

WHITLEY COUNTY COMMISSIONERS

July 15, 2013

The Whitley County Commissioners met in a regular session on Monday, July 15, 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, Stanley Crum, Brandon Forrester, Henry & Jean Janda, Katie Wagner and Brett Myers.

IN THE MATTER OF THE COUNTY ATTORNEY: County attorney Dan Sigler addressed numerous legal matters for the County. First was the review of the new Health Ordinance for the Health Department that was amended effective for the 2014 year. The amendments will change the number of visits per year, the amount of time spent on site and an increase to the permit fee. Sigler noted all the changes were within the State required guidelines. The Ordinance will have to be advertised twice and will go into effect on October 1, 2013. Other discussion for the Health department was the need for their own attorney. Sigler will review the contact with Lindsay Grossnickle for the Health Department and add language for an alternate representation if she is not available.

Next issue addressed is the "Off Duty Employment" from the Sheriff's department. The main issue for this is the insurance liability. Attorney Sigler will look into an addendum agreement in "writing" to cover any questions and keep on file here at the County for all the personnel involved.

We will work with Star Insurance and Travelers for any suggestions in this matter.

Other matters needing reviewed by Attorney Sigler for a later date were the amendment for the EMS Agreement for the Commissioners and the final language for the Junk and Trash Ordinance for the Health Department, both will be tabled until the August 5, 2013 Commissioner meeting to give Sigler time to review both matters. Also discussed was a Court date for a Tax Sale issue on October 22, 2013, special assessment lien collections and a new Affidavit for Veteran Exemptions in the Auditor's office.

Two matters from the public were addressed for legal opinions; one involved the action for the Sheriff's department when personal property is left at a foreclosed Sheriff Sale property and who is the owner. Attorney Sigler stated this would be a civil lawsuit matter. Also discussed was a bicycle accident at 700 N and 300 East from loose gravel when the Highway chip and sealed the road.

Commissioner Rethlake addressed an issue when a tree expanded onto the neighboring residence property line that is responsible. Sigler stated the County has no jurisdiction on these situations and it would be a civil matter unless it poses a hazard. The tree involved may be in the right a way of State Rd #5 so he will give the phone number of INDOT for them to review and see if it need cut down.

IN THE MATTER OF MINUTES AND CLAIMS: Minutes from the July 1, 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 claims disbursements for July 15, 2013 were reviewed by Commissioner Schrupf, after discussion a motion by Rethlake to approve the claims, seconded by Amber and carried with a 3/0 vote.

IN THE MATTER OF THE PUBLIC COMPLAINT: Commissioner Schrupf updated everyone on the Willie Shepherd situation with the manure run off in his pond from the neighbors. The District IDEM representative, Michael Aylesworth has been contacted to review the situation and report back his findings at the location to be corrected.

IN THE MATTER OF COUNTY LIABILITY INSURANCE: Commissioner Schrupf presented the 2014 insurance proposal that needs approved by the Commissioners before the next meeting from Star Insurance. Noted changes are the increases for Workman's Comp coverage and the deductible increase for automobiles for next year. Approval will be tabled until the August 5, 2013 Commissioner meeting.

IN THE MATTER OF THE EMA GRANT: A letter from the State showing that the Emergency Management Grant was approved for the 2014 year to cover a portion of the EMA Director Cathy Broxon- Ball and part-time help. A motion to sign the Grant was made by Rethlake, seconded by Amber and carried with a 3/0 vote.

IN THE MATTER OF THE IOTRON PROJECT: Auditor McGuire presented the 2013 authorization of signers from the Whitley County Commissioners for the Economic Development Bond Series 2010 Iotron project showing representation from the current County executives. Approval was given to sign the 2013 Authorization for Regions Corporate Trust.

IN THE MATTER OF COUNTY HIGHWAY: Michael Barton reported that the sealing program has covered approximately 45 miles and the entire amount will be closer to 60. The

Interlocal Agreement between Whitley County and Allen County was presented with the breakdown of payments covering the next three years. After discussion a motion to sign was made by Rethlake, seconded by Amber and carried with a 3/0 vote. A new Agreement for the East county line 800 East was reviewed for the amount of \$350,000 after reviewing the second Agreement a motion by Rethlake to sign and approve, seconded by Amber and approved with a 3/0 vote.

IN THE MATTER OF ROAD CLOSURE: Brandon Forrester, County Engineer, reported that he had been contacted by INDOT and wanted to remove the railroad crossing being used on 700 East. Forrester wants INDOT, SDI and the Commissioners to all be involved with the changes for 700 East when it closes and changes to Hiler Road. The vacation for the railroad and the road closure will involve Mike McCoy's access to farm ground and paperwork will have to be filed to complete the entire process from INDOT. Also discussed was a drainage issue at Wilcken Road and Center Street causing some flooding issues from new construction.

IN OTHER BUSINESS: Commissioner Rethlake requested the Highway to place signs on Old US #30 from the East & West showing the way to "Lorane". Rethlake also noted in speaking that the Columbia City Legion wants to increase the 2014 appropriation for Memorial Day flags to \$1500. The State AVGQ (Assessed Valuation Growth Quotient) were discussed for 2014 with the 2014 average at 2.600% for any increases to tax levies and the six year history for Whitley County is at 3.500% well above the State average. Commissioner Amber wanted it known that the Extension building has been without A/C for the last four weeks and wants the situation addressed. Commissioner Schrupf visited the dispatch area located in the Sheriff's department to review and get a better understanding of the equipment needing replaced for the upgrades in the Dispatch/9-1-1 area. Discussion of still combining the City and County efforts Dispatch coverage for the entire County was discussed. Henry Janda would like to work on the committee to review combining efforts for the 9-1-1.

The regular meeting was adjourned.

WHITLEY COUNTY COMMISSIONERS

George Schrupf, Chairman

Don Amber, Vice Chairman

Tom Rethlake

Attest: _____
Jennifer McGuire
Auditor