

**WHITLEY COUNTY COMMISSIONERS
NOVEMBER 1, 2010**

The Whitley County Commissioners met in regular session on Monday, November 1, 2010 in the Commissioner's Room located on the first floor of the Whitley County Government Center. In attendance were Chairman Michael D. Schrader, Vice Chairman Don Amber and Member Tom Rethlake. Also in attendance for all or part of the meeting were Auditor Linda Gerig, County Attorney Dan Sigler, County Coordinator Amy Crickmore, EMA Director Cathy Broxon-Ball, Highway Supervisor Michael Barton, Sheriff Mark Hodges, Deputy Marcus Gatton, Butch Sterner and Post and Mail reporter Phil Smith. Vice Chairman Amber called the meeting to order at 1:00 p.m.

IN THE MATTER OF PREVIOUS MINUTES AND VENDOR CLAIMS: The minutes of October 18 and the vendor claims for November 1, 2010 were approved as presented.

IN THE MATTER OF COUNTY ATTORNEY REPORT: Dan Sigler commented on the law suit filed against County Council regarding an alleged illegal meeting held on the Whitko School Referendum. Sigler stated that neither the Commissioners nor he are currently named in the law suit. Sigler will defend the case if it comes to be if the insurance company won't. Sigler continues to work on the pending NIPSCO claim for damages. Conflicting information is being received from the local office and the NIPSCO attorney hired to collect for damages. A Summary Judgment has been received on the suit against the county regarding the death of Michael J. Miller. The case is now closed unless an appeal is filed by the family. A Summary Judgment was also issued October 29, 2010 in the Loehr suit. Sigler should have official notification by the next commissioner meeting. Sigler will be handling the first Barking Dog Violation filed against a homeowner.

IN THE MATTER OF SHERIFF VEHICLE REQUEST: Sheriff Mark Hodges and Deputy Marcus Gatton were present to offer their request for three new sheriff vehicles for 2011. The request states that two Ford Crown Victoria's and one Cheverolet pickup truck could be purchased at a cost of \$65,954.48. The request includes trading in the Drug Task Force pickup truck. If trading in the pickup truck is not allowed, the cost would be \$81,220.74. Two vehicles will be replaced with this purchase. Amber moved, seconded by Rethlake, to take a favorable recommendation to council and to ask that cum cap funds be used for the funding. The motion carried 3/0.

IN THE MATTER OF LONGEVITY PAY FOR TERMINATED EMPLOYEE: County Coordinator Amy Crickmore presented a situation regarding a recently terminated employee and paying that person their longevity pay. Amber moved, seconded by Rethlake, to deny the request and follow the policy as stated in the handbook. That motion failed with Amber voting for and Schrader and Rethlake voting against. After further discussion, Rethlake moved, seconded by Schrader to allow four years of longevity pay. The motion passed 2/1 with Amber casting the No vote.

IN THE MATTER OF COUNTY HIGHWAY REPORT: Michael Barton presented the Notice to Bidders for 2011. The bids will be received December 6, 2010 at 10:00 a.m. Barton explained that he plans to apply to LTAP Helpers Program. The program helps with guardrail placement in dangerous areas. The funding is a 90-10 split. There is also a Sign Replacement program, again with a 90-10 split, that Barton will try to obtain. The highway department is grading milled roads.

IN THE MATTER OF BURN BAN: Cathy Broxon-Ball was present to discuss the current burn ban in place for Whitley County. With the recent storms there is much debris and residents are inquiring about being able to burn that debris. The commissioners will allow this burning if the resident contacts their local fire department to be present during the burn. The burn ban will remain in place as conditions still are not favorable for open burning.

IN THE MATTER OF AMENDING DECLARATORY RESOLUTION: Resolution No. 2010-26, Approving An Amendment Declaratory Resolution and Economic Development Plan of the Whitley County Redevelopment Commission and Approving the Order of the Whitley County Plan Commission, was presented for consideration.

IN THE MATTER OF COUNTY COORIDATOR: Amy Crickmore presented a proposal for IT Services from Phoenix Technology Group. The commissioners will need time to study the proposal and will discuss it further at a future meeting. Butch Sterner of SDS Communications was present to discuss toll free numbers being implemented for the county.

IN THE MATTER OF LONGEVITY PAY: Auditor Gerig asked permission to release Longevity Pay on November 22, 2010. Amber moved, seconded by Rethlake, to allow the pay on November 22, 2010. The motion carried 3/0.

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