

WHITLEY COUNTY COMMISSIONERS
SEPTEMBER 21, 2009

The Whitley County Commissioners met in regular session on Monday September 21, 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 Don Amber. Also in attendance for all or part of the meeting were Auditor Linda Gerig, County Attorney Dan Sigler, County Coordinator Amy Crickmore, Engineer Brandon Forrester, Sanitarian Scott Wagner, Highway Supervisor Michael Barton, David Koenig, Sheriff Mark Hodges, Michael Aylesworth and Chris Myers. Chairman Rethlake called the meeting to order at 1:00 p.m. with the Pledge of Allegiance.

IN THE MATTER OF PREVIOUS MINUTES AND VENDOR CLAIMS: The minutes of September 8 and vendor claims for September 21, 2009 were approved as presented.

IN THE MATTER OF COUNTY ATTORNEY REPORT: Dan Sigler reported that the Whitley County Consolidated School Board has reviewed and approved the Fuel Facility Agreement, but has delayed the signing until their next meeting. Sigler thanked Engineer Brandon Forrester for researching the circumstances behind the lawsuit filed by the Loehr's in Churubusco, Indiana. Forrester reported to Sigler that tree roots had plugged a tile and this caused severe damage to their property following a period of heavy rains. The County had not been made aware of this situation prior to the flooding. Sigler is continuing with the defense of this lawsuit. After searching State Statutes, Sigler has found nothing that states the County has any legal liability to handling stray animals or funding an animal shelter. However, the County did enter into a binding agreement with the Humane Society of Whitley County to assist with funding. The most recent agreement states that if the agreement is to be discontinued, notice must be given by October 31. No notice has been provided to the Humane Society, so the County is liable for the \$10,000 agreed to. Sigler will present this information to county council members on October 6, 2009. Sigler continues to search for statutes on Wind Power Devices.

IN THE MATTER OF IDEM: Mr. Michael Aylesworth, Regional Office Director for the Indiana Department of Environmental Management, was present to introduce himself. Aylesworth offered assistance in the area of Wetlands Permitting.

IN THE MATTER OF HOME DEMOLITIONS: Sanitarian Scott Wagner reported that two orders for demolition have been issued due to the homes being unfit for habitation. The owner of a property on Anderson Road, Linda Ford, was granted a 30-day extension for final demolition. She has started to demolish and clean up the property on her own and feels if given the extra time, the problem will be resolved. Amber moved, seconded by Schrader, to grant the 30-day extension. The motion passed 3/0. Wagner stated a property at 5346 S 800 East is also slated for demolition. Demolition bid requests were sent to nineteen vendors and four bids were received. The bids ranged from \$6151 to \$11,600. The lowest bid did not state that the area would be finished to grade and Wagner was asked to contact that vendor for clarification. Auditor Gerig reported that the Unsafe Building Fund has only \$4500 and the additional funding would need to come from another source. The matter will be taken to county council on October 6.

IN THE MATTER OF SECURITY DVR: Sheriff Mark Hodges explained that the DVR portion of the courthouse security system is in need of replacement. The DVR has been checked over for possible repair, but due to the age of the equipment, more problems could occur. Hodges suggested replacing the unit and obtained two estimates. Amber moved, seconded by Schrader, to purchase the new DVR from Digital Video Solutions & Security at a cost of \$4100. The motion passed 3/0. Hodges then presented the 2010 Holiday Schedule for those working a 4on/2off schedule in his departments. After discussion of the matter, Schrader moved, seconded by Amber to accept the schedule as presented. The motion passed 3/0. Hodges also spoke on pipes that are leaking in the jail and needing repaired. He is getting quotes. Also, the placement of a panic button was discussed for the Immunization Clinic.

IN THE MATTER OF BROWNFIELDS: David Koenig of Region III-A explained that his organization and the Northeast Indiana Economic Development District have been working on an application to the Environmental Protection Agency in the amount of \$1 million. The purpose of the grant application is to conduct community outreach and education regarding Brownfields; inventory and prioritize existing Brownfields in Northeast Indiana; conduct site assessments and develop remediation and clean up plans. Koenig is asking for support from the Whitley County Board of Commissioners and to be included in the request for funding from the EPA Brownfield Assessment Grants for Coalitions program. Other surrounding counties have already received funds directly from the EPA. Vice Chairman Schrader moved, seconded by Amber, to send a letter of support for the Assessment Grants. The motion passed 3/0.

IN THE MATTER OF HIGHWAY SUPERVISOR: Michael Barton was present to report on the progress of his department and work plans. Barton explained that he is now qualified to work on projects requiring Federal Aid and is working with Allen County to repair East County Line Road. Allen County is willing to help with financing. Barton will be contacting the Whitley County Redevelopment Commission also for possible funding from Tif Revenues. In order to receive a federal grant, the County would be responsible for 20% of the funding. The work would be done in three phases with the first phase starting within two years after funding is in place. Barton stated that he has been in conversation with the State Board of Accounts regarding how expenses are being handled for the Fuel Facility. He states that units who receive Motor Vehicle Funds should be the only units allowed to have the costs fronted by the County Highway Funds and then reimbursed. Others being allowed to use the facility should have “pay-down accounts”. The matter will be looked into further.

IN THE MATTER OF COMPUTER SERVICES: Jim Becher of Microage Networks was present to discuss computer updates that are not being done by users. Some issues are coming up because these updates are not being done. It is understood that not all users are comfortable with doing these updates. He has prepared a quote for doing these updates after hours and not interrupting normal work days. The request will be taken to council on October 6, 2009.

IN THE MATTER OF 2010 HOLIDAY SCHEDULE: The proposed 2010 Holiday Schedule was presented. After discussion, Schrader moved, seconded by Amber, to adopt the schedule as presented. The motion passed 3/0. County Coordinator Crickmore will circulate the schedule to department heads.

IN THE MATTER OF COMMISSIONER REPORTS:

- Amber reported that he would like something done regarding a dog/noise ordinance for the County.
- Schrader had nothing to report.
- Rethlake reported that EMA Director Cathy Broxon-Ball will be giving H1NI Flu presentations at the three libraries located within the county. He would like a commissioner to be present at these gatherings.
- Thorncreek Township Trustee Gene Heckman has inquired on the possibility of the county purchasing at auction, the building located at the old Thorncreek Township Fire Station. EMS Director Broxon-Ball has been looking for a building to store the Hazmat Truck and equipment. She and other volunteers live close to the building and could pick up the equipment when needed.
- Ball State University will be doing an Income Survey for Whitley County for use in acquiring grant monies. The cost for the survey is \$2,050 with \$512.50 being due now to start the process. The Letter of Agreement was signed and Auditor Gerig will process the check and mail to Ball State University.

IN THE MATTER OF UTILITY PERMIT REQUESTS: These permits for United Telephone Company were approved.

- Lincolnway ¼ mile east of CR400E - Job Number 09081164
- County Road 500E from North St (Coesse) then north 200 ft – Job Number 09080829

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

