

**WHITLEY COUNTY COUNCIL**  
**FEBRUARY 3, 2009**

The Whitley County Council met in regular session on Tuesday, February 3 in the Commissioner's room located on the first floor of the Whitley County Government Center. Members in attendance were Chairman Thomas Western, Vice Chairman Kim Wheeler, James Bayman, Glen LaRue, John Barrett, William Overdeer and Jim Banks. Also in attendance for all or part of the meeting were Auditor Linda Gerig, County Coordinator Amy Crickmore, Tom Rethlake, Michael Schrader, Don Amber, Sanitarian Scott Wagner, Planning Director David Sewell, Sheriff Mark Hodges, Bruce Stach, Pat Stach, Becky Kilie, Colleen Quinn, Community Corrections Coordinator Paula Worden, Judge Michael Rush, GIS Coordinator Dan Weigold, Richard Kyler, Richard Dunbar, Dessie Arnold and Post and Mail reporter TJ Hemlinger. Chairman Western called the meeting to order at 8:00 a.m.

**IN THE MATTER OF PREVIOUS MINUTES:** The minutes of January 6, 2009 were approved as presented.

**IN THE MATTER OF GPS UNIT:** Sanitarian Scott Wagner was present to report that he was able to obtain only one quote for a new handheld GPS unit needed to locate septic systems. As noted in previous minutes, the current model is outdated and can no longer be used. Wagner is trying to negotiate a trade-in price which should lower the quoted price of \$5935.00. Overdeer moved, seconded by LaRue, to approve the purchase and allow cum cap funds to be appropriated in the amount of \$5993.00. The motion passed 7/0.

**IN THE MATTER OF PLANNING/BUILDING:** Director David Sewell presented and discussed the 2008 Annual Report for the Columbia City/Whitley County Planning and Building Department. A copy of the report would be available in the Planning/Building office for inspection. Sewell explained further that he is going to be updating the current Comprehensive Plan which has not been updated since 1993. He has contacted Region III-A for a quotation on helping with the project. Sewell also reported that his department is computerizing forms and permits to streamline office procedures.

**IN THE MATTER OF COMMUNITY CORRECTIONS:** Coordinator Paula Worden was present along with Julie Jensen-Kelley to explain the merging of the Superior Court Drug and Alcohol Program into Community Corrections. It was found that some services were being duplicated and that by merging the two both participates and staff could make better use of resources provided. The program is fee based and those fees are paid by the offenders. Jensen-Kelly spoke on the program in its current structure and explained the merge occurred at a time when Worden could include it in her grant request.

**IN THE MATTER OF CONGRESSIONAL SCHOOL FUNDS:** Auditor Gerig explained that if a county should elect, the funds currently held for the Congressional School Fund could be transferred to the State for future distributions. Resolution No. 2009-01, which would transfer the sum of \$24,198.21 to the State of Indiana, was presented. After further discussion, Bayman moved, seconded by Overdeer, to approve and sign Resolution No. 2009-01. The motion passed 7/0. Auditor Gerig will finalize the transfer of funds.

**IN THE MATTER OF ADDITIONAL APPROPRIATION REQUESTS:** Dan Weigold was present to ask for funds to cover attorney fees for the Drainage Board. The 2009 funds have been expended covering fees from 2008. The original request was for Rainy Day Funds. After discussion, Bayman moved, seconded by Vice Chairman Wheeler, to allow legal services budgeted in the Council's budget be used to cover 2009. The motion passed 7/0. Representatives of the Whitley County Humane Shelter were present to ask for the remaining funding requested for 2009. During the 2009 budget preparation, the Shelter had requested \$36,000. Council budgeted \$10,000 and instructed the representatives to return in 2009 to request additional funding. Spokesperson Bruce Stach presented statistics showing that more animals were coming from the county than cities and towns and the funding from the County was falling short of expenses being incurred. It was stated that if more funding did not come from the County, the shelter would stop taking animals from residents living outside of any city or town limits as of February 4, 2009. Discussion was held pertaining to the \$10,000 already budgeted and perhaps paying that now in a lump sum. Stach stated that would cover until the end of March at which time if no more funding was granted services would stop on March 31, 2009. Overdeer moved, seconded by LaRue, to pay the \$10,000 now. The motion failed 2/5. Overdeer and LaRue were the only Yes votes. Chairman Western stated that the matter would be taken under advisement and Stach responded that no County animals would be accepted at the shelter after February 4, 2009. There was no further discussion on the matter.

Sheriff Mark Hodges was also present to make a request for a request for \$80,000 in cum cap funds for 3 new sheriff vehicles.

**ADDITIONAL APPROPRIATION RESOLUTION/ORDINANCE**

Whereas, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget; now, therefore: Sec. 1. Be it ordained (resolved) by the Whitley County Council of Whitley County, Indiana that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out of the funds named and for the purposes specified, subject to laws governing the same:

<u>Fund</u>	<u>Amt Requested</u>	<u>Amt Approved</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Cum Cap	\$80,000.00	\$80,000.00	-6-	-1-*	-0-
	Motion: Bayman	Second: Overdeer			

This Ordinance adopted on this 3<sup>rd</sup> day of February, 2009.

Whitley County Council	
Thomas Western – signed	John Barrett – signed
James Bayman – signed	William Overdeer – signed
Kim Wheeler – signed	Jim Banks - signed
Glen LaRue – signed*	Attest: Linda J. Gerig, Auditor

Sheriff Mark Hodges then asked for support to use \$2300 in cum cap funds to purchase a new three door freezer for the jail. The sheriff stated that a used freezer has been located, but he will need help with funding. Discussion was held regarding the purchase of a new freezer and having the benefit of a warranty. LaRue moved to table the motion and Wheeler seconded the motion. The vote was 7/0 to table the motion until Hodges could gather more information.

**IN THE MATTER OF COMMISSIONER REPORT:** Commissioner Tom Rethlake reported that Dennis Fenker informed him that the carpet in circuit and superior court is getting worn and needs replaced. Fenker had obtained one quote for replacement. Discussion was held pertaining to funding and it was noted the areas most needing replaced are circuit court and adjoining office. Council would like Fenker to obtain more quotes and return with those quotes. Rethlake explained the computer server for the Government Center is approaching replacement age. Quotes were obtained with the lowest being \$8941 plus labor. After discussing the matter, Barrett moved, seconded by LaRue, to allow cum cap funds to be appropriated for the replacement. The motion passed 6/1. Overdeer cast the No vote. In other matters, County Coordinator Amy Crickmore will be publishing a monthly newsletter for employees. The commissioners turned down the opportunity to obtain four parcels of abandoned railroad property in Union and Smith Townships. Brandon Forrester has been hired as County Engineer. Matthew Rentschler, Prosecutor, presented his 2008 Annual Report. Friday, February 6, 2009, a meeting will be held with department heads regarding policy changes for health insurance, sick days and compensatory time.

There being for further business or public comment, the meeting was adjourned.

**WHITLEY COUNTY COUNCIL**

_____ Thomas Western, Chairman	_____ John Barrett
_____ Kim Wheeler, Vice Chairman	_____ William Overdeer
_____ James Bayman	_____ Jim Banks
_____ Glen LaRue	

Attest: \_\_\_\_\_  
Linda J. Gerig, Auditor

