

**Whitley County Commissioners
September 7, 2010**

The Whitley County Commissioners met in regular session on Tuesday, September 7, 2010 due to the observance of Labor Day on Monday, September 6, 2010. The meeting was held at the South Whitley/Cleveland Township Public Library in South Whitley, Indiana. Commissioners in attendance were Chairman Michael D. Schrader, Vice Chairman Don Amber and Tom Rethlake. Also in attendance for all or part of the meeting were Auditor Linda Gerig, County Attorney Dan Sigler, Planning Director David Sewell, Highway Supervisor Michael Barton, Patti Smith, Jim Bayman, Alan Tio, Matt Showalter, Dave Reichard, David Koenig, Chris Meyers and Teresa Smith. Chairman Schrader called the meeting to order at 1:00 p.m.

IN THE MATTER OF PREVIOUS MINUTES AND VENDOR PAYABLES: The minutes of August 16 and the vendor payables for September 7, 2010 were approved as presented.

IN THE MATTER OF COUNTY ATTORNEY REPORT: Attorney Dan Sigler presented an Agreement between Whitley County and the Whitley County Economic Development Corporation. The Agreement states the terms for repayment of over distributed funds to the Corporation by the County. The Corporation will pay \$64,400 for a new Comprehensive Plan to be completed by Ground Rules, Inc. Rethlake moved, seconded by Amber, to approve and sign the Agreement. The motion passed 3/0. Discussion was held pertaining to establishing an ordinance banning the possession and selling of the substance K2 for Whitley County. Sigler will compose an ordinance to be reviewed on September 20, 2010.

IN THE MATTER OF BOARD APPOINTMENT: The Board was informed of a vacancy existing on the South Whitley Board of Zoning Appeals. The name of Joel Yeager was taken under consideration by the Board to fill the vacancy. Rethlake moved, seconded by Amber, to accept Joel Yeager for the appointment. The motion passed 3/0.

IN THE MATTER OF COMMON WAGE COMMITTEE: The Board received a letter from the Whitley County Consolidated School Corporation's attorney Benton E. Gates, Jr., regarding the establishment of the common construction wage committee. The Corporation is proceeding to take construction bids for a public works project. The committee will establish the common construction wage. Vice Chairman Amber nominated Commissioner Rethlake to the committee. The nomination was seconded by Chairman Schrader and the vote was unanimous.

IN THE MATTER OF REZONING REQUEST: Documentation was presented from the Plan Commission of Whitley County regarding their consideration to adopt an amendment to the Whitley County Zoning Map to rezone 10.579 acres from AG, Agricultural District to the IN, Intensive Use District. The property is located on the west side of Raber Road approximately ¼ mile south of CR 500 South in Section 6 of Jefferson Township. Following discussion, Ordinance No. 2010-11 was introduced for the Board's consideration. Rethlake moved, seconded by Amber, to approve Ordinance No. 2010-11. The motion was 2/0. Chairman Schrader was absent from the vote.

IN THE MATTER OF UTILITY PERMIT REQUESTS: A permit submitted by Cypress Pointe Development, LLC was applying for permission to construct a residential subdivision entrance for Cypress Pointe, Section 1, in the Fractional Southwest Quarter of Section 6, Township 30 North, Range 11 East, Allen County, Indiana. The work is to be performed at 111 West County Line Road to provide vehicular access into a new residential subdivision in Allen County. The permit was submitted to Whitley County Commissioners due to the above mentioned road is the Whitley County/Allen County line. Rethlake moved, seconded by Schrader to approve the permit. The vote was 3/0.

IN THE MATTER OF 2011 HOLIDAY SCHEDULE: The Holiday Schedule for 2011 and the Holiday Schedule for the 4 on 2 off were presented for consideration. Amber moved, seconded by Rethlake, to approve the Schedules as presented. The vote was 3/0.

IN THE MATTER OF THE DOOR COMPUTER: The computer located at the jail that controls the electronic units for doors in the jail and the Government Center recently went down. A quote in the amount of \$884.88 was presented for repairs. Amber moved, seconded by Rethlake, to purchase updated software for the server. The motion carried 3/0.

IN THE MATTER OF BROWNFIELD ASSESSMENT COALITION: Matt Showalter of Region III-A and Alan Tio presented information on the Brownfield Assessment Grant Program and asked for a letter of support from the Board. The EPA recently announced an opportunity for government and nonprofits to obtain funding to inventory and assess brownfield sites. Amber moved, seconded by Rethlake, to sign a letter of support. The motion passed 3/0.

IN THE MATTER OF USE OF COUNTY FACILITIES: Requests were received from the Whitley County Domestic Violence Task Force, Whitley County Senior Expo and the Election Board to use county facilities. All requests were approved as presented.

IN THE MATTER OF COUNTY HIGHWAY REPORT: Supervisor Michael Barton was present to explain the wrap-up of summer road work. Barton stated that 190 miles of road repairs have been completed in the last 2 years. Thirty-five miles remain to be double sealed in the spring of 2011. A traffic count was done on Wolf Road pursuant to a complaint of high speeds made by David and Barbara Dunfee of 328 S. Wolf Road at the August 2, 2010 meeting. Barton stated that County Road 275 North has been made a three-way stop. Two additional “stop ahead signs” have been placed approaching the intersection informing drivers of the need to stop.

IN THE MATTER OF IT QUOTES: Quotes were received for the third quarter IT requests and a quote for a new SQL server. Rethlake moved, seconded by Schrader, to take a favorable recommendation to county council on the quotes.

There being no further business or public comment, the meeting was adjourned.

WHITLEY COUNTY COMMISSIONERS

Michael D. Schrader, Chairman

Don Amber, Vice Chairman

Tom Rethlake, Member

Attest:

Linda J. Gerig, Auditor