

WHITLEY COUNTY COMMISSIONERS

February 7, 2011

The Whitley County Commissioners met in regular session on Monday, February 7, 2011 in the Commissioner's Room located on the first floor of the Whitley County Government Center. Members in attendance were Chairman Tom Rethlake, Vice Chairman Don Amber and George Schrumpf. Also in attendance for all or part of the meeting were Auditor Jen McGuire, County Coordinator Amy Crickmore, County Attorney Dan Sigler, Highway Supervisor Michael Barton, Otto Boschet, Phil Smith, Mark Mynhier, Tim Rushenburg-SRI, WC Council Kim Wheeler, Pete Mallers Parkview, Mike Westfall Parkview, David Lehman Passages, Tom O'Neill Passages, Mark Hodges WC Sheriff, Marc Gatton, WC Deputy, Dani Tippmann WC Historical Museum, Chuck Jones Museum and Lola Schrumpf. Chairman Rethlake called the meeting to order at 1:00 p.m.

IN THE MATTER OF COUNTY ATTORNEY REPORT: Dan Sigler gave approval for the Memorandum of Understanding for Coesse Sewer and Water Feasibility Study approved to be signed by Chairman Rethlake motion made by Amber seconded by Schrumpf and carried with a 3/0 for approval. The Memorandum will be returned to the City for Mayor Fleck to agree and sign for the project to move forward. Dan also reviewed the two SRI contracts for Commissioners' Certificate Sales and Homestead Verification Program and gave his approval for Whitley County to go ahead with the programs. Motion made by Amber to use the Internet sale and seconded by Schrumpf carried 3/0 for Chairman Rethlake to sign. Dan and Sheriff Hodges gave an update on the HPL – Health Plan for prisoners, discussed was the savings since the plan has been implemented and how the program works for the Sheriffs Department. Dan updated the Commissioners' on the Tri-Lakes conflict from the prior meeting and let them know that the free consulting he offered was not going to be used. Also presented was a letter from the AEP claim that nothing was going to be charged from the Insurance claim again the County.

IN THE MATTER OF SALE OF THE LEHMBERG BUILDING: Present to represent Parkview Health System, Inc was Pete Mallers from Beers Mallers Backs & Salin, LLP Attorneys at Law out of Fort Wayne. They wanted to consult with the Commissioner in the sale of the Lehmborg Building which is owned by Whitley Memorial Hospital, Inc. documentation from a title search was presented to County attorney Dan Sigler for review in what actual steps need to be done in the sale of the building to a non-profit 501c3 group Passages, Inc. After discussion Dan will review documents and follow up with the Commissioners on their next step to sell the building a motion was made by Schrumpf seconded by Rethlake carried with a two in favor of selling the building and Amber abstaining to vote.

IN THE MATTER OF RESOLUTION AUTHORIZING APPLICATION SUBMISSION: Alan Tio from EDC came before the Commissioners to present Resolution Authorizing Application Submission and Local Match Commitment DR-2 for Economic Development within the County for Fort Wayne Metals \$195,000 matching funds from OCRA creating 30 new jobs within the County paying \$14-17 per hour a motion was made by Schrumpf seconded by Amber and carried with a 3/0 for to allow Chairman Rethlake to sign the Resolution #2011-01 for the Application.

IN THE MATTER OF CIVIL WAR REENACTMENT: Dani Tippman and Chuck Jones from the Whitley County Museum requested the permission to use the Courthouse lawn on April 16, 2011 from 2-5pm for a Civil War Reenactment, just wanting the backing from the County and let them know black powder will be fired and possibly a canon. After discussion regarding electricity and restrooms that would be available a motion was made by Amber and second by Schrumpf carried 3/0 to allow the usage of the Courthouse lawn for the Reenactment.

IN THE MATTER OF LICENSE FEES FOR HORSE-DRAWN VEHICLES: A clarification of how the County Ordinance was going to be amended after the elimination of Township Assessors in Whitley County for the fees of horse-drawn vehicles. After discussion it was determined the best avenue in helping out the public would be to have them pay in the Auditor's office on or before May 15 which coincides with the deadline of paying taxes at the Treasurer's office or filing personal property in the Assessor's office then the monies can be directly transferred to the Highway budget. A motion was given to go ahead with the updates to the Ordinance by Schrumpf and seconded by Amber and carried with a vote of 3/0.

IN THE MATTER OF TRI-LAKES PROPERTY OWNERS: Todd Nichols from the Tri-Lakes Property Owners Association came before the Commissioners to establish better communication between the Association and the County in regards to the park, Hatchery Buildings and Camp Samaritan and what long and short terms goals the county had for the property. Todd gave the Commissioners information on the Membership status from the Association and possibility of programs for beautification and Clean –Up Day at Tri-lakes. Commissioner Schrumpf is going to be the liaison between the County and the Association for any needs that arise between the two groups.

IN THE MATTER OF WHITLEY COUNTY TRANSIT: Jackie Hake Executive Director from the Whitley County Council on Aging and Aged, Inc came before the Commissioners to request CEDIT monies for the Whitley County Transit that is ran out of the Council on Aging. She furnished information to the Commissioners on the stats from the van service from the previous year and explained that INDOT likes to see the support from the local government in the transit program. After discussion it was determined to allow \$10,000 for the program in 2011 out of CEDIT funds a motion was made by Amber seconded by Schrumpf and carried with a 3/0 vote.

IN THE MATTER OF HANDBOOK REVISION: Marc Gatton from the Sheriff's Department came before the Commissioners with discussion of clarification on pay for the employees who had to work in the Emergency closing of the County due to the Blizzard. He felt 3.1.3 of the handbook was vague and needed updated to determine pay. Discussion of essential and non-essential employees was brought up and what your actual job classification could be to change the situation. It was determined the Handbook does need amended to pertain to the periodic emergency of weather closings for all departments for better clarification on compensation.

IN THE MATTER OF COUNTY COORDINATOR: Amy Crickmore presented a quote from Microage Networks, Inc for the backup system for the EMA server, it would be paid out Grant monies. At this time the matter was tabled until the monies came in from the Grants then they can move forward with the project. Also presented to the Commissioners was a request for Intermediate Leave for an employee that is using donated sick time after discussion it was determined to allow the Leave motion made by Amber seconded by Schrumpf and carried with a 3/0 vote.

IN THE MATTER OF MINUTES AND CLAIMS: The Minutes from the January 3, 2011 were approved motion by Amber seconded by Schrumpf and carried with a 3/0 vote. Also the Minutes for the January 18, 2011 were approved with no exceptions motion made by Schrumpf seconded by Amber and carried by a 3/0 vote. Approval of the Claims for February 7, 2011 were approved motion made by Schrumpf, seconded by Amber and carried with a 3/0 vote.

IN THE MATTER OF APPOINTMENT TO THE BZA: The Commissioners received recommendation from Dave Sewell to appoint Tim Denihan as a citizen member to the Whitley County Board of Zoning Appeals to replace Michelle Judd for the term of March 1, 2011 to January 1, 2015. A motions was made by Amber with a second from Schrumpf for the recommendation and passed with a 3/0 vote.

IN THE MATTER OF WHITLEY COUNTY BOARD MEMBER: The Commissioners received notification from the Health Department that Dr Donald Richey's term expired on the Board and he did not want to be reappointed at this time. Michael Mawhorter a Columbia City Veterinarian was voted as the candidate to replace Dr. Richey in the January 2011 meeting and will carry a four year term until December 31, 2014. A motion for the approval of appointment was made by Amber seconded by Schrumpf and carried with a 3/0 vote.

IN THE MATTER OF INVOICE FROM WOOD-LAND-LAKES: An invoice for \$135.00 was presented by Auditor McGuire for payment from the Wood-Land-Lakes association, a packet had been delivered to all the Commissioners outlining what the conservation and development from the association had done in Whitley County and surrounding counties. After discussion of the history of the organization and its benefits a motion was given to pay the invoice by Amber seconded by Schrumpf and carried with a 3/0 vote for payment. Also discussed was our re-appointment of Gene Haskins as our Representative to Wood-Land –Lakes board.

IN OTHER BUSINESS: Brief discussion of the Snow Emergency that was called last week because of the Blizzard and how things could be improved. Commissioner Amber will get in touch with Cathy Broxon-Ball from EMA, Michael Barton from the Highway and form a group to discuss future changes to prioritize situations. Commissioner Rethlake announced there will be a State of the County/City luncheon on February 25, 2011 at the Parkview Whitley Hospital. He has been working on the County Newsletter and that April is County Government month and he would like to see groups from the local schools visit the Government Center and Courthouse. Rethlake also reported on the Novea Group purchasing the old Dana Building and working with the City in payment of the delinquent taxes for the property. Hazardous waste material at the Highway building is resolved and further soil samples were taken. There was a request for an additional holiday be given on Monday December 26, 2011. After discussion of when the actual holiday fell in the week and that there were only 12 and half holidays this year do to no election, a motion was made by Amber to allow the additional day seconded by Schrumpf and passed with a 2/1 vote with Rethlake opposing. Paula Worden requested a Commissioner volunteer for a new group Coalition Promotion of Education to do a push for young adults to attend college and show leadership in the County. The group will be meeting three times a year, Commissioner Amber volunteered to work with the group

at this time. A request was given to Auditor McGuire to get the Year End Report from the Redevelopment Commissioner for 2010 and give copies to the Commissioners to review.

IN THE MATTER OF FRANCHISE FEES: Otto Boshett made the Commissioners aware that there was a bill being introduced to eliminate Franchise Fees, at this time no hearing of the House Bill and an Alliance for Media has been established. He also let the Commissioners know Cable access was purchased and available at the library and access to public meetings are available to the citizens of Whitley County.

IN THE MATTER OF PLANNING & BUILDING COMPREHENSIVE PLAN: Mark Mynhier wanted to discuss the Comprehensive B plan being established by the Planning & Building Department in regards to the Wind Ordinance and what a moratorium would help the development at this stage of development so nothing could be started without public notice.

There being no further business or public comment, the meeting was adjourned.

WHITLEY COUNTY COMMISSIONERS

Tom Rethlake, Chairman

Don Amber, Vice Chairman

George Schrumpf

Attest: _____
Jennifer McGuire
Auditor