

## WHITLEY COUNTY COMMISSIONERS

August 7, 2017

The Whitley County Commissioners met in regular session Monday, August 7, 2017 at 1:00 pm in the Commissioners' Room located on the first floor of the Whitley County Government Center. Commissioners in attendance were Chairman George Schrumpf, Commissioner Don Amber and Commissioner Thomas Western. Others in attendance were County Attorneys Dan Sigler and Matt Shipman, Auditor Jana Schinbeckler, Linda Thomson from the Post & Mail, Gary Hicks from Cleveland Township, Maintenance Supervisor Mark Sturtevant and Kyle Pepler from the Maintenance Department, Dale Law, Highway Engineer Brandon Forrester, Tyler Roebuck from IN Whitley County, Scott Sigerfoos from Lutheran Health Network, Council member Bill Overdeer, Randall Cokl from the Town of South Whitley, Sheriff Marcus Gatton, Janelle Schmitt and Carla Horn from the Sheriff's Department, Mary Hartman from the Peabody Public Library, County Treasurer Laurell Schroeder, Cleveland Township Trustee James Yeager, Scott Wagner from the Health Department, Planning Director Nathan Bilger, Joan Null, EMA Director Amy Biggs and Stanley Crum.

Chairman Schrumpf opened the meeting with the Pledge of Allegiance.

**IN THE MATTER OF THE COURTHOUSE MOISTURE INFILTRATION & JAIL REFRIGERATION/FREEZER:** Maintenance Supervisor Mark Sturtevant presented project requests to the Commissioners. In regard to the Courthouse moisture project, there is continuous plaster damage in multiple locations around the perimeter exterior walls. Several different contractors were called in to determine the cause, ultimately it was decided to bring in an engineer to determine the cause and solution. The mold (fungal) analysis came back negative. Martin Riley architects and engineers performed an examination of the interior plaster damage, the exterior limestone and the crawlspace including the foundation. They recommend removing 100% of the limestone mortar joints to a ¾", re-point the joints and apply a water sealer over the limestone façade on all four of the main building elevations. They also recommend replacing all the sealant (caulk) around the windows and door frames. During the water testing of the limestone façade, a significant amount of water infiltration into the crawlspace was noted. The crawlspace mechanical ventilation project cost is \$4,250 for the engineering cost, drawings and construction documents along with coordinating the construction and installation and the crawlspace mechanical ventilation system is \$25,000.00 for a total of \$29,250.00. Commissioner Amber made a motion for a favorable pass to Council for the funding of the crawlspace mechanical ventilation for \$29,250.00, seconded by Western and passed with a 3/0 vote. In regard to the jail refrigeration/freezer project, the Jail has a walk-in cooler and freezer refrigeration units that are thirty years old and need replaced. From June 2015 to April 2017, the County has incurred \$10,271.00 in repairs between the cooler and the refrigeration units. The project will take a few days and the estimated cost from Hosler's Appliance was \$12,944.00, Havel Bros was \$19,025.00 and Wien Shearer Mechanical was \$19,399.00. Due to the project taking a few days, it would require temporary refrigeration and freezer units for a cost of \$2,549.00. Mark is recommending the Council approve the Hosler's Appliance estimate for \$12,944.00 and the temporary refrigeration and freezer units for a total cost of \$15,493.00. Commissioner Western made a motion for a favorable pass to Council for the funding of the Jail walk-in cooler and freezer refrigeration units with the estimate from Hosler's, seconded by Amber and carried with a 3/0 vote.

**IN THE MATTER OF THE EMS DISPATCH:** Randall Cokl from South Whitley gave a short presentation to the Commissioners in regard to dispatch. Lutheran has entered into a ten year commitment to the Town of South Whitley and Cleveland Township. Lutheran EMS has proven track record of providing high quality patient care and community focused care to the residents they serve. Lutheran has a network of over 25 ambulances and 3 medical helicopters. They had over 11,000 ambulance calls last year and thousands of successful aeromedical flights since Lutheran Air's inception in 2004. Their cardiac arrest save rate is three times the national average and their average response time for Kosciusko is 5.27 minutes system wide. Lutheran's community based approach is offering CPR classes to the community and to elementary and high school students. They give car seat inspections, cover school sporting events, give a high school EMT class, festival or even coverage and training with local public safety agencies. Mr. Cokl stated that South Whitley will absorb the cost for the Lutheran EMS at no cost to the County and they will produce and sign a hold harmless agreement for the County. There could also potentially be an interlocal agreement in place. Commissioner Amber made a motion to allow the County Sheriff to dispatch Lutheran Health EMS and the motion died for lack of a second.

**IN THE MATTER OF THE QUARTERLY VOUCHER:** Debra Darr from Whitley County Council on Aging submitted all of the appropriate paperwork to the Commissioners for them to approve her quarterly voucher. Commissioner Western made a motion to approve the quarterly voucher, seconded by Amber and passed with a 3/0 vote.

**IN THE MATTER OF THE GRANITE RIDGE BUILDERS FINE & ORDER:** Scott Wagner from the Health Department presented a letter to the Commissioners that he would like to send to the owners of a well that was drilled improperly. The letter explains why they are receiving the letter and that the site he marked, which was fifteen to seventeen feet from the dwelling, was not used and it had been placed closer to the dwelling. They are being ordered to pay \$500.00 within thirty days of receiving the order and re-drill the water well at the appropriate distance per the County ordinance. The owners have received a temporary occupancy permit and the basic needs of the home are completed. Commissioner Amber made a motion to allow Scott to send a letter to the homeowner ordering them to relocate the well and pay the fine with 180 days to re-drill, seconded by Western and carried with a 3/0 vote.

**IN THE MATTER OF THE SUBDIVISION PLAT APPROVALS:** Planning Director Nathan Bilger presented two subdivision plat approvals to the Commissioners. The first subdivision approval was for Knafel Subdivision and the Plan Commission did approve it. Commissioner Amber made a motion to approve, seconded by Western and passed with a 3/0 vote. The second approval request was for Wildwood Hills and the Plan Commission approved it as well. Commissioner Western made a motion to approve, seconded by Amber and passed with a 3/0 vote. Nathan reported that the CFO Study Committee has met and he believes the meeting went well with great direction and discussion.

**IN THE MATTER OF THE SRI CONTRACT:** Auditor Jana Schinbeckler presented the SRI contract to the Commissioners for the tax sale held by the County each year. County Attorney Dan Sigler has reviewed the contract and given his approval. This contract is for a one year period. Commissioner Amber made a motion to approve the SRI contract, seconded by Western and passed with a 3/0 vote.

**IN THE MATTER OF THE HIGHWAY DEPARTMENT UPDATE:** Highway Engineer Brandon Forrester discussed the Right-of-Way issues he is having with companies. He would like to have legal counsel write a hold harmless agreement for the companies that would like to complete work in the Right-of-Ways. He would also like to charge for right-of-way permits and have a fine for ones that are non-compliant. The Commissioners brought up an issue with Tri-Lakes speeding. Brandon suggested that law enforcement use radar guns for the speeding because it is more of a law enforcement issue. Brandon reported that the Highway Department was struck by lightning. The lightning strike affected the Highway Department and EMA radios, the Highway and Solid Waste computers, the Highway phones and the fuel facility. The Highway phones were out but restored when they were restarted and the fuel facility was down for a few days. STAR and Travelers are aware of the incident and Brandon is looking into how to prevent this in the future. Brandon reported that there are 60 some miles completed out of the 100 miles for the chip seal plan. He had someone ask why the Highway Department chip seals the roads instead of paving the roads and he did a comparison. The average cost per mile for chip seal is approximately \$12,000.00 and the average cost per mile for asphalt is \$69,960.00. The Highway Department is chip sealing 100 miles of road this year and they would only be able to do 12.7 miles per year of roads with asphalt. At this rate, they would only be able to pave all roads every 49.5 years.

**IN A MATTER OF MINUTES AND CLAIMS:** The minutes from the July 17, 2017 meeting were reviewed. Commissioner Amber made a motion to approve the minutes, seconded by Western and passed with a 3/0 vote. The Commissioner's reviewed the payroll claims. Commissioner Amber made a motion to approve the payroll claims, seconded by Western and passed with a 3/0 vote. The claim distributions from July 17, 2017 through August 7, 2017 were reviewed by the Commissioners. A motion to approve the claims was made by Commissioner Amber, seconded by Commissioner Western and passed with a 3/0 vote.

**IN OTHER BUSINESS:** There were two requests to use County facilities for the Commissioners. The first request was to use the inside of the Courthouse and the Courthouse lawn for the Whitley County Community Christmas Celebration on Friday and Saturday, December 8<sup>th</sup> and 9<sup>th</sup>. The Courthouse would be used approximately from 5:00 PM to 9:00 PM both days. Commissioner Western made a motion to approve the request, seconded by Amber and carried with a 3/0 vote. The second request was to use the Courthouse Gazebo for a wedding ceremony on Sunday, September 3, 2017. The wedding starts at 3:00 PM and no electricity is needed. Commissioner Amber made a motion to approve the request, seconded by Western and passed with a 3/0 vote. In regard to the matter of Buchanan and Bruggenschmidt for the delinquent taxes owed on the Wheeler property, Attorney Matt Shipman would like to receive a redraft of the fee agreement and he would like to help with the process. Commissioner Amber made a motion for Attorney Shipman to work with Buchanan and Bruggenschmidt


for the Wheeler property, seconded by Western and passed with a 3/0 vote. Attorney Shipman also informed the Commissioners that he met with EDC President Jon Myers in regard to Solstice Medical and InWelligent Healthcare. He stated he will send a demand letter to recoup the CEDIT funds that were paid to these companies. This issue is about three to four years old and Attorney Shipman would like to get it resolved. Emergency Management Director Amy Biggs presented two grant opportunities to the Commissioners. The first grant is a \$3,000,000 statewide Homeland Security program grant that will provide terror protection for law enforcement. There is a 25% contribution requirement from the County and there has to be a letter of intent to the State by August 18, 2017. Commissioner Amber made a motion for Amy to continue pursuing this grant and to make the decisions needed, seconded by Western and passed with a 3/0 vote. The second grant opportunity is the EMPG grant that is focused on training. This grant enhances the training for Fire Departments with HazMat training and training in the case of a tornado. Commissioner Amber made a motion for Amy to pursue this grant opportunity, seconded by Western and carried with a 3/0 vote.

**IN THE MATTER OF RIGHT-OF-WAY PERMITS:** The first ROW permit presented to the Commissioners was for 7800 North Brown Road to bore under the road for irrigation. This was a permit request from a private owner and not from a company. Brandon is not suggesting approval at this time and the owner has not made the final connection. The property owner spoke on his behalf and stated that he would take full responsibility if anything happened to the line for the irrigation and he would be willing to sign a hold harmless agreement for the County. Commissioner Amber made a motion to table the request until the next meeting, seconded by Western and was tabled with a 3/0 vote. The second request was from Frontier Communications on 550 East to bore 4 feet deep across 550 East and cut 20 feet in the right-of-way. Brandon did sign off on the Frontier right-of-way permit request and gave it his approval. Commissioner Western made a motion to approve the Frontier right-of-way permit request, seconded by Amber and passed with a 3/0 vote. The third right-of-way permit request was for S Williams Drive/E Governors Drive/S Governors Drive from Indiana Fiber Network. Brandon signed off on the Indiana Fiber Network right-of-way permit request and gave it his approval. Commissioner Western made a motion to approve the Indiana Fiber Network right-of-way permit request, seconded by Amber and carried with a 3/0 vote.


There being no further business and no further questions or comments from the public, Chairman Schrumpf adjourned the meeting at 3:20 pm.

**WHITLEY COUNTY COMMISSIONERS**

  
George Schrumpf, Chairman

  
Don Amber, Vice Chairman

  
Thomas Western

Attest:   
Jana L. Schinbeckler, Auditor

