

## WHITLEY COUNTY COMMISSIONERS

October 7, 2013

The Whitley County Commissioners met in a regular session on Monday, October 7, 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, Michael Barton, William Etzler, Donald Smith, Todd Nichols, Mark Sturtevant, Lori Shipman, Bill Smith, Mary Hartman, Katie Wagner, Joan Null, Sandy Grube, Mark Espich, and Sandi Gray.

Chairman Schrumpf opened the meeting with the pledge.

**IN THE MATTER OF THE COUNTY ATTORNEY:** County attorney Dan Sigler reported that he had reviewed the Serv-All contract from the County maintenance department and gives his approval for the Commissioners to sign. Attorney Sigler addressed the issue in transferring the County's Tri-Lakes Park property to the Thorncreek Township. The discussion if the property had to be returned to the State with the "reversion clause" on the deed was discussed. Attorney Sigler feels if a "Written Refusal" is drawn up and presented to the State for signature on the property the County can then transfer ownership clearly to Thorncreek. A motion by Rethlake to allow the paperwork prepared to change ownership of the Tri-Lakes Park to Thorncreek Township, seconded by Amber with discussion. The discussion includes the current contaminated well to be in working order before the transfer of ownership. Scott Wagner from the Health Department stated that there will have to be a Site Plan meeting IDEM regulations for the new well to be installed because of the public contact with the water at this location. Commissioner Schrumpf will get a final cost of replacing the well along with any other charges for meeting the necessary regulations, an Interlocal Agreement will need to be prepared for Thorncreek to contribute funding for the project and Tri-Lakes Property Owners Association TLPOA will also work in funding the project. Scott Wagner will write up the specification on the well. After this discussion a vote on the motion to allow the transfer from Whitley County to Thorncreek was carried with a 3/0 vote. Auditor McGuire will pull the prior deeds for the DNR property and Camp Samaritan property but at this time Gene Heckman Thorncreek Township Trustee noted the DNR property site was on the State auction for October 24, 2013 so nothing needs done at this time for that property.

**IN THE MATTER OF THE UNSAFE BUILDING VIOLATIONS:** Craig Wagner, from Planning and Building spoke Attorney Sigler on a property located in Tunker that had a bankruptcy filed and what action the department could take.

At this time the regular Commissioner Meeting was suspended to hold the Hearing for the Planning and Building Department.

**HEARING:** The Hearing is for the property located at 400 E 400 S Columbia City, owned by Thomas Abetino. The violation is on the dwelling that is unlivable because of the opened up underside of the house and the post building that was destroyed in the storm of June 2012. A determination to needs made to demolish or repair the site. There was public input on the property from a concerned neighbor of how the property goes through these violations cleans up the property enough to not get fined and then couple months later the same situation in continuing. The collection of vehicles, trash and the burning at night continues. The Planning and Building Department and the Health Department have dealt with this location for over 6 years. A motion by Amber, seconded by Rethlake was to precede with the Public Notice #2013090244 to have work completed by the November 10, 2013 deadline.

End of Hearing. The regular scheduled Commissioner Meeting was reconvened.

**IN THE MATTER OF COUNTY HIGHWAY:** Michael Barton updated the Commissioners on the work done over the Summer on County roads. The newly purchased Highway truck is still at WA Jones waiting on the final upgrades. The maintenance cards are being completed on the Highway vehicles. The Highway is requesting another new truck out of the CEDIT plan for 2014. The Highway worked with SDI on posting signs on County Roads to help eliminate the oversized trucks using the County Roads. The Interlocal project with Allen County is being started on the County Line. In the 2014 year the Highway want to try to seal another 80 miles of roadway, purchase a \$145,000 Chipper/Sealer from the Highway Fund, the new Highway Truck from the 2014 CEDIT Fund. Other discussions were the railroad crossing on 600 East for the entrance of Rail Connect Park and what could be done to level. Barton will work with Alan Tio and the railroad to look into the project. Commissioner Rethlake also wanted to know if liquid spray was going to be used this Winter for the intersections and the discussion of contacting the schools for any issues with the buses when the Winter weather comes for safety purposes.

**IN THE MATTER OF HUMANE SOCIETY:** Mark Espich from the Whitley County Human Society came to renew the Contract between the two groups for the 2014 year. The discussion of the \$25,000 appropriation continues to be funded from the CEDIT plan and that the current year to date balance was right at \$21,000. The Commissioners want the cost per animal reviewed for the actual cost it takes to house them at the shelter. Commissioner Amber doesn't think the \$108.00 per cat is a good number per animal. Commissioner Rethlake "thanked" Mr. Epoch for bringing the P & L statement for the year that they had been requesting. Chairman Schrupf stated the Commission was currently working the two year CEDIT program and should have the information by next month for what is going to be funded.

**IN THE MATTER OF EMPLOYEE ASSISTANCE PROGRAM:** Pam Smith had contacted all the providers, Bowen, Life Works and Family Care on a contract for the EAP (Employee Assistance Program) for the County employees. If we contract specifically with Bowen they cost per visit will drop from \$80 per visit to \$60 per visit. The County gave this information to both Life Works and Family Care and they did not respond or could not cut the price of the visit. So after discussion a motion to contract with Bowen was made by Amber, seconded by Schrupf and carried with a 2/1 vote. Rethlake casting the nay vote. Pam will sent out notification to all County employees and list all the different locations available for service from Bowen.

**IN THE MATTER OF MINUTES AND CLAIMS:** Minutes from the September 16, 2013 meeting were reviewed. A motion by Amber to approve with corrections to two words "Commissioners and the name Shearer", seconded by Rethlake and carried with a 3/0 vote. The claims disbursements for October 7, 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 COMMISSONER APPOINTMENT:** Dave Sewell from Planning & Building Department notified the Commissioners that Bill Auer resigned from the Whitley County Plan Commissioner and Board of Zoning Appeals. According to State statute, both political parties must be represented on the Plan Commissioner, so the replacement will need to be a Democrat. Commissioner Amber will create a Press Release for both this position and an opening in the South Whitley Plan Commission and get to all the Whitley County papers for anyone interested in the positions.

**IN THE MATTER OF MAINTENANCE DEPARTMENT STAFFING:** The County Council left the position of a new hire for the Maintenance department with the County Commissioners. Discussion of the job descriptions of both the current employees and the new positions created were discussed. The main difference between the two positions was the amount of actual maintenance performed to the amount of janitorial work being completed. After discussion of the actual need to hire another person for the maintenance department was discussed a motion by Amber to allow the new employee after all the job descriptions are reviewed by the Personnel Committee for factoring, seconded by Schrupf and carried with a 2/1 vote, with Rethlake casting the nay vote.

**IN THE MATTER OF UTILITY PERMIT:** An application for a Utility Permit was presented for approval from Frontier for reinforcing fiber optic cabling to provide service to an AT&T cell tower on US #33. A motion to approved was made by Rethlake, seconded by Amber and carried with a 3/0 vote. A second Utility Permit from CenturyLink requesting the placement of buried cable on County Road 350 E, North of County Road 500 North, just South of Round Lake for a length of 80 feet, a motion by Amber to approve the placement, seconded by Rethlake and carried with a 3/0 vote.

**IN THE MATTER OF SHORT TERM DISABILITY:** Pam Smith presented a corrected request for short term disability. The employee is a 5-2 schedule not a 4-2 scheduled employee so the pay changed to 35 day in an amount of \$1750.00. After discussion a motion by Amber to approve the change, seconded by Rethlake and carried with a 3/0 vote.

**IN THE MATTER OF COMMUNITY CORRECTIONS FACILITY:** Commissioner Rethlake showed pictures of some structure work that was going to have to be done at the Community Corrections facility with replacement of windows. The cost may be paid out of the CEDIT Fund when all the quotes come in the work. The Community Correction is housing 81 clients at this time and Paula Worden is going to run a monthly report based on Income collected to show the cost per person at the facility. Quotes for the replacement of the water softener at the Community Corrections facility were reviewed, Amber made a motion to go with the Heat Power quote in the amount of \$7662.00, seconded by Rethlake and carried with a 3/0 vote with the funding to come from CEDIT.

**IN THE MATTER OF 2013 FLU SHOTS:** Commissioner Schrupf wanted to know if the County was going to pay for both Full-Time and Part-Time employees to get flu shots this year.

After discussion a motion by Rethlake to cover all County employees, seconded by Amber and carried with a 3/0 vote.

**IN THE MATTER OF NORTHEAST INDIANA REGION PARTNERSHIP:** Commissioner Schrupf is working with Mayor Daniels in a partnership to have easier access to information, for permitting, ordinances, fee schedules and meetings. Standardize customer service in staffing for better knowledge of processes requiring Government request. The cost for the project is \$4500.00 the Northeast Regional Partnership is paying \$1500 and the remaining \$3000 will be split between the City and County. A motion to allow the payment was made by Rethlake, seconded by Amber and carried with a 3/0 vote.

**IN OTHER BUSINESS:** The County Health Fair will be November 8, 2013 and we are conjoining with the City on this effort. The Advanced Imaging bill was reviewed and the Extension office will now have their newsletter outsourced to save printing cost. Joan Null requested the appointment for Boards be implemented onto the County website for the public. Whitley County received State recognition for the Land Record Accuracy at the recent AIC meeting. Todd Nichols requested the key for the gate at Camp Samaritan to let in tree trimmers from AEP and snow removal this Winter. Mr. Nichols also let the Commissioners know the TPLOA (Tri-Lakes Property Owners Association) now meets at the Thorncreek fire station the 4<sup>th</sup> Tuesday of the month. Bill Smith discussed with the Commissioners the condition of his road, along with the drainage and culvert that needs to be looked at by the Highway.

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