

**WHITLEY COUNTY COMMISSIONERS**  
**December 16, 2013**

The Whitley County Commissioners met in a regular session on Monday, December 16, 2013 at 1:00pm in the Auditorium of the Whitley County Consolidated High School. Commissioners in attendance were Chairman George Schrupf, Vice Chair Don Amber, Tom Rethlake was absent. Also in attendance were County Attorney Dan Sigler, Auditor Jennifer McGuire, County Coordinator- Pam Smith, Brandon Forrester, Michael Barton, Scott Wagner, Bob Sutton, Steve Eckert, Ted Vesa, Dave Sewell, Mark Sturtevant, Deputy Marc Gatton, Sheriff Mark Hodges, Joan Null, Christie Barkley – Post & Mail and Katie Wagner – Churubusco News and Todd Armstrong with his Government Class from WCCS.

Chairman Schrupf opened the meeting with the pledge.

**IN THE MATTER OF EBETINO PROPERTY:** Dave Sewell, on behalf of the Planning and Building department presented a bid for the demolition of the house located at 400 E and 400 S owned by Thomas Ebetino. The structure was cited as an Unsafe Building and advertised twice in the local paper to meet the County Ordinance Violation. The County Building inspector, Craig Wagner, has been on site and suggests working on a schedule with the property owner for the rest of the improvements to be done. The home is currently occupied, the foundation is corrected and the electricity is now on. A motion to turn the matter back over to the Planning and Building Department at this time was made by Amber, and at this time the single bid from C & W Excavating for \$3950 will be tabled, seconded by Schrupf and carried with a 2/0 vote.

**IN THE MATTER OF JUNK AND TRASH VIOLATION:** A Court Order from November 19, 2013 for the property at 400 E and 400 S owned by Thomas Ebetino shows the owner not in compliance with the Whitley County Junk and Trash Ordinance Chapter 53 Sec 01 through 10. Whitley County has full authority to hire a private contractor to remove all the junk, trash and debris from the property ordered by Judge Fahl. The two bids were C & W Excavating for \$13,500 and Zimmerman Septic for \$8930. The other issue is the residential illegal open burn at this location; IDEM has issued a warning letter to the property owner, Thomas Ebetino. Commissioner Amber made a motion to accept the Zimmerman Bid of \$8930 and proceed with the cleanup at this property per the Court Order, seconded by Schrupf and carried with a 2/0 vote. Bob Sutton, a neighbor from the public commented on the action of a Thorncreek volunteer fireman and if soil samples were going to be taken by IDEM to check for contamination leaking into the ground from the debris burning.

**IN THE MATTER OF THE COUNTY ATTORNEY:** County attorney, Dan Sigler, reported that a Letter of Complaint was filed from the Junk and Trash Ordinance at the Shaw property as a vehicle was removed from the property that was not on the list. A Torte Claim was filed against Whitley County in the death of a client in one of the Passages waiver homes. The case for trespassing for Raymond Gleason is settled and final payment will be made. The lawsuit is still pending on the Bickel file. The County Attorney Contract for 2014 will be tabled until the January 6, 2014 Commissioner meeting. Attorney Sigler will prepare the Quit Claim for the Jail Property back into the Whitley County Commissioner's and have the deed ready for the January Commissioner meeting. No response yet from the Land Office at the State on the Right of Refusal requested by the County. Attorney Sigler feels the Quit Claim for the Tri-Lakes Park property to Thorncreek Township can be completed at this time. He will prepare the deed and bring that for signatures in the January meeting.

**IN THE MATTER OF THE ANNUAL HIGHWAY BIDS:** Michael Barton, Highway Supervisor, and Brandon Forrester, County Engineer gave their recommendations for the Annual Highway and Bridge bids and quotes for 2014. For quotes, Jerry's Tires was the only bid for tires, both Hall & Stello were accepted for signage purchases and Three Rivers submitted the bid for payment marking. Numerous quotes for Heavy Equipment contracts were submitted; Forrester suggested accepting all of them and would review the location and need when it arises throughout the year. Both quotes from St Regis and Wire Rope and Sling were accepted. A motion by Amber to accept all "recommended" quotes was made, seconded by Schrupf and carried with a 2/0 vote. Next Barton and Forrester reviewed all the annual bids for Whitley County, please review the attachment to the Minutes spreadsheet. After discussion a motion by Amber to accept all the Bids recommended and the motion was seconded by Schrupf and carried with a 2/0 vote.

**IN THE MATTER OF BUILDING MAINTENANCE:** Mark Sturtevant, Maintenance Supervisor, presented two bids for the replacement of 60 faucets in the jail building. The pricing from two vendors Redman Plumbing and Aspinall Associates were compared. The price is lower if all 60 faucets are purchased at the same time, but the Commissioners questioned if this really needed to be done all at once even with the cost savings the entire projects would cost the County around \$84,310. Funding for this entire project is not available and each one will be fixed as

needed for now. The application of a sodium silicate to the water supply lines in the jail to help slow or eliminate the corrosion in the plumbing was revisited. Two quotes from HPE (Heat Power Engineering) and Redman both submitted quotes for the work HPE's quote was \$3483.16 and Redman Plumbing was \$3632.40. After discussion of the application, a motion to allow the work to be completed by HPE was made by Amber, seconded by Schrupf and carried with a 2/0 vote. Discussion on the bids for the Courthouse roof and comparing the quote differences was tabled until the January 6 Commissioner meeting when all three members are present. The last project requested by the Maintenance department is the humidifier hooked up in the HVAC system in the server room on the first floor of the Government Center. The cost to modify the duct work, hook up the humidifier and program will be \$2738.50. The cost can be paid out of Building Maintenance for 2014 budget. A motion to allow the work was made by Amber, seconded by Schrupf and carried with a 2/0 vote.

**IN THE MATTER OF MINUTES AND CLAIMS:** Minutes from the December 2, 2013 Commissioner's meeting were reviewed, Amber made a motion to approve as presented, seconded by Schrupf and carried with a 2/0 vote. The disbursements of claims for December 16, 2013 were reviewed by Commissioner Amber. After discussion a motion to allow the claims was made by Amber, seconded by Schrupf and carried with a 2/0 vote.

**IN THE MATTER OF APPOINTMENT TO DRAINAGE BOARD:** Chairman Schrupf recommended that Mike Schrader be the Commissioner's appointment to the Drainage Board for 2014 year. A motion to allow the appointment was made by Amber, seconded by Schrupf and carried with a 2/0 vote. The Drainage Board will be notified.

**IN THE MATTER OF APPOINTMENTS TO THE PLAN COMMISSION AND JOINT ADVISORY BOARD:** A memorandum from the Planning and Building Department requesting that Kenny Kerch and Brad Wolfe indicated a desire to serve on the Plan Commission for another term in 2014. A motion Amber and seconded by Schrupf to approve these appointments. The Commissioner Representative for 2014 on the Plan Commission and the Joint Advisory Board will remain George Schrupf.

At this time the Commissioners fielded questions from the High School students. The concerns of the students ranged from pre-warning of stops for traffic lights along the US #30 corridor, duties of a Commissioner, the new Whitley County High School, tax rates and how the City and the County works together on projects within Whitley County.

**IN THE MATTER OF COUNTY COORDINATOR:** Pam Smith presented a Request to Use County Facilities for a wedding on Saturday December 28, 2013 at 6pm for the Courthouse gazebo. After discussion a motion to allow the request was made by Amber, seconded by Schrupf and carried with a 2/0 vote. A request to allow an employee to be paid for lost Vacation time was presented by Smith from Paula Worden at the Work Release Facility. The Case Worker lost 31 hours of Vacation on his anniversary date of October 23, 2013. After discussion of the County Policy for this request a motion to deny was made by Amber, seconded by Schrupf to adhere to the policy carried with a 2/0 vote.

**IN OTHER BUSINESS:** The Employee Recognition Lunch was a huge success and lots of money and can goods were collected for the Christmas family. The elimination of Personal Property assessment and the effect it will have on the Taxing Districts in Whitley County was discussed showing \$3.3 total revenue would be lost and no source of funding to replace shortfall.

With no further input from the public, Chairman Schrupf adjourned the meeting.

#### **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