

WHITLEY COUNTY COMMISSIONERS
January 22, 2013

The Whitley County Commissioners met in a regular session on Tuesday, January 22, 2013 in the Commissioner's Room located on the first floor of the Whitley County Government Center. Commissioners in attendance were Chairman George Schrumpf, Don Amber and Tom Rethlake. Also in attendance were Pam Smith, Dan Sigler, Otto Boschet Jr, Brett Myers- Post & Mail, Michael Barton, Brandon Forrester, Laurell Hodges, Tom Payne, Henry Janda and Frank Hoffman.

Chairman Schrumpf called the meeting to order.

IN THE MATTER OF COUNTY ATTORNEY: Dan Sigler, County Attorney, has been reviewing several Whitley County annual contracts for the 2013 year. Attorney Sigler has received the 9-1-1 Frontier contract from Scott Jones and is still reviewing it, he will report on the contract in the February 4 meeting for the Commissioners. Sigler also updated the Commissioners on a "reservation of rights" letter for a possible lawsuit against the County. Also discussed was the Fish Hatchery property, Attorney Sigler is drafting a letter to the State that Whitley County will be reverting ownership back to the State. He will also inform the State of local Non-for-Profit groups that could be interested in the properties.

IN THE MATTER OF COUNTY ATTORNEY CONTRACT 2013: The Commissioners have reviewed Dan Sigler's Contract for Services to represent the County in 2013 as the County attorney. After discussion on what departments the contract covered, a motion to sign was made by Amber, seconded by Rethlake and carried with a 3/0 vote.

IN THE MATTER OF HUMANE SHELTER CONTRACT 2013: Attorney Sigler has been reviewing the information on constructing a Contract with the Humane Shelter. He feels a Memorandum of Understanding will work in the situation for the agreement between Whitley County and the Humane Shelter, using the structure of payments the Commissioners are requesting. It was discussed that the Humane Shelter bill the County \$108.00 per animal on a monthly basis whether the animal is picked up or dropped off at the shelter. The maximum pay out to the shelter will be the \$25,000 appropriation from CEDIT for the 2013 year, but the funding will be reviewed at budget time to be put in the Commissioner's department budget for 2014. Sigler will work on the memorandum and present it at the next Commissioner meeting.

At this time Chairman Schrumpf suspended the regular meeting to conduct the Annual Finance meeting with the County Treasurer Laurell Hodges. After finishing the Finance meeting the regular Commissioner meeting was reconvened.

IN THE MINUTES AND CLAIMS: Minutes from the January 7, 2013 were reviewed, a large amount of grammar and spelling errors were noted. A motion to approve the minutes but wait to sign after the corrections were made to the minutes was made by Rethlake, seconded by Amber and carried with a 3/0 vote. Claims for disbursement on January 22, 2013 were reviewed by Chairman Schrumpf after discussion a motion to allow was made by Amber, seconded by Rethlake and carried with a 3/0 vote.

IN THE MATTER OF SHERIFFS VEHICLE REPORT: The monthly Vehicle Inventory Report from Sheriff Hodges was reviewed by the Commissioners. It was noted that Councilman Bayman would like the County to look at some fuel saving cars for the 2013 purchase of Sheriff's vehicles, as an option, the new Ford Taurus design in comparison of the Dodge Chargers purchased in 2012. Chairman Schrumpf will discuss with Sheriff Hodges.

IN THE MATTER OF 2012 100R REPORT REQUIREMENTS: The annual 100-R report which is the compensation of all County officials, deputies and employees for the previous year was presented to the Commissioners for review. The report has been advertised in the local papers as required and posted at two locations within the County buildings for review. After discussion to approve the matter was tabled until the February meeting with some questions for Auditor McGuire.

IN THE MATTER OF REQUEST TO USE COUNTY PROPERTIES: A request from Check Jones at the Whitley County Historical Society to add eight names to the existing war memorial located at the Courthouse in the 2013 year was given by Coordinator Pam Smith. After discussion a motion to allow the change was made by Amber, seconded by Rethlake and carried with a 3/0 vote. The second request was from My Sites Photography to use the Courthouse lawn and gazebo on May 4, 2013 for Columbia City's Prom pictures from 2-8pm. After discussion on the use of electricity and if maintenance had been notified this request was tabled for further review before making a determination.

IN THE MATTER OF COURTHOUSE PARKING: Chairman Schrumpf discussed parking issued around the Courthouse and being enforced by the City police. A requirement that the security officials park behind the jail to free up parking on the North side of the Courthouse was discussed. Also the option to use the five spots located on the west side of the Courthouse when needed. The matter will be reviewed and addressed by Commissioners to follow up with the City.

IN THE MATTER OF THE BORDER ENERGY CONTRACT: Tom Payne from Border Energy was present to address the questions from the language of “Swing Requirement” that was used in the Contract between Borders Energy and Whitley County. The Contract was also changed to a one year contract with a three year extension if approved by both parties with a “30 day” opt out option still available. Attorney Sigler has reviewed the changes and the Commissioners signed the Contract.

IN MATTER OF THE COUNTY HIGHWAY: Michael Barton wanted some clarification on the upgrades he was requesting at the Highway offices and if he needed approval by the Commissioners or the Council to proceed with the project. Amber made a favorable recommendation motion to the County Council to allow the expenditure of \$2400 for the Highway, seconded by Rethlake and carried with a 3/0 vote. The second item discussed was the 900 South and Liberty Mill project with Allen County and if Whitley County will be investing any money for changes that might need to be made to improve the intersection. They are waiting on an Accident Study for the intersection before continuing and further recommendation on changes that need to be done for the site.

IN THE MATTER OF CULVERT IMPROVEMENT: Brandon Forrester, County Engineer, gave the Commissioners an update on the work done on Lincolnway East between 400 East and 500 East. He showed pictures of the rehabilitation of the culvert and the large patches that needed done to complete the project.

IN OTHER BUSINESS: Chairman Schrumpf will be reviewing the County Health insurance with third party administrators Chad Burch from Phillips Financial and Patton Cox from AGA for upcoming changes. Henry Janda from the public wanted to comment on Senator Banks new bill in legislation regarding the control of CAFO’s (Confined Animal Feeding Operations). He feels the County should control this determination on where they can be located not the State. Chairman Schrumpf will address this issue with zoning and give some feedback.

With no further business or comments from the public the meeting was adjourned.

WHITLEY COUNTY COMMISSIONERS

George Schrumpf, Chairman

Don Amber, Vice Chairman

Tom Rethlake

Attest: _____
Jennifer McGuire
Auditor