

WHITLEY COUNTY COMMISSIONERS

August 19, 2013

The Whitley County Commissioners met in a regular session on Monday, August 19, 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 Schrumpf, Vice Chair Don Amber and Tom Rethlake. Also in attendance were County Attorney Dan Sigler, Auditor Jennifer McGuire, Pam Smith, Brandon Forrester, Amy Motter, Judge Doug Fahl, Stanley Crum, Joan Null, Jackie Hake, Scott Wagner, Leonard Wall, Pat Webster, Jay Baumgartner, Lavon Fletcher, Ted Westerhoe, Lorie Shipman, Meredith Hoffman, Natalie Lewis, Michael McCoy, Kathy Shively, Mark Sturtevant, Christie Barkley and Katie Wagner.

Chairman Schrumpf opened the normal meeting with the pledge and then suspended the meeting to hold the Public Hearing.

IN THE MATTER OF THE PUBLIC HEARING: The Public Hearing was to approve Ordinance #2013-06 which vacated a portion of County Road 700 East. The Vacation was initiated by INDOT to relocate the railroad crossing and close the roadway to the public. All adjoining neighbors were notified. Mike McCoy was present and wanted to know how the road was going to be closed as far as "Signs" notifying the general public and what access he would have to his fields. After discussion of the role that SDI would have on maintenance of the bridge and private railroad crossing a motion to allow the Ordinance #2013-06 was made by Rethlake. Next Ordinance #2013-07 amending the Whitley County Code for use of Stop & Yield signs was reviewed, when Commissioner Amber noted the correct road was not used on the Ordinance and some language needed corrected Rethlake withdrew his motion until the Ordinances were corrected.

At this time the Public Hearing was suspended to correct the paperwork for the Ordinances and the regular Commissioner meeting was opened.

IN THE MATTER OF THE PROBATION CONSULTING CONTRACT: An "At Will Consulting Contract" between the Whitley county Probation Department and Jessica L. Sims was presented to the Commissioners for approval. After discussion with Amy Motter and Judge Fahl for the actual work that would be completed to help the work flow within the Probation department a motion by Amber, seconded by Rethlake and carried with a 3/0 vote to approve the Contract. Amy wanted to address the Commissioners on approval for her Probation officers to not carry a second cell phone and pay a stipend to the two Juvenile Probation officers out of the Juvenile Fund and the two Adult Probation officers out of Adult Probation Fund and they would turn in their County issued cell phones. After discussion on the stipends being allowed and what effect this would have on the current charges a motion by Amber to approve the request for the stipends, seconded by Rethlake and carried with a 3/0 vote. The entire cell phone usage by County employees will need to be a topic of discussion for further funding by the Commissioners.

IN THE MATTER OF THE COUNTY ATTORNEY: County Attorney Dan Sigler presented the Indemnification Agreements from the other districts that our County Sheriff Deputies were working for on their part-time Off Duty positions. Attorney wanted permission from the Commissioners to revise with a more detailed language to protect the County. Attorney Sigler presented some correction to language for a County Ordinance to allow for the County Code of Ordinance allows the County to obtain OCRA Grants from the Federal Government. A motion by Amber to allow the change, seconded by Rethlake and carried with a 3/0 vote to allow the addition to the Chapter 93 under Fair Housing to include Equal Access to Housing in HUD for the definition of "family" is revised to include families regardless of the actual or perceived sexual orientation, gender identity, or marital status of its members. The Ordinance #2013-08 amends Section 93.02 for the Whitley County Code of Ordinances #2003-10 for the definition of "Family". The Contract Sigler discussed was with Verizon and he is working with Scott Jones from 9-1-1 to correct some language before approving to the Commissioners for signatures.

At this time the regular scheduled meeting was recessed to complete the Public Hearing.

IN THE MATTER OF THE PUBLIC HEARING: Chairman Schrumpf opened up the Public Hearing and the Commissioners reviewed the corrections to the #2013-06 Ordinance vacating a Portion of County Road 700 East, after discussion a motion by Rethlake to approve the Ordinance, seconded by Amber and carried with a 3/0 vote. Next the Ordinance #2013-07 for the Ordinance Amending Schedule III of the Chapter 71 Title VII of the Whitley County Code for Stop and Yield Signs was reviewed to correct the road name to Hiler. After discussion a motion to approve the Ordinance #2013-07 was made by Rethlake, seconded by Amber and carried with a 3/0 vote

At this time the Public Hearing was closed and the regularly scheduled Commissioner meeting was reconvened.

IN THE MATTER OF THE WHITLEY COUNTY DOMESTIC VIOLENCE: Meredith Hoffman and Natalie Lewis came to “Thank” the Commissioners for their continued support of the Domestic Violence group of Whitley County. October is the national month of Domestic Violence and the group wants to have the Commissioners write a “Proclamation” for the entire County. Activities will again be at the gazebo on the Courthouse lawn on October 1, 2013 beginning at 4:30pm. Purple ribbons will be placed throughout the Courthouse lawn for the entire month.

IN THE MATTER OF THE COUNCIL ON AGING: Jackie Hake, from Council on Aging presented the paperwork to complete the INDOT Transportation Grant for 2013 for Public Mass Transit Funding. Jackie told the Commissioners that this was the 8th year of writing the Grant for funding from INDOT and wanted to “Thank” them for the County’s continued support. Giving an update of the Whitley County Transit and that there is eleven usable vans in the fleet at this time and they made over 26,000 trips for residences in the 2012 calendar year. After discussion a motion to allow Chairman Schrupf to sign the Grant paperwork was made by Amber, seconded by Rethlake and carried with a 3/0 vote of approval. The Commissioners requested that Jackie present a financial report to them at the end of the year.

IN THE MATTER OF COUNTY TRI-LAKES PARK: Scott Wagner, Health Department, reported the chlorination treatment did not correct the contamination at the Tri-Lakes Park. MC Wheeler and Sons is going to check the lines into the structure and try to find the location of the actual contamination and treat one more time. At this time the Park is closed to the public but a new well may need dug in the Spring if the issue continues.

IN THE MATTER OF THE BOWEN CENTER: Jay Baumgartner presented a detailed report for the Whitley County Services from July, 2012 to the June 30, 2013 dates. The report detailed the patients served, income of the clients, hours of service and the funding request from the County. Discussion by the group of the requirements to the Bowen Center with Whitley County being a core County for subsidizing the behavioral programs throughout the Northeast district location and where the clients were recommended from for their services.

IN THE MATTER OF THE WOOD-LAND-LAKES RC & D: Stanley Crum, Commissioners’ representative, to the Wood-Land-Lakes committee gave an update to the Commissioners after the August 15, 2013 meeting. Stanley discussed the other funding from other Counties in the Northeast district, problem getting funding to preserve the easements and donations from some of the larger agricultural operations to support the group. Stanley will supply the Commissioners with copies of the meeting minutes throughout the year.

IN THE MATTER OF DISPATCH: Kathy Shively came before the Commissioners to discuss a payroll issue for an amount of Vacation not used by the anniversary date of an employee in her department. The employee was incorrectly directed by her supervisor on whether she could be paid out or extended and would lose 14 hours of Vacation time accrued. After discussion of the situation a motion by Rethlake to allow the 14 hours not to be lost, seconded by Amber and carried with a 3/0 vote of approval by the Commissioners.

IN THE MATTER OF THE MAINTENANCE DEPARTMENT: Mark Sturtevant addressed the Commissioners on taking over the maintenance for the jail, community corrections and extension buildings. The County Council has appropriated a new employee in the Maintenance department to cover this additional work for 2014. Discussion if the new position would require a licensed plumber or electrician for the work required or if what procedures could be done by maintenance employed by the County. Right now the work being done is reactive and not proactive for the most part and a corrective action plan needs implemented. At this time the discussion was tabled for further review from the Commissioners.

IN THE MATTER OF MINUTES AND CLAIMS: Minutes from Executive Session August 5, 2013 meeting were reviewed a motion by Amber to approve as presented, seconded by Rethlake and carried with a 3/0 vote. The Minutes from the regular scheduled August 5, 2013 meeting were reviewed a motion to approve as presented was made by Rethlake, seconded by Amber and carried with a 3/0 vote. The claims disbursements for August 19, 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.

IN THE MATTER OF CUMULATIVE CAPITAL DEVELOPMENT FUND: An Ordinance/Resolution Establishing the Cumulative Capital Development Fund under IC code #36-1-14.5 was presented to the Commissioners to establish a proposed fund not to exceed \$.0300 on

each \$100 of assessed valuation in Whitley County and the levied tax rate will start the 2013 payable in 2014. After discussion of the Commissioners being the legislative body not the County Council and this was a requirement by the Department of Local Government Finance to re-establish the new rate a motion by Amber to approve, seconded by Rethlake and carried with a 3/0 vote to adopt the new tax levy.

IN THE MATTER OF UTILITY PERMITS: A Utility Permit from CenturyLink for the placement of buried cable from the intersection of County Road 300 South to County Road 350 West then going North on County Road 350 West for a length of 1280 feet. A motion to allow the utility permit was made by Amber, seconded by Rethlake and carried with a 3/0 vote.

IN THE MATTER OF THE EMS AGREEMENT: Commissioner Rethlake had just attended his EMS meeting and questioned the retaining the titles for the ambulances owned by the County. Commissioner Amber made a motion to reject the request to amend the Contract between the Parkview Whitley and the County for the EMS Agreement, seconded by Rethlake and carried with a 3/0 vote.

IN THE MATTER OF THE COUNTY COORDINATOR: Pam Smith, County Coordinator, had to request for use of County facilities. The first was for a wedding at the Courthouse gazebo on Friday August 30, 2013 at 11:00am, after discussion a motion to allow by Amber, seconded by Rethlake and carried with a 3/0 vote. The second request was from the Columbia City Main Street group requesting to use the Courthouse lawn on Saturday September 2, 2013 from 6:30 – 10:30 pm for the showing of a movie on the Courthouse lawn. After discussion of the number of people and what move would be showing a motion by Amber to allow, seconded by Rethlake and carried with a 3/0 vote.

IN OTHER BUSINESS: The monthly Vehicle Inventory from the Sheriff's department was accepted. A request from the public to Commissioner Schrupf to keep them updated on the Junk & Trash violation at a Tri-Lakes location. Commissioner Rethlake will have his meeting next week with Community Corrections Board and the Etna Troy YIC. Auditor McGuire gave an update on the 2014 Budget.

The regular meeting was adjourned.

WHITLEY COUNTY COMMISSIONERS

George Schrupf, Chairman

Don Amber, Vice Chairman

Tom Rethlake

Attest: _____
Jennifer McGuire
Auditor