

## WHITLEY COUNTY COMMISSIONERS

July 1, 2013

The Whitley County Commissioners met in a regular session on Monday, July 1, 2013 at 1:00pm in the Commissioner's Room located on the first floor of the Whitley County Government Center. Commissioners in attendance were Chairman George Schrupf, Vice Chair Don Amber and Tom Rethlake. Also in attendance were Auditor Jennifer McGuire, Pam Smith, Michael Barton, Scott Wagner, Bill Smith, Willie Shepherd, Adam Hurley, Mark Hodges, Lisa Hatcher, Joan Null, Katie Wagner and Brett Myers.

**IN THE MATTER OF HEALTH DEPARTMENT:** Dr. Lisa Hatcher addressed the Commissioners with two items. The first was the implementation of a new Retail Food Ordinance for Whitley County. The prior Ordinance is over 23 years old and the new Ordinance conforms to the State guidelines. New changes address the Farmer's Market and Home based businesses for permit approval. Also a new section states that Permits are NOT transferable for the same location, a new owner is required to purchase a new Permit and an inspection needs done. Also in section E the frequency of visits annually will meet the State requirements unless necessary or a problem occurs. The fees for a Food Establishment permit increased and will have to be reviewed by the Whitley County Fee Committee for approval and the Ordinance will have to be published for notification before implementing the changes. This will be tabled until the Fee Committee meets for approval. Next Dr. Hatcher announced that the Health Department will contract with their own attorney for the 2014 year. Due to the changes and increased representation required for the Health Department for legal services they want to contract with Lindsay Grossnickle based on an hourly fee comparable with the current County attorney. This issue also was tabled until further review and Commissioner Rethlake wants the language in the Contract addressed for a "designated" alternate to appear if the actual Attorney is unavailable for representation for the County and Health Department issues in the future years.

**IN THE MATTER OF COUNTY COMPLAINT:** Commissioner Rethlake introduced Willie Shepherd who has issued a complaint to the County for a discharge of manure issues from County culverts into his family pond from a neighbor. Mr. Shepherd has addressed IDEM and they do not have jurisdiction without the farm being a CFO (Confined Feeding Operation). The barn yard run off is creating high levels of ecoli and making the pond unusable to swim or fish in. This issue is being reviewed for further recommendations and will be revisited in the August 5, 2013 Commissioner meeting.

**IN THE MATTER OF SHERIFF'S DEPARTMENT:** Sheriff Hodges wanted to address the Off-Duty Employment for personnel from the Sheriff's department for insurance coverage. This will be tabled until the August 5, 2013 meeting. Pam Smith gave him a policy from the County Handbook that addresses outside employment. The next issue addressed was the need for upgrades to the existing dispatch equipment. The current computers run on XP at all four stations and this needs upgraded to Windows 7. A temporary fix upgrade quote from J & K in the amount of \$83,960 will last 3 to 5 years, but the entire project and equipment could be around \$266,128 to cover the entire cost. With the cost of the project, other bids will have to be taken, but Sheriff Hodges just wanted the Commissioner's to be aware of what was coming as far as cost was concerned. Commissioner Amber had reviewed the claim disbursement and wanted Sheriff Hodges to address the large payout of claims to Havel for repair at the Jail location. Sheriff Hodges reported that the bills did go back an entire year because we were not previously billed from past work orders that were lost from Havel, but that when the new installation of equipment was done two years ago the portion of the chiller was not replaced at that time that and that is what the repairs are being done on. Further to address this issue the cost of replacing the chiller needs to be put in the budget at some time and a price quoted.

**IN THE MATTER OF THE HIGHWAY DEPARTMENT:** Michael Barton gave a brief update at the Highway stating twenty miles of sealing has been completed and by the end of the Summer another twenty to twenty-five will be done for an overall completion of 50 miles by mid-September rain has delayed some of the completion. The new backhoe has been delivered.

**IN THE MATTER OF MINUTES AND CLAIMS:** Minutes from the June 17, 2013 meeting were reviewed noting changes to some language a motion to approve was made by Amber seconded by Rethlake and carried with a 3/0 vote. The minutes from the Commissioner June 3, 2013 were reviewed, and a motion to approve as presented was made by Rethlake, seconded by Amber and carried with a 3/0 vote. The claims disbursements for July 1, 2013 were reviewed by Commissioner Amber, after discussion a motion by Rethlake to approve the claims, seconded by Amber and carried with a 3/0 vote.

**IN THE MATTER OF UTILITY PERMITS:** A utility permit was presented from CenturyLink for the placement of buried cable located at the intersection of Arnold Road and County Line Road near Loon Lake. A motion to approve was made by Amber, seconded by Rethlake carried with a 3/0 vote. The next permit from CenturyLink was to bury fiber cable at the location of Cider Mill Road and County Road 450 East, after discussion a motion to allow was made by Amber, seconded by Rethlake and carried with a 3/0 vote. The last permit from CenturyLink/United Telephone was to replace deteriorated cable located on Cleveland Road east of State Road #5 a motion to approved was made by Rethlake, seconded by Amber carried with a 3/0 vote.

**IN THE MATTER OF COUNTY COORDINATOR:** Pam Smith, County Coordinator, presented two Request to Use County Facilities, the first was for July 13, 2013 to use the County parking lot for overflow from a wedding from 3-6pm, a motion by Rethlake to allow seconded by Amber and carried with a 3/0 vote. The second request was from Whitley County Community Christmas Committee for Friday and Saturday December 6 & 7, 2013 from 6-8pm for use of the first floor of the Courthouse and the lawn. After discussion a motion to allow was made by Rethlake, seconded by Amber and carried with a 3/0 vote. Pam introduced a proposed Policy Change to the Comp hours for the Whitley County Policy Handbook. The new policy would reduce the number of Comp hours to 80 for a Non-public Safety Personnel and 160 for Public Safety Personnel, with discussion a motion to allow the change was made by Rethlake seconded by Amber and carried with a 3/0 vote. A request for an extension to use Vacation was made by Pam for a person do to the changes in their department with projects and a retirement of personnel this person would lose 42.5 hours of vacation. After discussion a motion to allow the use until the end of July was made by Amber, seconded by Rethlake and carried with a 3/0 vote.

**IN OTHER BUSINESS:** Auditor McGuire updated the Commissioners with new laws affecting the Commissioners starting July 1, 2013. The insurance reimbursement from Travelers was received for the storm damage at the Government Center in the amount of \$11,000 to refund Cum Capital Fund. Commissioner Rethlake requested "No Trespassing" signs to be placed at the old landfill property. The shelter building at the Community Corrections location is being readdressed because of the quote was not complete and the funding from CEDIT not originally in the 2 year plan. Commissioner Amber gave an update on the semi-trucks using the County Roads and that signs will be placed with INDOT's permission along easement and on County Roads 700 & 800 South signs placed stating "NO through Truck Traffic". Chairman Schrupf gave an update on new cost for insurance coverage for the County, economic growth for some of the abandoned buildings, amending the Contract with Parkview Whitley for EMS service and deeds for property at Fish Hatchery buildings for the State.

The regular meeting was adjourned.

## **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