

WHITLEY COUNTY COMMISSIONERS
September 16, 2013

The Whitley County Commissioners met in a regular session on Monday, September 16, 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, Scott Wagner, Craig Wagner, Sheriff Hodges, Michael Barton, Alan Tio, Gene Heckman, Jesse Smith, Todd Nichols, Matt Shipman, Stanley Crum, Joan Null, Tom O'Neill, Jason Meyer, Pete Mallers, Bill Smith, Martha Akers, Mayor Ryan Daniels, 2013 Columbia City Youth Council- CCYC, Mary Hartman, Christie Barkley and Katie Wagner.

Chairman Schrumpf opened the meeting with the pledge and welcomed the Columbia City Youth Council to the meeting and "Thanked" them for lunch.

Hearing

Commissioner Schrumpf opened the Hearing for the Vacation of an alley between Lots 5 and 8 and 4 and 9 and a Street called West Street and a street called Mechanic Street in Austin's Addition to the Town of Etna Troy Section 35, Township 33 Range 8. Matt Shipman representing Jesse A Smith the Petitioner stated all the advertisements were published all the adjoining neighbors were notified and no objections were filed on behalf of this Vacation. A motion by Rethlake to pass Ordinance #2013-09 for the Vacation was made, seconded by Amber and carried with a 3/0 vote.

At this time the Hearing was closed and the regular Commissioner meeting reconvened.

IN THE MATTER OF THE COUNTY ATTORNEY: County Attorney Dan Sigler reported on reviewing a Contract with Republic Services(Serv-All) for County's trash pickup and is working with the rates and some language clarification before approving it for the Commissioners to sign. After reviewing the Police Pension agreement the decision for the years of vesting is to be determined by the Merit Board and approved by County Council not the Commissioners. Pete Mallers from Beers Mallers Backs & Salin LLP was present an update to the Commissioners on the sale of The Oaks and Oak Pointe that has entered into an Asset Purchase Agreement with BVM Whitley County, LLC for the sale of the real property and operating assets of the independent living facility. The information is just a courtesy to inform the County Commissions and a motion for favorable approval was made by Rethlake, seconded by Schrumpf and carried with a 2/1 vote with Amber casting the nay.

IN THE MATTER OF PASSAGES: Tom O'Neill came before the Commissioners to introduce his replacement Jason Meyer. Mr. O'Neill will be retiring at the end of September as CEO for Passages and wanted also to extend a "Thank You" to the Commissioners' and Whitley County for their continued support throughout the years and the recent support of the Learning Center. Jason Meyer's background was in Pathfinder Services and Disability Coalition and is excited about being a part of Passages and Whitley County as a community. A reminder of the open house for the Learning Center will be Thursday September 26, 2013.

IN THE MATTER OF THE UNSAFE BUILDING: Craig Wagner, from Planning and Building, updated the Commissioner's on the Unsafe Building order located at 8075 S 200 East owned by William Hinen. Mr. Hinen has now complied with the building codes and the structure is secure, there is a pile of debris on site but the owner has six months to remove to meet requirement of the Ordinance. After discussion Mr. Wagner will recheck the location later for the removal of the debris.

IN THE MATTER OF THE COUNTY TRI-LAKES PARK: Scott Wagner, Health Department, Gene Heckman Thorncreek Township Trustee and Todd Nichols form the Tri-Lakes Association all come before the Commissioners for discussion on the options at the County owned Tri-Lakes Park. The issue with the well water contamination has brought up the use of the Park, whether to keep it open, should there be public restrooms at the location and other issues of the difficulty of maintaining the Park. Commissioner Amber made a motion to shut off the water to Tri Lakes Park but after discussion withdrew it motion for further review. Auditor McGuire will pull the previous Deeds and review the restrictions if the property for maybe with approval of their Boards the Thorncreek Township or Tri-Lakes Property Owner's Association would take over the ownership of the property from Whitley County.

IN THE MATTER OF JUNK AND TRASH ORDINANCE VIOLATION: Scott Wagner and Craig Wagner also reported on a Junk & Trash Ordinance violation at 400 E and 400 S on property

owned by Thomas Abetino. The property owner has been notified but refused to the claim notice by mail. A copy of the letter will be filed for a Court date. Mr. Abetino was at the meeting and reported he has had some hardships lately but was trying to clean up the property. Commissioner Amber wanted to know his intent for the property and he wants to restore the property and make it his primary residence but no time frame was given by the owner for when this project could be completed. No more trash was to be brought to this location from other sites and the night burning of piles of trash needs to cease. Hearing will be October 7, 2013 and the Commissioners requested the owner show progress in cleaning up the property.

IN THE MATTER OF THE 2014 HOLIDAY SCHEDULE: Auditor McGuire presented the 2014 Holiday Schedule for approval from the Commissioners. After noting with the Election year the County will be closed for both the Primary in May and the General Election in November for a total of 14 days off in the year 2014 with discussion a motion to approve was made by Amber, seconded by Rethlake and carried with a 3/0 vote. The same Holiday Schedule will be used for the 4/2 schedules in 2014.

IN THE MATTER OF MINUTES AND CLAIMS: Minutes from the September 3, 2013 meeting were reviewed. A motion by Rethlake to approve as presented, seconded by Amber and carried with a 3/0 vote. The claims disbursements for September 16, 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 UTILITY PERMIT: An application for Utility Permit was presented for approval from CenturyLink for the placement of buried cable located at County Road 300 East and Lincolnway East to County Road 350 East for a length of 2760 feet. A motion to approved was made by Rethlake, seconded by Amber and carried with a 3/0 vote.

IN THE MATTER OF THE COUNTY HIGHWAY: Michael Barton, Highway Superintendent, reported the new signage for the 700 East & 800 East directing the semis to use the State Road ways and not the County roads are done and being installed. Barton had meet in the morning with Allen County and the Inter-Local agreement for County Line Road will start around October 1, 2013. With the good weather conditions 12-13 miles of milling has been completed and needs sealed yet this Fall. The County Highway will be using its own equipment to mill 900 South before the end of the year.

IN THE MATTER OF COUNTY COORDINATOR: Pam Smith presented a FMLA request from an employee who will be 28 days short at \$50.00 for a total of \$1400 after discussion a motion to approve the expenditure was made by Amber, seconded by Rethlake and carried with a 3/0 vote. Four request to use County Facilities were presented, the first was for the United Way to use the northeast corner of the lawn for the thermometer throughout the United Way drive this Fall a motion by Rethlake to approve, seconded by Amber and carried with a 3/0 vote. The second request was from Indian Springs Middle School Mrs. Shear 8th Grade class history class to visit the Courthouse and review the historical monuments on the Courthouse lawn, a motion to allow was made by Amber, seconded by Rethlake and carried with a 3/0 vote. The third request was from the Domestic Violence Whitley County requesting to decorate the gazebo with purple ribbons for the month of October, and remember to wear purple for awareness on October 2, 2013 for the ceremony at the gazebo, a motion to allow was made by Amber, seconded by Rethlake and carried with a 3/0 vote. The last request is from the First Church of God youth group to use the Court house lawn on Sunday October 20, 2013 after discussion a motion to allow was made by Amber, seconded by Rethlake and carried with a 3/0 vote. Pam also presented a cost comparison on the use of Life Works versus Bowen Center. The Bowen Center will lower the cost per visit if the County enters into a Contract with them based on usage. The Commissioners want all the providers to be able to quote cost before making a decision and any Contracts reviewed by Attorney Sigler. Commissioner Rethlake made a motion to table the issue for further review to the next meeting, seconded by Amber and carried with a 3/0 vote.

IN THE MATTER OF DISPATCH EQUIPMENT: Commissioner Schrupf presented quotes from J & K for the new dispatch equipment based on a seven year lease program. The equipment will be under warranty for 5 years, the total overall cost shown on the quotes was \$299,808 with annual payouts of \$44,029 which was not matching the per annual cost. Before any decisions are made Commissioner Schrupf is visiting Huntington County to gather information and contacting J & K to question actual cost and payments.

IN THE MATTER OF THE MAINTENANCE DEPARTMENT: A flow chart from the Maintenance department was given to the Commissioners for review. The Commission likes the look of an actual Maintenance department to maintain all the County buildings but questioned the

annual wages for the new position and what actual duties for each position would be done by the job descriptions. To gather more information and review this matter any decisions will be tabled until the next Commission's meeting on Monday October 7, 2013.

IN THE MATTER OF COURTHOUSE CHRISTMAS LIGHTING: A request for new LED Christmas lighting be used on the Courthouse lawn by the City and the County pay for some of the cost of the new purchase in the amount of \$2551 was discussed. What is being purchased and the cost savings for the use of LED was discussed on the upgraded lighting. Making a motion to proceed with the expenditure out of the CEDIT Fund was made by Amber, seconded by Rethlake and approved with a 3/0 vote. Final approval will come from the County Council in the October meeting.

IN THE MATTER OF BRIDGE INSPECTIONS: Brandon Forrester, County Engineer, reported the Request for Proposal for the Letter of Intents from firms qualified to perform Bridge Inspections has passed. He will now proceed in scoring each firm and look at past performances and compile information based on the scope of work that needs to be completed. The Commissioners requested a copy of his work and Brandon will negotiate with the top firm for a fee schedule before entering into a four year Contract for their services.

IN OTHER BUSINESS: Review of the County Employee Comp Time sheet amounts with discussion on the Departments having large amounts. Sheriff Hodge's monthly Vehicle Inventory report. A request by the City to dissolve the City/County Building Authority Board was discussed. Chairman Schrupf is currently working on the two year CEDIT Budget for 2014/2015. Grant reimbursement for the railroad closure is still being reviewed by the State and INDOT.

Amber made a motion to adjourn the regularly scheduled meeting, seconded by Rethlake and carried with a 3/0 vote.

WHITLEY COUNTY COMMISSIONERS

George Schrupf, Chairman

Don Amber, Vice Chairman

Tom Rethlake

Attest: _____
Jennifer McGuire
Auditor