Spalding seconded the motion. **Motion carried 3-0.**
- Commissioner Huber made a motion to release the cash performance bond for Harvey Construction for Wyndstone Section 6 monuments in the amount of \$1,687.50. Commissioner Spalding seconded the motion. **Motion carried 3-0.**
- Commissioner Huber made a motion to release the performance bond for Arbor Investments LLC for Sagebrook Section 1 monumentation in the amount of \$11,050. Commissioner Spalding seconded the motion. **Motion carried 3-0.**
- Commissioner Huber made a motion to release the performance bond for Clayton Properties DBA Arbor Investments for Sagebrook Section 2 monumentation in the amount of \$4,719. Commissioner Spalding seconded the motion. **Motion carried 3-0.**

Resolution for Healthcare Freedom & Privacy Against Mandatory COVID-19 Passports

- Commissioner Jessup said there are 58 people signed up to speak, so there will be a 2 minute limit; with two speakers allowed 5 minutes. People for the resolution will go first and people opposed to the Resolution will go second.
- Commissioner Jessup introduced Resolution 2021-8-5 and read into the minutes following:
Resolution 2021-8-5, State of Indiana before the Hancock County Board of Commissioners, resolution for healthcare freedom and privacy and against mandatory COVID-19 immunization passports. Whereas: the Hancock County Board of Commissioners desire to confirm their support for the prohibition of vaccine passports and the individual and business freedom of choice as to the Covid-19 vaccine on behalf of the citizens of Hancock County.
 1. *The purpose of this resolution is to support and reaffirm liberty and freedom of choice for the individuals, their families and the organizations for which they work in deciding on the Covid-19 vaccine.*
 2. *The Board of Commissioners ("Board") of Hancock County, Indiana ("County"), is the executive body of County government pursuant to the provisions of I.C. 36-2-2-2 and the legislative body of County government pursuant to the provisions of I.C. 36- 1-2-9.*
 3. *I.C. 16-39-11-3 identifies an "Immunization Passport" as any written, electronic or printed information regarding whether an individual has or has not received vaccine to produce immunity against COVID-19.*
 4. *I.C. 16-39-11-5 establishes that the State of Indiana and its local units of government are prohibited from issuing or requiring an immunization passport.*
 5. *It is the opinion of this board that it is an unreasonable seizure of a person for the government to require a COVID-19 vaccine for all persons regardless of age, medical condition, or other factors.*
 6. *It is the opinion of this board that it is an unreasonable invasion of privacy, including in any healthcare related facilities, except by your personal physician, to require a person to disclose the status of his or her healthcare, immunization or COVID-19 immunization*

status for employment, education, access to events, or engagement in normal commercial and recreational activities.

NOW, THEREFORE, THE FOLLOWING IS HEREBY RESOLVED BY THE BOARD:

- 1. Every person who wants to get a COVID-19 vaccine should be able to do so, and every person or parent that does not want to get a COVID-19 vaccine for themselves or their child should not be required to do so. Every person should rely on the advice of their personal physician or trusted health care provider when making such a decision.*
- 2. It is the opinion of this board that it is an unreasonable seizure of a person, contrary to the 4th Amendment of the U.S. Constitution and Article 1, Section 11 of the Indiana Constitution, for the government to require a COVID-19 vaccine for all persons regardless of age, medical condition, and other factors.*
- 3. It is the opinion of this board that it is an unreasonable invasion of privacy, except in certain healthcare related activities and other exceptional circumstances, to require a person to disclose the status of his or her COVID-19 immunization for employment, education, access to events, or engagement in normal commercial and recreational activities.*
- 4. Indiana Code §16-39-11-5 establishes that the State of Indiana and its local units of government are prohibited from issuing or requiring a COVID-19 immunization passport, except as set forth in the section, and the Board wholeheartedly supports the addition of Chapter 11 to Indiana Code 16-39 as described.*
- 5. The fact that the state legislature has codified this restriction for its own business and hiring practices is evidence that such practices may be considered discriminatory and contrary to the state and federal constitutions. It is, therefore, reasonable to assume such practices are suspect in our free and open society and should be avoided.*
- 6. Lastly, the Board encourages businesses and schools in the County to avoid any measures or mandates that require employees, customers, patrons, students, or other persons, to receive a COVID-19 vaccine, or to produce health information on COVID-19 immunization status, otherwise known as COVID-19 immunization passports.*
So passed and adopted by the Board of Commissioners of Hancock County, Indiana, this 31st day of August, 2021.

- Commissioner Jessup asked for those in support of this resolution to speak first. Members of the Hancock County Patriots along with others spoke in support of passing the “Resolution for Healthcare Freedom & Privacy Against Mandatory COVID-19 Passports”. Commissioner Jessup asked those in opposition of this resolution to speak next. Along with various Doctors and Hancock Regional administrative staff, the Hancock County Health Officer, Dr. Sharp expressed their concerns.
- Commissioner Huber made a motion to adopt Resolution 2021-8-5. Commissioner Jessup seconded the motion. **Motion carried 2-1.** Commissioner Spalding voted no.

The Hancock County Board of Commissioners meeting adjourned at 9:50 PM.

Hancock County Commissioners

Commissioner John Jessup, President

Commissioner Marc Huber, Vice-President

Commissioner Bill Spalding

Attest: _____
Debra Carnes, Hancock County Auditor