

**WHITLEY COUNTY COMMISSIONERS**  
**JULY 6, 2009**

The Whitley County Commissioners met in regular session on Monday, July 6, 2009 in the Commissioner's Room located on the first floor of the Whitley County Government Center. Commissioners in attendance were Chairman Tom Rethlake, Vice Chairman Michael D. Schrader and member Don Amber. Also in attendance for all or part of the meeting were Auditor Linda Gerig, County Coordinator Amy Crickmore, County Attorney Dan Sigler, Sanitarian Scott Wagner, Leon Giannakeff, Plan Director David Sewell, Gene Donaghy, Curt Irven, Ben Beer, Robert Vandermark, Kathleen Hazen, Dave Hazen, County Engineer Brandon Forrester, Highway Director Michael Barton, County Treasurer Lisa Richmond and TJ Hemlinger of the Post and Mail. Chairman Rethlake called the meeting to order at 1:00 p.m.

**IN THE MATTER OF PREVIOUS MINUTES AND VENDOR CLAIMS:** The minutes of June 15 and the vendor claims for July 6 were approved as presented.

**IN THE MATTER OF COUNTY ATTORNEY REPORT:** Dan Sigler reported that he has received positive comments in regards to the new Intergovernmental Agreement for the fuel facility, but is still waiting for it to be signed by the Whitley County School Corporation. Sigler has been asked to research policies made by the Sheriff's Merit Board vs. the Employee Handbook policies regarding disability payments to law enforcement officers. Sigler stated that statute does not give the Merit Board precedence over the county's Employee Handbook and County policies. Sigler is finishing up the letter of response any pending litigation as required each year for the State Board of Accounts.

**IN THE MATTER OF WELL VARIANCE:** Sanitarian Scott Wagner and Leon Giannakeff were present to request a well variance for 2395 Scott Avenue on Lot 52 of Grand Addition. A letter from a local well driller stated that with the new construction project, there will be adequate space to access the existing well. Schrader moved, seconded by Amber, to grant the well variance as requested. The motion passed 3/0.

**IN THE MATTER OF COUNTY COORDINATOR REPORT:** Amy Crickmore reported that she has received a request for more roller shelving for the File Management area. She has obtained two quotes. Commissioner Amber will work with the Clerk and File Management on the new shelves and report back. Crickmore presented a request for Short-Term Disability pay. The request is 14.5 days amounting to \$725.00. Amber moved, seconded by Schrader, to allow the request. The vote was 3/0 in favor of the motion. A twelve-week intermittent FMLA request was also approved. It was noted that the cost of Embarq's DSL service will be increasing and in discussing this with the county's IT consultant, he suggested doubling the speed of the DSL which would cost \$436/month with a two-year commitment. Amber moved, seconded by Schrader, to upgrade the DSL service and pay the \$436/month. The motion passed 3/0. Crickmore reported that the county has purchased its' own internet domain, Whitleygov.com, due to KC Online being bought out and internet service has been poor. The domain was purchased for \$500 for a three-year period. Crickmore will, over the next few months, be converting e-mail addresses. There will be a three-month period during the change that e-mails will run concurrent with each other. Crickmore will be converting offices on an office by office basis.

**IN THE MATTER OF ZONING ORDINANCE:** David Sewell stated that the Whitley County Plan Commission met on June 17, 2009 to consider the adoption of an amendment to the Whitley County Zoning Map to rezone 31.9 acres from Village Commercial District (VC) to General Commercial District (GC) as petitioned by Robert Vandermark. After discussing the matter, the Plan Commission voted to recommend approval of the amendment. With that favorable recommendation, Sewell presented Ordinance #2009-04 for consideration. The ordinance amends the zoning ordinance to reclassify certain property. Schrader moved, seconded by Amber, to accept the recommendation and approve Ordinance #2009-04. The motion passed with a 3/0 vote. (See Ordinance #2009-04 on file in the auditor's office and recorded in the Whitley County Recorder's Office as document 2009070114). A second request for rezoning was also discussed at the June 17 meeting of the Plan Commission. David and Kathleen Hazen petitioned to amend the Zoning Map for 5.0 acres from Agricultural District (AG) to General Commercial District (GC). After discussion of the petition, the Plan Commission voted to recommend approval of the map amendment. Sewell brought that favorable recommendation to commissioners with Ordinance #2009-05, An Ordinance Amending the Zoning Ordinance to Reclassify Certain Property. Following discussion, Amber moved, seconded by Schrader, to accept the favorable recommendation and approve Ordinance #2009-05. The motion passed with a 3/0 vote. (See Ordinance #2009-05 on file in the auditor's office and recorded in the Whitley County Recorder's Office as document 200907115).

**IN THE MATTER OF BOND FOR PARK 30 BUSINESS CENTER:** Gene Donaghy stated that the developers of Park 30 Business Center were not ready at this time to move forward with the bond, so the matter was rescheduled for July 20. Donaghy invited the commissioners to the Open House on July 21 for Qualitex.

**IN THE MATTER OF COUNTY TREASURER:** At the request of the commissioners, Lisa Richmond was present to explain the investment of the Highway Department money and how the interest was calculated. At present the interest is going to the general fund, but Richmond stated she can separate that out in the future. Richmond also stated that the spring tax collection has been completed and the rate collected was 93%.

**IN THE MATTER OF HIGHWAY SUPERVISOR:** Michael Barton was present to update the commissioners on the progress of the highway department. Roadwork is moving along on schedule and Barton looks to take advantage of the summer weather to complete the needed road repairs. Barton reviewed his 2010 budget with the Board before presenting to county council.

**IN THE MATTER OF BRIDGE PLAN:** Engineer Brandon Forrester presented the Whitley County Bridge Plan for 2009-2013. Forrester has prioritized the plan according to conditions of the bridges.

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

#### **WHITLEY COUNTY COMMISSIONERS**

---

Tom Rethlake, Chairman

---

Michael D. Schrader, Vice Chairman

---

Don Amber, Member

Attest:

---

Linda J. Gerig, Auditor