

## WHITLEY COUNTY COMMISSIONERS

May 6, 2013

The Whitley County Commissioners met in a regular session on Monday, May 6, 2013 at 1pm in the Commissioner's Room located on the first floor of the Whitley County Government Center. Commissioners in attendance were Chairman George Schrupf, Don Amber and Tom Rethlake. Also in attendance were Auditor Jennifer McGuire, Pam Smith, Dan Sigler, Michael Barton, Scott Wagner, Stanley Crum, Brett Myers, Mark Hodges, Jody Hollenbaugh, Katie Wagner, Brandon Forrester and Otto Boschet.

**IN THE MATTER OF COUNTY ATTORNEY:** County Attorney Dan Sigler updated the Commissioner's from the Health Board meeting on the Schwartz hearing that is in the ten day appeal process under the "Log Cabin Rule" and at this time no further action can be taken. Next business addressed was the Junk & Trash Ordinance violation for property located at 711 N 700 W in Larwill extending the deadline for the removal of a mobile home frame and semi-truck trailer from the property by the May 19, 2013 deadline after that there will be bids for the demolition and removal as required by the County ordinance. The final reading of Ordinance #2013-02 implementing the Annual Sex or Violent Offender Registration Fee were reviewed, the Commissioners approved the final proof and questioned the definition of required addresses for home, work, email and school requirements for State requirements. After discussion a motion by Amber to approve new Ordinance #2013-02 effective June 1, 2013 after meeting the advertising requirements, seconded by Rethlake and carried with a 3/0 vote. Attorney Sigler reviewed the two year contract for Maximus for professional consulting services that implement the reimbursement for Title IV-D reimbursements for the County. After discussion on the services a motion to allow Chairman Schrupf to sign was made by Rethlake, seconded by Amber and voted on with a 3/0 approval. Next issue addressed was a change in the Personnel Policy as an addition to the Light Duty Policy. The Supervisor of the employee should contact Human Resources to address the return to work. Amber made a motion to allow the change on the Restricted Light Duty Policy, seconded by Rethlake but then discussed if the employee refuses to return to the job. After discussion that each situation would have to be addressed and approved by the physician for safety the motion passed with a 3/0 vote.

**IN THE MATTER OF HEALTH ORDINANCE CHANGES:** Scott Wagner presented two County Health Ordinances that need to be changed. The first deals with septic systems 6-8.3 with the change with a State Code and the second is the current Junk and Trash Ordinance 53.03 regarding the size of a parcel of ground being over 20 acres. The language addresses land parcels that are farmed for cash crops to remain exempt from this new exemption. Both of these Ordinances will go into effect July 1, 2013 after the proper advertising. The next issue addressed was testing for property at 4721 N Lincolnway involving a meth lab, the owner has been notified that they have ten days to hire their own service to test the location or the County contract the service to be completed and apply a lien against the parcel. After discussion a motion by Rethlake to allow the testing be paid for out of #1207 Unsafe Building Fund if necessary then reimbursed by the owner, seconded by Amber and carried with a 3/0 vote. Discussion then turned to if the Health Board needed to retain their own attorney for these common items or if the County Attorney should continue in the processes for ordinances, violations and liens for the Health Department, it will be addressed more at the County budget time if the change needs appropriated.

**IN THE MATTER OF COUNTY BADGE SECURITY:** Sheriff Hodges and Jody Hollenbaugh from the Sheriff's department came before the Commissioner's to discuss the software and upgrades to the current County badge entry system. The current computer server has crashed and new server and upgrade in license for the badge proxy cards come with a quote of \$5,496.10 from Williams Electronics the current vendor used in the security system for the buildings. After discussion a motion to pay for the server and upgrades from CEDIT Funding was made by Amber, seconded by Rethake and carried to present to the County Council with favorable recommendations approved with a 3/0 vote by the Commissioners.

**IN THE MATTER OF COUNTY HIGHWAY:** Michael Barton gave a report for all the equipment owned by the Highway for the Commissioners to review. Barton gave an overview of the receipts and funding for the Highway and what projects would be addressed this Summer. Also discussed was the amount of new funding that will be implemented with the legislative changes regarding Wheel Tax/Surtax to all the local units. Further information on the actual amounts is yet to be determined. The Highway will be submitting a request for an Additional Appropriation to purchase a backhoe in the amount of \$80,000 to the County Council.

**IN THE MATTER OF WOOD LAND & LAKES:** Stanley Crum, the Commissioner's representative to the Woods-Land & Lakes board came before the Commissioners to request the annual appropriation of \$400.00. Stanley "Thanked" the Commissioners for their contribution and

discussed the current structure of the Wood-Lake & Lakes board members and by-laws. The four areas that the new board members are looking into are grants, contributions from larger agriculture vendors, reinvesting existing funds and web sites. Stanley requested the same amount of \$400.00 be appropriated for the 2014 year from the Commissioner's budget, after discussion a motion by Amber, seconded by Rethlake and carried with a 3/0 vote to request the same amount for 2014 with approval from County Council.

**IN THE MATTER OF MINUTES AND CLAIMS:** Minutes from the April 15, 2013 were approved as presented by Amber, seconded by Rethlake and carried with a 3/0 vote. The special meeting held May 1, 2013 regarding the Township Appeal for Poor Relief were reviewed, a motion by Rethlake to approve, seconded by Schrupf and carried with a 2/0 vote with Amber abstaining. The claim disbursements for May 6, 2013 were reviewed by Commissioner Amber, after discussion a motion by Amber to approve the claims, seconded by Rethlake and carried with a 3/0 vote. Commissioner Rethlake discussed to increase the appropriation for American flags purchased for the placement in Whitley County cemeteries in observance of Memorial Day and if the quality of the flag could be increased to last longer this issue will be addressed at 2014 budgets.

**IN THE MATTER OF UTILITY PERMIT:** A utility permit from United Telephone for permission to erect all necessary cable, pedestals and attachments at the location of 350 West located 975 feet south of County Rd 275 North in the County easement. After discussion a motion to approve the Utility Permit was made by Amber, seconded by Rethlake and carried with a 3/0 vote.

At this time a short break was taken and Commissioner Rethlake left the meeting.

**IN THE MATTER OF COUNTY COORDINATOR:** Pam Smith, County Coordinator, addressed the Commissioners for their support in the 2013 Whitley County Corporate Challenge from the YMCA. The competition is an eight week challenge that will involve twenty participants from the County Government. A motion to support the project out of the Wellness expenditures was made by Amber, seconded by Schrupf and carried with a 2/0 vote.

**IN THE MATTER OF ADA COMPLIANCY:** Commissioner Amber has completed the draft for the ADA transition plan. A letter will go out to every group throughout the County with disabilities for their input on the project. The ADA compliance will be noted on our County website and any new letterhead will have special printing for compliancy. The appropriation for ADA expenditures will be addressed in the 2014 budget request.

**IN OTHER BUSINESS:** Brandon Forrester, County Engineer, reported on an open ditch repair at 1790 Linker Road. Commissioner Rethlake would like to request that a copy of the monthly Humane Society reports get forwarded to all Township trustees for animal pick- ups throughout the County, Auditor McGuire will forward each month accordingly. Auditor McGuire informed the Commissioners that the Clerk's office and Auditor's office would be job sharing an employee to cover Summer hours in the off Election year. A Capital Improvement Plan from the town of Churubusco was reviewed, and a request to address the County Council on receiving these reports from all units receiving CEDIT Funding in Whitley County. 2013 Tax Sale date is October 15, 2013 at 10:00am.

At this time the Commissioner meeting is suspended so they can reconvene on Monday May 13, 2013 at 10:00 am to discuss the changes in the County Health coverage for 2013/2014 with Chad Burch from Phillips Financial.

#### **WHITLEY COUNTY COMMISSIONERS**

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George Schrupf, Chairman

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Don Amber, Vice Chairman

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Tom Rethlake

Attest: \_\_\_\_\_  
Jennifer McGuire  
Auditor