

WHITLEY COUNTY COMMISSIONERS

November 6, 2017

The Whitley County Commissioners met in regular session Monday, November 6, 2017 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 Schrupf, Commissioner Don Amber and Commissioner Thomas Western. Others in attendance were County Attorney Matt Shipman, Attorney Dan Sigler, Auditor Jana Schinbeckler, Mark Green from the Columbia City Parks Department, Tad Varga from the Columbia City Council, Highway Engineer Brandon Forrester, Tyler Roebuck from IN Whitley County, Debra Darr from Whitley County Council on Aging, Thorncreek Township Trustee Gene Heckman, Dale Hinslea, Stanley Crum, EDC President Jon Myers, County Recorder April Whetstone, Planning Director Nathan Bilger, Kim Erdly from the Assessor's Office, County Assessor Rita Sauders, Bill Schultz from Accurate Assessments, Joan Null, Scott Wagner from the Health Department, Barbara Hohenstein and Mary Hartman from the Peabody Public Library.

Chairman Schrupf opened the meeting with the Pledge of Allegiance.

IN THE MATTER OF THE COUNTY ATTORNEY: Attorney Matt Shipman gave an update to the Commissioners in regard to the CEDIT fund agreements with Solstice Medical and InWelligent Healthcare. Letters have been sent to both companies requesting the funds be paid back to the County. Solstice Medical is working on getting a settlement in place but Matt has not heard back from InWelligent. Due to not hearing back from InWelligent, Attorney Shipman is asking the Commissioners if they would like him to file a lawsuit against them. Commissioner Amber made a motion to pursue a lawsuit against InWelligent Healthcare, seconded by Western and passed with a 3/0 vote.

IN THE MATTER OF THE NEW APPOINTMENT TO THE PUBLIC DEFENDER BOARD: Judge Matt Rentschler came before the Commissioners to request an appointment to the Whitley County Public Defender Board. This is a three person board and unfortunately there is a vacancy because Dale Moser, who was a member of the board for at least twenty years, passed away earlier this year. Judge Rentschler and Judge Fahl searched for someone to fill the vacancy and they are both recommending the Commissioners appoint Jennifer Sery. She currently works for the State and resides in Columbia City. Commissioner Amber made a motion to approve Jennifer Sery as the appointment to the Public Defender Board, seconded by Western and carried with a 3/0 vote.

IN THE MATTER OF THE YEILD SIGN ORDINANCE AND DRAINAGE FEES ORDINANCE: Highway Engineer Brandon Forrester presented a drainage fees ordinance to the Commissioners. The fees for residential, subdivision/commercial/industrial and utilities for crossing or encroaching of a regulated County drain is \$50.00. In the case that someone has crossed or encroached on the County drain without prior approval and after the work is completed, the fine is \$500.00. The Attorney has reviewed the ordinance and the Drainage Board has already given their approval for the ordinance. Commissioner Western made a motion to approve Ordinance 2017-13 to establish certain fees pertaining to the Drainage Board, seconded by Amber and passed with a 3/0 vote. The second ordinance Brandon presented was a yield sign ordinance. This yield sign will be placed at the intersection of 500 north eastbound yields for northbound 450 east. The cost for the yield sign is approximately \$75.00. Commissioner Amber made a motion to approve Ordinance 2017-14 to add a yield sign at the proposed intersection, seconded by Western and passed with a 3/0 vote. Brandon would like to submit paperwork for the Community Crossings grant to INDOT and he needs the Commissioner's approval and signatures. Commissioner Amber made a motion to approve and sign the Community Crossings grant paperwork, seconded by Western and passed with a 3/0 vote. Brandon then gave the Commissioners two handouts. The first handout was the Highway's revenue and cash balance for each month of 2016 and 2017 to date. The second handout was scheduling scenarios for the Highway Department to show why he is in need of one additional truck driver. The current Highway staff of 22 employees has 245 years of combined experience and each time someone takes PTO, they are short staffed.

IN THE MATTER OF THE BID OPENING FOR REASSESSMENT BIDS: The Commissioners opened the bids for the Reassessment bids for the Assessor's Office. The only bid that was received was from Accurate Assessments. The total per phase for four phases was \$130,009.00 for a total of \$520,036.00. The Commissioners would like the County Attorney to review the bid and give his opinion at their next meeting. Commissioner Amber made a motion that the Commissioners would take the bid under advisement, seconded by Western and carried with a 3/0 vote.

IN THE MATTER OF THE HEALTH BOARD APPOINTMENTS & JUNK AND TRASH PROJECT:

Scott Wagner from the Health Department stated that Dr. Lisa Hatcher's term as the County Health Officer is up at the end of the year. He is recommending that the Commissioner's reappoint Dr. Hatcher as the County Health Officer. Commissioner Amber made a motion to approve Dr. Hatcher's reappointment, seconded by Western and passed with a 3/0 vote. The second appointment request is for the Health Board. Scott is requesting the Commissioners appoint Robert Sausaman as the replacement for Richard Dickmeyer on the Health Board. Commissioner Amber made a motion to appoint Robert Sausaman, seconded by Western and carried with a 3/0 vote. In regard to the junk and trash project, Scott had an order to present to the Commissioners for Virgil Vanhouten. Mr. Vanhouten was in violation of the County Junk and Trash Ordinance and he had previously agreed to bring the property into compliance but has not done yet as of the date of the order. Whitley County shall have full authority to hire private contractors to remove all abandoned and nonworking motorized vehicles, tires, junk, metal, trash and debris from the property. Whitley County shall pay for the services of the private contractors and the cost of the same shall be placed on the taxes of the property owner, which they shall be required to pay, or the property may become subject to a tax sale. Scott will give an update on this order to the Commissioners at their next meeting.

IN THE MATTER OF THE FAY WOODS PLAT: Planning Director Nathan Bilger presented the Fay Woods Plat to the Commissioners. This is a one lot plat and the Plan Commission has given the plat their approval. Commissioner Western made a motion to approve the plat, seconded by Amber and passed with a 3/0 vote.

IN THE MATTER OF INTERNET FOR THE TIF DISTRICT: EDC President Jon Myers presented a request to the Commissioners to provide fiber optic broadband internet service to the businesses located in the County's TIF districts located along the US 30 East Corridor. The Redevelopment Commission has been contacted by Indiana Fiber Network about providing service to the businesses in the TIF area. In Indiana Fiber Network's proposal, they are not requesting a tax abatement on the new equipment and the provider is asking for \$160,000.00 in incentives to install the infrastructure. At the Redevelopment Commission's meeting on October 23, 2017, they agreed to fund \$80,000.00 of the cost of the project if the Commissioners will fund the other \$80,000.00 from available CEDIT funds. Commissioner Amber made a motion to approve \$80,000.00 to be paid out of CEDIT funds for this project, seconded by Western and passed with a 3/0 vote.

IN THE MATTER OF THE COUNCIL ON AGING 3RD QUARTER VOUCHER: Debra Darr from Whitley County Council on Aging presented the third quarter voucher to the Commissioners. All of the third quarter reports were sent to the Commissioners before the meeting and were reviewed. Debra also brought paperwork for the Commissioners to sign and approve for the purchase of a new van. Commissioner Amber made a motion to approve third quarter voucher and the purchase of the new van and for the Chairman to sign the paperwork, seconded by Western and passed with a 3/0 vote.

IN THE MATTER OF THE RIGHT-OF-WAY PERMIT REQUEST: There was a right-of-way permit request submitted by Tiny Builders and Excavating. Brandon did not give his approval on the permit because the owners want to put in a perimeter tile for septic and then it would run out into the right-of-way and then it would dump onto their neighbor. Brandon is recommending that the owners get a private easement rather than obtaining a right-of-way permit. Commissioner Amber made a motion to deny the right-of-way permit request, seconded by Western and was denied with a 3/0 vote.

IN A MATTER OF MINUTES AND CLAIMS: The minutes from the October 16, 2017 regular meeting were reviewed. Commissioner Amber made a motion to approve the minutes, seconded by Western and passed with a 3/0 vote. The Commissioner's reviewed the payroll claims. Commissioner Western made a motion to approve the payroll claims, seconded by Amber and passed with a 3/0 vote. The claim distributions from October 16, 2017 through November 6, 2017 were reviewed by the Commissioners. Commissioner Western made a motion to approve the accounts payable claims, seconded by Amber and carried with a 3/0 vote.

IN THE MATTER OF OTHER BUSINESS: Mark Green from the Columbia City Parks Department and Tad Varga from the Columbia City Council came before the Commissioners again in regard to the pavilion for the new aquatics facility. If the County chooses not to help fund the pavilion, County resident will be charged \$300 instead of the \$200 that City residents will pay for an annual pass. They originally asked the County for \$180,000 but now they only need \$50,000 to finish the pavilion. Tad stated he believes this is a quality of life issue and that it will be used by many County residents. The \$50,000 can also be spread out between five years with paying \$10,000 per year. Commissioner Western made a motion to pay \$10,000 for five years out of CEDIT, seconded by Schrupf and passed with a 2/1 vote with Amber voting against. Auditor Schinbeckler presented a request to use County facilities to the Commissioners. The request was from Junior Achievement of Whitley County for the 17th annual car show on the square on Saturday, August 4, 2018. Commissioner Western made a motion to

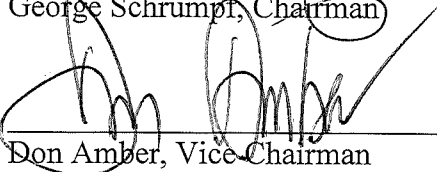
approve the request, seconded by Amber and passed with a 3/0 vote. An engagement letter from H.J. Umbaugh & Associates was also presented to the Commissioners. This engagement letter is for them to furnish and perform services with respect to the arbitrage rebate calculations for the County's First Mortgage Refunding Bonds, Series 2012. County Attorney Matt Shipman has reviewed the engagement letter and given his approval. Commissioner Amber made a motion to approve and sign the engagement letter from Umbaugh, seconded by Western and carried with a 3/0 vote. Commissioner Schrupf informed the Board that Michael Frizzell from MDF HR Consulting will be making a presentation to the Council at their next meeting in regard to factoring positions. Schrupf also stated that he received a letter from Region IIIA asking the County to reconsider rejoining and the amount for the membership is \$13,000.00. In regard to County Coordinator/Human Resources, there is a new position description that Schrupf presented to the Board. The hire-in for the position is \$44,500.00 and the base is \$49,329.00. Schrupf hopes to be able to post the position after the Council meeting. In regard to the aquariums in various buildings, Commissioner Amber made a motion to table the matter until the next meeting, seconded by Western and passed with a 3/0 vote. Joan Null from the public asked the Commissioners what the difference is between Regional IIIA and Regional Partnership.

There being no further business and no further questions or comments from the public, Chairman Schrupf adjourned the meeting at 2:35 pm.


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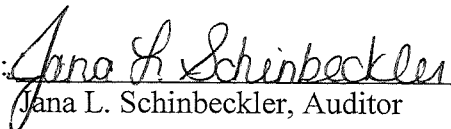
George Schrupf, Chairman



Don Amber, Vice-Chairman



Thomas Western

Attest: 

Jana L. Schinbeckler, Auditor

