

**WHITLEY COUNTY COMMISSIONERS**  
**APRIL 6, 2009**

The Whitley County Commissioners met in regular session on Monday, April 6, 2009 in the Commissioner's Room located on the first floor of the Whitley County Government Center. In attendance were Chairman Tom Rethlake, Vice Chairman Michael D. Schrader and Don Amber. Also in attendance for all or part of the meeting was Auditor Linda Gerig, County Coordinator Amy Crickmore, Attorney Matthew Shipman, Planning Director David Sewell, County Assessor Angela Adams, EMA Director Cathy Broxon-Ball, GIS Coordinator Dan Weigold, Engineer Brandon Forrester, Sanitarian Scott Wagner, EDC President Alan Tio, Phyl Olinger, Bill Schultz, Jim Sparks, David Schulenburg and Post and Mail reporter TJ Hemlinger. Chairman Rethlake called the meeting to order at 1:00 p.m.

**IN THE MATTER OF MINUTES AND VENDOR PAYABLES:** The minutes of March 16 and the vendor payables for April 6, 2009 were approved as presented.

**IN THE MATTER OF BIDS FOR 2011 REASSESSMENT:** As advertised, bids were received for the 2011 Reassessment. Vendors responding were Indiana Assessment Service (IAS) \$372,912.80; Accurate Assessments \$367,900 and Tyler Technologies \$371,600. The bids will be reviewed by County Assessor Angela Adams and a recommendation will be made on April 20, 2009. Commissioner Amber questioned the use of outside vendors when there are former township trustee assessors with Level I and Level II certifications within the county. Adams stated that the specifications for the bids did not include that option, but could be a consideration for future reassessments.

**IN THE MATTER OF MEMORANDUM OF UNDERSTANDING:** EMA Director Cathy Broxon-Ball was present with a Memorandum of Understanding Between Whitley County Emergency Management Agency and Parkview Whitley Hospital, The Oaks and Oak Pointe. The purpose of the agreement is for EMA to provide support, aid and assistance to Parkview Whitley Hospital, The Oaks and Oak Pointe following the declaration of a natural or manmade disaster emergency. Chairman Rethlake moved to accept the agreement. The motion was seconded by Schrader and passed with a vote of two for and one abstaining. Amber abstained from the vote because he is an employee of Parkview Hospital.

**IN THE MATTER OF TAXPAYER COMPLAINT:** Commissioner Rethlake explained that a taxpayer had complained about the amount of information that is obtainable about property located in Whitley County. Concerns voiced pertained mainly to sale of property prices being open to the public. Assessor Angela Adams explained that the Sales Disclosure Form, required by the State on real estate transactions, is a public record. Also, property record cards are not considered confidential records and they do contain information that is used by other entities besides the county. The information is also available on GIS and State websites. Chairman Rethlake asked Adams to compose a letter, explaining state requirements, to be sent to the property owner.

**IN THE MATTER OF INDIANA MAP:** Dan Weigold and Jim Sparks, State Geographic Information Officer, were present to discuss the IndianaMap Data Sharing Initiative. The Initiative would like four GIS data layers from Whitley County to be integrated and distributed with state data. There is a Homeland Security Grant available in the amount of \$14,894.00 to purchase the software and then maintain a Web Feature Service. The state would transfer information about one time per month. EMA Director Cathy Broxon-Ball was present with the grant, but asked that the decision not be made today to sign. The grant acceptance was tabled until April 20, 2009 due to the fact that by accepting the grant and signing the Sub-Grant Agreement, Whitley County would be obligated to give the data layers to IndianaMap. In the past, requests for this type of data has been purchased or exchanged for other data. Weigold stated further that a request for GIS information has come from the Town of Churubusco. He was asking for guidance as whether or not to charge for the information. Commissioners advised him to get a written request for specific data needed and they would then make a decision.

**IN THE MATTER OF ROAD ISSUE:** David Schulenburg returned to the Commissioners to explain the remedies he and the highway department have made concerning a water issue on 900 South and 600 East and 700 East. The problem seems to be under control for now and it will continue to be watched during periods of heavy rains.

**IN THE MATTER OF ZONING ORDINANCE AMENDMENT:** Planning Director David Sewell was present to discuss the need to amend the current Floodplain Standards of the Whitley

County Zoning Ordinance. The amendment would make the local Floodplain Standards consistent with the State and Federal regulations. The Whitley County Plan Commission met to consider the request on March 18, 2009 and voted 9/0 to send a favorable recommendation to the County Commissioners. Ordinance #2009-01 was presented for consideration and signing. After discussion, Vice Chairman Schrader moved to approve Ordinance #2009-01, An Ordinance Amending The Zoning Ordinance Of Whitley County, Indiana Amending Chapter 5.9 Floodplain Standards. The motion was seconded by Amber and carried with a 3/0 vote. (See Ordinance #2009-01 on file in the Auditor's office).

**IN THE MATTER OF BOARD APPOINTMENT:** A recommendation was received from Plan Director David Sewell to appoint Bill Auer as a citizen member of the Whitley County Board of Zoning Appeals. The term runs to January 1, 2010. Vice Chairman Schrader moved, seconded by Amber, to accept the recommendation to appoint Bill Auer. The motion passed 3/0.

**IN THE MATTER OF SEPTIC ISSUE:** Sanitarian Scott Wagner and Planning Director David Sewell spoke on the possibility of changing the acreage requirement for installing septic systems. The current requirement is 1.837 acre for parcel splits. Discussion was held pertaining to creating buffer zones around areas of small unincorporated towns and densely populated areas and the acreage requirement could be made less if advanced septic technology was used to protect water sources. Commissioners gave permission to pursue this issue with the Plan Commission.

**IN THE MATTER OF JUNK AND TRASH ORDINANCE:** Sanitarian Scott Wagner spoke on the possibility of changing the current Whitley County Junk and Trash Ordinance to include all parcels including agricultural parcels. The current Ordinance is for parcels less than twenty acres in non-agricultural areas. Wagner presented several problem areas already existing, but fall outside of the current Ordinance. His request would be to change the Ordinance to include every parcel including agricultural areas regardless of acreage. Wagner was given permission to pursue and contact the county attorney to update the Ordinance.

**IN THE MATTER OF COUNTY COORDINATOR REPORT:** Amy Crickmore presented requests for use of the courthouse grounds/gazebo. The Peabody Library is requesting dates in July and August for their summer concert series. The Compassionate Friends requested August 8 for a Walk to Remember. The Whitley County Ministerial Association requested May 7 for the National Day of Prayer. Vice Chairman Schrader moved, seconded by Amber, to approve each request as submitted. The motion carried 3/0. Three short-term disability requests were presented and unanimously approved with motions from Amber and seconded by Schrader. Personal Leave Benefits and Sick Leave Benefits were discussed and shall be stated in the new handbook as follows: All full-time employees shall be entitled to two (2) personal leave days upon hire and on January 2<sup>nd</sup> of each calendar year. Sick Leave Benefits will read: All full-time employees will accrue sick leave benefits at the rate of one half (1/2) day for every full month of service to a maximum of six (6) sick days per calendar year. Both statements were unanimously approved with a motion from Amber and seconded by Schrader. Crickmore reported that she has obtained two quotes for printing the new employee handbooks. Quotes were from Espich Printing at \$820.00 and Hinen Printing at \$943.35. Crickmore was directed to get firm completion dates from each vendor before confirming. A number of employee meetings were discussed that will be coming in the near future. Also, Crickmore had surveyed employees on a Wellness Program and from those surveys returned, the interest is high. She explained further the steps and budget needed to implement the Program.

Chairman Rethlake recessed the Commissioners at 3:15 p.m. for an Executive Session.

**IN THE MATTER OF EXECUTIVE SESSION:** An Executive Session was held at 3:15 p.m. in the Commissioner's Room as advertised per the Indiana Open Door Law. The Session was held pursuant to IC 5-14-1.5-6.1(b) (6) (B) To discuss, before a determination, the individual's status as an employee. In attendance were Chairman Tom Rethlake, Vice Chairman Michael D. Schrader, Don Amber, Auditor Linda Gerig, County Coordinator Amy Crickmore and Highway Supervisor Brian VanEmon. No other topics were discussed other than that advertised and no decisions were made. The Executive Session was closed by Chairman Rethlake.

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