

WHITLEY COUNTY COMMISSIONERS

September 19, 2016

The Whitley County Commissioners met in regular session Monday, September 19, 2016 at 1:00 pm in the Commissioners' Room located on the first floor of the Whitley County Government Center. Commissioners in attendance were Vice Chairman Don Amber and Commissioner Tom Rethlake. Chairman George Schrupf was absent. Others in attendance were Auditor Jana Schinbeckler, County Coordinator Pam Smith, Michael Morin from BIS Digital, Highway Engineer Brandon Forrester, Tom Niezer from Barrett McNagny LLP, Josh Horning from SDI, County Treasurer Laurell Hodges, Planning Director Nathan Bilger and Mary Hartman from the Peabody Public Library.

Vice Chairman Amber opened the meeting with the Pledge of Allegiance.

IN THE MATTER OF THE PUBLIC HEARING FOR A PETITION TO VACATE PART OF COUNTY ROAD 700 EAST: Attorney Tom Niezer from Barrett McNagny LLP presented a request to the Commissioners with Josh Horning from Steel Dynamic's Structural Road Division. Tom stated they are attending the Commissioner meeting today to finish the process of two prior vacations of County Road 700 East. This request will take County Road 700 East almost all the way to South of US 30 right-of-way. This is due to greater business activity on the Steel Dynamics site and from a security and development standpoint, particularly from a traffic safety standpoint, having the small stretch of CR 700 East that currently exists they do not believe fulfills the needs of Whitley County. There is one adjoining property owner and it is Columbia City. They own a parcel of land to the North West of the parcel being vacated. Tom has notified the City of Columbia City and the Indiana Department of Transportation in regard to the petition to vacate. Commissioner Rethlake made a motion to approve the petition to vacate part of County Road 700 East for Steel Dynamics, seconded by Amber and passed with a 2/0 vote.

The public hearing was closed at this time and Vice Chairman Amber reconvened the regular Commissioner meeting.

IN THE MATTER OF BIS DIGITAL: Michael Morin from BIS Digital made a presentation to the Commissioners in regard to the software company BIS Digital that he is a sales representative for. BIS Digital is an integrated digital media solutions provider. Their software can be used to record any meetings that relate to County Government such as councils, courts, commissioners, etc. BIS Digital is currently used in over 1,000 customer locations and it has many features such as the ability to post meeting minutes immediately on the web, ability to link minutes to audio/video for instant review, ability to link agendas to audio/video, etc. Michael gave the Commissioners a quote of \$6,059.98 which includes the DCR2 Kit for \$3,095, microphone wire for \$85, line to microphone attenuator for \$119.98, annual DCR software assurance for \$350, remote support for \$500 and on-site setup, installation and training for \$1,910. Michael also provided a list of references to the Commissioners. Commissioner Rethlake made a motion to table the request, seconded by Amber and passed with a 2/0 vote.

IN THE MATTER OF THE LETTER OF CREDIT FOR LEGACY PRESERVE: Planning Director Nathan Bilger reported that on September 1st, the Planning Department received a letter from Aqua Indiana stating that the sanitary sewer system for Legacy Preserve has been installed. This allows the Planning Department to release the surety for the sewer system and the developer has requested \$30,000 which is less than the Engineer's estimate of \$30,800. The current outstanding letter of credit is \$59,300 and that would leave a remainder of \$29,300 which would cover the base, binder and surface. They are currently in the process of putting down the base and binder. The surface would be put on in about two years so construction traffic does not ruin the surface. Nathan is requesting that the Commissioners approve the reduction and he does not have the new letter of credit yet. Commissioner Rethlake made a motion to approve and for the Chairman to sign, seconded by Amber and passed with a 2/0 vote.

IN THE MATTER OF VETERANS DAY VS. TAX COLLECTION DUE DATE: This matter is in regard to Veterans Day 2017 and the tax collection due date. County Treasurer Laurell Hodges stated the State has decided that Veterans Day will be observed on November 10, 2017. The property tax due dates are May 10th and November 10th every year. There can be a change of the due date for tax collection or the Commissioners can change the day of the holiday. Commissioner Amber made a motion to table the matter, seconded by Rethlake and passed with a 2/0 vote.

IN THE MATTER OF THE HIGHWAY UPDATE: County Highway Engineer Brandon Forrester reported Highway Department updates to the Commissioners. Brandon has an ordinance that can wait until Commissioner Schrupf is able to attend a meeting. Brandon received a verbal request from the Jefferson Township Fire Department to use the County's fuel facility and he asked for the request in writing. He has not received the request in writing as of today. Brandon is working with INDOT for database clearing because he is updating our road mileage certification. The change will go into effect next year and it will be adding about 9.25 miles to the certification which should result in additional funding for road maintenance. Brandon reported that there have been employee changes and Steve Schuman was promoted to the Head Mechanic position and Toby McCoy is now the Assistant Mechanic which left an open position for a truck driver. There is a new truck driver starting on September 26, 2016 and he was recommended from Highway Department employees. Brandon informed the Commissioners that there was an anonymous letter that he received from someone alleging that the Highway Department did not complete their job with the chip sealing on their road and asked why they did not do fog sealing. In order for the Highway to complete fog sealing, it would be an extra \$3,360 extra per mile and overall it would be an extra \$200,000. Brandon stated he would like to respond to the letter but he is not able to because of the letter being anonymous. Brandon also received a complaint about speeds on County Road 600 North. The Highway Department placed a traffic counter on the road and the data shows that the 85th percentile, which is the standard and you are not able to lower the speed limit more than 5 miles below the 85th percentile. The 85th percentile was 48 mile an hour so the Commissioners could potentially lower it to 45 mile an hour. The average daily count for the traffic was 329. Brandon has an ordinance for a speed limit reduction for the road and it is ready for the Attorney to review it. The County must have an ordinance in order for law enforcement to be able to enforce it.

IN A MATTER OF MINUTES AND CLAIMS: The minutes from the September 6, 2016 meeting were reviewed. Commissioner Rethlake made a motion to approve the minutes with one correction. Under "In Other Business" the minutes read, "Two of the bathrooms in the Jail..." and it should read, "Two of the bathrooms in Community Corrections..." Commissioner Amber seconded the motion and motion passed with all in favor. The claims were reviewed by the Commissioners. Commissioner Rethlake made a motion to approve the claims, seconded by Amber and carried with a 2/0 vote.

IN THE MATTER OF THE COUNTY COORDINATOR: County Coordinator Pam Smith presented a request to the Commissioners for flu shot season. The County's insurance will be able to reimburse the County at 100% for any full time employees who are on the medical plan and they receive the shot at the Immunization Clinic. Last year, the Commissioners approved for full time and part time employees to receive the shots and the cost last year was around \$158 for part time employees. There were over 200 employees who did receive the flu shot from the Immunization Clinic and the shots will be ready on October 17, 2016. Commissioner Rethlake made a motion to approve for part time and full time employees to be covered for flu shots, seconded by Amber and passed with a 2/0 vote.

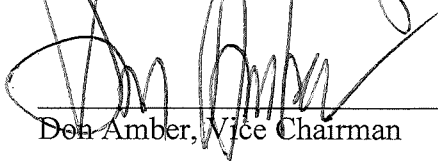
IN OTHER BUSINESS: A utility permit from Century Link was presented to the Commissioners. The request was to place buried cable facilities at the intersection of Lincolnway East and the Yellow River Road for a length of 125 ft. Brandon has already reviewed the utility permit and has given his approval. Commissioner Rethlake made a motion to approve the Century Link utility permit, seconded by Amber and passed with a 2/0 vote. Commissioner Rethlake reported that he has received the latest report from SES Environmental in regard to the County landfill. There was

approximately 14,000 tons of dirt from Slater Steel to cap the top and evidence showed that there was not any explosive gas encountered at any time at any of the monitored gas well locations. In regard to the On-call policy for the Highway Department, Commissioner Rethlake made a motion to approve the policy as of August 28, 2016, seconded by Amber and carried with a 2/0 vote. Commissioner Amber reported that beginning after January, the offenses for which someone has to go to jail are going to change. Amber is hoping that it may reduce the population in the jail. Auditor Schinbeckler presented the 2017 accounts payable schedule to the Commissioners. Commissioner Rethlake made a motion to approve the 2017 accounts payable schedule, seconded by Amber and passed with a 2/0 vote.

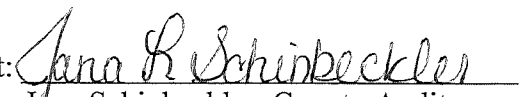
There being no further business and no further questions or comments from the public, Vice Chairman Amber adjourned the meeting at 2:36 PM.

WHITLEY COUNTY COMMISSIONERS


George Schrumf, Chairman


Don Amber, Vice Chairman


Tom Rethlake

Attest: 
Jana Schinbeckler, County Auditor

