

## WHITLEY COUNTY COMMISSIONERS

July 18, 2016

The Whitley County Commissioners met in regular session Monday, July 18, 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 Pam Smith, County Highway Director/Engineer Brandon Forrester, Matt Winger, Deputy Auditor Vicky Schrader, Joan Null and Christine Carnahan Whitton.

Chairman Schrumpf opened the meeting with the Pledge of Allegiance.

**IN THE MATTER OF THE COUNTY ATTORNEY:** The Restoration Medical Polymers bond paperwork is now complete and will be submitted. Attorney Sigler stated that he has reviewed the contract for the permitting software for the Health and Planning Department. The contract was with CityForce and he made a few small adjustments to the contract but he did give it his approval with the changes. Sigler also gave the Commissioners a report on the Wheeler property status and they are still working on it at this time.

**IN THE MATTER OF THE PERF REQUEST:** Matt Winger is requesting that the Commissioners consider his previous employment here as PERF covered as the County never enrolled him to PERF. At age 60 with fifteen years of service, he can begin to draw his PERF benefits. Matt worked at the Whitley County Highway first as a bookkeeper and then transitioned to truck driver. PERF was not taken out of Matt's check nor was there anything withheld from Matt's behalf at the time. He believes there was a grace period before you were required to sign up for the benefit. He asked PERF if there was any way he would "buy" those years of service at Whitley County to receive his benefits. They stated because he is not in a current PERF covered position he is not able to do that; however, his employer, which was the County at the time, could certify that it was a PERF covered position and then those years of service could be credited to his previous years at Kosciusko County. Vicky Schrader stated that the only thing the County has is wage records and PERF has no records either to confirm it was a PERF covered position. The County has no employment status paperwork for the time period he worked for Whitley County. Attorney Sigler stated his concern with granting this request is other people will come forward and the County will be in the same situation. The employer portion that would need to be paid is \$895.95 and the employee portion is \$423.08. Sigler stated he would like to see a written letter from PERF stating they would accept it. Commissioner Amber made a motion to table the matter with discussion. Rethlake seconded the motion. If the Commissioners determine that it was a PERF covered position, the County and Matt would have to pay into PERF for the time that Matt was employed for Whitley County. Matt's contribution is around 3% and the County's distribution would be around 7% of his wages while he worked for the County. Attorney Sigler stated this may only be a five month contribution rather than a seventeen month contribution. The Commissioners and Attorney Sigler asked Vicky Schrader to request a letter from PERF explaining the questions that they have. With no further discussion, the motion to table passed with a 3/0 vote.

**IN THE MATTER OF THE NIPSCO RIGHT-OF-WAY:** Brandon Forrester presented a right-of-way permit from NIPSCO. NIPSCO has a twenty four inch high pressure gas line that runs all the way through the County and down to the southern part of the County. The area where is crossed County Road 800 east, they would like to dig it up and remove the casing. It is ten or twelve feet deep and it will be all the way across the pavement. Brandon was concerned with the settlement of the road but they will fill it to prevent settlement. The pipe runs at a slight angle with the road. The project will interfere with the traffic flow and they will need to most likely close the road and the detour will be going into Allen County. The project will take about eight to ten days. Brandon told them they needed to put up road closure signs at least a week in advance. The original plan was for the end of September or the beginning of October. Commissioner Amber made a motion

to approve the NIPSCO right-of-way permit request but keep the Commissioners informed, seconded by Rethlake and passed with a 3/0 vote.

**IN THE MATTER OF THE COUNTY COORDINATOR:** County Coordinator Pam Smith presented five requests to use County facilities. The first request was from Collen Barva for a small wedding ceremony to use the Courthouse Gazebo on July 20, 2016 at 1:30 or 2:30 PM. Commissioner Amber made a motion to approve the request, seconded by Rethlake and passed with a 3/0 vote. There were two requests from the Downtown Business Alliance for Music in the Alley on July 23<sup>rd</sup>, August 20<sup>th</sup>, September 3<sup>rd</sup> and September 24, 2016. They would like to use the Government Alley during those days for their events. Commissioner Rethlake made a motion to approve the requests, seconded by Amber and passed with a 3/0 vote. The Downtown Business Alliance had another request to use the Government Alley for their Art in the Alley event for August 6<sup>th</sup>, August 13<sup>th</sup>, September 10<sup>th</sup> and October 8 2016. They would use the alley during those days for the events. Commissioner Amber made a motion to approve the request, seconded by Rethlake and passed with a 3/0 vote. The last request was from Taste of the Town for their block party on August 27, 2016. They would need to use Van Buren and Chauncey Street for their event. They would like to use the Courthouse lawn to post a banner one week prior to the event. Their request stated they will be having games and inflatables on the lawn. The Commissioners stated they had a concern with liability if there are going to be inflatables used. Attorney Sigler will have them sign an indemnity agreement so the County is not liable for any accidents. Commissioner Amber made a motion to approve the request with an indemnity agreement, seconded by Rethlake and carried with a 3/0 vote.

**IN A MATTER OF MINUTES AND CLAIMS:** The minutes from the July 5, 2016 meeting were reviewed. Commissioner Amber made a motion to approve the minutes with one correction. Under "In the Matter of the County Coordinator" it reads, "They will need to west side of the Courthouse Square and Gazebo". The "to" in the sentence needs change to "the". With this correction Schrupf seconded the motion and it passed with a 2/0 vote with Rethlake abstaining. The claims were reviewed by the Commissioners. Commissioner Rethlake made a motion to approve the claims, seconded by Amber and carried with a 3/0 vote. Commissioner Amber stated that he had one concern for a local business who is installing equipment in cop cars. He is going to get a quote from a company to ensure we are getting charged properly.

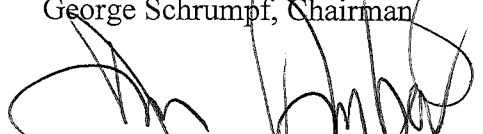
**IN OTHER BUSINESS:** In regard to the Highway Department, Brandon stated he would like to get the County out of a truck lease and pay for the trucks outright. There is a surplus for the Highway Department and Brandon would like to request an additional appropriation to the Council for \$160,000 to finish paying off the trucks. At this time, there is not a contract in place because Attorney Sigler never sent the letter of opinion. Commissioner Amber made a favorable pass to Council to approve the \$160,000 additional appropriation to pay for the trucks outright, seconded by Rethlake and carried with a 3/0 vote. Auditor Jana Schinbeckler presented a letter to the Commissioners that was sent by the State in regard to the change in the mileage reimbursement rate. The rate is going to \$0.38 effective August 1, 2016. Commissioner Amber made a motion to continue to pay the mileage rate based on what the State's current rate is, seconded by Rethlake and passed with a 3/0 vote. Commissioner Rethlake asked Attorney Sigler to look into the railroad property for the Bockelman's who are trying to receive a legal document. Sigler stated that he would look into it and report back to the Commissioners. Commissioner Amber stated that he is on the Lincoln Highway Association and they would like to place signs along the two Lincoln Highway routes in Whitley County. They are asking the County for \$1,050 to help with the signs and the signs are \$70 per sign. The City has paid for five of the signs already so they are asking the County to pay for fifteen for a total of twenty. Commissioner Amber made a motion to take the payment out of the Commissioner's supply budget, seconded by Rethlake and passed with a 3/0 vote. In regard to the contract with the Secant Group, LLC for the regional sewer district. The additional funding for the project is available and the Council has requested for it to be included in the budget for 2017. Commissioner Amber made a motion to sign the Secant Group, LLC contract to get started with the regional sewer district and to make a favorable pass to Council to

put it in the budget, Rethlake seconded the motion with discussion. They will contact the other districts and form a board for the sewer district. The first payment would be for \$30,000 and the following years would be around \$60,000 or \$70,000. With no further discussion, the motion passed with a 3/0 vote. In regard to the property owners who are requesting their property to be rezoned, the portion of the request that the property be used for hunting, the Commissioners do not have a say. That is under the control of the Indiana Board of Animal Health. The decision of the Commissioners is whether or not to rezone the property as parks and recreation. Commissioner Amber made a motion to table the matter until the next meeting and make a decision or whether to rezone the property, seconded by Rethlake and carried with a 3/0 vote. Commissioner Schrupf reported that he attended the US 30 coalition meeting. They are working with INDOT to create a good process/procedure and plans for the US 30 freeway. At this point, the plan is in the initial stages and they are choosing who their representatives will be. Commissioner Schrupf also stated because of what is going on in the world right now, maybe they need to look into enhanced security for the Government Center and Courthouse. Attorney Sigler stated he agrees and it needs to be an ongoing concern. The Commissioners agreed that the video sentencing needs to increase to reduce the transportation of inmates. The video sentencing equipment cost the County around \$55,000 when it was purchased. A company visited the Courthouse and the Government Center to give an estimate on how much it would cost to increase the security at each building. The cost for each would be around \$70,000. In regard to the situation out by Loon Lake, Commissioner Rethlake requested to send a letter to this person and the Commissioners will take it under advisement. Rethlake would like to have it on the August 1, 2016 agenda to discuss it and give him an opportunity for discussion. Commissioner Schrupf reported that the County's medical fund is almost to \$350,000.

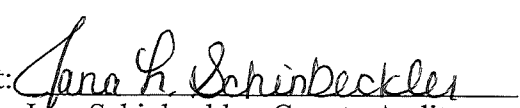
There being no further business and no further questions or comments from the public, Chairman Schrupf adjourned the meeting at 2:20 PM.

**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:   
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Jana Schinbeckler, County Auditor

