

WHITLEY COUNTY COMMISSIONERS

March 21, 2016

The Whitley County Commissioners met in regular session Monday, March 21, 2016 at 1:00 pm in the Commissioners' Room located on the first floor of the Whitley County Government Center. Commissioners in attendance were Chairman George Schrumpf, Vice Chairman Don Amber, and Commissioner Tom Rethlake. Others in attendance were Auditor Jana Schinbeckler, County Coordinator Pamela Smith, Tom Western, Kim Wheeler and Bill Overdeer from the County Council, Zach Zumbrun, EDC President Jon Myers, Jacob Archambault from the EDC, Zach Rumzyre from the Jefferson Center Fire Department, Julie Jensen Kelley, Randall Cokl from the South Whitley Council, Janelle Schmitt, Sheriff Gatton, and Jason Spencer from the Sheriff's department, EMA Director Amy Biggs, Nick Rupert from the Post and Mail, Hartman from the Peabody Public Library, Scott Wagner from the Health department, Joan Null, Stanley Crum, Planning Director Nathan Bilger, County Engineer Brandon Forrester, Thorncreek Township Trustee Gene Heckman, and Highway Director Michael Barton.

Chairman Schrumpf opened the meeting with the Pledge of Allegiance.

IN THE MATTER OF THE COUNTY ATTORNEY: County Attorney Dan Sigler reported to the Commissioners on tax sale issues. There was recently a court date on Tuesday, March 15, 2016 in regard to a tax sale issue. The purchaser filed late for the petition to order the court to issue a tax deed. Judge Heuer stated he would look into the issue and make a decision. In regard to the Wheeler property, the owner is interested in an agreement and Attorney Sigler is in the process of writing the agreement. He will present the agreement to the Commissioners and it will ensure that payments are made on time and the property is cleaned up. The Mayor and IDEM will need to sign the agreement for approval as well. The mission is to get the property back on the tax rolls. Commissioner Amber asked Attorney Sigler about Camp Samaritan. Sigler stated that he suggests to convey it back to the State by a quit claim deed. He is not sure if the State can refuse the deed/property and he will check into it. If there are problems with the State, there is also the option of conveying the property to the Tri Lakes Association. Attorney Sigler will keep the Commissioners up to date on how the State reacts to the deed. EDC President Jon Myers presented an issue to the Commissioners that the County has with Solstice Medical. An agreement was made between Solstice Medical and the County in 2011. The company received two grants of \$25,000 for a total of \$50,000 from the County and they did not live up to the agreement they made to receive the funds. Jon would like to write up a letter and demand the company pay the funds back to the County. Commissioner Rethlake made a motion to give approval to send a letter, seconded by Amber, and passed with a 3/0 vote.

IN THE MATTER OF THE DEPUTY DIRECTOR POSITION AND GRANT

APPROVAL: EMA Director Amy Biggs presented a request to the Commissioners for a Deputy Director position. The position has remained vacant for some time and the EMA is now an arm of the Department of Homeland Security and the EMA department serves as the safety team for the County. Amy ensures that the AEDs are current and up to date and there is a single person in the entire department to complete all the work that needs done. There are many credentials that are required for Amy's position and the Deputy Director position and with these needed qualifications and credentials, the amount budgeted would not cover the amount of funds needed to cover the position. Amy is requesting an additional appropriation of \$5,925.00 plus the budgeted amount which is a total of \$11,625.00. The position would be \$15 per hour with a maximum number of hours per week of 22.5. The hours the person would work would depend on the demand of the position. In order to get the 50% reimbursement from the State for the Deputy Director, they require them to meet the same qualifications and credentials as the Director. Commissioner Amber made a motion for a favorable pass to Council with maximum hours set at 29.5, Commissioner Rethlake seconded the motion with discussion. Rethlake questioned the reason that the position needs to make \$15 per hour. It is due to the credentials needed for the position and the cost of living factor. With no further discussion, the motion passed with a 3/0

vote. In regard to the grant approval, Amy is requesting the Commissioner's support to accept a grant from the State in the amount of \$5,852.00 with matching funds of \$1,170.50. The grant is associated with equipment, supplies, or training for response to hazardous materials incidents. The matching funds can be met with soft or "in kind" hours meaning there is no out of pocket financial expense that will occur. Commissioner Amber made a motion to approve the grant request, seconded by Rethlake, and passed with a 3/0 vote.

IN THE MATTER OF THE YMCA CORPORATE CHALLENGE AND GRANT

REQUEST: Julie Jensen-Kelley requested the Commissioners approve the County's participation in the YMCA Corporate Challenge. The County has now participated for four years and it is a \$500 entry fee. Commissioner Rethlake made a motion to approve the request and to take the entry fee out of the Commissioner's budget, seconded by Amber, and passed with a 3/0 vote. Julie also presented a grant request to the Commissioners. The grant is for a veteran's problem solving court which is included in HB 1006 which gives money for veteran's court. Superior Court received the approval last week and they requested \$73,000 but were awarded \$61,000. Julie noted that they are still able to achieve what they need with the awarded amount. A person would need to be hired and the job description is factored already. The court takes away the Prosecutor approach and they come up with a treatment plan for the veteran. All members of this court are in place and certified by the judicial center. The person would either be at Community Corrections or the Probation department so there is no facility changes or cost incurred. Commissioner Amber made a motion for a favorable pass to Council, seconded by Rethlake, and passed with a 3/0 vote.

IN THE MATTER OF THE HOME CONDEMNATION: Scott Wagner presented a request to the Commissioners for a home condemnation due to the building/dwelling being dangerous or detrimental to the life or health of someone. The dwelling is located on 7191 N Brown Road and the owner has not responded to multiple attempts from Scott. Whitley County was granted judgement against the defendant and is now requesting that the Commissioners approve the condemnation and entry will not be able to be made on the property. There are two quotes that Scott received to board up two doors and winterize the plumbing lines. The first quote was from Protechs Inc. for \$287.90. The second quote was from M.C. Wheeler and Sons, Inc. for \$300.00 which includes the same services with the addition of lines blown out with air. Commissioner Amber made a motion to accept the quote from M.C. Wheeler and Sons, Inc., seconded by Rethlake and passed with a 3/0 vote.

IN THE MATTER OF RESOLUTION 2016-01 AND CR 600 E PROJECT: EDC President Jon Myers presented a Construction and Maintenance Agreement to the Commissioners made between them and the Chicago, Ft. Wayne & Eastern Railroad. The agreement states that the agency, being the Commissioners, is willing to undertake the entire expense for the installation of rail equipment including relocating gates and lights, crossing surface and track replacement at 600 E. Attorney Sigler has already approved the agreement and this is part of the project to widen the road. Commissioner Amber made a motion to accept the agreement, seconded by Rethlake and passed with a 3/0 vote. There was also a Temporary Non-Exclusive Revocable Construction License and Assumption Agreement between the Commissioners and the Redevelopment Commission for this project. The Commissioners see that it is in the best interest of the citizens to grant the license contemplated by this agreement to the Commission for road construction works. Commissioner Rethlake made a motion to approve the agreement, seconded by Amber and carried with a 3/0 vote. In regard to Resolution 2016-01, the Redevelopment Commission approved it at their last meeting which pertains to adopting an Amending Declaratory Resolution to amend the declaratory resolution dated December 20, 1993. They are amending Whitley County Economic Development Area No. 1. The Area in connection with the proposed acquisition by the Commission for certain real estate property located in the Area is parcel number 92-05-18-000-427.000-012. The purchase of the lot was also approved by the Plan Commission on March 16, 2016. After review, Commissioner Amber made a motion to approve Resolution 2016-02, seconded by Rethlake and passed with a 3/0 vote.

EMS CONTRACT DISCUSSION: Commissioner Schrumpf opened the discussion stating that the big issue is the inner hospital transfers that uses one of the three ambulances within the County. Commissioner Amber stated that he agrees but he also think that since we are paying for the services, we should be able to set some ground rules. When there is an inner hospital transfer, it usually takes about two hours until the ambulance is back in Whitley County. The EMTs are also getting lost in the County because the County is not part of their communication system. The Commissioners stated that their main goal is to make the current EMS system better for the citizens of Whitley County. Schrumpf proposed the possibility of an extension of the contract with Parkview and to change/negotiate the contract. There are times that there is not an ambulance in Columbia City, South Whitley or Churubusco. This means that the County is at a Level 0 and the resources are exhausted and no Whitley County ambulances are available. The Whitley County Fire Chief's Association expressed some concerns in a letter and they put EMA Director Amy Biggs in charge of conveying the concerns to the Commissioners. One of the major examples of a problem the fire departments have had is there was a full cardiac arrest is Tri Lakes and the ambulance that responded was from South Whitley. Commissioner Schrumpf also brought up the concern that the County has an agreement with Parkview for the health insurance. If the County were to use an out of network EMS service, it would cost more to the employees. The preferred discount that Whitley County employees receive would no longer be in place. Attorney Sigler stated at this point the Commissioners have two options, to either advertise a request for proposal/proposal package or negotiate the current contract that they have with Parkview. The Commissioners agreed that there are advantages and disadvantages to both options and the County either needs to make some changes with the current service or change services. Commissioner Schrumpf is requesting that the Commissioners make a decision by April 18, 2016 and finalize a contract thirty days from the 18th. The Commissioners came to a consensus to invite Parkview to a Commissioner meeting for discussion.

IN THE MATTER OF THE HIGHWAY DEPARTMENT: Highway Director Michael Barton gave the Commissioners copies of the 2015 annual report for the Highway department. In regard to the truck bids, Michael made a recommendation for the Commissioners to approve the Selking International bid for \$120,441 for the 2017 truck chassis and WA Jones for the additional equipment in the amount of \$69,632. Michael noted that back up cameras were included in the bid for the truck. It will take sixty to ninety days for delivery once the bid is awarded. The Highway department will be purchasing two trucks. One will be paid with cash and the other will be a lease. Commissioner Rethlake made a motion to approve the bids for Selking International and WA Jones, seconded by Amber with discussion. The total cost for both bids is \$190,073 and the amount for the truck was an additional appropriation to the highway budget. The interest rate for the truck lease will be 2.9%. With no further discussion, the motion passed with a 3/0 vote.

IN THE MATTER OF THE COUNTY COORDINATOR: County Coordinator Pamela Smith presented a request to use County facilities to the Commissioners. The request is from the Old Settler's Association for the 2016 Old Settler's Festival for the Courthouse Square and the grounds surrounding the Courthouse. The dates are from Tuesday, June 21 through Saturday, June 25. Commissioner Amber made a motion to approve the request, seconded by Rethlake, and passed with a 3/0 vote.

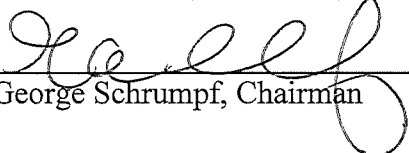
IN A MATTER OF MINUTES AND CLAIMS: The minutes from the March 7, 2016 meeting were reviewed. Commissioner Rethlake made a motion to approve the minutes with one correction under "In Other Business". Position is spelled incorrectly as positon. With this correction Commissioner Amber seconded the motion and motion passed with a 2/0 vote with Schrumpf abstaining. The minutes from the March 7, 2016 truck bids were reviewed. Commissioner Amber made a motion to approve the minutes, seconded by Rethlake and passed with a 2/0 vote with Schrumpf abstaining. The minutes for the March 7, 2016 executive session were reviewed. Commissioner Amber made a motion to approve the minutes, seconded by Rethlake, and passed with a 3/0 vote. The claims were reviewed by the Commissioners.

Commissioner Rethlake made a motion to approve the claims, seconded by Amber and passed with a 3/0 vote.


IN OTHER BUSINESS: EMA Director Amy Biggs informed the Commissioners that she is looking into the radio situation that the County has. The State shows there are currently 272 radios registered with them and we show 75. Amy is searching for the rest of the radios and is ensuring that they are being used by the appropriate people. She is going to follow up with the previous volunteers and possibly check with fire departments in the County. In regard to the Highway director position, the Commissioners have scored each person and Chairman Schruppf opened up discussion for the Commissioners. Commissioner Amber made a motion to ask Brandon Forrester to serve as the interim Director through the end of the year. Commissioner Amber also proposed a yearly contract for the position for Brandon that way either side could cancel at any time. The Engineer position would be a regular employee and then the Highway director portion would be a contract. Brandon now has an office manager to handle issues with the Engineer department in his absence and he has a foreman/supervisor at the Highway department. The Commissioners asked Attorney Sigler to draft an agreement with Brandon and have him review it as well. With the discussion, Commissioner Amber reiterated his motion to ask Brandon/pursue the possibility with him for the Highway director position, seconded by Schruppf and carried with a 2/1 vote with Rethlake voting against. Auditor Schinbeckler presented two utility permit requests to the Commissioners. The first permit was from NIPSCO to install 310 feet of 6" steel gas main below the Gangwer H Ditch and remove gas main from the bridge. This is along County Road 600 East and County Engineer Brandon Forrester preapproved the permit. Commissioner Rethlake made a motion to approve the NIPSCO utility permit, seconded by Amber and passed with a 3/0 vote. The second request is for Transmission Utility Network and County Engineer Brandon Forrester reviewed this permit and did not approve it. He explained that they would like to put a 120 foot tall tower out at 400 East and Park 30 Drive. There are too many questions that Brandon and the Commissioners have before they give approval of the permit. Commissioner Amber made a motion to ask Brandon to contact the company and get all the facts before the Commissioners take any action, seconded by Rethlake and carried with a 3/0 vote. Commissioner Schruppf informed everyone that the Sheriff's department is still working on the CAD system. Mark Sturtevant contacted Schruppf and informed him that the annex roof needs replaced and it will cost approximately \$100,000. There is no longer any insulation value with the current roof and it is leaking. Mark is looking into a different type of roof that would be better for the facility. Also, in the annex building the Department of Child Services would like to expand. In order to do so, the Commissioners would need to request the Extension office move out of the building. No action was taken at this time. Council Chairman Kim Wheeler also requested that the Commissioners give a dollar figure of what they would like the Highway director/Engineer position be paid if Brandon is both at the next Council meeting.

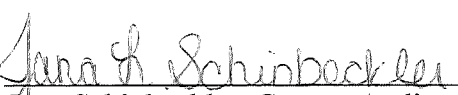
There being no further business and no further questions or comments from the public, Chairman Schruppf adjourned the meeting at 4:15 pm.

WHITLEY COUNTY COMMISSIONERS


George Schruppf, Chairman

Don Amber, Vice Chairman


Tom Rethlake

Attest: 
Jana Schinbeckler, County Auditor