

# KOSCIUSKO COUNTY COMMISSIONERS

## January 8, 2019

The Kosciusko County Commissioners met for their regular meeting on January 8, 2019 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Cary Groninger - President  
Brad Jackson-Vice-President-Absent  
Robert Conley

Chad Miner – County Attorney  
Michelle Puckett – Auditor  
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

### **IN THE MATTER OF VETERAN OF THE MONTH – RICHARD (DICK) B. HIGGINS:**

Rich Maron, Veteran Service Officer, came before the Commissioners to introduce the January Veteran of the month, Richard (Dick) B. Higgins. Maron stated Higgins was born on January 18, 1926, to Forrest and Marion Higgins. He grew up on a farm outside of Silver Lake, attended Franklin School and graduated from Burket High School. Higgins was drafted into the Navy for WWII while he was still in high school but was allowed to finish high school and work on the farm until June, as his father had a broken leg and was unable to take care of the farm. Higgins then went to Florida for training as a diesel mechanic, was stationed on the USS Trego and then went to the Pacific Theater, where he was part of the Invasion of Okinawa. Higgins was in the Navy for 2 years prior to his discharge as a Motor Machine Mechanic 3<sup>rd</sup> Class. Higgins was awarded the WWII Victory Medal, the American Area Campaign Medal, the Asiatic Pacific Area Campaign Medal as well as an award for the Invasion of Okinawa.

Maron continued, stating after the service, Higgins worked as a tomato inspector for a few years, then went on to work as an Indiana Conservation Officer for 12 years. Higgins then took over the Original Jonah Club Fish Fry business that his father started and ran the business until he retired. Higgins married his wife, Mary, on November 12, 1961 and they spent a little over 50 years together prior to her passing. Higgins has 2 children and 2 grandchildren.

Maron and the Commissioners thanked Higgins for his service and presented him with a plaque.

### **IN THE MATTER OF MULTI-HAZARD MITIGATION PLAN RESOLUTION:**

Ed Rock, Emergency Management Director, came before the Commissioners and presented the Multi-Hazard Mitigation Plan Resolution. Rock stated the revised plan, which was started in 2017 has been approved by FEMA, and is a required document for the county's flood insurance to be active. Rock continued, stating the next step in the process is to obtain signatures of approval by all the other municipalities that participated.

MOTION: Robert Conley  
SECOND: Cary Groninger

TO: Approve the Multi-Hazard Mitigation  
Plan Resolution as presented.

AYES: 2      NAYS: 0  
UNANIMOUS

### **RESOLUTION NO. 19-01-08-001 (2019010157)**

As recorded in the office of the Kosciusko County Recorder

### **IN THE MATTER OF 2020 COMMUNITY CORRECTIONS GRANT REQUEST:**

Anna Bailey, Community Corrections Director, came before the Commissioners with a request to apply for 2020 Community Corrections funds in the amount of \$541,000. Bailey stated she intends to apply to the Indiana Department of Corrections (IDOC) for \$356,200, which Bailey stated is the same amount as has been awarded for the last 3 years. In addition, Bailey stated she plans to apply for \$184,500 out of House Bill 1006. Bailey stated the additional funds would help support salaries. Bailey continued, stating the Community Corrections program operates with no cost to the County and any additional expenses would be paid for out of the user fees.

Commissioner Conley requested an estimation of how much money is in the user fees fund and Bailey stated her best guess of a combined total of all user fee funds would be around \$908,000.

Bailey continued, stating Community Corrections will be requesting 2 additional officers to assist with the rapidly growing program. In addition, Bailey stated the IDOC has released statistics showing Kosciusko County Community Corrections saved the County, as well as the State of Indiana, approximately 5,681,000 since the start of the program in June 2016.

MOTION: Robert Conley  
SECOND: Cary Groninger

TO: Approve the request to apply for the 2020  
Community Corrections grant funding in the  
amount of \$541,000.

AYES: 2            NAYS: 0  
UNANIMOUS

**IN THE MATTER OF KEDCo-AGRIBUSINESS INITIATIVE:**

Alan Tio, KEDCo CEO, came before the Commissioners to request \$25,000 in funding in support of the launch of the Kosciusko County Agribusiness Initiative. Tio stated the idea of the initiative is use the ideas, capital and talent we already have within the community to provide for our future business sector.

Kelley Sheiss spoke in support of the initiative, stating with agriculture being such a stronghold in Kosciusko County, it is time to make Kosciusko County the shining star in Indiana for agriculture. Sheiss continued, stating Kosciusko County already ranks in the top 3 or 4 in Indiana and in the top 10, nationally, and with established local businesses such as Louis Dreyfus, Creighton Brothers and Chore Time Brock, we need to position ourselves to attract new businesses, grow existing businesses and enhance the support of collegiate programs using the land, talent, water and other many resources we have available. Sheiss stated we need to showcase our community and grow opportunities within the county.

John Hornbostel, Egg Innovations, also spoke in support of the initiative, stating Egg Innovations is the largest supplier of organic and non-genetically modified eggs in the country for free-range chickens, which Hornbostel stated is accredited to the amount of local family farms who contribute. Hornbostel continued, stating we have several assets in Washington, who are strong supporters and should be utilized to help our cause. In addition, Hornbostel stated involvement in AgriNovus Indiana, which is a state organization that is essentially a think tank for the future of technology in agriculture, would be an enormous asset toward the growth of agriculture within our community on a worldwide level.

Tio summarized the presentation, stating the goal of the initiative is to further the growth of the economic development, by supporting and encouraging the ongoing growth of the agribusiness sector, making Kosciusko County the leader in the State for agriculture.

Commissioner Conley stated the Commissioners would take the request under advisement, giving the County Council an opportunity to review the request and coordinate a decision.

**IN THE MATTER OF 2019 BOARD APPOINTMENTS-BOWEN CENTER & MREDD:**

Marsha McSherry, County Administrator, stated the board appointment for the Bowen Center, which was previously a County Council appointment and held by Jon Garber, is now a Commissioner appointment. McSherry stated Garber is willing to continue to serve and is present, if the Commissioners have questions.

In addition, McSherry stated the two appointments for the MREDD Board, which functions under MACOG, are Doug Baumgartner and Rob Parker.

MOTION: Robert Conley  
SECOND: Cary Groninger

TO: Approve the board appointments of Jon  
Garber for Bowen Center and Doug  
Baumgartner and Rob Parker for MREDD.

AYES: 2            NAYS: 0  
UNANIMOUS

**IN THE MATTER OF COUNTY HIGHWAY BRIDGE 227 COORDINATION  
CONTRACT:**

Scott Tilden, County Highway Superintendent, came before the Commissioners and stated the contract received from INDOT for the Local Public Agency Project Coordination Contract for Bridge 227, which he planned to present, was found to contain errors. Tilden stated he would return to the Commissioners with the contract, once he received a corrected copy from the State.

**IN MATTER OF COUNTY HIGHWAY ACCEPTANCE FOR COUNTY  
MAINTENANCE-BELLAIR ROAD:**

Scott Tilden, County Highway Superintendent, came before the Commissioners and presented an Acceptance for County Maintenance, for approval. Tilden stated the location is Bellair Road, in Prairie Estates, starting at CR 200W and proceeding west 1,414 feet to the cul-de-sac. Tilden stated the road has been inspected, meets the County's specifications and he would recommend the acceptance.

MOTION: Robert Conley  
SECOND: Cary Groninger

TO: Approve the acceptance for county  
maintenance of Bellair Road.

AYES: 2        NAYS: 0  
UNANIMOUS

**IN THE MATTER OF STOP SIGN ORDINANCE-BELLAIR ROAD:**

Scott Tilden, County Highway Superintendent, came before the Commissioners and requested an Ordinance for a stop sign at the southwest corner of Bellair Road and CR 200W, exiting Prairie Estates Addition.

MOTION: Robert Conley  
SECOND: Cary Groninger

TO: Approve the Ordinance for a stop sign at  
the southwest corner of Bellair Road and CR  
200W.

AYES: 2        NAYS: 0  
UNANIMOUS

**ORDINANCE NO. 19-01-08-002 (2019010158)**

As recorded in the office of the Kosciusko County Recorder.

**IN THE MATTER OF SPEED LIMIT AMENDMENT ORDINANCE- OLD RD 30W:**

Scott Tilden, County Highway Superintendent, came before the Commissioners and requested an Ordinance to extend the 45mph speed limit on Old Rd 30, from a point 500 feet east of Huffer Road to a point 990 feet west of CR 650W, which amends Ordinance 04-11-16-003. Tilden stated the amendment comes as part of the efforts to make the roads safer for children traveling to school on the buses, as well as the rest of the community.

MOTION: Cary Groninger  
SECOND: Robert Conley

TO: Approve the Ordinance making the speed  
limit 45 mph from a point 500 feet east of  
Huffer Road to a point 990 feet west of CR  
650W.

AYES: 2        NAYS: 0  
UNANIMOUS

**ORDINANCE NO. 19-01-08-003 (2019010159)**

As recorded in the office of the Kosciusko County Recorder.

**IN THE MATTER OF COUNTY HIGHWAY BIDS- ¾ TON TRUCK:**

Chad Miner, County Attorney, opened bids submitted for the County Highway ¾ ton, 4WD pickup truck. The following were the results:

Kerlin Ford, Silver Lake	2019 Ford F-250	\$31,983.86
	(with optional camera system= \$1,056)	\$33,039.86
Rice Ford, Warsaw	2019 Ford F-250	\$33,654.00
Lakeside Chevrolet	2019 Chevy 2500HD	\$35,715.00

Scott Tilden, County Highway Superintendent, made the recommendation to the Commissioners to take all the bids under advisement. Tilden stated he would review the bids and return to the January 22, 2019 meeting with his recommendation.

MOTION: Robert Conley  
SECOND: Cary Groninger

TO: Approve recommendation to take bids  
under advisement and review at the January  
22, 2019 meeting.

AYES: 2        NAYS: 0  
UNANIMOUS

**IN THE MATTER OF OTHER BUSINESS-911 YEAR END REPORT:**

Commissioner Conley extended appreciation to Sarah Lancaster and the staff of the 911 Dispatch Center. Conley stated, upon review of the 911 Communications Center Year End Report, he was astounded to learn that 91,538 calls were handled in 2018. Lancaster clarified, stating the amount of calls were ones where services were assigned, not an actual account of calls answered. Ed Rock, Emergency Management Director, clarified that each call is not only answered but also transferred and monitored by the dispatchers.

**IN THE MATTER OF OTHER BUSINESS-EMPLOYEE APPRECIATION:**

Commissioner Groninger shared communication received, stating that good customer service was recognized by a tax payer who had recently done business at the Old Courthouse. Groninger extended appreciation to all employees of both the Courthouse and Justice Building who do a good job of serving the community.

Being no further business to come before the Commissioners, the meeting was adjourned.

**KOSCIUSKO COUNTY COMMISSIONERS  
January 22, 2019**

The Kosciusko County Commissioners met for their regular meeting on January 22, 2019 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Cary Groninger - President  
Brad Jackson-Vice-President-Absent  
Robert Conley

Chad Miner – County Attorney  
Michelle Puckett – Auditor  
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

**IN THE MATTER OF INMATE MEDICAL CONTRACT:**

Kyle Dukes, County Sheriff, came before the Commissioners with a request to change health care service providers. Dukes stated the current contract, with Advanced Correctional Healthcare (ACH), will expire February 1<sup>st</sup> and after hearing proposals from both ACH and Quality Correctional Care (QCC), he would recommend QCC. Dukes stated although the costs would increase by approximately \$10,000 annually, the benefits were significant. Dukes continued, stating QCC would supply 2 nurses 80 hours/week versus 2 nurses at 70 hours/week, provide mental health services and would cover liabilities that ACH could cote offer.

MOTION: Robert Conley  
SECOND: Cary Groninger

TO: Approve the health care services contract  
with Quality Correctional Care.

AYES: 2 NAYS: 0  
UNANIMOUS

**IN THE MATTER OF TAX WARRANT CONTRACT:**

Kyle Dukes, County Sheriff, came before the Commissioners and presented a contract agreement with Lieberman Technologies. Dukes stated Lieberman currently contracts with 74 other sheriff's offices and provides tax warrant services including all of the data entry, tracking, issuing notices and notifying the sheriff when action is required. Dukes stated this is something the assistant jail matron is currently doing and by contracting the work with Lieberman, Dukes could much better utilize the duties of the employee. Dukes stated the initial set up fees and annual payment would cost \$8,000 but would then be reduced to \$3,500 annually. The Sheriff will cover these costs from his Commissary fund.

MOTION: Robert Conley  
SECOND: Cary Groninger

TO: Approve the tax warrant contract with  
Lieberman Technologies.

AYES: 2 NAYS: 0  
UNANIMOUS

**IN THE MATTER OF 2019 COMMISSIONERS SALE RESOLUTION:**

Nicole Keller, County Treasurer Chief Deputy, came before the Commissioners to present a resolution establishing the intent to conduct a commissioner's sale to sell tax sale certificated for properties that are severely delinquent in payment of property taxes. In addition, Keller presented a service agreement with SRI, the company that will be performing the services necessary to hold the 2019 commissioner's sale.

MOTION: Robert Conley

TO: Approve the 2019 Commissioners Sale  
with a \$100 minimum bid and to approve the  
service agreement with SRI.

SECOND: Cary Groninger

AYES: 2          NAYS: 0

UNANIMOUS

**IN THE MATTER OF COUNTY PURCHASE OF PROPERTY:**

Chad Miner, County Attorney, stated 2 appraisals were obtained regarding the property previously approved by Commissioners to consider purchasing. Miner stated both appraisals came in above the amount considered to purchase the property and requested the Commissioners authorization for Marsha McSherry, County Administrator, to complete the purchase by signing the closing documents.

MOTION: Robert Conley

TO: Approve the request to allow Marsha  
McSherry, County Administrator to sign  
closing documents on behalf of the County.

SECOND: Cary Groninger

AYES: 2          NAYS: 0

UNANIMOUS

**IN THE MATTER OF BRIDGE 227 COORDINATION CONTRACT:**

Scott Tilden, County Highway Superintendent, came before the Commissioners and presented a project coordination contract with INDOT for Bridge 227, on South Hand Street over Walnut Creek. Tilden stated the contract covers federal funds for preliminary engineering for 80% for construction and inspection costs.

MOTION: Robert Conley

TO: Approve the Bridge 227 Coordination  
Contract with INDOT.

SECOND: Cary Groninger

AYES: 2          NAYS: 0

UNANIMOUS

**IN THE MATTER OF COMMITMENT LETTER FOR 2019 COMMUNITY  
CROSSINGS GRANT:**

Scott Tilden, County Highway Superintendent, came before the Commissioners and presented a financial commitment letter for the 2019 Community Crossings Grant application, which is due by February 1<sup>st</sup>. Tilden stated the project and the fund amount is the same as what was approved for the previous grant.

MOTION: Robert Conley

TO: Approve the financial commitment letter  
for the 2019 Community Crossings grant  
application.

SECOND: Cary Groninger

AYES: 2          NAYS: 0

UNANIMOUS

**IN THE MATTER OF RECOMMENDATIONS FOR ¾ TON TRUCK:**

Scott Tilden, County Highway Superintendent, came before the Commissioners and requested a 2 week extension to present his recommendations for the ¾ ton truck. Tilden stated he would be prepared to present his recommendation at the next meeting, which will be February 5<sup>th</sup>.

MOTION: Robert Conley

TO: Approve a 2 week extension to present ¾  
ton truck recommendations.

SECOND: Cary Groninger

AYES: 2          NAYS: 0

UNANIMOUS

**IN THE MATTER OF BID DATE FOR BRIDGE #9:**

Scott Tilden, County Highway Superintendent, came before the Commissioners and requested the Commissioners approve a bid date for Bridge #9, on Husky Trail over Deeds Creek to

replace the 51 year old culvert with a concrete structure. Tilden suggested February 19, 2019 at 9:15am as the bid deadline.

MOTION: Robert Conley  
SECOND: Cary Groninger

TO: Approve the bid deadline of February 19, 2019 at 9:15am for Bridge #9.

AYES: 2 NAYS: 0  
UNANIMOUS

**IN THE MATTER OF BID OPENINGS- MISC COUNTY HIGHWAY:**

Scott Tilden, County Highway Superintendent, came before the Commissioners with requests to open bids. Chad Miner, County Attorney, opened bids submitted. The following were the results:

**Bid Item #1 Two (2) single axle dump truck chassis**

Name	Unit price	Total	Trade allowance	Total
Stoops	\$97,835.00	\$195,670.00	\$8,500.00	\$187,170.00
Selking	\$99,399.70	\$198,799.40	\$11,500.00	\$187,299.40
Trans-Chicago	\$97,905.00	\$195,810.00	\$12,750.00 for all 3	

**Bid Item #2 Two (2) dump body equipment for single axle chassis**

Name	Unit price	Total
(Optional snow plow)	\$10,342.00	\$20,684.00
Total with snow plow		\$155,880.00

**Bid Item #3 One (1) tandem axle dump truck chassis**

Name	Unit price	Total	Trade allowance	Total
Stoops	\$111,311.00	\$111,311.00	\$8,000.00	\$103,311.00
Selking	\$109,250.40	\$109,250.40	\$10,000.00	\$99,250.40
Trans-Chicago	\$111,372.00	\$111,372.00	\$12,750 for all 3	

**Bid Item #4 One (1) dump body equipment for tandem axle chassis**

Name	Unit price	Total
W.A. Jones	\$71,867.00	\$71,867.00

Scott Tilden, County Highway Superintendent, made the recommendation to the Commissioners to take all the bids under advisement. Tilden stated he would review the bids and return to the February 5, 2019 meeting with his recommendation. Tilden concluded, stating the bids would be available for the public to view following the meeting.

MOTION: Robert Conley  
SECOND: Cary Groninger

TO: Approve the recommendation to take all the bids under advisement.

AYES: 2 NAYS: 0  
UNANIMOUS

**IN THE MATTER OF HIGHWAY BUILDING ESTIMATES:**

Marsha McSherry, County Administrator, presented an estimate from Robinson Construction for \$39,655.00 to encase and finish the north side of the highway shop. McSherry also presented estimates for 2 garage doors from Hostetler Askew at \$13,064.96 and Mike's Garage Door Service at \$11,769.28.

MOTION: Robert Conley  
SECOND: Cary Groninger

TO: Approve Robinson Construction's estimate of \$39,655.00 & Mike's Garage Door Service estimate of \$11,769.28

AYES: 2 NAYS: 0  
UNANIMOUS

**IN THE MATTER OF COMMUNITY RATING SYSTEM RECERTIFICATION:**

Matt Sandy, Area Planning, came before the Commissioners and presented the 2019 recertification for the community rating system. Sandy stated the county has participated in the national flood insurance program for many years and renewing the annual certification means the county continues to meet the requirements and can assist property owners within the flood plain to qualify for discounts on flood insurance.

MOTION: Robert Conley  
SECOND: Cary Groninger

TO: Approve the 2019 rating system annual recertification.

AYES: 2 NAYS: 0  
UNANIMOUS

**IN THE MATTER OF MORATORIUM OF APPROVALS FOR COMMERCIAL SOLAR FARMS:**

Matt Sandy, Area Planning, came before the Commissioners and presented a resolution ordinance to impose a moratorium on the issuance of permits, licenses or approvals for, or for any construction of, commercial solar energy system farms. Sandy stated County Attorney, Chad Miner, had reviewed the document and approved after minor adjustments. Commissioner Groninger clarified that this would only affect commercial farms.

MOTION: Robert Conley  
SECOND: Cary Groninger  
AYES: 2 NAYS: 0  
UNANIMOUS

TO: Approve the resolution to impose a moratorium on the issuance of permits, licenses or approvals for, or for any construction of, commercial solar energy system farms.

**ORDINANCE NO. 2019-01-22-001 (2019010679)**  
As recorded in the office of the Kosciusko County Recorder.

Being no further business to come before the Commissioners, the meeting was adjourned.

**KOSCIUSKO COUNTY COMMISSIONERS**  
**February 5, 2019**

The Kosciusko County Commissioners met for their regular meeting on February 5, 2019 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Cary Groninger - President  
Brad Jackson-Vice-President  
Robert Conley-Member

Chad Miner – County Attorney  
Michelle Puckett – Auditor  
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

**IN THE MATTER OF VETERAN OF THE MONTH –GALE DANNER:**

Rich Maron, Veteran Affairs Officer, came before the Commissioners to introduce the February Veteran of the month, Gale Danner. Maron stated Danner was born in July of 1947, to Lorin and Betty (Symons) Danner in Warsaw Indiana. Danner grew up in Pierceton and graduated from Pierceton High School. Maron continued, stating Danner likes to tell the story of how after he finished school, his cousin Bob and his girlfriend's brother, Mike, always told him to join the US Air Force, which they were both in, and he would never see Vietnam but guess what, they lied.

In February of 1967, Danner enlisted in the Air Force and underwent six weeks of basic training at Lackland AFB in San Antonio, Texas. After completing basic training, Danner's Tech Instructor warned him that he would be stationed in Amarillo, where it was the only place you could AWOL and they would still be able to see you running away three days later. The terrain

was so flat you could be knee deep in mud one minute and spitting out dust the next. Following graduation from Airframe Repair Tech training in Amarillo, Danner was awarded 30 days of leave to spend with family before reporting to Travis AFB, where he would begin his adventure in Vietnam.

After missing his initial flight out of Travis AFB by 10 minutes, Danner took the next available flight and landed in Tan Sonut AFB, instead of the originally planned Can Ranh Bay AFB. This gave Danner an extra day to find a flight to Pleiku AFB, his intended destination. As Danner settled into life at the base, during the first month, he got acquainted with his Squadron Commander and discovered his commander had graduated from the University of Kentucky. Danner told his commander he was from Indiana and the two became good friends. The commander even pulled some strings to get Danner on the squadron basketball team.

Danner was stationed in Pleiku throughout the Tet Offensive, where despite stories of being overrun circulating back home, Danner and his fellow airmen were able to hold down the perimeter and keep the base operational. A few months later, Danner's base commander ordered them to paint all the buildings on the base, specifically his quarters, whitewashed roof included. Standing out perfectly in the moonlight, one would think this would make his building an easy target for the Viet Cong but instead, the enemy could never land a clean shot on the bright building and instead hit the dark brown maintenance shop that was near invisible from the air at night.

Danner was sent to Corrosion Control School for two weeks at Clark AFB in the Philippines, which was a change of pace from the combat zone he was in before. Danner returned to the US exactly one year to the day from when he left. During a thirty day leave, Danner purchased a brand new Camero before reporting to McChord AFB in Tacoma, Washington. Within Danner's first few months in Tacoma, he earned his third stripe and began Buck Sergeant duties. Danner would spend the remainder of his Air Force career in McChord, with a break in 1969 to attend High Performance Aircraft Tech School at Chanute AFB.

In 1970, Danner received his forth stripe, earning him the rank of Staff Sergeant. That same year, Danner married his first wife and welcomed a daughter, Karen. Danner concluded his Air Force career with an honorable discharge in 1971 and welcomed a son, James, the following year.

Danner spent the next four years working for Safeway Beverage, in Bellevue, Washington, before returning to his hometown, in Indiana, in 1976. Back home, Danner worked off and on, for his father, at Danner's Garage, training as a jack of all trades. Danner also held positions at notable Warsaw companies, such as Dalton Foundry, Peabody ABC and Jomac, before marrying his second wife, Juanita, and gaining his step-son, Roger. The Danners welcomed daughter, Samantha, in 1989.

Danner is now retired and resides in Warsaw. He is the proud grandfather of five young women and three young men and great-grandfather to two girls and three boys. Over the years, Danner has enjoyed working on roundy round race cars and dragsters, even serving as on-site pit crew during the actual races.

Maron and the Commissioners thanked Danner for his service and presented him with a plaque.

#### **IN THE MATTER OF KABS-QUARTERLY CONTRACT INVOICE:**

Amanda Landis, KABS Director, came before the Commissioners with the INDOT Contract Invoice for reimbursement period October 1, 2018 to December 31, 2018, which will close out the 2018 INDOT year. The amount of reimbursement being requested is \$33,435 for the State share portion and \$48,819 for the Federal share portion.

Landis stated KABS was able to provide 58,809 rides in 2018, approximately a 9% increase from 2017, which Landis stated could be contributed to the new software and the addition of a dedicated driver for providing rides for medical appointments. In addition, Landis stated in August of 2019 KABS will be getting two new busses and the self-scheduling portal should be available in the spring so passengers can logon and schedule their own rides, which Landis anticipates should provide an additional increase for 2019.



Landis continued, stating INDOT will perform a compliance review this year, which she anticipates will require the presence of one of the Commissioners. Landis stated the review is done every four years to inspect the facility and the busses.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the quarterly contract invoice report in the amounts of \$33,435 for the State share portion and \$48,819 for the Federal share portion.

Commissioner Groninger expressed appreciation to Landis and KABS, stating as a member of MACOG, he understands that other communities are showing a decrease in bus services.

**IN THE MATTER OF 2019 BOARD OF FINANCE-ELECTION OF PRESIDENT:**

Rhonda Helser, County Treasurer, came before the Commissioners, stating Robert Conley has agreed to continue as the 2019 President of the Board of Finance.

**IN THE MATTER OF 2019 BOARD OF FINANCE-ORGANIZATION & INVESTMENT POLICY:**

Rhonda Helser, County Treasurer, came before the Commissioners and stated an increase in interest of \$469,173.64 was shown from 2017, which Helser stated was attributed to the interest rate going up from 1.62 in March of 2018 to 2.60 by the end of 2018. In addition, Helser presented the 2019 Board of Finance Organization and Investment Policy.

MOTION: Brad Jackson

SECOND: Robert Conley

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the 2019 Board of Finance Organization and Investment Policy as presented.

**IN THE MATTER OF BOARD OF FINANCE-CANCELLATION OF WARRANTS:**

Rhonda Helser, County Treasurer, came before the Commissioners and presented to 2018 Cancellation of Warrants, stating approval is necessary to cancel checks that are two years old and have not been cashed.

MOTION: Brad Jackson

SECOND: Robert Conley

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the 2018 Board of Finance Cancellation of Warrants as presented.

**IN THE MATTER OF CARDINAL SERVICES LEASE AGREEMENT:**

Chad Miner, County Attorney, presented a 2-year lease agreement renewal with Cardinal Services, stating both the County and Cardinal Services utilize the onsite clinic agreement with MedStat LLC. Miner stated the lease agreement, in the amount of \$1,000 per month, is to cover Cardinal Services' portion of building rental.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the 2-year lease agreement with Cardinal Services in the amount of \$1,000 per month.

**IN THE MATTER OF COURTHOUSE SECURITY-SPECIAL DEPUTY:**

Marsha McSherry, County Administrator, presented an agreement regarding special deputy providing courthouse security. McSherry stated the agreement between the Sheriff's Office and the Commissioners would allow the courthouse security personnel to serve as a special deputy, having full deputy powers, such as the ability to make arrests.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the agreement regarding special deputy providing courthouse security as presented.

**IN THE MATTER OF AUTOMATED PHONE SYSTEM:**

Michelle Puckett, County Auditor, stated with the impending resignation of a part-time employee, currently utilized to run the switchboard position within the courthouse's information booth, a position staffed by the Auditor's Office, Puckett has had an opportunity to review the possibility of an automated telephone system. Puckett stated since the possibility of using a completely automated system had been discussed previously by the Commissioners, she was presenting them with the opportunity to make such a decision in the matter. Puckett stated she would not pursue a replacement for the position, if the Commissioners approved the use of an automated system.

MOTION: Robert Conley

TO: Approve the use of an automated telephone system to be reevaluated after a 6-month trial basis.

SECOND: Brad Jackson

AYES: 3            NAYS: 0

UNANIMOUS

Marsha McSherry, County Administrator, presented a proposal agreement from Advanced Products Group (APG), the County's current service provider, in the amount of \$3,948.24. McSherry stated the agreement would cover the cost to automate the existing system and could be done as early as next week.

MOTION: Robert Conley

TO: Approve the agreement with APG, to automate the telephone system within the Courthouse, in the amount of \$3,948.24.

SECOND: Brad Jackson

AYES: 3            NAYS: 0

UNANIMOUS

In addition, Commissioner Groninger confirmed with McSherry that the postage and fax machines would remain in their present locations and remain available to each department.

**IN THE MATTER OF BID RECOMMENDATIONS-1 2019 ¾ TON TRUCK:**

Scott Tilden, County Highway Superintendent, came before the Commissioners with his recommendation from the January 8th 2019 bid opening for a new ¾ ton 4WD truck. Tilden stated after reviewing the bids, his recommendation to the Board of Commissioners is to award the bid to the lowest responsive and responsible bid for a 2019 Ford F-250 to Rice Ford for a total bid of \$33,654.

MOTION: Brad Jackson

TO: Approve the recommendation by Tilden to accept the bid from Rice Ford for a 2019 Ford F-250 Ford for a total amount of \$33,654.

SECOND: Robert Conley

AYES: 3            NAYS: 0

UNANIMOUS

**IN THE MATTER OF BID RECOMMENDATIONS-2 NEW SINGLE AXLE CHASSIS:**

Scott Tilden, County Highway Superintendent, came before the Commissioners with his recommendation from the January 22nd 2019 bid opening for 2 new single axle chassis. Tilden stated after reviewing the bids, his recommendation to the Board of Commissioners is to award the bid to the lowest responsive and responsible bid to Stoops Freightliner for 2 2020 Western Star chassis (without trades) for a total bid of \$195,670.

MOTION: Robert Conley

TO: Approve the recommendation by Tilden to accept the bid from Stoops Freightliner for 2 2020 Western Star chassis (without trades) for a total amount of \$195,670.

SECOND: Brad Jackson

AYES: 3            NAYS: 0

UNANIMOUS

**IN THE MATTER OF BID RECOMMENDATIONS-2 NEW SINGLE AXLE DUMP BODY EQUIPMENT:**

Scott Tilden, County Highway Superintendent, came before the Commissioners with his recommendation from the January 22nd 2019 bid opening for 2 new single axle dump body equipment. Tilden stated after reviewing the bid, his recommendation to the Board of Commissioners is to award the bid to the only submitted bid to WA Jones for 2 new single axle dump body equipment (including snow plow options) for a total bid of \$155,880.

MOTION: Brad Jackson  
SECOND: Robert Conley  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve the recommendation by Tilden to accept the bid from WA Jones for 2 new single axle dump body equipment (including snow plow options) for a total amount of \$155,880.

**IN THE MATTER OF BID RECOMMENDATIONS-1 NEW TANDEM AXLE CHASSIS:**

Scott Tilden, County Highway Superintendent, came before the Commissioners with his recommendation from the January 22nd 2019 bid opening for 1 new tandem axle chassis. Tilden stated after reviewing the bids, his recommendation to the Board of Commissioners is to award the bid to the lowest responsive and responsible bid to Stoops Freightliner for 1 2020 Western Star tandem axle chassis (with a trade allowance) for a total bid of \$103,311.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve the recommendation by Tilden to accept the bid from Stoops Freightliner for 1 2020 Western Star tandem axle chassis (with a trade allowance) for a total amount of \$103,311.

**IN THE MATTER OF BID RECOMMENDATIONS-1 NEW TANDEM AXLE DUMP BODY EQUIPMENT:**

Scott Tilden, County Highway Superintendent, came before the Commissioners with his recommendation from the January 22nd 2019 bid opening for 1 new tandem axle dump body equipment. Tilden stated after reviewing the bid, his recommendation to the Board of Commissioners is to award the bid to the only submitted bid to WA Jones for 1 tandem axle dump body equipment for a total bid of \$71,867.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve the recommendation by Tilden to accept the bid from WA Jones for 1 tandem axle dump body equipment for a total amount of \$71,867.

**IN THE MATTER OF REPLACEMENT OF DAMAGED TRUCK:**

Scott Tilden, County Highway Superintendent, came before the Commissioners requesting guidance on the loss of a fleet truck, which was determined to be a total loss, following a weather related roll-over accident January 22<sup>nd</sup>. Tilden stated once the deductible is met and the buy-back salvage amount of \$2,183 is subtracted, the insurance reimbursement will be \$14,717. Tilden stated the salvaged 2001 Sterling axle will provide parts for the 3 or 4 other Sterling axle trucks still in use and since Sterling is no longer producing the trucks, parts have become increasingly hard to find and is therefore, worth the salvage amount.

Tilden continued, stating with production approximately 13 months out on a replacement truck, and the anticipation of the fleet being down a daily driven truck through the summer months and well into the next plowing season, Tilden is looking for a solution.

Tilden suggested the possibility of purchasing a dealer spec truck, which he states research indicates there is one in production that might be available by mid-summer. Tilden stated although the specifications are not a perfect match to a truck the County would typically order, they are close and pricing would be comparable with the bids approved today.

There was a brief discussion regarding the funding options for a replacement truck under the present circumstance. Chad Miner, County Attorney stated the purchase would probably fit under the emergency and/or special opportunity clause, due to the significant need to maintain the fleet and the anticipated cost being comparable with what was approved today. Miner suggested, as part of the emergency process, contacting the same bidders that submitted bids for approval today and including the stipulation that the truck must be delivered within 6 months. Marsha McSherry, County Administrator, confirmed part of the purchase could qualify under County Cum Capital Development.

MOTION: Brad Jackson  
SECOND: Robert Conley

TO: Approve the purchase of a replacement dump truck per County Attorney's

AYES: 3 NAYS: 0  
UNANIMOUS

recommendation regarding the emergency. Bid specification will include demand for delivery within 6 mos. Commissioners will fund ½ of the total purchase price and the other half will need to be requested through additional appropriation.

**IN THE MATTER OF FUTHER BUSINESS-SAND BAGS:**

Ed Rock, Emergency Management Director, came before the Commissioners and stated with the anticipated rain forecast, it should be noted sand and sand bags will be available to the general public, outside the gate, at the County Highway Department. Rock continued, stating although the sand and bags are available, anyone needing the items will need to provide their own shovel and manpower.

Being no further business to come before the Commissioners, the meeting was adjourned.

**KOSCIUSKO COUNTY COMMISSIONERS  
February 19, 2019**

The Kosciusko County Commissioners met for their regular meeting on February 19, 2019 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Cary Groninger - President  
Brad Jackson-Vice-President  
Robert Conley-Member

Chad Miner – County Attorney  
Michelle Puckett – Auditor  
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

**IN THE MATTER OF EAGLE SCOUT-ELMER (EJ) KIRKPATRICK:**

Elmer (EJ) Kirkpatrick came before the Commissioners and was recognized for his accomplishment as an Eagle Scout. Commissioner Groninger introduced Kirkpatrick and a plaque was presented.

**IN THE MATTER OF JAIL CHEMICAL ADDITION PROGRAM (JCAP) GRANT REQUEST-SHERIFF:**

Sheriff Kyle Dukes came before the Commissioners to request approval to apply for the 2019 JCAP Grant in the amount of \$278,260. Dukes stated the grant will support the JCAP program, currently being offered through the jail, under a committee consisting of the Prosecutor's office, Probation, Community Corrections, The Bowen Center, the Sheriff's office and Courtney Jenkins. Dukes continued, stating the committee has met several times and determined the proposed grant is the best choice going forward.

MOTION: Robert Conley  
SECOND: Brad Jackson

TO: Approve the request to apply for the 2019 JCAP grant in the amount of \$278,260.

AYES: 3 NAYS: 0  
UNANIMOUS

**IN THE MATTER OF SECURITY CAMERA QUOTE-WORK RELEASE:**

Marsha McSherry, County Administrator, presented a quote in the amount of \$8,430 from Cottage Watchman Security Systems, for 5 dome cameras and 8 LED outdoor motion lights, due to the expansion of the facility.

MOTION: Brad Jackson  
SECOND: Robert Conley

TO: Approve the addition of 5 dome cameras and 8 LED outdoor motion lights in the amount of \$8,430 for the Work Release facility.

AYES: 3 NAYS: 0  
UNANIMOUS

**IN THE MATTER OF SECURITY SOFTWARE-COURTHOUSE:**

Marsha McSherry, County Administrator, presented a quote in the amount of \$20,870 from Security Automation Systems (SAS), for a virtual panic button system within the Courthouse, which will signal the security officer of the location of a need for assistance. McSherry stated the cost of the installation could be less, depending on the number of alarms installed.

MOTION: Robert Conley

TO: Approve the virtual panic button system

SECOND: Brad Jackson

in the amount of \$20,870 for the Courthouse.

AYES: 3            NAYS: 0

UNANIMOUS

**IN THE MATTER OF COURTHOUSE INFORMATION BOOTH-AUDITOR:**

Michelle Puckett, County Auditor, extended appreciation to the Commissioners for the thought and consideration, and steps taken to provide security within the Courthouse.

In addition, there was a brief discussion regarding the automated telephone system recently implemented in the Courthouse. Puckett stated the transition seems to be going very well.

**IN THE MATTER OF BRIDGE #9-BID OPENING:**

Scott Tilden, Highway Superintendent, came before the Commissioners and requested the bid opening for the reconstruction of Bridge #9, located at Husky Trail over Deeds Creek, previously scheduled for today, be cancelled and rescheduled for March 19, 2019 at 9:00 am with the bid opening to occur at 9:15 am. Tilden stated the recommendation of The Troyer Group, the County's consulting firm, is to make adjustments to the project so it can be completed in a much more timely manner, at a more cost effective rate.

Commissioner Groninger stated he had met with The Troyer Group and with the goal being to only have Husky Trail closed or under construction when school is not in session, because of such a high volume of traffic in that area, along with the requirements of the DNR and Army Core to redirect the creek while construction is underway, the time constraints make it nearly impossible to complete to work before school begins. Groninger stated changes in the project specs for engineering may be necessary to complete the task within the right timeframe.

MOTION: Robert Conley

TO: Approve cancelling the bid opening today

SECOND: Brad Jackson

and rescheduling with the changes to March

AYES: 3            NAYS: 0

19, 2019 at 9:00 am.

UNANIMOUS

**IN THE MATTER OF J FURBEE HOLDING LLC-ENCROACHMENT:**

Steve Snyder, Attorney for the Petitioner, came before the Commissioner to request approval for an encroachment agreement for 1.6 feet of a building sitting in the right of way of South Street in Atwood. Snyder stated the encroachment was discovered when a survey was done for the impending purchase of the property and although the encroachment has existed since at least the 1950's, Snyder stated the title company prefers an agreement is reached prior to the sale. Snyder continued, stating the encroachment agreement presented states the building can remain unless there is ever a need to widen the roadway, in which case, the building would have to be reconstructed to sit entirely inside the property lines.

Chad Miner, County Attorney, stated he had reviewed the document and found it to be acceptable.

MOTION: Brad Jackson

TO: Approve the encroachment agreement as

SECOND: Robert Conley

presented.

AYES: 3            NAYS: 0

UNANIMOUS

**IN THE MATTER OF HEFFELFINGER/CLAY ENCROACHMENT:**

Steve Snyder, Attorney for the Petitioner, came before the Commissioner to request approval for an encroachment agreement for a utility shed and a set of exterior stairs sitting within the right of way. Snyder stated a previous request to vacate a portion of the right away was denied but he is now requesting an encroachment agreement, following the suggestion of the Commissioners, which Snyder stated had indicated they would agree to, if the Board of Zoning approved the

setbacks. Snyder stated the BZA has since approved the setbacks and the Petitioner is in agreement with the neighbor, whose only request is to include a clause stating if the need arises for him to access his well or grinder pump, currently blocked by the location of the Petitioner's shed, the Petitioner agrees to move the shed, pending a 90 day notice.

Chad Miner, County Attorney, stated he had reviewed the document and found it to be acceptable.

There was a brief discussion regarding details of the agreement, considering future maintenance and/or repair of the shed and stairs, as well as the future possibility of changes to the roadway. It was determined that provisions for such occurrences are contained in the document presented.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3      NAYS: 0  
UNANIMOUS

TO: Approve the encroachment agreement as presented.

**IN THE MATTER OF REZONING REQUEST-ERNE:**

Matt Sandy, Area Planning, came before the Commissioners and presented a request to rezone a 1.2A tract at EMS B40 and Old Shoe Lake Road, from agricultural to residential. Sandy stated the area is compatible with residential zoning but stated the Area Plan Commission discussed concerns regarding adding a mobile home or steel building, as well as provisions for limiting access to B40 as opposed to 450N, following a discussion with the County Highway Superintendent. Sandy stated the Petitioner was in agreement with the stipulations proposed and therefore, the Area Plan Commission made a unanimous recommendation to allow the rezoning.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3      NAYS: 0  
UNANIMOUS

TO: Approve the request to rezone a 1.2A tract at EMS B40 and Old Shoe Lake Road, from agricultural to residential as presented.

**ORDINANCE NO. 19-02-19-001 (2019020834)**

As recorded in the office of the Kosciusko County Recorder.

**IN THE MATTER OF REZONING REQUEST-HOCHSTETLER:**

Matt Sandy, Area Planning, came before the Commissioners and presented a request to rezone a 5A tract, along 1350N, just about 1 mile south of Nappanee, from residential to agricultural. Sandy stated several zoning changes to commercial, have recently been approved in the area, which the Petitioner is aware of. Sandy continued, stating the Area Plan Commission made a unanimous recommendation to allow the rezoning.

Attorney Charles Zercher, Kindig & Sloat, came before the Commissioners on behalf of the Petitioner, stating Mr. Hochstetler, an Amish gentleman, purchased the property through an auction with the intention of using the property for a barn and horses. Zercher continued, stating the Petitioner is aware of the surrounding commercial zoning as well as the county tile, which runs through the property.

There was a brief discussion regarding future plans of the tile, which the Drainage Board is currently in the planning stages of making changes to, as well as the restrictions attached.

Attorney Zercher stated the Petitioner is well informed and has no objections.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3      NAYS: 0  
UNANIMOUS

TO: Approve the request to rezone a 5A tract, along 1350N, just about 1 mile south of Nappanee, from residential to agricultural.

**ORDINANCE NO. 19-02-19-002 (2019020835)**

As recorded in the office of the Kosciusko County Recorder.

MOTION: Robert Conley  
SECOND: Brad Jackson

TO: Approve the request to rezone a 5A tract, along 1350N, just about 1 mile south of

AYES: 3 NAYS: 0 Nappanee, from residential to agricultural.  
UNANIMOUS

**IN THE MATTER OF FURTHER BUSINESS-SOLAR FARM:**

Bob Bishop, Kosciusko County Farm Bureau President, along with Mike Long, Farm Bureau Board Member and County Council Member, came before the Commissioners to present information regarding a recent push for solar farms, in the area west of Leesburg.

Bishop stated he has been contacted by two companies wanting to use his farm ground to put solar panels on, presumably because of the flat ground the area provides. Bishop continued, stating one company requested 1,000-2,000 acres and the other wanted 800-1,600, both of which provided him copies of the proposed 25-35 year lease agreements, outing the details of tge contracts, including the mineral rights to the land.

Bishop continued, stating a meeting will be held tonight to discuss the proposed project. In addition, Bishop stated he has been in contact with Farm Bureau's Attorney, and is willing to organize a presentation to discuss concerns. Bishop stated he would let the Commissioners know as soon as a date for the presentation was available.

Long stated, as a land owner, he is not for or against solar farms but is concerned about the potential of land use being controlled by county officials and stated he sees little difference between crops and solar panels, with no information currently to support a detriment of solar farms to human health but still needs more information.

There was a general discussion with Matt Sandy, Area Planning, regarding the County's current ordinances and/or restrictions on commercial wind and solar farms, as well as some of the pros and cons of the potential introduction of such farms into the County. There was further discussion regarding the possible extension of the 60-day moratorium, approved January 22, 2019 by the Commissioners, on the permitting of solar energy system farms.

MOTION: Robert Conley TO: Gave directive for the Area Plan  
SECOND: Brad Jackson Commission to pursue an additional 90 days  
AYES: 3 NAYS: 0 to the moratorium ordinance.  
UNANIMOUS

Being no further business to come before the Commissioners, the meeting was adjourned.

## KOSCIUSKO COUNTY COMMISSIONERS

### March 5, 2019

The Kosciusko County Commissioners met for their regular meeting on March 5, 2019 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Cary Groninger - President	Chad Miner – County Attorney
Brad Jackson-Vice-President	Michelle Puckett – Auditor
Robert Conley	Marsha McSherry – County Administrator-Absent

Minutes were approved as presented. Claims were signed and approved for payment.

**IN THE MATTER OF MARCH VETERAN OF THE MONTH – JOHN M KIMPEL:**

Rich Maron, Veteran Service Officer, came before the Commissioners to introduce the March Veteran of the month, John Kimpel. Maron began, stating Kimpel was born August 4<sup>th</sup>, 1946, in Kendallville Indiana, to Lowell and Kathleen Kimpel, of South Milford, where Kimpel spent most of his childhood mowing yards, delivering newspapers and helping his dad during farming seasons. Sometime after the 8<sup>th</sup> or 9<sup>th</sup> grade, Maron stated, Kimpel's parents moved to a farm near Pleasant Lake but Kimpel and his two older brothers moved back to South Milford, living at J.O. Mory's Stores, where Kimpel worked, while attending high school. Kimpel graduated Kendallville High School in 1964, and enrolled at Tri-State College in Angola, where he attained a 2 Yr. Associates Degree in Drafting and Designing. As Kimpel was finishing college, the

Vietnam conflict was ramping up so Kimpel joined the Air Force in May of 1966, not knowing when his number might come up for the draft. Kimpel left for basic training with other enlistees from Indiana, that he became friends with, was assigned to Lackland Air Force Base in San Antonio, Texas and from there, was assigned to Lowery Air Force Base in Denver, Colorado, where he trained as a Weapons Mechanic. Following his training in 1966, Kimpel was assigned to Kincheloe AFB in the Upper Peninsula of Michigan, where he learned the fundamentals of loading and hooking up rockets and missiles on F-106 Air Defense Jets. Maron continued, stating Kimpel recalled the base being nice but a little rough in the winter, stating most vehicles had orange balls on their antennas so you could see them over the top of the snow.

In 1967, Maron stated, Kimpel and a fellow Indiana enlistee answered a notice for volunteers to work and fly as Gunners on AC-47 Gunships in Vietnam. Following Chamber Testing at Bunkerhill AFB, Kimpel was trained in mini-guns and flying at England AFB and then went on to survival school training at Fairchild AFB. After further training in the Philippines and many stops along the way, Kimpel was assigned to Beinh Hoa Air Base, just northeast of Saigon, where he was stationed for the next year. Kimpel's job was to provide air support and light from candlepower parachute flares for bases, hamlets and military outposts throughout South Vietnam, during night only operations. Kimpel recalls that being in the air at night was better than being on the ground when the rockets and mortars were being shot at their base. Kimpel also recalls during his tour, he flew more than 150,000 combat missions and saw the loss of 88 crew members.

On February 17, 1969, Kimpel boarded a freedom bird to depart from Vietnam, arriving back in Indiana, where he had a couple weeks off before his new assignment as an instructor gunner on AC-119's and AC-130 Gunships, at Lockbourne AFB, near Columbus, Ohio. During that break, Kimpel married Wendy E Warner, whom he had met prior to enlisting and had kept in touch with through his deployment. Following a brief honeymoon, the two traveled to Lockbourne, where they resided until Kimpel's honorable discharge in April of 1970.

Maron continued, stating upon the couples return to Warsaw, Kimpel worked for DH Lessig Engineering in the mechanical drafting and layout department, then for Dalton Foundries, as a draftsman. Once Kimpel obtained his Indiana Land Surveying License, he and his friend started their own company, "John Kimpel & Associates". Kimpel and his wife raised three children and are now retired, enjoying their children, grandchildren and their border collie.

**IN THE MATTER OF INDOT 5339 MOTOR VEHICLE PURCHASE AGREEMENT:**

Amanda Landis, KABS Director, came before the Commissioners with the INDOT 5339 Motor Vehicle Purchase Agreement to purchase two (2) medium transit buses, each with a 14-passenger capacity. Landis stated these will be the first buses to come equipped with back-up cameras and are anticipated to be delivered in August. The total amount of the agreement is for \$110,364.00.

MOTION: Robert Conley

TO: Approve the INDOT 5339 Motor Vehicle Purchase Agreement in the amount of

SECOND: Brad Jackson

\$110,364.00 for two buses.

AYES: 3            NAYS: 0

UNANIMOUS

**IN THE MATTER OF INMATE HEALTHCARE AGREEMENT ADDENDUM:**

Sheriff, Kyle Dukes, came before the Commissioners and first extended appreciation to the Commissioners and some Council members, present at the meeting, for attending the first JCAP graduation, as well as for participating in the jail tour. Dukes stated the graduation was a success and some new ideas were discussed following the tour.

Dukes then continued, presenting an agreement addendum with Quality Correctional Care LLC (QCC). Dukes stated the new medical team for the jail, which began February 1, are doing a phenomenal job and after further research, he would recommend extending their hours to include Saturdays and Sundays, which Dukes stated would not only significantly reduce the liability of med distribution, currently being done by jail officers, but would also go a long way to alleviate jail personnel from making health decisions or providing urgent care or even hospital transports.

Dukes stated adding 14-hour shifts on Saturdays and Sundays would increase the cost of the current contract with QCC by only \$28,130.00 annually, which Dukes added is already budgeted



and considering the savings in other areas, most significantly liability, is more than worth the cost.

MOTION: Brad Jackson  
SECOND: Robert Conley  
AYES: 3 NAYS: 0  
UNANIMOUS  
TO: Approve the Inmate Healthcare Services Agreement Addendum with Quality Correctional Care LLC, as presented.

**IN THE MATTER OF PTABOA MEMBER- REPLACEMENT:**

Susan Engelberth, County Assessor, came before the Commissioners, with her recommendation for a Property Tax Assessment Board of Appeals (PTABOA) board member. Engelberth stated Dave Knisely recently resigned from the 3-member board. Upon receiving Knisely's resignation, Engelberth stated she contacted Phyl Olinger, who has previous work experience with Indiana tax assessment and currently holds her Level II.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3 NAYS: 0  
UNANIMOUS  
TO: Accept Engelberth's recommendation of Phyl Olinger as replacement for Knisely on the PTABOA Board.

**IN THE MATTER OF SHERIFF FLEET VEHICLES:**

Shane Bucher, Chief Deputy, Sheriff's Office, came before the Commissioners and presented bids he received for four replacement police fleet vehicles; 2 SUVs, 1 car and 1 pick-up truck. Bucher stated, following requests for bids on the already budgeted vehicles from five different dealerships, he received three and made the recommendations as follows:

Vehicle	Type	Price	Dealership
SUV (2)	Interceptor Utility	\$33,077.56	Rice Ford, Warsaw
Car (1)	Dodge Charger	\$25,565	John Jones, Salem, IN
Truck (1)	Dodge Ram 1500	\$29,020	John Jones, Salem, IN

Chad Miner, County Attorney, stated he had reviewed the bids presented and found no objection to the bids or the recommendation presented.

There was a brief discussion to confirm whether or not local businesses had been given ample opportunity to submit bids and it was determined that they had.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3 NAYS: 0  
UNANIMOUS  
TO: Approve the recommendations as presented.

**IN THE MATTER OF 2020 COMMUNITY CORRECTIONS GRANT REQUEST:**

Anna Bailey, Community Corrections Director, came before the Commissioners, with a request for signatures on two letters of support, which Bailey stated will be submitted along with the grant applications, already approved by the Commissioners. Bailey stated the Community Corrections grant, which had previously been one grant, will be two grants in 2020 and therefore will require two applications.

MOTION: Brad Jackson  
SECOND: Robert Conley  
AYES: 3 NAYS: 0  
UNANIMOUS  
TO: Approve two letters of support for the application process for the Community Corrections 2020 Grant applications, as presented.

**IN THE MATTER OF TIPPY CHAPMAN REGIONAL SEWER DISTRICT-  
ADDENDUM:**

Chad Miner, County Attorney, presented an Addendum to Petition in regard to the Tippy Chapman Regional Sewer District. Miner stated following the Commissioners' and Council's approval, the Petition was filed with IDEM, December 27, 2018 to create the sewer district. Following IDEM's review of the Petition, Miner stated, two corrections were required; 1) needed to include the data for the median income reported and 2) needed to have the verbiage corrected

from Lakeland to the Commissioners, being the appointing party of two board of trustee members, in the event that Lakeland Regional Sewer District is selected as the waste water treatment center.

Miner continued, stating he has prepared an exhibit to attach, showing the median income data and the attorney at Ice Miller has prepared the addendum, presented today, correcting the verbiage in the Petition previously submitted and upon the Commissioner's approval, Miner stated he would submit the addendum to IDEM.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the addendum and exhibit for the Tippy Chapman Regional Sewer District Petition, as presented.

**IN THE MATTER OF CSI CONTRACT TERMINATION:**

Chad Miner, County Attorney, stated with the Clerk's Office converting from CSI to Odyssey, it is necessary to give CSI a 90-day written notice of the termination of the contract.

MOTION: Brad Jackson

SECOND: Robert Conley

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve a 90-day written notice, terminating the contract with CSI.

**IN THE MATTER OF AREA PLAN-FLOOR COVERING:**

Brad Jackson, on behalf of Marsha McSherry, County Administrator, presented an estimate from BC Tile for the Area Plan Department's floor covering. Jackson stated the total of the estimate is \$15,949.17 but stated opportunity exists for a savings of around \$5,980, by having the carpet removed by our own staff.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Accept the estimate in the amount of \$15,949.17, from BC Tile, for Area Plan Department's floor covering.

Being no further business to come before the Commissioners, the meeting was adjourned.

**KOSCIUSKO COUNTY COMMISSIONERS**  
**March 19, 2019**

The Kosciusko County Commissioners met for their regular meeting on March 19, 2019 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Cary Groninger - President

Brad Jackson-Vice-President

Robert Conley

Chad Miner – County Attorney

Michelle Puckett – Auditor

Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

**IN THE MATTER OF EAGLE SCOUTS- DEVIN VAN LUE & CARTER BOWMAN:**

Devin Van Lue and Carter Bowman came before the Commissioners and were recognized for their accomplishments as an Eagle Scouts. Commissioner Groninger introduced Van Lue and Carter and plaques were presented.

**IN THE MATTER OF CR 400E FLOODING:**

Mike Kissinger, County Surveyor, came before the Commissioners stating reoccurring flooding issues on 400E, just north of 900S, are due to drainage problems at the county regulated drain known as Plunge Creek. Kissinger presented an estimate in the amount of \$46,410 for the highway to raise the road but stated this has been done multiple times and because of the erosion caused by the failing drain, it will only be a matter of a few years before it will need to be done again. Kissinger continued, stating the road has been closed numerous times due to flooding and

with the additional congestion of the railroads siding, where the trains park and block the intersection, the inaccessibility to the home between the railroad tracks and the flooding area has become a matter of public safety, since the school bus as well as emergency vehicles are unable to get through.

Kissinger requested the Commissioners consider making a contribution toward the reconstruction of the drain, which he stated would correct the problem as opposed to masking or prolonging it by raising the road once again. Due to the unique situation concerning public safety, Kissinger stated he believed it would be acceptable for the Commission to offer assistance with the proposed project.

Commissioner Groninger stated when the information was presented to the Drainage Board, he shared in the concerns regarding public safety, stating he had been informed of an ambulance that had recently driven through approximately 24 inches of water to answer a distress call in that area. In addition, Groninger stated further research indicates a uniquely large diameter tile needs to be replaced and with only 670 acres involved and a limited number of taxpayers sharing the costs, it would mean each taxpayer's contribution would calculate to about \$300/acre, which is nearly double what typical reconstruction costs are.

There was a brief discussion comparing costs as well as benefits, between raising the road and reconstructing the drain, which is estimated to cost approximately \$200,000 and Kissinger reminded the Commissioners that even if a contribution was approved, the project would still need to go through the proper channels for approval.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3            NAYS: 0

UNANIMOUS

TO: Approve a contribution in the amount of \$92,820 toward the drainage reconstruction of Plunge Creek (twice the estimated cost presented to raise the road).

**IN THE MATTER OF ANY OFFICE HOLDER / DEPARTMENT HEAD:**

Ed Rock, Emergency Management Director, came before the Commissioners, stating today is day the State of Indiana conducts tornado testing across the state, which not only tests governing alerts and alarms but also gives the public the opportunity to prepare and/or practice their emergency plan. Rock continued, stating all emergency alerts and alarms are scheduled to sound at 10:15am. In addition, Rock stated the county will sound their sirens and informers at 7:15pm with the intention of enabling local family participation.

**IN THE MATTER OF KEDCO QUARTERLY UPDATE:**

Alan Tio, CEO, came before the Commissioners to present the quarterly update. Tio stated the 90 day plan to re-launch started in September and is well underway. Tio continued, stating part of the plan includes ways to introduce the agribusiness initiative project, with Kosciusko County being the first community in Indiana to join AgriNovus, a development that encourages the start and growth of agricultural businesses in the area.

Tio stated the Peer Cities project will meet and offer a presentation sometime in April, offering guidance and direction to local businesses. In addition, Tio stated the group will be visiting other cities around the state, gathering information and bringing new and innovative ideas to our area.

In conclusion, Tio stated KedCo has moved to a different office within the Chamber Building, has added new computers and has made some changes to their IT, all of which is anticipated to enable better organization to support the re-launch, as well as encourage growth and development within the community.

**IN THE MATTER OF TIPPY/CHAPMAN REGIONAL SEWER DISTRICT UPDATE:**

Chad Miner, County Attorney, stated the addendum to petition, changing the board appointment as well as the inclusion of income information, as required by IDEM, have been forwarded to Ice Miller for submission. In addition, Miner stated IDEM has appointed a person to start the process and anticipates a public meeting will be scheduled sometime in the near future. In response to Commissioner Conley's question regarding the remonstrance period, Miner stated it expires either 6 months or 180 days from the date the petition was filed, which was December 27<sup>th</sup>, 2018.

**IN THE MATTER OF JUSTICE BUILDING H/C COIL REPLACEMENT:**

Marsha McSherry, County Administrator, presented an estimate, from CORE Mechanical Services Inc, in the amount of \$17,059 to replace the heating/cooling coils on the Justice Building. McSherry stated the coils froze and broke during the severely cold temperatures this winter and were temporarily repaired.

MOTION: Brad Jackson

TO: Approve the amount of \$17,059 to

SECOND: Robert Conley

replace the heating/cooling coils on the Justice Building.

AYES: 3            NAYS: 0

UNANIMOUS

**IN THE MATTER OF ORDINANCES- CUMULATIVE CAPITAL DEVELOPMENT & CUMULATIVE BRIDGE:**

Michelle Puckett, County Auditor, stated 2020 budgeting has begun, and it is therefore time to look at current tax rates and establish them back to the levels originally approved, which will then be available for consideration when working on the 2020 budgets.

There was a brief discussion regarding the significant need for some bridge projects, which may require raising the Cumulative Bridge fund and how the bridge ordinance presented would allow the consideration of such change.

MOTION: Robert Conley

TO: Approve the Ordinances establishing the

SECOND: Brad Jackson

Cumulative Capital Development Fund and

AYES: 3            NAYS: 0

the Cumulative Bridge Fund as presented.

UNANIMOUS

**Cum Capital Development ORDINANCE NO. 2019-03-19-001 (2019030679)**

As recorded in the office of the Kosciusko County Recorder.

**Cum Bridge ORDINANCE NO. 2019-03-19-002 (2019030678)**

As recorded in the office of the Kosciusko County Recorder.

**IN THE MATTER OF B17A-ORDINANCE TO REMOVE FROM E911:**

Lee Taylor, Area Planning, came before the Commissioners, stating the RV's which once made it necessary to label the privately maintained access drive, known as B17A, are no longer on the property. Taylor, therefore, presented an Ordinance requesting the removal of B17A Ln from the E911 road system, stating there are no other structures with the address of B17A Ln.

MOTION: Brad Jackson

TO: Approve the Ordinance removing B17A

SECOND: Robert Conley

Ln from the E911 road system.

AYES: 3            NAYS: 0

UNANIMOUS

**ORDINANCE NO. 2019-03-19-003 (2019030677)**

As recorded in the office of the Kosciusko County Recorder.

**IN THE MATTER OF SOLAR MORATORIUM ORDINANCE:**

Matt Sandy, Area Planning, came before the Commissioners, stating the Commissioners had previously requested the Area Planning Commission review and advertise for a moratorium on commercial solar farms. Sandy stated the Planning Commission agreed unanimously to recommend the 90-day moratorium. Sandy presented the Ordinance for Commissioners' final approval.

MOTION: Brad Jackson

TO: Approve the 90-day Moratorium on the

SECOND: Robert Conley

Issuance of Permits, Licenses, or Approvals

AYES: 3            NAYS: 0

for, or for any Construction of, Commercial

UNANIMOUS

Solar Energy System Farms, as recommended by the Area Planning Commission.

**ORDINANCE NO. 2019-03-19-004 (2019030676)**

As recorded in the office of the Kosciusko County Recorder.

**IN THE MATTER OF REQUEST FOR EASEMENT VACATION IN CROWS  
ADDITION-CHROMAPROPERTIES LLC, PETITIONER:**

Dan Richard, Area Planning Director, came before the Commissioners with a unanimous recommendation from the Area Planning Commission to vacate a 15' wide portion of ground, platted as a private drive in Crow's Addition, which as Richard indicated divides the Petitioners property but has never been utilized as a drive. In addition, Richard stated it was the desire of the Commission to vacate the entire drive but understands each property owner is responsible for their own petition, and will therefore need to look at each request individually.

Steve Snyder, Attorney for the Petitioner, stated he agreed with Richard's presentation of the request.

**ORDINANCE NO. 19-03-19-005 (2019040110)**

As recorded in the office of the Kosciusko County Recorder.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3            NAYS: 0

UNANIMOUS

TO: Approve the vacation of a 15' wide portion of ground, platted as a private drive in Crow's Addition, as recommended by the Area Planning Commission.

**IN THE MATTER OF UNOFFICIAL DETOUR ROUTE-SR13 OVER TIPPECANOE  
RIVER:**

Scott Tilden, County Highway Superintendent, presented a letter of understanding between the Indiana Department of Transportation and the Commissioners for an unofficial detour route. Tilden stated the detour will be necessary for INDOT to install a bridge deck overlay, on SR13, over the Tippecanoe River, approximately 8.02 miles north of US 30. Tilden continued, stating the unofficial detour route will be E 500 N to N 750 E returning to SR13, with the official detour route on SR6, SR15 & US30.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3            NAYS: 0

UNANIMOUS

TO: Approve the letter of understanding with INDOT for an unofficial detour route, while bridge deck overlay is installed on SR13 over the Tippecanoe River.

**IN THE MATTER OF BRIDGE #9 BID OPENING:**

Chad Miner, County Attorney, opened bids submitted for the Bridge #9 project. The only bid received was a base bid from Reith Riley Construction Company, in the amount of \$1,838,467.17. There were no bids submitted for either alternate 1 or alternate 2.

Scott Tilden, County Highway Superintendent, stated the submitted bid amount is substantially higher than the engineers' estimates. Tilden made the recommendation to the Commissioners to reject the bid, stating the engineers' estimates ranged from \$1,103,000 and \$1,146,000. Tilden continued, stating he typically takes the bids under advisement and returns to the Commissioners at their next meeting with his recommendation but in this case, he does not see the need to return as his recommendation is not expected to change.

MOTION: Brad Jackson

SECOND: Robert Conley

AYES: 3            NAYS: 0

UNANIMOUS

TO: Approve the recommendation of Tilden to reject the bid.

Being no further business to come before the Commissioners, the meeting was adjourned.

**KOSCIUSKO COUNTY COMMISSIONERS**  
**April 2, 2019**

The Kosciusko County Commissioners met for their regular meeting on April 2, 2019 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Cary Groninger - President  
Brad Jackson-Vice-President, Absent  
Robert Conley

Chad Miner – County Attorney  
Michelle Puckett – Auditor  
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

**IN THE MATTER OF GIS/PICTOMETRY AGREEMENT- ASSESSOR:**

Susan Engelberth, County Assessor, came before the Commissioners, stating MACOG has agreed to be the contract holder with Pictometry. Engelberth, therefore, presented a data sharing agreement for approval, which states MACOG will provide 70% of the funding, leaving our county with a balance of 30%, or \$67,339 for the 2019 aerial imagery, the first of a two-year contract, with the first flight project scheduled to be launched in the spring.

County Attorney, Chad Miner, stated he had reviewed the contract and found no objection.

Groninger noted the changes, stating what a significant savings the contract will be for the County, concluding that previous MACOG contributions have not exceeded 10%.

MOTION: Robert Conley  
SECOND: Cary Groninger

TO: Approve the Data Sharing Agreement  
with MACOG, as presented.

AYES: 2          NAYS: 0  
UNANIMOUS

**IN THE MATTER OF COUNTY WELLNESS PROGRAM UPDATE:**

Jackie Franks, Health & Human Services Educator, Purdue Extension, came before the Commissioners with an update regarding the success Purdue Extension has experienced with county employee participation in the wellness programs presented thus far. Along with a statistical report, outlining the program's successes, Franks shared the following information:

- 120 people registered to participate in the Get Walking program, which encourages participants to track their steps. Participants have already reported over 29 million steps since the program began in January. Franks reported, since the program's launch, she has never had such an invested group of people participate.
- Dining with Diabetes, which consisted of 8 total class hours and offered education on how to prepare diabetic recipes, was hugely successful with more people wanting to take the course than space allowed. Franks stated the feedback on the information provided was very positive.
- 46 county employees attended the Brain & Social Connections course. Approximately 93% reported they would share some of the information they were given with other people.

Groninger noted he is receiving really good feedback from employees regarding the program and its benefits.

**IN THE MATTER OF TRANSFER OF OWNERSHIP OF KENNEL ITEMS:**

Marsha McSherry, County Administrator, stated upon the purchase of the old Sasso veterinary clinic, for the purpose of housing the county coroner facility, several dog cages and dog runs have been obtained. With the Animal Welfare League showing an interest in the items, McSherry requested permission to transfer ownership of the items to the Animal Welfare League.

MOTION: Robert Conley  
SECOND: Cary Groninger

TO: Approve transfer of ownership of kennel  
items, obtained in the coroner building  
purchase, to the Animal Welfare League.

AYES: 2          NAYS: 0  
UNANIMOUS

**IN THE MATTER OF CORONER'S BUILDING REMODEL:**

Marsha McSherry, County Administrator, presented two estimates for the remodel of the Coroner's building.

The estimate amounts were presented as follows:

Clint Davis Construction- \$41,655.51

Robinson Construction- \$53,983.00

MOTION: Robert Conley  
SECOND: Cary Groninger  
AYES: 2 NAYS: 0  
UNANIMOUS

TO: Approve the estimate in the amount of \$41,655.51, presented on behalf of Clint Davis Construction, for the remodel costs of the Coroner's Building.

**IN THE MATTER OF GATHERING SPACE ON THE COURTHOUSE SQUARE:**

Marsha McSherry, County Administrator, presented two estimates for the previously approved landscaping of a gathering space to be created on the southeast corner of the courthouse square. McSherry stated the project will be funded through Patronicity, a state grant, for which the County was awarded matching funds.

The estimate amounts were presented as follows:

Anderson Greenhouse- \$64,900.00

Beyond Landscaping- \$114,382.50

MOTION: Robert Conley  
SECOND: Cary Groninger  
AYES: 2 NAYS: 0  
UNANIMOUS

TO: Approve the estimate in the amount of \$64,900.00, presented on behalf of Anderson Greenhouse, for the landscaping costs of the Courthouse Square gathering space.

**IN THE MATTER OF CR 800W & CR 1000W COMMUNITY CROSSING GRANT CONTRACTS:**

Scott Tilden, County Highway Superintendent, stated the County has been awarded Community Crossing matching grant funds for the two projects submitted, one at CR 800W from US 30 to SR 19 and the other at CR 1000W from CR 700S to CR 1000S. Tilden presented the contracts for approval, stating the combined award amount was one million dollars, and the matching funds were already budgeted.

MOTION: Robert Conley  
SECOND: Cary Groninger  
AYES: 2 NAYS: 0  
UNANIMOUS

TO: Approve community Crossing grant contracts for the CR 800W and CR 1000W projects.

**IN THE MATTER OF BID LETTING DEADLINE- CR 800W & CR 1000W PROJECTS:**

Scott Tilden, County Highway Superintendent, requested a bid letting date for the two projects mentioned above: one at CR 800W from US 30 to SR 19 and the other at CR 1000W from CR 700S to CR 1000S. Tilden suggested a bid letting date of May 14, 2019 at 9:15am, with 9am as the final time to submit.

MOTION: Robert Conley  
SECOND: Cary Groninger  
AYES: 2 NAYS: 0  
UNANIMOUS

TO: Approve the bid letting date of May 14, 2019 at 9:15am, with 9am as the final time to submit, for projects at CR 800W and CR 1000W.

**IN THE MATTER OF HIGHWAY AUCTION, LIST OF EQUIPMENT:**

Scott Tilden, County Highway Superintendent, presented a list of equipment, requesting the items be deemed surplus, so they can be made available for sale through public auction. Tilden stated the projected auction date is April 27, 2019.

MOTION: Robert Conley  
SECOND: Cary Groninger  
AYES: 2 NAYS: 0  
UNANIMOUS

TO: Approve the request to deem the list of equipment presented as surplus so it can be made available for sale through public auction.

**IN THE MATTER OF ANNUAL PARKING PERMIT REQUEST-BACKWATER RETRIEVER CLUB:**

Scott Tilden, County Highway Superintendent, presented a permit application for right of way parking, during an annually held event. Tilden stated the Backwater Retriever Club will be holding an event from April 12-14, 2019, and are requesting parking along one side of CR 1000E

from CR 750N to CR 1000N. Tilden concluded, stating the event is held within the tri-county fish & wildlife area and is to be conducted pursuant to the guidelines of the permit application.

MOTION: Robert Conley  
SECOND: Cary Groninger  
AYES: 2 NAYS: 0  
UNANIMOUS

TO: Approve the permit application for right of way parking during the Backwater Retriever Club event, to be held April 12-14, 2019.

Being no further business to come before the Commissioners, the meeting was adjourned.

## KOSCIUSKO COUNTY COMMISSIONERS April 16, 2019

The Kosciusko County Commissioners met for their regular meeting on April 16, 2019 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Cary Groninger - President  
Brad Jackson-Vice-President  
Robert Conley

Chad Miner – County Attorney  
Michelle Puckett – Auditor  
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

### **IN THE MATTER OF VETERAN OF THE MONTH- HAROLD REX WILDMAN:**

Rich Maron, Veteran Affairs Officer, came before the Commissioners to introduce the April Veteran of the month, Harold Rex Wildman. Maron began, first pausing to extend condolences to Wildman and his family, for the loss of his wife, just last night, and then continued, stating Wildman, best known as Rex, was born in Deedsville, Indiana on April 22, 1923. Wildman, who was the oldest of ten children, moved to Kosciusko County at the age of ten, when his parents purchased a farm near Leesburg. As a youth, Wildman experienced the hardships that many Americans endured during the great depression.

Wildman witnessed the electrification of rural America and the replacement of horses by gasoline engines to move and power farm machinery. Wildman graduated from Leesburg High School in 1941, only a few months before the US entered into World War II. Wildman joined the United States Army and then applied to and was accepted into the US Army Air Force, where he trained as a pilot and was then assigned to the China, India, Burma Theater, where he became one of the famous “hump” pilots. Their main task was to fly troops and supplies from Burma over the Himalayan Mountains to assist the Chinese in their desperate fight to repel the invading Japanese Army.

Wildman flew fifty missions through the unpredictable and extreme weather and treacherous terrain that over the course of the war claimed over 600 planes and more than 1000 lives (a full third of the men who flew this route over “the roof of the world”).

Following the war’s conclusion, Wildman left the US Army Air Force as a first lieutenant in 1946, returned to Indiana, and married Lorabel Ferverda. Shortly after, the couple moved to Nappanee, where the first of their five children was born in 1948. After working as a fuel oil distributor for Standard Oil, Wildman launched his career as a businessman and entrepreneur, with the purchase of a dry cleaning business in Nappanee. In 1963, Wildman sold the business in Nappanee and moved his family to Warsaw, where he became a partner in a local dry cleaning business. Several years later, Wildman purchased the Buffalo Street Cleaners and Laundry, which became the foundation for what is now the Wildman Business Group, a Warsaw-based company with over 200 employees that is still thriving today, under a third generation of family ownership.

Wildman has been active in his local church, wherever he has lived, having served in every lay leadership position over the years and through service and public spiritedness, Wildman has contributed to the vitality of his local community.



Wildman was a member of the Kiwanis International service organization in both Nappanee and Warsaw, serving as President of the Warsaw club in 1985 and was a member of the Warsaw City Council from 1980 through 1984. He answered his country's call, served courageously during the Second World War and afterward, contributed wholeheartedly to the growth of his county and the betterment of his local community.

Maron and the Commissioners thanked Wildman for his service and presented him with a plaque.

**IN THE MATTER OF LAKELAND REGIONAL SEWER DISTRICT BOARD  
APPOINTMENT-BOB MARCUCCILLI:**

Commissioner Groninger presented a certificate to appoint Bob Marcuccilli to the Lakeland Regional Sewer District Board of Trustees. Groninger stated Marcuccilli, who was unable to be present today because he is currently serving on the Board, has stated he would agree to continue serving.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3            NAYS: 0

UNANIMOUS

TO: Appoint Bob Marcuccilli to the Lakeland Regional Sewer District Board of Trustees to serve a four year term, expiring on April 18, 2023.

**IN THE MATTER OF PYRAMID CONSULTING:**

Terry Burnworth, Owner of Pyramid Consulting, came before the Commissioners and introduced himself, stating he does radio consulting all over the United States. Burnworth presented an estimate for a two-part assessment for the public safety communications system. He spoke about the necessity to assure public safety and the risks involved when equipment, frequencies and/or radio signals are insufficient. Burnworth estimated three months to complete the assessment, with a completed estimate projected to be available by July of this year.

Groninger clarified, noting the Commissioners had formed a committee to discuss some of the issues within the county, had heard Burnworth's presentation and had recommended having him do an assessment to see what options the county has to make improvements.

MOTION: Brad Jackson

SECOND: Robert Conley

AYES: 3            NAYS: 0

UNANIMOUS

TO: Move forward with the assessment to see what options the County has in making improvements to radio frequencies, which are critical to communication of emergency response teams across the county.

**IN THE MATTER OF COMPREHENSIVE EMA PLAN (CEMP):**

Ed Rock, Emergency Management Director, came before the Commissioners and presented a Promulgation of the Kosciusko County Comprehensive Emergency Management Plan (CEMP). Rock stated the plan has been in place for a long time, with several revisions over the years and the purpose is to have an established plan in place, in the event of a major disaster, which will best save lives and protect costs. Rock requested the Commissioners approval on the plan submitted.

MOTION: Brad Jackson

SECOND: Robert Conley

AYES: 3            NAYS: 0

UNANIMOUS

TO: Approve the Promulgation of the Kosciusko County Comprehensive Emergency Management Plan (CEMP).

**IN THE MATTER OF SOLAR MORATORIUM UPDATE:**

Dan Richard, Area Planning Commission, came before the Commissioners and presented an update on the proposed ordinance amendment regarding solar energy system farms. Richard stated following a public hearing to gather input and formulate a recommendation, the board continues to have questions and would like an opportunity to collect some additional information over the next month. Richard continued, stating the board will meet again, May 1<sup>st</sup> and may have a recommendation to present if they are able to gather enough information.

There was a brief discussion regarding the existing moratorium as well as the time frame in which they are trying to reach a decision in the matter, along with the benefits of being able to consider all possible information.

As part of the discussion, it was determined that the Commissioners would give the Area Plan Commission the opportunity to gather additional information to possibly present a recommendation, if one can be arrived at, at the Commissioner's May 28, 2019 meeting.

**IN THE MATTER OF ANNUAL OPERATIONAL REPORT-COUNTY HIGHWAY:**

Scott Tilden, County Highway Superintendent, presented the Annual Operational Report for Local Roads and Streets and Bridges for approval.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3      NAYS: 0  
UNANIMOUS

TO: Approve the Annual Operational Report for Local Roads and Streets and Bridges, as presented.

**IN THE MATTER OF BRIDGE #18 SERVICE AGREEMENT:**

Scott Tilden, County Highway Superintendent, presented a contract between the County and CARDNO Inc, in the amount of \$22,000, stating the contract is for the three year wildlife mitigation required, for the work done on Bridge #18, on CR 300N over the Tippecanoe River. Tilden continued, stating the contract would cover maintenance, monitoring and recording of the mitigation, as required by the State.

MOTION: Brad Jackson  
SECOND: Robert Conley  
AYES: 3      NAYS: 0  
UNANIMOUS

TO: Approve the contract with CARDNO Inc, in the amount of \$22,000, for the wildlife mitigation for Bridge #18.

**IN THE MATTER OF BRIDGE #98 SUPPLEMENTAL AGREEMENT NO.1:**

Scott Tilden, County Highway Superintendent, presented a contract between the County and USI Consultants Inc, for an additional amount of \$22,300, stating the amendment is for the right-of-way acquisition, which was not anticipated when the contract was entered into for work on Bridge #98, on CR 800W at the outlet of Hoffman Lake. Tilden continued, stating the significant amount of utilities, where the work will take place, is what generated the need for the amendment.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3      NAYS: 0  
UNANIMOUS

TO: Approve the amendment of contract with USI Consultants Inc, for an additional amount of \$22,300, for right-of-way acquisition for Bridge #98.

**IN THE MATTER OF FURTHER BUSINESS-**

Mike Long, resident of CR800 W, came before the Commissioners, to express his appreciation for the work put into obtaining the Community Crossings Grant, which will allow for the repaving of CR800 W. In addition, Long requested the Commissioners consider adopting a through truck traffic ordinance, limiting heavy truck use, stating having lived and farmed in the area for more than 40 years, he can attest to the unstable base of peat and marrow that supports the road. Long continued, stating he is concerned that without limiting the heavy truck traffic, the cost and labor to repair the road will be a wasted effort within a short amount of time.

Being no further business to come before the Commissioners, the meeting was adjourned.

**KOSCIUSKO COUNTY COMMISSIONERS**  
**April 30, 2019**

The Kosciusko County Commissioners met for their regular meeting on April 30, 2019 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Cary Groninger - President  
Brad Jackson-Vice-President  
Robert Conley

Chad Miner – County Attorney  
Michelle Puckett – Auditor  
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

**IN THE MATTER OF HONOR & REMEMBER COMMITTEE- HONORING D DAY  
75<sup>TH</sup> ANNIVERSARY PROCLAMATION:**

John Sadler and Ken Locke came before the Commissioners and presented a proclamation, requesting to declare June 2019, D Day Month of Remembrance. The Honor & Remembrance Committee presented flags, which Sadler stated would be displayed by the county, the city, the VFW, the American Legion and the Kosciusko Historical Society, in honor of the 75<sup>th</sup> Anniversary of D Day.

MOTION: Brad Jackson  
SECOND: Robert Conley

TO: Approve the proclamation, declaring June  
2019, D Day Month of Remembrance.

AYES: 3 NAYS: 0  
UNANIMOUS

**IN THE MATTER OF ABATE-MOTORCYCLE SAFETY MONTH PROCLAMATION:**

Jerry Ganger, County Representative of ABATE, came before the Commissioners and presented a proclamation to declare May as motorcycle safety awareness month.

MOTION: Robert Conley  
SECOND: Brad Jackson

TO: Approve the proclamation, declaring May  
2019, Motorcycle Safety Awareness Month.

AYES: 3 NAYS: 0  
UNANIMOUS

**IN THE MATTER OF EAGLE SCOUT-ETHAN HAYS:**

Ethan Hays came before the Commissioners and was recognized for his accomplishment as an Eagle Scout. Commissioner Groninger introduced Hays and a plaque was presented.

**IN THE MATTER OF EAGLE SCOUT-TARAN KISTLER:**

Taran Kistler came before the Commissioners and was recognized for his accomplishment as an Eagle Scout. Commissioner Groninger introduced Kistler and a plaque was presented.

**IN THE MATTER OF KABS 1<sup>st</sup> QUARTER CLAIM:**

Amanda Landis, KABS Director, came before the Commissioners with the INDOT Contract Invoice for first quarter reimbursement. Landis stated over 15,000 rides were provided during the first quarter and the driver positions are now fully staffed.

MOTION: Robert Conley  
SECOND: Brad Jackson

TO: Approve the INDOT Contract Invoice  
from 1/1/19-3/31/19 in the amount of  
\$133,914, as presented.

AYES: 3 NAYS: 0  
UNANIMOUS

**IN THE MATTER OF HVAC-CORONER'S BUILDING:**

Marsha McSherry, County Administrator, presented the following estimates for the HVAC at the Coroner's Building:

CORE Mechanical Services Inc	\$17,500.00
N.E.W. Plumbing Heating Cooling	\$18,900.00

MOTION: Brad Jackson  
SECOND: Robert Conley

TO: Approve the estimate from CORE  
Mechanical Services Inc in the amount of  
\$17,500.00 for HVAC at the Coroner's  
Building.

AYES: 3 NAYS: 0  
UNANIMOUS

**IN THE MATTER OF PLUMBING-CORONER'S BUILDING:**

Marsha McSherry, County Administrator, presented the following estimates for plumbing at the Coroner's Building:

CORE Mechanical Services Inc	\$9,700.00
Clint Davis Construction LLC	\$10,600.00

MOTION: Robert Conley	TO: Approve the estimate from CORE
SECOND: Brad Jackson	Mechanical Services Inc in the amount of
AYES: 3 NAYS: 0	\$9,700.00 for Plumbing at the Coroner's
UNANIMOUS	Building.

**IN THE MATTER OF COUNTY HIGHWAY:**

Scott Tilden, County Highway Superintendent, presented a temporary road closure permit for approval. Tilden stated the closure would take place on County Farm Road, from CR 400S to CR 700S on May 18, 2019, between 10AM and 6PM for the purpose of the Fat and Skinny Tire Fest.

MOTION: Brad Jackson	TO: Approve the temporary road closure
SECOND: Robert Conley	permit, closing County Farm Road, from CR
AYES: 3 NAYS: 0	400S to CR 700S on May 18, 2019, between
UNANIMOUS	10AM and 6PM for the purpose of the Fat and
	Skinny Tire Fest.

Being no further business to come before the Commissioners, the meeting was adjourned.

## KOSCIUSKO COUNTY COMMISSIONERS

### May 14, 2019

The Kosciusko County Commissioners met for their regular meeting on May 15, 2019 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Cary Groninger - President	Chad Miner – County Attorney
Brad Jackson-Vice-President	Michelle Puckett – Auditor
Robert Conley	Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

**IN THE MATTER OF MARCH VETERAN OF THE MONTH – JOEL R LIGHT:**

Rich Maron, Veteran Service Officer, came before the Commissioners to introduce the May Veteran of the month, Joel R Light. Maron began, stating Light was born June 8, 1948, in Warsaw to Bob and Vivian Light. Light spent his entire childhood in Warsaw, graduating from Warsaw High School in 1966. In December of 1967, Light married his high school sweetheart, Cindy Bayne. Shortly after that, Maron continued, Light was drafted into the US Army. Light went to Indianapolis to swear in and was sent to Fort Bragg, North Carolina for eight weeks of boot camp. Light was then sent to Fort Benning, Georgia, for advanced infantry training and after ten weeks, was sent to Fort Riley, Kansas, where he moved his family and lived for six months, before being shipped to Germany for three months of training, and then being transferred to the 3<sup>rd</sup> Brigade 82 Airborne Division in Vietnam. Light said the only good thing about being drafted during Vietnam was you were only required to serve two years on active duty as opposed to three years if you volunteered and only one year of service in Vietnam was required.

In 1972, President Nixon signed the paperwork to begin the withdraw of 35,000 troops from Vietnam and Light was one of the lucky ones who was discharged in early November of 1972.

After returning home to Warsaw, Light began a career with RR Donnelley's that lasted 45 years until his retirement in 2015.

Light and his wife, Cindy, have two children and five grandchildren. Light has been a member of the American Legion for many years and his biggest hobby is his collection of Frank Sinatra memorabilia.

Maron and the Commissioners thanked Light for his service and presented him with a plaque.

**IN THE MATTER OF 2019 SENIOR HUB GRANT REQUEST:**

Dan Hampton, County Prosecutor, came before the Commissioners to request permission to apply for the 2019 Senior HUB Grant, stating this is a grant the county has previously utilized, which funds the administrative support and this year, will also include supplies necessary to assist the Special Prosecutors who are appointed when a conflict of interest exists.

MOTION: Brad Jackson

TO: Approve the 2019 Senior HUB grant

SECOND: Robert Conley

request in the amount of \$20,000 as presented.

AYES: 3            NAYS: 0

UNANIMOUS

**IN THE MATTER OF 2019 SHSP UAS GRANT:**

Ed Rock, Emergency Management Director, came before the Commissioners to request permission to apply for the 2019 SHSP UAS reimbursement grant, stating the funding will be used for the purchase and operator training of three drones, which will augment the one drone the county currently utilizes. Rock continued, stating the Sheriff and Prosecutor already have a program in place and the additions made, if this request is approved, will be made part of the existing program. In addition, Rock stated the objective is to have a drone and operator available for each quarter of the county, making response times shorter should they be needed in an emergency.

There was a brief discussion regarding privacy and the laws regulating the use of drones.

MOTION: Robert Conley

TO: Approve the request to apply for the 2019

SECOND: Brad Jackson

SHSP UAS reimbursement grant in the

AYES: 3            NAYS: 0

amount of \$90,000 as presented.

UNANIMOUS

**IN THE MATTER OF PYRAMID CONSULTING CONTRACT:**

Chad Miner, County Attorney, presented the contract agreement for services the Commissioners had previously approved, stating he had reviewed the contract and had no objection to the terms.

MOTION: Brad Jackson

TO: Approve the execution of the contract

SECOND: Robert Conley

with Pyramid Consulting as presented.

AYES: 3            NAYS: 0

UNANIMOUS

**IN THE MATTER OF ALLEYWAY VACATION- JUSTICE BUILDING PARKING LOT:**

Chad Miner, County Attorney, presented a petition to vacate the alleyways within the Justice Building parking lot in order to better configure the flow of parking.

MOTION: Robert Conley

TO: Approve the Petition to Vacate the

SECOND: Brad Jackson

alleyways within the Justice Building parking

AYES: 3            NAYS: 0

lot as presented.

UNANIMOUS

**IN THE MATTER OF LIFT STATION-TAX CERTIFICATE:**

Chad Miner, County Attorney, stated a parcel within the county, which contains a lift station, having significant back taxes owed, has come to his attention. Miner stated his recommendation would be to assign the tax certificate to the City of Warsaw, allowing them to obtain title to the property.

Having received positive feedback from the Commissioners, Miner will return with the prepared paperwork for formal approval at a later date.

**IN THE MATTER OF CONGRESSIONAL TOWNSHIP FUNDS ANNUAL REPORT:**

Michelle Puckett, County Auditor, presented the annual report of the Congressional School funds, stating the report reflects the interest collected from money, which was entrusted to the county years ago, by the state, and how it is distributed between the county's school districts. Puckett continued, stating the state has agreed to administer the funds, going forward, making this the last annual report the Commissioners will receive in this matter.

MOTION: Robert Conley

TO: Approve the Congressional Township  
Funds Annual Report as presented.

SECOND: Brad Jackson

AYES: 3            NAYS: 0

UNANIMOUS

**IN THE MATTER OF VOLKSWAGON LITIGATION REIMBURSEMENT:**

Scott Tilden, County Highway Superintendent, came before the Commissioners and presented information regarding a litigation settlement, stating through MACOG and Southshore Clean Cities Inc., there is money available for 25% reimbursement of invoiced, qualifying vehicles. Tilden continued, stating he believes the three trucks, scheduled for delivery in August, qualify for the reimbursement, provided the county presents three qualifying trade-in vehicles, which would need to be disabled as part of the distribution. Tilden stated three trucks are available and if approved, could qualify the county for over \$130,000 in reimbursements.

MOTION: Robert Conley

TO: Approve the recommendation to pursue  
the reimbursement through the Volkswagon  
litigation settlement.

SECOND: Brad Jackson

AYES: 3            NAYS: 0

UNANIMOUS

**IN THE MATTER OF COUNTY HIGHWAY BIDS-800W & 1000W PROJECTS:**

Chad Miner, County Attorney opened the bids submitted for the 800W & 1000W projects. The following were the results:

**800W from US 30 to SR 19**

Niblock Excavating Inc	\$1,521,321.00
Phend & Brown Inc	\$1,186,352.40
E & B Paving Inc	\$1,535,220.60

**1000W from CR 700S to 1000S**

Niblock Excavating Inc	\$478,656.20
Phend & Brown Inc	\$420,348.76
E & B Paving Inc	\$509,128.76

Scott Tilden, County Highway Superintendent, made the recommendation to the Commissioners to take all the bids under advisement. Tilden stated he would review the bids and return to the May 28, 2019 meeting with his recommendation.

In addition, Tilden stated all bids submitted are below the engineer's estimates of \$1,623,482.40 for the 800W project and \$596,643.00 for the 1000W project.

Being no further business to come before the Commissioners, the meeting was adjourned.

**KOSCIUSKO COUNTY COMMISSIONERS**  
**May 28, 2019**

The Kosciusko County Commissioners met for their regular meeting on May 28, 2019 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Cary Groninger - President  
Brad Jackson-Vice-President  
Robert Conley

Chad Miner – County Attorney  
Michelle Puckett – Auditor  
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

**IN THE MATTER OF KABS-REQUEST FOR GRANT APPLICATION:**

Amanda Landis, KABS Director, came before the Commissioners with a request for signatures on the 2020 capital and operating grant application, which Landis stated is annually submitted to INDOT. Landis continued, stating this year's application contains a capital request for a new bus and a new van, which will replace a 2002 bus and a 2003 van.

There was a brief discussion regarding the certification requests on the application and the assurance was made that KABS makes every effort necessary to successfully comply with the grant agreement.

MOTION: Robert Conley

TO: Approve the 2020 Grant Application request as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF ORDINANCE AMENDMENT-COMMERCIAL SOLAR:**

Matt Sandy, Area Planning Department, came before the Commissioners with a commercial solar ordinance amendment, stating upon the Commissioners request, the Area Plan Commission has reviewed and considered public input and has recommended approval of the amendment as presented. In addition, Sandy stated they also recommended the Commissioners consider establishing a committee to further review the matter.

There was a brief discussion which included clarification that the ordinance presented addresses commercial solar projects only and that the moratorium, currently in place, would be replaced with the proposed ordinance, if approved.

MOTION: Robert Conley

TO: Approve the Commercial Solar Ordinance Amendment as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

**ORDINANCE NO. 19-05-28-001 (2019050928)**

As recorded in the office of the Kosciusko County Recorder.

**IN THE MATTER OF CSI REDACTION CONTRACT:**

Joetta Mitchell, Recorder, came before the Commissioners requesting permission to add a redaction service and support agreement to the existing CSI contract, which is the software company used for the recording of documents. Mitchell stated the redaction agreement will provide protection against the recording of social security numbers and other personal information that should not be part of the public record. Mitchell continued, stating funds for the additional software are already available, as a portion of the fees currently being collected for document recording are set aside for the purpose of software used for recording purposes.

Chad Miner, County Attorney, stated he had reviewed the proposed contract and had no objection.

MOTION: Robert Conley

TO: Approve the Redaction Services & Support Agreement as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF JUSTICE BUILDING ALLEYWAY VACATIONS:**

Chad Miner, County Attorney, presented an update on the alleyway vacations within the justice building parking lot, stating he will be presenting the request to City Council in June.

**IN THE MATTER OF TIPPY/CHAPMAN REGIONAL SEWER DISTRICT:**

Chad Miner, County Attorney, stated the public meeting, hosted by IDEM, regarding the Tippy/Chapman regional sewer district, is scheduled for June 26 at the North Webster Community Center from 6pm-9pm.

**IN THE MATTER OF CORONER-CHANGE ORDER:**

Marsha McSherry, County Administrator, presented a change order in the amount of \$11,537.65, stating Clint Davis Construction will need to install approximately 1,032 square feet of exterior wall insulation and approximately 912 square feet of ceiling insulation as well as drywall at the new Coroner's Building.

MOTION: Brad Jackson

TO: Approve the Clint Davis Construction Change Order in the amount of \$11,537.65.

SECOND: Robert Conley

AYES: 3            NAYS: 0

UNANIMOUS

**IN THE MATTER OF AREA PLAN REMODEL:**

Marsha McSherry, County Administrator, presented a proposal from Workspace Solutions in the amount of \$21,249.03 for furniture with installation. McSherry stated the Area Plan office space is scheduled to be updated with paint, carpet and furniture as presented. McSherry further stated the proposal presented includes approximately \$5,500 in added storage, which McSherry stated is needed due to the growth of the office.

MOTION: Brad Jackson

TO: Approve Workspace Solutions proposal for furniture with installation in the amount of \$21,249.03 for the Area Plan Department.

SECOND: Robert Conley

AYES: 3            NAYS: 0

UNANIMOUS

**IN THE MATTER OF CASA RELOCATION:**

Marsha McSherry, County Administrator, presented a proposal from Workspace Solutions in the amount of \$10,518.38 for panel walls with installation, stating with the addition of the new court, the space CASA is currently using will be no longer be available to them. McSherry continued, stating the law library will be converted with the panel walls to support CASA's needs.

MOTION: Brad Jackson

TO: Approve Workspace Solutions proposal for panel walls with installation in the amount of \$10,518.38 to accommodate the relocation of CASA.

SECOND: Robert Conley

AYES: 3            NAYS: 0

UNANIMOUS

**IN THE MATTER OF SRI TAX SALE CONTRACT:**

Michelle Puckett, County Auditor, presented a renewal of contract with SRI, which is the company that hosts our annual tax sales. Puckett stated the contract contains an increase from \$75 to \$100 per parcel fee.

MOTION: Brad Jackson

TO: Approve the tax sale contract renewal with SRI.

SECOND: Robert Conley

AYES: 3            NAYS: 0

UNANIMOUS

**IN THE MATTER OF BID RECOMMENDATION-800W:**

Scott Tilden, County Highway Superintendent, came before the Commissioners with his recommendation from the May 14<sup>th</sup> 2019 bid opening for the 800W project from US30 to SR19. Tilden stated after reviewing the bids, his recommendation to the Board of Commissioners is to award the bid to the lowest responsive and responsible bid for the 800W project to Phend & Brown for a total bid amount of \$1,186,352.40.

MOTION: Robert Conley

TO: Approve the recommendation by Tilden to accept the bid from Phend & Brown for the 800W project for a total amount of \$1,186,352.40.

SECOND: Brad Jackson

AYES: 3            NAYS: 0

UNANIMOUS

**IN THE MATTER OF BID RECOMMENDATION-1000W:**



Scott Tilden, County Highway Superintendent, came before the Commissioners with his recommendation from the May 14<sup>th</sup> 2019 bid opening for the 1000W project from CR 700S to CR 1000S. Tilden stated after reviewing the bids, his recommendation to the Board of Commissioners is to award the bid to the lowest responsive and responsible bid for the 1000W project to Phend & Brown for a total bid amount of \$420,348.76.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3            NAYS: 0

UNANIMOUS

TO: Approve the recommendation by Tilden to accept the bid from Phend & Brown for the 1000W project for a total amount of \$420,348.76.

There was a brief discussion regarding the timelines and completion requirements for both projects. Tilden stated the projects are expected to begin around the first of August and are required to be completed by November 15, 2019.

**IN THE MATTER OF BRIDGE 98 & CULVERT 511 RIGHT OF WAYS:**

Scott Tilden, County Highway Superintendent, came before the Commissioners with Waiver Valuations for six parcels, which will grant appraisers the authority to negotiate a price with the parcel owners for the either permanent or temporary easements necessary to accommodate the work scheduled on Bridge 98 and Culvert 511.

MOTION: Brad Jackson

SECOND: Robert Conley

AYES: 3            NAYS: 0

UNANIMOUS

TO: Approve the Waiver Valuations for six parcels for the either permanent or temporary easements necessary to accommodate the work scheduled on Bridge 98 and Culvert 511.

**IN THE MATTER OF PROPOSED SPEED LIMIT ORDINANCE-CR 800N:**

Scott Tilden, County Highway Superintendent, came before the Commissioners with a proposed ordinance, which would reduce the speed limit on CR 800N, between CR 500E and the Syracuse-Webster Rd from 55 to 45 mph. Tilden stated following a traffic study and a review of accident criteria available through the Sheriff's Office, it is his recommendation to impose the reduced speed limit in hopes of reducing the amount of accidents in the future.

MOTION: Brad Jackson

SECOND: Robert Conley

AYES: 3            NAYS: 0

UNANIMOUS

TO: Approve Tilden's recommendation to reduce the speed limit to 45 mph on CR 800N, between CR 500E and the Syracuse-Webster Rd.

There was a brief discussion regarding the enforcement of the change in speed limit and Sheriff Dukes, who was present for the meeting, agreed to increase enforcement in the area.

**ORDINANCE NO. 19-05-28-002 (2019050929)**

As recorded in the office of the Kosciusko County Recorder.

Being no further business to come before the Commissioners, the meeting was adjourned.

**KOSCIUSKO COUNTY COMMISSIONERS**  
**June 11, 2019**

The Kosciusko County Commissioners met for their regular meeting on June 11, 2019 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Cary Groninger - President  
Brad Jackson-Vice-President  
Robert Conley

Chad Miner – County Attorney  
Michelle Puckett – Auditor  
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

**IN THE MATTER OF JDAI GRANT UPDATE:**

Judge David Cates came before the Commissioners with a JDAI grant update, stating although he had been concerned about the continuation of the program, he can now move forward, knowing the grant application has been approved. Cates continued, stating the program will include some programming this year, which will include a countywide coalition of school personnel, law enforcement, the prosecuting attorney, DCS, Bowen Center and parents, to create evidence-based decision making tools to aid in the determination of which kids should be detained and which ones would benefit from various JDAI programs.

The purpose behind the JDAI programs, Cates continued, is to change the mindset and pursue options for dealing with kids, while maintaining safety in the community as well as saving the county money. Cates stated in the first quarter of 2018, 18 kids were detained, with an average length of stay being 9 days. As a comparison, Cates continued, in the first quarter of 2019, 1 child was detained for 3 days. At a cost of approximately \$160 per day, per kid, Cates estimates a savings of around \$25,000, stating although not all quarters will reflect such a significant reduction.

**IN THE MATTER OF KEDCO UPDATE:**

Alan Tio, KEDCo CEO, came before the Commissioners and presented an update, stating a couple things are in the pipeline, namely the agribusiness startup generator, which is focused around recruiting entrepreneurs from outside the area who can work and support the agribusiness companies we already have. Tio continued, stating KEDCo is working to form a partnership with a group called TMAP, which uses data and social media to find and recruit talent to the community. In addition, Tio stated they are working with OrthoWorx and WorkOne to create a dual career partnership, which is designed to help the spouses of people who are relocating to the area find jobs.

**IN THE MATTER OF KOSCIUSKO COUNTY HOUSING STUDY REQUEST:**

Suzie Light, Kosciusko Community Foundation CEO, came before the Commissioners requesting they approve a \$20,000 agreement with High Performance Government Network (HPG). Light stated the Foundation was recently awarded a \$75,000 Lilly Endowment Gift 7, Community Leadership Planning Grant, which they have allocated \$30,000 of to partner with the City of Warsaw, who Light stated has already approved a \$20,000 agreement.

Light explained, the combined agreements, for a total not to exceed \$70,000, will allow HPG to conduct a study, which will be useful to identify and address needs within the community, as well as create an action plan regarding child care, early learning, workforce development, housing and community planning, which Light stated are topics that are often discussed throughout the county.

There was a brief discussion regarding the benefits of having such a study done and how much information could be gained.

MOTION: Brad Jackson

TO: Approve the \$20,000 agreement with

SECOND: Robert Conley

High Performance Government Network.

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF SYRACUSE-WAWASEE TRAIL:**

Wes Downing, A@Z Engineering LLC, came before the Commissioners and presented a Joint Use and Maintenance Agreement between the County and INDOT, concerning the trail project along SR 13. Downing stated approximately 2 years ago, the Commissioners had agreed to a Waiver of Bond on behalf of the trail, since they are a non profit, but since that time, INDOT has created the agreement presented and are now requiring an additional agreement with the County, regarding the use and maintenance of the trail. Downing explained that although the County will not be maintaining the trail, as stated in the agreement, postponing the execution of the agreement could cause the project to have to restart the process.

There was a brief discussion regarding the trail committee's commitment to maintain the trail and what options were available in entering into the agreement as it was prepared by INDOT, as not to uphold the progress of the project.

Chad Miner, County Attorney suggested including the park foundation, as a secondary party to the agreement, since they will be maintaining the trail. In addition, a separate agreement between the County and the Syracuse-Wawasee Trail Committee, clarifying the maintenance agreement was also discussed.

It was determined that Downing would communicate with INDOT as well as Attorney Miner and any resolutions would be presented to the Commissioners as available.

**IN THE MATTER OF TAX SALE CERTIFICATE RESOLUTION:**

Chad Miner, County Attorney, presented a resolution assigning tax sale certificate number 431800106 to the City of Warsaw. Miner described the parcel as a small piece of property on Gilliam Lane with a lift station on it. In addition, Miner stated a resolution was adopted at the last city council meeting, stating they would like to receive the tax sale certificate.

Miner also presented the tax sale certificate for signature of assignment.

MOTION:	Robert Conley	TO: Approve the resolution assigning tax sale
SECOND:	Brad Jackson	certificate number 431800106 to the City of
AYES:	3	NAYS: 0
UNANIMOUS		

**RESOLUTION NO. 19-06-11-002 (2019060450)**

As recorded in the office of the Kosciusko County Recorder.

**IN THE MATTER OF JUSTICE BUILDING/PROHIBITED ITEMS ORDINANCE:**

Chad Miner, County Attorney, presented a proposed ordinance to codify the policy the County currently has regarding firearms, knives greater than 2 inches and pepper spray being allowed into the Justice Building. Miner stated the proposed ordinance would not create a penalty, but would require the person entering the Justice Building to secure any of the said items in a vehicle or with another party, not entering the building.

MOTION:	Robert Conley	TO: Vote on the proposed ordinance
SECOND:	Brad Jackson	prohibiting firearms, knives greater than 2
AYES:	3	NAYS: 0
UNANIMOUS		

MOTION:	Robert Conley	TO: Adopt the ordinance prohibiting firearms,
SECOND:	Brad Jackson	knives greater than 2 inches in length and
AYES:	3	NAYS: 0
UNANIMOUS		

**ORDINANCE NO. 19-06-11-003 (2019060449)**

As recorded in the office of the Kosciusko County Recorder.

**IN THE MATTER OF TIPPY/CHAPMAN PUBLIC MEETING:**

Chad Miner, County Attorney, noted for public record, the Tippy/Chapman Regional Sewer District public hearing with IDEM date of June 13 was circulated in error. Miner stated the correct date and time of the Tippy/Chapman public hearing is June 26 from 6 pm to 9 pm at the North Webster Community Center. Miner addressed the media and requested circulation of the correct date and time. It was also noted that the incorrect date had been published by IDEM in error, not through anyone's negligence at the local level.

**IN THE MATTER OF SYRACUSE PUBLIC LIBRARY APPOINTMENT:**

Marsha McSherry, County Administrator, presented a recommendation of the Syracuse Public Library to appoint Dawn Burns to serve on the Syracuse Library Board.

MOTION:	Brad Jackson	TO: Accept the recommendation to appoint
SECOND:	Robert Conley	Dawn Burns to serve on the Syracuse Library
AYES:	3	NAYS: 0
Board.		

UNANIMOUS

**IN THE MATTER OF CREATIVE BENEFIT SOLUTIONS LLC AGREEMENT:**

Marsha McSherry, County Administrator, presented the agreement renewal with Creative Benefit Solutions, which is the company the county contracts with regarding health care benefits. McSherry stated the renewal contains an increase from \$3,000 to \$3,500 per month and will be in effect from July 1, 2019 to June 30, 2021.

MOTION: Brad Jackson

SECOND: Robert Conley

AYES: 3            NAYS: 0

UNANIMOUS

TO: Accept the contract renewal with Creative Benefit Solutions at a rate of \$3,500 per month from July 1, 2019 to June 30, 2021.

**IN THE MATTER OF JUSTICE BUILDING BOILER/CHILLER LOOP TREATMENT:**

Marsha McSherry, County Administrator, presented a proposal from CORE Mechanical Services Inc. in the amount of \$23,827.00 to drain and replace the glycol solution, which McSherry stated is a necessary treatment following the mechanical repairs that were needed during the previous winter's polar vortex.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3            NAYS: 0

UNANIMOUS

TO: Accept the proposal from CORE Mechanical Services Inc. in the amount of \$23,827.00 to drain and replace the glycol solution in the chiller and boiler loop system at the Justice Building.

**IN THE MATTER OF REAL PROPERTY ENDORSEMENT FEE ORDINANCE:**

Michelle Puckett, County Auditor, presented an ordinance to update a property endorsement fee, which is collected by the Auditor. Puckett stated the State recently amended Indiana Code 36-2-9-18 to increase the current fee of \$5.00 per deed to \$10.00 per deed, effective July 1, 2019.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3            NAYS: 0

UNANIMOUS

TO: Accept the ordinance increasing the Auditor's property endorsement fee from \$5.00 per deed to \$10.00 per deed, as directed by IC 36-2-9-18.

**ORDINANCE NO. 19-06-11-001 (2019060448)**

As recorded in the office of the Kosciusko County Recorder.

**IN THE MATTER OF NAPPANEE PUBLIC LIBRARY-CONFLICT OF INTEREST:**

Michelle Puckett, County Auditor, presented a conflict of interest disclosure form on behalf of the Nappanee Public Library, stating the library has indicated one of their board members, Brad Newcomer, has a conflict of interest, being that he owns an engraving business that occasionally contracts with the library for plaques.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3            NAYS: 0

UNANIMOUS

TO: Accept the conflict of interest disclosure between Nappanee Public Library and Brad Newcomer.

**IN THE MATTER OF NON PROFIT 2020 BUDGET REQUESTS:**

The following Non Profit organizations appeared before the Commissioners to request funding for the 2020 budget year:

- ❖ **St. Joe River Basin** – Matt Meersman, Director, stated the St. Joe River Basin is essentially an agency, created by the State of Indiana to provide a forum for the discussion, study and evaluation of water resource issues, such as water quality and drainage. Kosciusko County is 1 of 6 counties that have land that drains to the St. Joe River Basin. Since the state statute mandates how much each county is to contribute, based on a percentage of how much drainage is contributed, Meersman stated the 6% that

Kosciusko County is directed to contribute calculates to \$3,492, which is the same as last year's request, since no changes were made to the operating budget. Meersman continued, stating the State has increased support and counties can expect to see some more resources available in the future.

- ❖ **Historical Society** – Jerry Black, Treasurer, stated the 75<sup>th</sup> anniversary of D-Day display was a success and they are looking forward to future events scheduled, such as the log cabin set up at the fair and the paranormal festival. Black continued, stating although interest is shown in several projects the museum offers, there has been a decline in memberships as well as donations. In addition, Black stated the 3<sup>rd</sup> floor furnace and A/C was replaced this year. For these reasons, Black stated, the requesting for 2020 is \$24,000, which is an increase of \$1,000 from last year.
- ❖ **4-H Council** – Mindy Wise, Youth Development Educator, introduced new community wellness coordinator, Nathan Miller, whom Wise stated will be working to assess the health needs within the community and partnering with local organizations to best meet those needs. Wise gave an update of projects and events, including the landscaping design project taking shape at the fairgrounds. In addition, Wise stated although enrollment numbers were down slightly this year, they are working to expand programs and are discussing how to meet the needs of the youth in the community. The requested amount submitted for 2020 was \$44,347.
- ❖ **Cardinal Services** – Randy Hall, President/CEO, presented a request for support for the following 3 of the many programs they provide;
  - Headstart – serves children in classroom settings across the county whose families are generally living below the poverty level, some live with grandparents or in foster care, many receive mental health treatment and a large percentage have been assigned an IEP (individual education plan) after being diagnosed with a delay or disability.
  - Career links- assists with employment for people who are either physically or mentally disabled and/or debilitated by a life occurrence, sometimes working with students still in high school and sometimes later in life, following some sort of setback.
  - KABS- provides transportation to and from work, medical and dental appointments, and other various needs for low income individuals.The total requested amount submitted for 2020 was \$102,921.
- ❖ **Home Health Care** – Glenn Hall, Administrator, stated the purpose of the program is to help patients remain in their homes for as long as possible. Hall expressed that United Way funding was cut from the next budget year, which created a challenge as well as not being selected as a preferred provider through Lutheran Health Network, due to the fact that they only service patients within Kosciusko County. The requested amount submitted for 2020 was \$49,200.
- ❖ **Beaman Home** - Kacey Anderson, Associate Director, stated the Beaman Home, which is a residential facility that provides meals, job searches, therapy, empowerment programs, recovery programs for children and much more will reach its 35<sup>th</sup> year of serving Fulton, Marshall and Kosciusko Counties. Anderson continued, stating although state and federal grants have made significant cuts for utilities, food and transportation, Beaman Home is expanding programs such as providing 2 hours of childcare to allow for job interviews or doctor appointments. In addition, Anderson stated the need for services in our community continues to grow. The requested amount submitted for 2020 was \$40,000.
- ❖ **Council on Aging** – David Neff, Executive Director of Kosciusko County Senior Services, stated the purpose of their organization is to enable seniors to remain in their homes for as long as possible. Neff described their 3 main programs as follows:
  - Home Meal Delivery- approximately 85 meals are delivered to homes daily, which includes a wellness check-sometimes the volunteer is the only person to see the senior that day and when necessary help is called for the senior
  - Transportation- 5 vehicles meet the needs of seniors, providing rides to doctor appointments, shopping and other necessary travel
  - Senior Activity Center- provides seniors with hot meals and camaraderie

In conclusion, Neff listed some of the many things available to seniors such as Medicare advice, foot care, field trips, crafts, quilt presentations for veterans and much more. The requested amount submitted for 2020 was \$35,000.

❖ **Animal Shelter** – No one was present

❖ **Bowen Center** – Kurt Carlson, President/CEO, presented the 2018 annual report showing the breakdown of expenditures and stated one of the center's current projects is a federal qualified health care clinic, which is projected to be available by the end of this year.

Matt Graham, Director, talked about the partnership the center has formed with the school systems, stating within 2 hours of a child's need being reported, someone is there to assist with the crisis. Graham continued, stating they offer suicide interventions and provide educational programs on emotional wellness. In addition, Graham listed some of the substance use and recovery programs available through the jail programs. The requested amount submitted for 2020 was \$635,212-\$660,620.

Being no further business to come before the Commissioners, the meeting was adjourned.

## KOSCIUSKO COUNTY COMMISSIONERS June 25, 2019

The Kosciusko County Commissioners met for their regular meeting on June 25, 2019 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Cary Groninger - President  
Brad Jackson-Vice-President  
Robert Conley

Chad Miner – County Attorney  
Michelle Puckett – Auditor  
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

### **IN THE MATTER OF 2019 SENIOR HUB GRANT:**

Dan Hampton, County Prosecutor, presented the 2019 Senior HUB grant agreement for signature, stating it is a non-matching grant in the amount of \$20,000, that the county has been awarded in the past in order for IV-D and prosecutor staff who offer clerical support to outside prosecutors who fill in when a conflict of interest arises in child support collection.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3      NAYS: 0  
UNANIMOUS

TO: Approve the 2019 Senior HUB grant agreement in the amount of \$20,000 for clerical support to outside prosecutors who fill in when a conflict of interest arises in child support collection.

### **IN THE MATTER OF AREA PLANNING COMMISSION-FILING FEES ORDINANCE:**

Matt Sandy, Area Planning, presented an ordinance amendment, requesting a change in the current fee schedule. Sandy stated the Area Planning Commission has determined the fees, which were most recently increased in 2000, do not adequately cover the cost of the required advertising of public hearings. Sandy continued, stating filing fees as well as permit fees were reviewed and changes to both were recommended by a 6-1 vote, the 1 vote disagreeing with the changes suggested in permit fees, but otherwise in agreement.

There was a brief discussion regarding both options and the changes in filing fees and permit fees submitted and the cost increases supporting the increases requested.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3      NAYS: 0  
UNANIMOUS

TO: Approve ordinance amendment to increase filing fees as presented. It should be noted: Increases in permit fees were not included in the approval.

**ORDINANCE NO. 19-6-25-001 (2019061143)**

As recorded in the office of the Kosciusko County Recorder.

**IN THE MATTER OF PROCUREMENT POLICY RESOLUTION:**

Chad Miner, County Attorney, presented a resolution to adopt a county procurement policy, stating such a document, which is recommended by a state agency, is designed to govern purchasing procedures by various departments. Miner stated the policy specifically addresses the requirements for purchasing services, goods and materials, based on the amount and type of purchase.

There was a brief discussion regarding the details contained in the policy such as price brackets, quote requirements, and Commissioner approvals. In addition, Miner stated, purchases of supplies would fall under a special exception to provide the most cost effective savings.

MOTION: Brad Jackson

TO: Approve Procurement Policy, as

SECOND: Robert Conley

presented, effective September 1, 2019.

AYES: 3 NAYS: 0

UNANIMOUS

**RESOLUTION NO. 19-6-25-002 (2019061163)**

As recorded in the office of the Kosciusko County Recorder.

**IN THE MATTER OF BELL MEMORIAL LIBRARY APPOINTMENT-LARRY YEITER:**

Marsha McSherry, County Administrator, presented a certificate of appointment, on behalf of the Bell Memorial Library, reappointing Larry Yeiter to the board.

MOTION: Robert Conley

TO: Approve the appointment of Larry Yeiter

SECOND: Brad Jackson

to the Bell Memorial Library Board.

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF JAIL REPAIRS-ENTRY STEPS AND CONCRETE RAMP:**

Marsha McSherry, County Administrator, presented quotes from Butt & Timmons in the amounts of \$18,961 to reset the existing granite steps and replace top landing concrete at the north jail entry and \$13,871 to replace ramp concrete at jail entry for handicap accessibility. McSherry stated Butt & Timmons was the only quote as well as the only company available to do the work at this time.

MOTION: Brad Jackson

TO: Approve the quote from Butt & Timmons in the amounts of \$18,961 to reset the existing granite steps and replace top landing concrete at the north jail entry and \$13,871 to replace ramp concrete at jail entry for handicap accessibility.

SECOND: Robert Conley

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF JAIL ELEVATOR REPAIR:**

Marsha McSherry, County Administrator, stated the jail elevator is currently not working. McSherry presented a quote from KONE in the amount of \$78,174.60 as well as a quote from Schindler Elevator Corporation in the amount of \$99,510 and recommended the Commissioners consider the lower quote from KONE in the amount of \$78,174.60.

MOTION: Robert Conley

TO: Approve the quote from KONE in the amount of \$78,174.60 to repair the jail elevator.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

Being no further business to come before the Commissioners, the meeting was adjourned.

**KOSCIUSKO COUNTY COMMISSIONERS**

## July 9, 2019

The Kosciusko County Commissioners met for their regular meeting on July 9, 2019 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Cary Groninger - President  
Brad Jackson-Vice-President  
Robert Conley

Chad Miner – County Attorney  
Michelle Puckett – Auditor  
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

### **IN THE MATTER OF VETERAN OF THE MONTH – ROBERT MINARD SWANSON:**

Rich Maron, Veteran Service Officer, came before the Commissioners to introduce the July Veteran of the month, Robert Minard Swanson. Maron stated Swanson, who goes by Bob, was born on July 19th, 1931 in Warsaw, spent most of his life in Atwood, graduating from Atwood High School in 1950. Swanson owned and operated a standard gas station in Etna Green until his draft notice arrived in November of 1950.

In January of 1952, Swanson left with a group of young soldiers from Los Angeles, California to Schofield Army Base in Hawaii, for basic training. Swanson recalls 1 out of 3 from his class were sent to Korea. Swanson was assigned to the 867<sup>th</sup> artillery unit, just north of Anchorage Alaska, where it was soon discovered that Swanson had a gift for cutting hair and he was quickly delegated as the units barber.

Swanson served faithfully and honorably for 2 years until his discharge at the end of January 1954. Shortly after his return home, Swanson married his sweetheart, Phyllis Ailer, on April 23, 1954. Following barber college in Indianapolis, Swanson worked for Russ Knoop in a barber shop Knoop owned below the cigar store. In 1966, Swanson built a 26,000 layer chicken house and farmed for 12 years, then took a position as a salesman at Bruce Petro's and worked there for 24 years before retiring.

Bob and Phyllis Swanson have 5 sons, Greg, Mike, Scott, Jeff and David, along with 6 grandchildren and 3 great-grandchildren.

Maron and the Commissioners thanked Swanson for his service and presented him with a plaque.

### **IN THE MATTER OF YEAR END & COMMISSARY REPORTS-SHERIFF'S OFFICE:**

Kyle Dukes, County Sheriff, came before the Commissioners and presented the 2018 Year End Status and Commissary Reports.

### **IN THE MATTER OF TURKEY CREEK REGIONAL SEWER DISTRICT:**

Andrew Boxberger, Turkey Creek Regional Sewer District Attorney, presented a map showing the current boundary of the sewer district, stating there have been many challenges encountered since the project began, including but not limited to several assets, which are not currently within the territory. These assets, Boxberger stated, cannot be protected without authority. Boxberger requested the Commissioners voluntarily petition the Sewer District to add these assets to the territory, in order to afford them the ability needed, under Indiana Code, to protect them.

The proposed change was reviewed by Chad Miner, County Attorney, who stated he agrees it is possible to follow a relatively simple process, which will not force customers added to the territory to connect, as there are no service lines in these areas.

Upon further review, Miner confirmed that the statute, which supports a simplified streamline process, is available and stated this would allow the expansion of the territory by the Commissioners for the reasons discussed above.

MOTION: Brad Jackson  
SECOND: Robert Conley

AYES: 3      NAYS: 0

TO: Approve the addition to the Tippy  
Chapman Regional Sewer District territory,  
subject to satisfactory agreement between the



UNANIMOUS

Board of Commissioners and the County Attorney in creating the Petition, which is to include specific verbiage noting the additions will not be forced to connect.

Miner will prepare a Petition to be presented at the next meeting.

**IN THE MATTER OF AREA PLANNING-PETITION FILING FEE AMENDMENT:**

As a follow up to the Commissioners approval of *An Ordinance Amending and to Amend the Kosciusko County Zoning Ordinance Number 75-1 Misc. Record 53, Pg. 130*, increasing petition filing fees, which was submitted on behalf of the Area Plan Commission at the June 25, 2019 meeting. The document, reflecting changes the Commissioners requested on the original proposal, was presented for approval. The following change was reflected:

4.11.4 Petition Filing Fees: Appeal of Plan Director Determination \$150.00

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve document: *An Ordinance*

*Amending and to Amend the Kosciusko*

*County Zoning Ordinance Number 75-1 Misc.*

*Record 53, Pg. 130* as presented.

**ORDINANCE NO. 19-07-09-001 (2019070291)**

As recorded in the office of the Kosciusko County Recorder.

**IN THE MATTER OF ANIMAL CONTROL POLICY:**

Chad Miner, County Attorney, presented a proposed animal control policy stating, while it appears the current animal control policy, with respect to domestic animals, is acting in full compliance under State law, the Board of Commissioners is always looking out for the well-being of the County's citizens and therefore by adopting a more specific policy, it can be reasonably anticipated that specific guidelines will be effective in helping to protect animals as well as animal owners.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve Animal Control Policy

regarding domestic animals as presented.

**IN THE MATTER SYRACUSE-WAWASEE PARK FOUNDATION-TRAIL:**

Chad Miner, County Attorney, presented two proposed agreements; one between the Indiana Department of Transportation (INDOT) and the Board of Commissioners, and one between the Board of Commissioners and the Syracuse-Wawasee Park Foundation, stating the Foundation seeks to construct a trail along SR 13 located south of Syracuse.

The agreement with INDOT, Miner continued, has been amended to include the Foundation, as previously requested by the Commissioners. The agreement with the Foundation establishes the Commissioners' support of the project, a necessary step in the process, as well as assures the Commissioners that the responsibility of design, construction, maintenance, along with compliance with all applicable State and Federal Laws in regards to the trail, will be the responsibility of the Foundation.

MOTION: Brad Jackson

SECOND: Robert Conley

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve agreements with INDOT and

with the Syracuse-Wawasee Park Foundation

regarding the trail project along SR 13 located

south of Syracuse, to be constructed under

permit application number T0000114514, as

presented.

**IN THE MATTER OF ORDINANCE AMENDMENT PROPOSAL-BUGGY PLATES:**

Chad Miner, County Attorney, stated during the County's recent review of wheel tax fees, buggy plate fees were also considered, noting there have been no increases in fees since the most recent Ordinance from July of 2008. The proposed Ordinance, Miner stated, would increase the plate fee for each buggy to \$100, effective September 2, 2019.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Accept the proposed Ordinance  
Amendment, regarding buggy plate fees, for  
consideration.

**IN THE MATTER OF ORDINANCE AMENDMENT-BUGGY PLATES:**

Chad Miner, County Attorney, presented *An Ordinance Amending Ordinance No. 08-07-08-001 to Establish An Increase in the Annual Fee for Kosciusko County Residents Who Own Any Horse-Drawn Vehicles Used Upon Any County Roadway*, which would increase the current fee of \$30.00 to \$100.00.

There was a brief discussion between the Commissioners, noting the many concerns the Commissioners have received, as well as the County Council's discussions during recent public meetings regarding the amount of damage horses cause to roadways. In addition, it was noted that an increase would put Kosciusko County's fees more comparable to those of surrounding counties.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve *An Ordinance Amending Ordinance No. 08-07-08-001 to Establish An Increase in the Annual Fee for Kosciusko County Residents Who Own Any Horse-Drawn Vehicles Used Upon Any County Roadway*, as presented.

**ORDINANCE NO. 19-07-09-002 (2019070293)**

As recorded in the office of the Kosciusko County Recorder.

**IN THE MATTER OF ORDINANCE PROPOSAL -KOSCIUSKO COUNTY CONVENTION, RECREATION & VISITOR'S COMMISSION (KCCRVC):**

Chad Miner, County Attorney, stated while there are State statutes that govern the rules and procedures of the KCCRVC, the State Board of Accounts has suggested the County have an Ordinance in place, outlining those statutes.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Accept the proposed Ordinance,  
regarding the rules and procedures of the  
KCCRVC, for consideration.

**IN THE MATTER OF ORDINANCE-KOSCIUSKO COUNTY CONVENTION, RECREATION & VISITOR'S COMMISSION (KCCRVC):**

Chad Miner, County Attorney, presented *An Ordinance Setting Forth the Rules And Procedures Governing the Kosciusko County Convention, Recreation And Visitor's Commission*.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve *An Ordinance Setting Forth the Rules And Procedures Governing the Kosciusko County Convention, Recreation And Visitor's Commission*, as presented.

**ORDINANCE NO. 19-07-09-003 (2019070294)**

As recorded in the office of the Kosciusko County Recorder.

As a follow-up, Miner stated, the statutes within the Ordinance, contain a directive for a staggered appointment cycle for members of the Commission. Therefore, it should be noted: beginning January 1, 2020, members mid-way through their service, will be appointed for one additional year and any new members will be appointed for a two year term. Being no further business to come before the Commissioners, the meeting was adjourned.

**KOSCIUSKO COUNTY COMMISSIONERS**  
**July 23, 2019**

The Kosciusko County Commissioners met for their regular meeting on July 23, 2019 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Cary Groninger - President  
Brad Jackson-Vice-President  
Robert Conley

Chad Miner – County Attorney  
Michelle Puckett – Auditor  
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

**IN THE MATTER OF PRENATAL GRANT REQUEST:**

Bob Weaver, Health Department, came before the Commissioners and presented the annual prenatal grant request, in the amount of \$44,291, stating the grant is available through the Indiana State Department of Health and it is used for salary of the community health employee. Weaver continued, stating this will be the 30<sup>th</sup> year of applying for this grant.

MOTION: Brad Jackson

TO: Approve the prenatal grant request in the amount of \$44,291 for salary of community health employee.

SECOND: Robert Conley

AYES: 3            NAYS: 0

UNANIMOUS

**IN THE MATTER OF NON PROFIT RECOMMENDATIONS FOR 2020 BUDGET:**

There was a brief discussion regarding the obligation of the Commissioner's to provide a non profit recommendation for the 2020 budget to the Council. It was discussed that many non profit organizations are losing their funding but the requests submitted appear to be consistent with increases typically granted. It was noted the St. Joseph River Basin did not ask for an increase, due to an individual adjustment made last year, and the Bowen Center increase is mandated by the State.

MOTION: Brad Jackson

TO: Approve a recommendation of a 2% increase across the board, with the exception of the St. Joseph River Basin, to be left as is, and the Bowen Center, to be granted a 4% increase, as mandated by the State.

SECOND: Robert Conley

AYES: 2            NAYS: 0

Groninger Abstained

UNANIMOUS

**IN THE MATTER OF 2020 CALENDAR ADOPTION:**

A preliminary 2020 calendar, provided by the County Auditor based on prior years, was presented for review, noting the only change was in the Commissioner's December meeting schedule, putting two meetings one week apart, due to the Christmas Holiday.

MOTION: Brad Jackson

TO: Approve the County's 2020 Calendar, as presented.

SECOND: Robert Conley

AYES: 3            NAYS: 0

UNANIMOUS

**IN THE MATTER OF REPORT REGARDING ANIMAL CONTROL INCIDENT:**

Chad Miner, County Attorney, prepared and presented a report regarding an incident on July 19, 2019. Facts regarding the matter, as reported to Attorney Miner, were presented as follows:

- Animal Control Officer, Jerry Clase, was summoned to a property in Etna Green, following a complaint from a person residing at the property, that a severely ill looking dog had growled at and attempted to bite them
- Officer Clase, who was met by the landlord of the property, was led to a garage at the back of the property
- The garage door was open and inside, a dog, with an open sore of approximately a 6-8" diameter, hanging down 2-3", was observed by Officer Clase, along with blood and watery blood, believed to be the dog's
- Officer Clase took the dog into his custody and euthanized it, which Officer Clase stated he believed was necessary to avoid prolonged suffering

- The dog's owner contacted Officer Clase, later that day, and inquired about the dog as well as any trouble she may incur, as a result of the dog's condition
- Miner spoke with Officer Clase, the dog's owner, and the landlord of the property
- It was also noted that Commissioner Jackson contacted the dog's owner but the owner refused to speak with Jackson prior to today's scheduled meeting
- At the Commissioners' request, the Indiana State Police inquired into the situation and did not find any criminal conduct on the part of Officer Clase
- Relevant provisions from the Personnel Policy Handbook were reviewed and upon Attorney Miner conferring with Waggoner Irwin Scheele & Associates, Inc. (the County's human resource consultant), an appropriate range of discipline was suggested to be between a written reprimand and up to a five day suspension without pay

MOTION: Brad Jackson  
SECOND: Robert Conley  
AYES: 3        NAYS: 0  
UNANIMOUS

TO: Approve 5 day suspension without pay, as disciplinary action for Mr. Clase in regard to him not attempting to notify the property owner prior to the incident as presented.

**IN THE MATTER OF ANIMAL CONTROL POLICY:**

Chad Miner, County Attorney, presented *A Policy Regarding Abandoned or Neglected Animals and Injured Animals*, stating the document has been revised from the one reviewed at the last meeting due to changes in the law, which took effect July 1, 2019.

Miner stated the proposed policy contains directives for the animal control officer to follow when a domestic animal is found to be abandoned, neglected or injured, all of which include making every reasonable effort to contact the owner of the animal. Other directives include releasing the animal to the local animal shelter, seeking veterinary care when determined to be appropriate and consulting law enforcement officers when making a determination to euthanize under specified circumstances. In addition, Miner stated, although the proposed policy could be adopted as presented, it would require additional work to prepare a list of available veterinarians, along with a fee schedule, when such a list becomes available.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3        NAYS: 0  
UNANIMOUS

TO: Approve *A Policy Regarding Abandoned or Neglected Animals and Injured Animals* with the revision of Sec. 2 stating if the animal is suffering from illness or injury, then it should be taken to a listed veterinarian.

**IN THE MATTER OF TURKEY CREEK REGIONAL SEWER DISTRICT EXPANSION:**

Andrew Boxberger, Turkey Creek Regional Sewer District Attorney, presented an Application for *Inclusion of Territory in the Turkey Creek Regional Sewer District*, stating as a follow up to the previous Commissioner's Meeting where approval was granted subject to specific verbiage regarding additions not being forced to connect. Boxberger stated he and County Attorney, Miner, are in agreement with the application, as presented for approval. Attorney Miner concurred.

MOTION: Brad Jackson  
SECOND: Robert Conley  
AYES:            NAYS:  
UNANIMOUS

TO: Approve the *Application for Inclusion of Territory in the Turkey Creek Regional Sewer District* as presented.

**IN THE MATTER OF FURTHER BUSINESS TO COME BEFORE COMMISSIONERS:**

Kelly Bolenbaugh, Angie Wright, Trisha LeCount and Tracey Miner came before the Commissioners to discuss the animal control incident, as referenced above. Bolenbaugh presented a packet of information for the Commissioners to consider and after some discussion, it was suggested that given the quantity of documents presented and given the nature of Bolenbaugh's concerns that Bolenbaugh should follow up with Attorney Miner, and Miner offered to meet with Bolenbaugh following the meeting to review the information presented.

Being no further business to come before the Commissioners, the meeting was adjourned.

## KOSCIUSKO COUNTY COMMISSIONERS August 6, 2019

The Kosciusko County Commissioners met for their regular meeting on August 6, 2019 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN.

Those present were:

Cary Groninger - President  
Brad Jackson-Vice-President  
Robert Conley

Chad Miner – County Attorney  
Michelle Puckett – Auditor

Minutes were approved as presented. Claims were signed and approved for payment.

### **IN THE MATTER OF ORDINANCE AMENDMENT REQUESTS-PETIT & GRAND JURY AND JUVENILE DETENTION ALTERNATIVE INCENTIVE (JDAI) GRANT:**

Judge David Cates, came before the Commissioners and presented ordinance amendment requests, stating both the DOC policy for Petit and Grand Jury claims and the grant agreement for the JDAI grant, support gratuity allowance. Cates stated, although he understands county ordinance prohibits the inclusion of gratuity on standard claims, since there are specific allowances established for both jury and JDAI, he requested amendments to include gratuity.

MOTION: Brad Jackson

SECOND: Robert Conley

AYES: 3            NAYS: 0

UNANIMOUS

TO: Approve ordinance amendments to

include gratuity on claims presented for Petit  
& Grand Jury and JDAI grant funds.

Petit & Grant Jury

**ORDINANCE NO. 19-08-06-001 (2019080199)**

As recorded in the office of the Kosciusko County Recorder.

JDAI Grant

**ORDINANCE NO. 19-08-06-002 (2019080200)**

As recorded in the office of the Kosciusko County Recorder.

### **IN THE MATTER OF KABS-2<sup>ND</sup> QUARTER CLAIMS & LIMITED POA REQUEST:**

Amanda Landis, KABS Director, came before the Commissioners with the INDOT Contract Invoice for reimbursement period April 1, 2019 to June 30, 2019. The amount of reimbursement being requested is \$42,991 for the State share portion and \$102,310 for the Federal share portion. Landis stated KABS was able to provide 15,366 rides in the first quarter of 2019, which Landis stated is up slightly from what is typical this time of year.

In addition, Landis presented limited power of attorney forms, for the purpose of registering and plating the two new 2019 buses, just received.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3            NAYS: 0

UNANIMOUS

TO: Approve the quarterly contract invoice

report in the amounts of \$42,991 for the State  
share portion and \$102,310 for the Federal  
share portion, as well as approve the limited  
power of attorney documents for the purpose  
of registering and plating the new 2019 buses.

### **IN THE MATTER OF GRANT REQUESTS-EMERGENCY MANAGEMENT:**

Ed Rock, Emergency Management Director, came before the Commissioners, stating following the last grant application approved for submission through the State Homeland Security Grant Program, Rock was informed that more than one grant could be applied for. With only a few days between Rock receiving the notification and the deadline to submit applications, Rock stated he decidedly submitted three additional applications, based upon information he had already obtained regarding the needs of local response agencies.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve the three grant application requests, through the State Homeland Security Grant Program, as presented.

**IN THE MATTER OF SHERIFF SALARY:**

Chad Miner, County Attorney, gave a brief overview of the sheriff's salary, which Miner stated is on the Council's August 8, 2019 agenda. Miner presented affirmation that state statute provides two options for sheriff compensation; one includes a county contract and the other does not.

**IN THE MATTER OF ORDINANCES CREATING DONATION FUNDS:**

Chad Miner, County Attorney, presented donation fund ordinances for the following programs:

- Teen Court
- JCAP (Jail Chemical Addiction Program)
- Camp Hero

Miner stated, with members of the community having shown an interest in contributing monetarily to these programs, creating specific donation funds would allow the programs to receive donations, which would benefit said programs.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve ordinances creating donation funds for Teen Court, JCAP and Camp Hero, as presented.

Teen Court

**ORDINANCE NO. 19-08-06-003 (2019080201)**

As recorded in the office of the Kosciusko County Recorder.

JCAP

**ORDINANCE NO. 19-08-06-004 (2019080202)**

As recorded in the office of the Kosciusko County Recorder.

Camp Hero

**ORDINANCE NO. 19-08-06-005 (2019080203)**

As recorded in the office of the Kosciusko County Recorder.

**IN THE MATTER OF 2020 FIRE DISTRICT 2 GRANT REQUEST:**

Michelle Puckett, County Auditor, presented the 2020 Fire District 2 grant request in the amount of \$61,860. Puckett introduced Darrell Eiler, South Bend Fire Fighter, who extended his appreciation to the Commissioners for their assistance with the grant, stating he has been the district's representative for 10 of the past 12 years the grant has been utilized. Eiler stated the grant is used to fund local training by compensating training instructors, providing lumber and materials for live fire training and maintaining Warsaw's mobile training center. Eiler continued, stating 26 students are currently preparing to start classes in Kosciusko County, 28 students just finished training in Goshen and Rochester will soon be training 26 students. In conclusion, Eiler stated the classes provide certifications in Fire Fighter 1 & 2 courses, hazmat operations & technical rescue awareness training for both full-time and volunteer fire fighters.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve the 2020 Fire District 2 Grant in the amount of \$61,860.

**IN THE MATTER OF LETTER OF UNDERSTANDING- US 6 AT SR 13:**

Scott Tilden, County Highway Superintendent, presented a letter of understanding with INDOT, for an unofficial detour route, due to an intersection improvement at US 6 and SR 13 with the junction of CR 33 in Elkhart County. Tilden stated although the project will take place in Elkhart County, INDOT is requesting Kosciusko County's inclusion in the unofficial detour. The route, Tilden stated, will begin on CR 127 at the US 6 intersection, traveling south on CR 127 into Kosciusko County, which is CR 300E, continuing onto 1300N into Syracuse.

MOTION: Brad Jackson  
SECOND: Robert Conley  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve the letter of understanding with  
INDOT for an unofficial detour route as  
presented.

**IN THE MATTER OF SPEED LIMIT ORDINANCE-CR 850E & ADAMS ROAD:**

Scott Tilden, County Highway Superintendent, presented an ordinance, requesting the speed limit on CR 850E, between CR 150N and Adams Road, as well as Adams Road, between CR 850E and CR 900E, be reduced to 35 mph, due to a sharp “S” curve. The curve, Tilden stated, will be marked with signage and with the current speed limit of 55 mph, it would seem more appropriate to reduce the speed limit to 35 mph before the “S” curve signage, taking the speed limit to 20 mph.

MOTION: Brad Jackson  
SECOND: Robert Conley  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve ordinance reducing speed to 35  
mph on CR 850E between CR 150N and  
Adams Road as well as Adams Road between  
CR 850E and CR 900E.

**ORDINANCE NO. 19-08-06-006 (2019080204)**

As recorded in the office of the Kosciusko County Recorder.

**IN THE MATTER OF NO TRUCKS SIGN ORDINANCE-WRAY STREET:**

Scott Tilden, County Highway Superintendent, presented an ordinance, requesting “No Trucks” signs be placed onto Wray Street in Atwood, between Main Street and Hovey Street. Tilden stated trucks are unable to make the turns on Wray Street, without driving into property owners yards.

MOTION: Brad Jackson  
SECOND: Robert Conley  
AYES: NAYS:  
UNANIMOUS

TO: Approve ordinance for “No Trucks” signs  
to be placed on Wray Street in Atwood,  
between Main Street and Hovey Street.

**ORDINANCE NO. 19-08-06-007 (2019080205)**

As recorded in the office of the Kosciusko County Recorder.

**IN THE MATTER OF FURTHER BUSINESS TO COME BEFORE THE COMMISSIONERS:**

- Kelly Bolenbaugh, as recognized from the last Commissioner meeting, returned and inquired as to what progress has been made regarding the animal control ordinance and when it is expected to become policy. Chad Miner, County Attorney, stated the ordinance, which was adopted at the July 23, 2019 Commissioner meeting, became effective July 23, 2019 and is only projected to be revised as a list of veterinarians becomes available.

There was a brief discussion regarding the contents of the policy. Bolenbaugh requested a comparison of the policy to state law, at which time the Commissioners referred Bolenbaugh to County Attorney, Chad Miner, noting Bolenbaugh had been encouraged to speak with Attorney Miner at the July 23<sup>rd</sup> meeting regarding her concerns, but confirmed Bolenbaugh had not yet done so.

Following multiple eruptions, after Commissioner Conley called for “Point of Order”, a courthouse security officer suggested Bolenbaugh conclude her time at the podium.

Commissioner Jackson requested Attorney Miner review the current job description of the animal control officer as well as the animal control policy, and to confirm that they are both compliant with state law. Miner agreed to return to the Commissioners with any discrepancies.

- Roxanne Coffelt came before the Commissioners and shared concerns regarding the contents of the animal control policy as well as inquired as to the type of training animal

control officers obtain to determine the condition or prognosis of an animal in order to make a decision to euthanize.

Being no further business to come before the Commissioners, the meeting was adjourned.

## KOSCIUSKO COUNTY COMMISSIONERS August 20, 2019

The Kosciusko County Commissioners met for their regular meeting on August 20, 2019 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Cary Groninger - President  
Brad Jackson-Vice-President  
Robert Conley

Chad Miner – County Attorney  
Michelle Puckett – Auditor  
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

### **IN THE MATTER OF VETERAN OF THE MONTH – RORY EUGENE ZIMPELMAN:**

Rich Maron, Veteran Service Officer, came before the Commissioners to introduce the August Veteran of the month, Rory Eugene Zimpelman, stating Zimpelman was born in 1984, at Kosciusko Community Hospital, to Randy and Elizabeth Zimpelman. He grew up in Akron, Indiana, attended Tippecanoe Valley Middle School, and graduated from North Miami High School in 2002.

One month after graduation, Zimpelman shipped off to MCRD San Diego for recruit training, with plans to become a part of the flight crew on a C130 aircraft but it wasn't what he imagined and said he hated it, so he was allowed to cross train into Data Communications and Radio Operations. This would take Zimpelman to 29 Palms California, the Marine Corps Air Ground Combat Center. It was about this time the US military invaded Iraq and was marching towards Baghdad.

After Zimpelman completed his schooling and training, he received orders to good old hot and muggy Camp Lejeune, North Carolina, where he would be stationed with the 2<sup>nd</sup> Marine Division, HQ Company Service and Support Battalion.

Towards the end of 2004, Zimpelman received assignment to Iraq and shipped out February 5, 2005, spending the next year there, where it was hot, dry and smelly, Zimpelman recalls. Fortunately, the Iraqis didn't like the idea of the comm guys getting killed, so Zimpelman said he didn't have to go outside the wire more than a handful of times, but he also said the locals did like to communicate with them and they did so with mortars and rockets; their base was basically target practice.

While in Iraq, Zimpelman was awarded the Marine Corps Good Conduct Medal and also the Navy/Marine Corps Achievement Medal. Zimpelman was honorably discharged, returning home to Warsaw in February of 2006. He got a job as a polisher at ZimmerBiomet where he met his wife of six years, Jessica. In their free time Zimpelman and his wife like to race triathlons, bowl, and go hiking. Zimpelman also enjoys woodworking and riding his motorcycle.

Zimpelman's late grandfather, Major Thomas N. Daniel, was a pilot in the Air Force from 1955-1975, serving in combat in both Korea and Vietnam. He served with Special Forces unit 1<sup>st</sup> Mobile Strike Force in Da Nang Vietnam and his military honors include two Purple Hearts and the Air Force distinguishing Flying Cross for his actions in the skies over Vietnam.

Zimpelman extended his appreciation for the recognition of serving his country, stating although he is not the type of person to seek out acknowledgment, it feels very good to be acknowledged. In addition, Zimpelman stated he very much appreciated the opportunity to share his grandfather's accomplishments, as he was a huge influence on him as a young child; he was and still is his hero.



**IN THE MATTER OF GRANT REQUESTS-HEALTH DEPARTMENT:**

Bob Weaver, Health Department, came before the Commissioners and presented the following annual grant requests: Public Health Emergency Preparedness in the amount of \$15,454, Local Health Maintenance in the amount of \$48,859 and Indiana Local Health Depart Trust Account in the amount of \$34,816, stating the county has been utilizing all three grants for many years.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3            NAYS: 0

UNANIMOUS

TO: Approve the Public Health Emergency Preparedness grant in the amount of \$15,454, the Local Health Maintenance grant in the amount of \$48,859 and the Indiana Local Health Depart Trust Account grant in the amount of \$34,816.

**IN THE MATTER OF MAXIMUS AGREEMENT RENEWAL-CLERK:**

Ann Torpy, County Clerk, presented an agreement with Maximus for approval, stating Maximus is a company the Clerk's Office has contracted with for many years, to prepare their Title IV-D claims. Title IV-D is a federal program, for which the county can claim reimbursement for time spent on child support enforcement cases.

County Attorney, Chad Miner, stated he had reviewed the renewal contract and did not have any objections.

MOTION: Brad Jackson

SECOND: Robert Conley

AYES: 3            NAYS: 0

UNANIMOUS

TO: Approve the renewal of the contract with Maximus, as presented.

**IN THE MATTER OF ARNOLT CORP PROPERTY:**

Chad Miner, County Attorney, stated the City of Warsaw is working with the Arnolt Corp Receivership to obtain ownership of the property. If an agreement can be reached, Miner stated, it is assumed the City will then take whatever action they deem necessary. In the process of reaching an agreement, Miner stated, the City has requested the 2019 pay 2020 property taxes, estimated between \$450 and \$500, be removed.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3            NAYS: 0

UNANIMOUS

TO: Approve the removal of the 2019 pay 2020 property taxes on the Arnolt Corp property.

**IN THE MATTER OF WARSAW COMMUNITY SCHOOLS-CLINIC AGREEMENT:**

Marsha McSherry, County Administrator, presented an agreement between the Board of Commissioners and Warsaw Community Schools (WCS), establishing the rent for the clinic building pursuant to WCS joining the clinic September 1, 2019.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3            NAYS: 0

UNANIMOUS

TO: Approve the clinic agreement with Warsaw Community Schools, as presented.

**IN THE MATTER OF CARDINAL SERVICES-AMENDED CLINIC AGREEMENT:**

Marsha McSherry, County Administrator, presented an agreement between the Board of Commissioners and Cardinal Services, amending the rent due to Warsaw Community Schools joining the clinic.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3            NAYS: 0

UNANIMOUS

TO: Approve the amended clinic agreement with Cardinal Services, as presented.

**IN THE MATTER OF CHILLER CONDENSING COIL REPAIR-OLD COURTHOUSE:**

Marsha McSherry, County Administrator, presented two proposals from CORE; one to replace the existing condensing coil in the chiller for \$9721 and one to recharge the existing chiller coil for \$1650. McSherry recommended the replacement of the chiller coil in the amount of \$9721.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the replacement of the chiller coil in the old courthouse for \$9721.

**IN THE MATTER OF POWER VENTING BOILERS-OLD COURTHOUSE:**

Marsha McSherry, County Administrator, presented two proposals for power venting the boilers in the old courthouse, stating the damage from using the chimney has affected the outside of the courthouse, as well as the inside. McSherry stated both companies have recommended power venting out the north side of the building to eliminate using the chimney. Dilling Group Inc quoted an amount of \$34,215 and the CORE Mechanical quoted an amount of \$36,729. In addition, McSherry stated the life expectancy of the boilers is approximately 15 years, at which time the newer venting should still be compatible with an updated system.

MOTION: Brad Jackson

SECOND: Robert Conley

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the Dilling Group Inc quote in the amount of \$34,215 for power venting the boilers in the old courthouse.

**IN THE MATTER OF REZONING REQUEST-PILCHER:**

Dan Richard, Plan Commission Director, came before the Commissioners and presented a request to rezone approximately 108 acres, off the north side of Barbee Lake, from public use to agricultural. Richard stated the property, which was once owned by the Barbee Christian Camp, has been sold to private ownership and although the current owner has no definite plan for the property, they would like to establish more options by rezoning. Richard concluded, stating the Area Plan Commission made a unanimous recommendation to allow the rezoning.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the request to rezone a 108A tract, off the north side of Barbee Lake, from public use to agricultural as presented.

Debra Pilcher, property owner, came before the Commissioners and stated she requested the zoning change.

**ORDINANCE NO. 19-08-20-001 (2019080773)**

As recorded in the office of the Kosciusko County Recorder.

**IN THE MATTER OF REZONING REQUEST-KENDRICK:**

Dan Richard, Plan Commission Director, came before the Commissioners and presented a request to rezone approximately 8 acres, located at the intersection of SR 15 and Union Road, from agricultural to agricultural 2, which would allow for subdividing. Richard concluded, stating the Area Plan Commission made a unanimous recommendation to allow the rezoning.

Carl Kendrick, property owner, came before the Commissioners and stated he would like to put a house on one of the subdivided lots.

MOTION: Brad Jackson

SECOND: Robert Conley

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the request to rezone an 8A tract, at the intersection of SR 15 and Union Road from agricultural to agricultural 2 as presented.

**ORDINANCE NO. 19-08-20-002 (2019080774)**

As recorded in the office of the Kosciusko County Recorder.

Being no further business to come before the Commissioners, the meeting was adjourned.

**KOSCIUSKO COUNTY COMMISSIONERS**  
**September 3, 2019**

The Kosciusko County Commissioners met for their regular meeting on September 3, 2019 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Cary Groninger - President  
Brad Jackson-Vice-President  
Robert Conley

Chad Miner – County Attorney  
Michelle Puckett – Auditor  
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

**IN THE MATTER OF VETERAN OF THE MONTH – CHARLES (CHUCK) BROWER:**

Rich Maron, Veteran Service Officer, came before the Commissioners and introduced the September Veteran of the month, Charles (Chuck) Brower, stating Brower was born in 1926 to Victor and Lela Brower of Dowagiac, Michigan and then moved back to Indiana, living in the Pierceton and North Webster areas. Brower is the 5<sup>th</sup> son out of a family of 6 boys and 1 girl, his 4 younger brothers also serving in the military, in one branch or another.

Maron quoted Brower as saying, “I signed up for the military when I was a senior in high school. Then they said I wasn’t old enough yet but as soon as I became old enough they called me and I enlisted in the US Army Air Force.”

Maron continued, stating during WWII, Brower did his boot camp at Ft Bragg, North Carolina. He had wanted to be a pilot but was told they had all the pilot positions filled, so he was given a choice of being a mechanic or a gunner and he chose gunner.

Brower went to gunnery school in Denver, Colorado, with part of his training including riding in the back of a truck and shooting clay targets down with a machine gun. Brower received his highest score in competition with all the other gunners at gunnery school, which prepared him for his first duty assignment, which was Gunner Bombardier on a B17 aircraft.

Brower received his first duty assignment to England but the day before his crew was set to leave, Germany surrendered and their flight was cancelled. He was then reassigned to B29 Gunnery School, which kept him in the Denver, Colorado area. He again received an overseas duty assignment, but then Japan surrendered and so went his chances of seeing any action.

After that, Maron stated, while on a military leave, Brower hitch hiked from Denver to California to visit his brother, Eldon, who was stationed there with the Merchant Marines. He stopped in Los Angeles and went to the Palladium and was picked out of the crowd and found himself up on the stage with a chorus of dancing girls.

Along the way, Brower ended up in New Orleans and because Mardi Gras was going on, he decided to stay awhile. Back in those days, when you hitch hiked, people would always stop for a man in uniform and give them a lift or buy them a meal. Brower recalled one time when Brian Donlevy, the movie star, bought him a beer. Brower also recalled that if you could find a YMCA in those days, you were always given a free room to rest in.

Brower made it to Florida in time to begin what would be his final assignment and was stationed with an Air Sea Rescue Unit and they would fly over the ocean and look for people or boats in distress but Brower never had to rescue anyone.

When Brower’s service ended, he was honorably discharged and began his trip back home to Indiana. While he was hitch hiking from Florida, he ran across an auction, where they were auctioning a Model T Fire Truck and since no one bid on it, Brower offered them \$25.00 and they agreed. Brower made it as far as the Florida/Georgia line and two of the tires blew out. At a filling station, where he tried to buy tires, he found they were obsolete and couldn’t be found, Brower sold it to the man at the filling station for \$50.00, making a profit.

Following his time in the military, Brower enrolled at Tri State University through the GI Bill and received his Civil Engineering Degree and in 1961, he ran for the position of Kosciusko County Surveyor, which he won and held the position for 28 years, until his retirement in 1989.

Brower holds the longest consecutive term of any surveyor in Kosciusko County history. During his term, Brower earned his Surveyor's license and mentored Richard Kemper and Mike Kissinger, who would both progress to the position of County Surveyor.

Brower is the proud father of two wonderful children, daughter, Sue Gladieux of North Webster, who has worked in the surveyor's office for 45 years and trumps her father in time of service, and son, Mike Brower, of Lexington, Kentucky, who is retired from his vocation in public television.

Maron and the Commissioners thanked Brower for his service and presented him with a plaque.

**IN THE MATTER OF 2019 STOP ARM VIOLATION ENFORCEMENT (SAVE) GRANT REQUEST:**

Chris McKeand, First Sergeant, Sheriff's Office, presented the 2019 Stop Arm Violation Enforcement (SAVE) grant request, stating the grant is a continuation of the Criminal Justice Institute grants such as DUI and OPI, which the County already participates in. The \$8,000 grant, McKeand continued, pays the salary of officers who participate in morning and afternoon patrols of school zones, watching for violators of the school bus arm laws.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3      NAYS: 0  
UNANIMOUS

TO: Approve the 2019 Stop Arm Violation Enforcement (SAVE) grant in the amount of \$8,000.

**IN THE MATTER OF VEHICLE REPLACEMENT REQUEST-HEALTH DEPARTMENT:**

Bob Weaver, Health Department Administrator, came before the Commissioners with vehicle replacement bids, stating the 2019 budget contains money for the vehicle and will be 100% paid through grant money

County Attorney, Chad Miner, presented the following fleet bids for a 2020 Chevrolet Silverado 1500 LT, 4WD Crew Cab, stating this will be the first time the County's newly adopted procurement policy will be utilized:

Dealership	MSRP	Discounts	Trade-In	Final Price:
Lakeside Chevrolet	\$51,050.00	\$12,915.55 (less fees)	\$27,000	\$11,320.70
Kelly Chevrolet	\$51,050.00	\$14,300	\$26,000	\$10,750.00

Miner stated although three bids had been requested, Warsaw GMC opted not to submit a bid, stating they do not offer fleet vehicles.

Weaver's recommendation was to accept the lowest bid submitted. For clarification, Weaver stated trucks are typically replaced while still under warrantee and when there is enough grant money available to support the full purchase price. In addition, Weaver stated, any warrantee work that the vehicle requires has historically been done through the local dealership, even if the vehicle was not purchased from them.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3      NAYS: 0  
UNANIMOUS

TO: Accept the bid in the amount of \$10,750 from Kelly Chevrolet for the purchase of a 2020 Chevrolet Silverado 1500 LT, as presented.

**IN THE MATTER OF MILFORD PUBLIC LIBRARY BOARD APPOINTMENT-CAROLYN ZIMMERMAN:**

Marsha McSherry, County Administrator, presented a Certificate of Appointment, stating Carolyn Zimmerman has agreed to complete Andrea Newman's term with the Milford Public Library Board and the Board has recommended the appointment.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3      NAYS: 0

TO: Accept the recommendation of the Milford Public Library Board to appoint Carolyn Zimmerman.

UNANIMOUS

**IN THE MATTER OF ACCESS ROAD AT SYRACUSE INDUSTRIAL SITE:**

Marsha McSherry, County Administrator, presented a Letter of Support with CSX, proposing an access road at the industrial site at Syracuse.

Commissioner Jackson stated moving the access road to the west, while the overpass is being put in, will provide service vehicles a more viable transition.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the recommendation of the access road at the overpass site in Syracuse as presented.

**IN THE MATTER OF BID DATE FOR BRIDGE #9 RECONSTRUCTION:**

Scott Tilden, County Highway Superintendent, came before the Commissioners to request October 29, 2019 at 9:15AM to accept bids for the reconstruction of Bridge #9, which is located on Husky Trail over Deeds Creek.

MOTION: Brad Jackson

SECOND: Robert Conley

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the October 29, 2019 bid date for the reconstruction of Bridge #9.

**IN THE MATTER OF BID DATE FOR 2020 ANNUAL COUNTY HIGHWAY SUPPLIES:**

Scott Tilden, County Highway Superintendent, came before the Commissioners to request November 12, 2019 at 9:15AM to accept bids for the 2020 Annual County Highway Supplies.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3 NAYS: 0

MOTION CARRIED

TO: Approve the November 12, 2019 bid date for the 2020 Annual County Highway Supplies.

Being no further business to come before the Commissioners, the meeting was adjourned.

## KOSCIUSKO COUNTY COMMISSIONERS

### September 17, 2019

The Kosciusko County Commissioners met for their regular meeting on September 17, 2019 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Cary Groninger - President  
Brad Jackson-Vice-President  
Robert Conley

Chad Miner – County Attorney  
Michelle Puckett – Auditor  
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

**IN THE MATTER OF KABS-CONTRACT INVOICE:**

Amanda Landis, KABS Director, came before the Commissioners and presented the INDOT Contract Invoice-Voucher for the purchase of two buses, previously approved, which Landis stated will allow INDOT to issue the check.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the INDOT Contract Invoice-Voucher in the amount of \$88,160 as presented.

**IN THE MATTER OF PUBLIC DEFENDER BOARD APPOINTMENT-ALAN ALDERFER:**

Judge Reed came before the Commissioners with a Resolution to appoint Alan Alderfer as a member of the County Public Defender Board. Reed explained, the statute regarding the three appointments to the already established Board, which the Commissioners previously appointed annually, has been changed (effective July 1, 2019) to require only one appointment by the Commissioners, every three years. Of the remaining two three-year appointments, one will be made by the Judges of the juvenile and criminal jurisdictions and the other by the State Public Defender Commission.

MOTION: Brad Jackson

SECOND: Robert Conley

AYES: 3            NAYS: 0

UNANIMOUS

TO: Approve the three year appointment of Alan Alderfer to the County Public Defender Board.

**RESOLUTION NO. 19-09-17-001 (2019090673)**

As recorded in the office of the Kosciusko County Recorder.

**IN THE MATTER OF JUSTICE PARTNERS ADDICTIONS RESPONSE GRANT REQUEST:**

Jude Reed requested approval to apply for the Justice Partners Addiction Response Grant, stating the 100% \$60,000 grant, which is to be used to address the opioid crisis, would be put toward additional JCAP sessions in the jail, if awarded.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3            NAYS: 0

UNANIMOUS

TO: Approve the Justice Partners Addictions Response Grant Request in the amount of \$60,000.

**IN THE MATTER OF HVAC REPAIR-JUSTICE BUILDING:**

Marsha McSherry, County Administrator, presented a proposal from CORE Mechanical Services Inc in the amount of \$51,963 to replace the chiller compressor and contactor on the HVAC on the Justice Building, which will need to be repaired as an emergency expense.

Attorney Miner confirmed the repair qualifies under the emergency policy.

MOTION: Brad Jackson

SECOND: Robert Conley

AYES: 3            NAYS: 0

UNANIMOUS

TO: Approve the estimate from CORE Mechanical Services Inc in the amount of \$51,963 for the HVAC repair at the Justice Building.

**IN THE MATTER OF COUNTY HIGHWAY ORDINANCE-ELWOOD STREET:**

Scott Tilden, County Highway Superintendent, presented an Ordinance to establish a stop sign on the southwest corner of Elwood Street and Grandview Drive for Elwood Street to stop and a yield sign on the southeast corner of Grandview Drive and Truesdell Avenue. Tilden stated there are currently no signs at the intersection, creating a safety concern.

MOTION: Brad Jackson

SECOND: Robert Conley

AYES: 3            NAYS: 0

UNANIMOUS

TO: Approve a stop sign on the southwest corner of Elwood Street and Grandview Drive for Elwood Street to stop and a yield sign on the southeast corner of Grandview Drive and Truesdell Avenue.

**ORDINANCE NO. 19-09-17-002 (2019090674)**

As recorded in the office of the Kosciusko County Recorder.

While awaiting the advertised 9:15 timeslot for the next item of business, Commissioner Conley commended the County Auditor and employees for receiving a perfect 2018 audit by the State Board of Accounts, stating in all five areas the Board focused on, they found no issues.

County Auditor, Michelle Puckett, thanked the Commissioners for the acknowledgement and stated the results of the audit were truly a group effort and could have only been attained with the cooperation of all the County's departments as well the Council and Commissioners who have supported and worked diligently to help meet the requirements of the SBOA.

**IN THE MATTER OF VACATION FOR J JOHNSON, M HUNTER & J SIMS-ROY  
HOHMAN SUBDIVISION:**

Dan Richard, Area Plan Director, and Richard Helm, Attorney for the Petitioners, came before the Commissioners with a request to vacate a portion of undeveloped roadway on the north side of Yellow Creek Lake in Roy Hohman Subdivision. Richard stated efforts have been ongoing to get all of the property owners along the established roadway to petition for the vacation of the roadway, which was never developed. In conclusion, Richard stated a unanimous recommendation was made by the Area Planning Commission to vacate the undeveloped roadway as well as reestablish the roadway as it is physically located.

Helm stated this is the last parcel to petition for vacation of the undeveloped roadway, which upon approval will enable a dedication of right-of-way as well as a consolidation deed.

No one appeared to speak in favor of or against the petition and the Commissioners closed the matter to the public.

MOTION: Brad Jackson

SECOND: Robert Conley

AYES: 3            NAYS: 0

UNANIMOUS

TO: Approve the vacation of a portion of undeveloped roadway on the north side of Yellow Creek Lake in Roy Hohman Subdivision, as presented.

**ORDINANCE NO. 19-09-17-004 (2019090737)**

As recorded in the office of the Kosciusko County Recorder.

**IN THE MATTER OF REZONING FOR JOHN & DORA MILLER FROM  
AGRICULTURAL TO AGRICULTURAL II:**

Dan Richard, Area Plan Director, came before the Commissioners with a request to rezone an 8 acre tract, located in the northwest corner of the county, near CR1350 N and CR850 W, from Agricultural to Agricultural II. Richard stated with the Petitioners want to provide an additional platted lot for a family member. Since the original tract of ground has exhausted the maximum amounts of selloffs, Richard stated, with the Petitioners' agreement to limit the selloffs to two, it was the unanimous recommendation of the Area Planning Commission that the rezoning be approved.

Scott Federoff, representing Steve Snyder, Attorney for the Petitioners, stated he concurred with Richard's presentation of the request.

No one appeared to speak in favor of or against the petition and the Commissioners closed the matter to the public.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3            NAYS: 0

UNANIMOUS

TO: Approve request to rezone an 8 acre tract, located in the northwest corner of the county, near CR1350 N and CR850 W, from Agricultural to Agricultural II, as presented.

**ORDINANCE NO. 19-09-17-003 (201909675)**

As recorded in the office of the Kosciusko County Recorder.

**IN THE MATTER OF REZONING FOR BLUE BARN BERRY FARM FROM  
RESIDENTIAL TO AGRICULTURAL:**

Dan Richard, Area Plan Director, came before the Commissioners with a unanimous recommendation from the Area Planning Commission to rezone 8+acres, located at CR 300E, near B20 Lane from residential to agricultural. Richard stated the already established, Blue Barn Berry Farm, has grown beyond the exceptions that have been granted as a residential district for the berry farm. It is therefore the request of the farm, Richard stated, to rezone the property with the intention of requesting a commercial recreation exception to allow for what they are currently using the property for and that changing the zoning to agricultural would open the door to allow

the exception request to go before the Board of Appeals. Richard continued, stating following an extensive meeting and review of the request, the Area Planning Commission made a determination that the land is suited for agricultural development and the exceptions that could possibly come along with that, and therefore recommended the change in zoning.

Commissioner Jackson enquired as to what activities would be allowed on the property by changing the zoning and not the exceptions. Richard stated weddings are currently not allowed and the farm is currently limited to berry farm activities such as schools and canning classes. In addition, Richard stated the hearing in 2016 allowed for expansions that included the buildings and while weddings were discussed, the only use approved was that of the berry farm. In anticipation of future requests for changes in the property's use, Richard concluded, the only issue brought before the Commissioners today, is whether the land is agricultural.

The following clarifications were made by Richard, following concerns of the Commissioners:

- A determination can be made by the Commissioners on the matter presented, even if there is a violation
- Approving the request presented would only change the classification of the land, it would not change the use of the property

Jack Birch, Attorney for the Petitioners, presented the following information:

- The property consists of approximately 16 acres, currently zoned residential
- The request presented is to rezone 8.16 acres to agricultural, which has historically been used as agricultural. The current owners do not intend to develop the property as residential, though there may have previously been intentions to do so
- 60% of the property's current use is crops and 3 sides of the property are adjoined by agricultural properties
- The unanimous recommendation of the Area Planning Commission to rezone the property to agricultural indicates agreement with the current use
- The request presented is an attempt to clean up a situation the Petitioners created while they were unrepresented and lacked guidance in the proper procedures to accomplish the intended goal of the property, which was to include a wedding venue with the berry farm

Scott Federoff, Petitioner for the remonstrators residing on the north side of Lake Jacob, presented the following information:

- The Petitioners have established a facility that doesn't suit the area, to be used as a banquet hall that accommodates 200-300 people, which allows live music and drinking and weekly noise that is undesirable by some of the residents on the lake
- The Remonstrators purchased their lakefront properties in a residential area without the knowledge that a banquet hall would be located so close and that their enjoyment of the quiet lake would be disturbed on a continuous basis
- Since the venue was established without going through the proper procedures, it would seem unfair to the existing residents to allow the change in zoning, which may ultimately lend allowance to an exception

Birch responded, presenting documentation to support the origination of the berry farm, stating the farm itself was approved as it currently exists, with the only exception being the ability to accommodate weddings and social gatherings and reminded the Commissioners that the only decision to be made by the present request is whether the land itself is best described as agricultural or residential.

Don Bucher, property developer, came before the Commissioners, stating the pond, which was dug for family use many years ago, was done while the land was still zoned agricultural. The south side of the lake was never intended for residential use, Bucher continued, stating he has personally farmed the property for more than 30 years, even though at the time of the rezoning for the few homes to be constructed, the entire 16 acres were rezoned to residential based on a recommendation to keep them the same.

The Commissioners closed the matter to the public and held a brief discussion.

MOTION: Brad Jackson  
SECOND: Robert Conley

TO: Table the matter until the October 15,  
2019 Commissioners Meeting, where it will



AYES: 3 NAYS: 0  
UNANIMOUS

be re-addressed and considered for a determination.  
It should be noted: The Commissioners strongly encouraged both parties to communicate with each other and make every effort to come to an agreement amongst themselves.

Being no further business to come before the Commissioners, the meeting was adjourned.

## KOSCIUSKO COUNTY COMMISSIONERS October 1, 2019

The Kosciusko County Commissioners met for their regular meeting on October 1, 2019 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Cary Groninger - President  
Brad Jackson-Vice-President  
Robert Conley

Chad Miner – County Attorney  
Jaime Ladd – Auditor Chief Deputy  
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

### **IN THE MATTER OF KEDCO-SUPPORT REQUEST:**

Alan Tio, KEDCo CEO, presented a request for \$50,000 in additional funding for 2019, stating a one-time donation would be helpful in several of the ongoing projects KEDCo is currently working on, such as the recruitment of out-of-state individuals into companies within our county, job placement for partners/spouses of those who are recruited, broadband deployment, and industrial park development.

The Commissioners extended appreciation to Tio for his accomplishments and took the request for support under advisement.

### **IN THE MATTER OF EAGLE SCOUT-LUKE SPURLIN:**

Luke Spurlin came before the Commissioners and was recognized for his accomplishment as an Eagle Scout. Commissioner Groninger introduced Spurlin and a plaque was presented.

### **IN THE MATTER OF SERVER UPGRADES:**

Bob Momeyer, Systems Administration Director, requested permission to proceed with 2 server upgrade projects, stating several of Microsoft's operating systems will become unsupported in January of 2020. Momeyer continued, stating he recommends Central Square for the update of the software supporting the 911 Center, the jail, and the Sheriff's road officers, including the migration of data, which will minimize downtime, in the amount of \$13,820 and Sound Communications for the operating software as well as hardware supporting all calls, which are recorded through the Dispatch Center in the amount of \$17,829.58.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve the recommendations of Central Square in the amount of \$13,820 and Sound Communications in the amount of \$17,829.58 as presented.

### **IN THE MATTER OF GRANT REQUESTS-EMERGENCY MANAGEMENT:**

Ed Rock, Emergency Management Director, requested permission to apply for the following grants:

EMPG 2019 Kosciusko Salary	\$50,000	50% EMA salary reimbursement
EMPG Competitive 2019	\$5,000	Public education materials
SHSP 2020 Kosciusko UAS	\$100,000	Assist Sheriff with drone program
HMEP 2020	\$10,000	Hazardous materials training

MOTION: Brad Jackson

TO: Approve EMPG 2019 Kosciusko Salary,

SECOND: Robert Conley  
AYES: 3 NAYS: 0  
UNANIMOUS

EMPG Competitive 2019, SHSP Kosciusko 2020 UAS and HMEP 2020 in the amounts of \$50,000, \$5,000, \$100,000 and \$10,000.

**IN THE MATTER OF 2020 INTER-LOCAL AGREEMENT FOR TERMINAL SERVICES DATA:**

Marsha McSherry, County Administrator, presented annual renewals for Terminal Services Data agreements, stating all outer-lying law enforcement agencies within the county, contribute to the cost of remote access to software for data searching.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve the 2020 Inter-local agreements as presented.

**IN THE MATTER OF 2020 NONPROFIT AGREEMENTS:**

In the absence of Michelle Puckett, County Auditor Chief Deputy, Jaime Ladd, presented the 2020 Nonprofit Agreements, as approved through the 2020 budget process.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve the 2020 Nonprofit agreements as presented.

**IN THE MATTER OF SMALL STRUCTURE INSPECTION AGREEMENT-COUNTY HIGHWAY:**

Scott Tilden, County Highway Superintendent, presented an engineering agreement with USI Consultants Inc, for small structure inspections. Tilden stated the agreement, which would span 2 years, would not exceed \$167,500.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve the small structure inspection agreement as presented.

**IN THE MATTER OF LPA CONSULTING CONTRACT-COUNTY HIGHWAY:**

Scott Tilden, County Highway Superintendent, presented an agreement with VS Engineering Inc in an amount not to exceed \$258,200, for consulting services for Bridge #161 Replacement, carrying traffic on CR 200S over Walnut Creek, as required in support of federal funds awarded. The contract amount, Tilden stated, will be reimbursed by 80%, once the phases of the work are complete.

MOTION: Brad Jackson  
SECOND: Robert Conley  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve the consulting contract with VS Engineering Inc, in an amount not to exceed \$258,200, for Bridge #161, as presented.

**IN THE MATTER OF SPEED LIMIT ORDINANCE-CR 450N:**

Scott Tilden, County Highway Superintendent, presented an ordinance for a speed limit of 35 MPH on CR 450N, between Brown and Sullivan Roads, which Tilden stated is currently an unposted 55 MPH zone.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve the speed limit ordinance of 35 MPH on CR 450N from Brown Road to Sullivan Road.

**ORDINANCE NO. 19-10-01-001 (2019100061)**  
As recorded in the office of the Kosciusko County Recorder.

**IN THE MATTER OF ACCEPTANCE FOR COUNTY MAINTENANCE:**

Scott Tilden, County Highway Superintendent, presented an acceptance of maintenance of 505 feet of Crows Nest Drive, within Crows Nest Subdivision, stating the roadway meets the County Highway's requirements to maintain it.

MOTION: Brad Jackson

TO: Approve the acceptance of maintenance

SECOND: Robert Conley

of 505 feet of Crows Nest Drive, as presented.

AYES: 3            NAYS: 0

UNANIMOUS

**IN THE MATTER OF FURTHER BUSINESS:**

Marsha McSherry, County Administrator, noted for the record, at the Live Healthy Kosciusko County lunch recently, the county's health and wellness committee was nominated for an award, and although they did not win, they put a lot of effort into the program. In addition, McSherry stated, the JCAP program and the Prenatal program were also both nominated.

Being no further business to come before the Commissioners, the meeting was adjourned.

## KOSCIUSKO COUNTY COMMISSIONERS

### October 15, 2019

The Kosciusko County Commissioners met for their regular meeting on October 15, 2019 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Cary Groninger - President

Chad Miner – County Attorney

Brad Jackson-Vice-President

Michelle Puckett – County Auditor

Robert Conley

Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

**IN THE MATTER OF KABS PURCHASE AGREEMENT & 2020 GRANT REQUESTS:**

Amanda Landis, KABS Director, came before the Commissioners, stating the most recent INDOT review resulted in no findings. In addition, Landis presented the 2020 operating and capital grant requests as well as an order form for the purchase of a low floor minivan and a medium transit bus for 2020.

MOTION: Brad Jackson

TO: Approve the 2020 operating and capital

SECOND: Robert Conley

grant requests and the INDOT purchase

AYES: 3            NAYS: 0

agreement for the low floor minivan and

UNANIMOUS

medium transit bus as presented.

**IN THE MATTER OF RESOLUTION TO APPROVE VOTE CENTER-CLERK:**

Ann Torpy, County Clerk, presented a Resolution, requesting approval to make Kosciusko County a vote center county, stating approval, which is just the first step in the process, would allow further research into the statistics of the County, aiding in determining how many vote centers will be needed and what locations they should be placed. Torpy continued, stating adding vote centers would provide significant cost savings to the County by streamlining polling locations, by making each location accessible to any voter and eliminating the need and expense of so many poll workers at various locations. Torpy concluded, stating the flexibility for voters to cast their votes at locations outside their polling locations, may allow for more people to vote.

MOTION: Robert Conley

TO: Approve the Resolution to Approve

SECOND: Brad Jackson

Kosciusko County as a Vote Center County.

AYES: 3            NAYS: 0

UNANIMOUS

**RESOLUTION NO. 19-10-15-001 (2019100856)**

As recorded in the office of the Kosciusko County Recorder

**IN THE MATTER OF REQUEST TO PURCHASE E-POLL PADS-CLERK:**

Ann Torpy, County Clerk, presented a request to purchase E-Poll Pads, stating funds are available in the county election board budget for the purchase of the pads.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3 NAYS:  
UNANIMOUS  
TO: Approve the purchase of e-poll pads as presented.

**IN THE MATTER OF MARIPOSA DRIVE ORDINANCE-AREA PLANNING:**

Lee Taylor, Area Planning, presented an Ordinance, stating Mariposa, which was originally platted as Mariposa Circle is being used by the residents as Mariposa Drive. Taylor concluded, stating changing the name to Drive is necessary to match the County Highway's ledger.

MOTION: Brad Jackson  
SECOND: Robert Conley  
AYES: 3 NAYS: 0  
UNANIMOUS  
TO: Approve the Ordinance renaming Mariposa Circle as Mariposa Drive.

**ORINANCE NO. 19-10-15-002 (2019100857)**

As recorded in the office of the Kosciusko County Recorder

**IN THE MATTER OF PERMITTING SOFTWARE-AREA PLANNING:**

Matt Sandy, Area Planning, presented a request to pursue permitting software, stating in recent research, Schneider Geospatial seems to offer the most benefit with the programs the County is looking to utilize and therefore, Sandy recommends going with Schneider Geospatial for the permitting software. Sandy concluded, stating prior to executing any agreements, Sandy will have Attorney Miner review any documents and Sandy will present any further detail, such as funding, to the Commissioners for approval.

MOTION: Robert Conley  
SECOND: Cary Groninger  
AYES: 3 NAYS: 0  
UNANIMOUS  
TO: Approve the recommendation of Schneider Geospatial for the permitting software.

**IN THE MATTER OF MACOG BROWNFIELDS COALITION MEMO OF AGREEMENT-AREA PLANNING:**

Matt Sandy, Area Planning, presented a memorandum of agreement with Brownfields Assessment Coalition, stating as a member of the Brownfields Coalition with MACOG for the past few years, studies are being done regarding the redevelopment of the Brownfields sites. The agreement presented, Sandy stated, will continue to further opportunities within the County.

James Turnwald, MACOG, stated MACOG works to provide information and available resources to Brownfields Coalition members by working with organizations such as the EPA, which most recently approved a \$600,000 grant for work in testing of contaminated properties.

Commissioner Groninger stated attending MACOG meetings has provided him with information which supports the utilization of the projects available through grants and other resources in matters relating to environmental issues.

Turnwald clarified the term Brownfield is used when a property is confirmed to be or even suspected to be contaminated and stated properties are never tested without the consent or request of the property owner.

MOTION: Brad Jackson  
SECOND: Robert Conley  
AYES: 3 NAYS: 0  
UNANIMOUS  
TO: Approve the Brownfields Assessment Coalition Memorandum of Agreement as presented.

**IN THE MATTER OF 911 COMMUNICATIONS-REQUEST TO USE FUNDS FROM EDIT:**

Bob Momeyer, Systems Administration, requested the use of \$36,627 of funds from EDIT for the replacement of 30 computers within the 911 Communications Center, stating by January of 2020 Widows 7, the existing system, will no longer be supported.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3            NAYS: 0

UNANIMOUS

TO: Approve the request of \$36,627 from the EDIT fund for 30 computers for the 911 Communications Center.

**IN THE MATTER OF MAINTENANCE REQUEST-OLD COURTHOUSE:**

Marsha McSherry, County Administrator, presented a quote in the amount of \$3,750 to repair and maintain a portion of the west side of the old courthouse as well as a quote in the amount of \$3,480 to repair the interior west wall of the attic in the old courthouse. Both repairs, McSherry confirmed, are necessary due to damage from the chimney.

MOTION: Brad Jackson

SECOND: Robert Conley

AYES: 3            NAYS: 0

UNANIMOUS

TO: Approve quotes in the amounts of \$3,750 and \$3,480 for repairs to the old courthouse, due to damage from the chimney.

**IN THE MATTER OF REPLACEMENT OF WORK RELEASE PAGING SYSTEM:**

Marsha McSherry, County Administrator, presented a quote from SDS Communications to replace the paging system at the Work Release facility, due to a lightning strike. McSherry stated she anticipates receiving more than the quote submitted and therefore, requested approval to make decisions regarding further anticipated repairs to the Work Release facility from damages due to the lightning strike, with the stipulation that McSherry will present the expenditures at the next Commissioner meeting. In conclusion, McSherry confirmed some of the expenses will be covered by insurance, following a \$5,000 deductible.

County Attorney, Chad Miner, did not present any objection to the County Administrator making decisions in the matter, under the circumstances presented, stating emergencies arise and the two weeks between meetings does not always accommodate the timeliness required in certain cases.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3            NAYS: 0

UNANIMOUS

TO: Approve permission for the County Administrator to make decision regarding repairs to the Work Release building due to the lightning strike.

**IN THE MATTER OF ACCEPTANCE FOR COUNTY MAINTENANCE-DOVE LANE:**

Scott Tilden, County Highway Superintendent, presented a request for acceptance for county maintenance on Dove Lane, stating Blue Bird Acres Subdivision, 1<sup>st</sup> and 2<sup>nd</sup> Addition have met the County's specifications to receive county maintenance.

MOTION:

SECOND:

AYES: 3            NAYS: 0

UNANIMOUS

TO: Approve the acceptance for county maintenance on Dove Lane as presented.

**IN THE MATTER OF REZONING REQUEST-BLUE BARN BERRY FARM:**

Dan Richard, Area Planning gave a brief review from the presentation given at the September 17, 2019 Commissioner meeting, in which the Commissioners tabled their decision, to allow time for the parties to work together to reach an agreement. Richard stated the request is to rezone approximately 8 acres, owned by Blue Barn Berry Farm, from residential to agricultural, which would open the door for an exception request for a commercial/recreational use. In conclusion, Richard stated the unanimous recommendation of the Area Planning Commission was to allow the rezoning.

Jack Birch, Attorney for Petitioner, stated he was happy to announce an agreement has been reached between the Blue Barn Berry Farm and the remonstrators in the matter and therefore, provided the voluntary conditions are accepted along with the request to rezone, the parties that

had opposed the request, will agree to withdraw their remonstrance in this request as well as the exception request to follow.

Steve Snyder, Attorney for the remonstrators, confirmed the information presented by Attorney Birch to be an accurate account of the agreement reached.

Having found no one else to speak for or against the matter, the Commissioners closed the matter to the public and held a brief discussion.

MOTION: Brad Jackson  
SECOND: Robert Conley  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve the request of Blue Barn Berry Farm to rezone approximately 8 acres from residential to agricultural with the voluntary conditions as presented.

**ORINANCE NO. 19-10-15-003 (2019100858)**

As recorded in the office of the Kosciusko County Recorder

Being no further business to come before the Commissioners, the meeting was adjourned.

**KOSCIUSKO COUNTY COMMISSIONERS**  
**October 29, 2019**

The Kosciusko County Commissioners met for their regular meeting on October 29, 2019 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Cary Groninger - President  
Brad Jackson-Vice-President  
Robert Conley

Chad Miner – County Attorney  
Michelle Puckett – Auditor  
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

**IN THE MATTER OF VETERAN OF THE MONTH – TOM PRICKETT**

Rich Maron, Veteran Service Officer, came before the Commissioners to introduce the October Veteran of the month, Tom Prickett, stating Prickett was born December 8, 1934, in Nappanee Indiana, where he spend most of his childhood until he moved to Syracuse in 1947. Prickett graduated from Syracuse High School in 1952.

In September of 1956, Prickett was drafted into the US Army, with basic training at Fort Hood, Texas, where he attended cook training school. Following Prickett's graduation, he was assigned to US Army Garrison, Vicenza, Italy, where he spent the next 2 years.

After Prickett was honorably discharged in 1959, he returned to Syracuse, worked for Tom Socks Sportswear for 4 years, before purchasing the business, which he ran for 16 years. Prickett then received his real estate license, which he had for 43 years.

In 1995, Prickett married his beautiful wife, Vicki, and they opened their own real estate office. The Pricketts have a daughter, Mary Ellen Prickett, 2 grandchildren, Zoe Ellen White and Lola Mae Baker, and a great grandchild, Dallas Allen Kinney.

Prickett is the past president of the Syracuse Wawasee Rotary, the Syracuse Town Board, the Flotilla Committee, and the Wawasee Chamber of Commerce, as well as a member of the Masonic Lodge, the Scottish Rite and the Mizpah Shrine.

Maron and the Commissioners thanked Prickett for his service and presented him with a plaque.

**IN THE MATTER OF CHILDREN'S ADVOCACY CENTER GRANT REQUEST-  
PROSECUTOR:**

Dan Hampton, Prosecutor, presented a grant request for creating a child advocacy center, stating it would be used for forensic interviews with children who are victims of or witnesses to crimes.

Hampton stated the purpose is to reduce as much stress and anxiety for the children as possible, by providing a team of representatives from various services, such as law enforcement, DCS, mental health and others, to assess and assist the child in need. In addition, Hampton stated the nearest facilities currently available, are in Elkhart and Allen Counties and the goal is to create the center under the grant and eventually convert to a non profit organization.

There was a brief discussion regarding the County's future responsibility for funding of the non profit. Hampton stated with the amount of resources available willing to support the project, future government funding should not be necessary.

MOTION: Brad Jackson  
SECOND: Robert Conley  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve the Children's Advocacy Center grant request in the amount of \$98,749.13 as presented.

**IN THE MATTER OF CHIRP GRANT REQUESTS-SHERIFF'S OFFICE:**

Chris McKeand, Sheriff's Office, presented grant requests for the following:

- |                                                        |             |
|--------------------------------------------------------|-------------|
| • 2020 DRE Police CHIRP Grant Request                  | \$1,500.00  |
| • 2020 PED-Bike Police CHIRP Grant Request             | \$9,000.00  |
| • 2020 Program Click It to Live It CHIRP Grant Request | \$21,400.00 |
| • 2020 DUITF Operating While Intox CHIRP Grant Request | \$11,000.00 |
| • 2020 SIDEV Police CHIRP Grant Request                | \$2,200.00  |
| • 2020 DDE Police CHIRP Grant Request                  | \$2,200.00  |

McKeand stated the grants, which have been utilized by the county for several years, have historically been individual grants but have been lumped together for 2020, under CHIRP (Comprehensive Hoosier Highways Injury Reduction Program) with the applicant having the option to select the programs they intend to participate in.

MOTION: Brad Jackson  
SECOND: Robert Conley  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve the CHIRP grant requests, as presented.

**IN THE MATTER OF PYRAMID CONSULTING:**

Marsha McSherry, County Administrator, presented an agreement with Pyramid Consulting, for countywide broadband assessment, in the amount of \$11,000.

MOTION: Brad Jackson  
SECOND: Robert Conley  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve the agreement with Pyramid Consulting, in the amount of \$11,000, for countywide broadband assessment.

**IN THE MATTER OF PERSONNEL POLICY ORDINANCE:**

Marsha McSherry, County Administrator, presented an ordinance amending the personnel policies handbook, stating the amendment adds to the existing no smoking within county buildings and/or vehicles policy, a clause to include electronic smoking devices.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve the personnel policy ordinance amendment to include electronic smoking devices into the existing smoking policy.

**ORDINANCE NO. 2019-10-29-001 (2019101499)**  
As recorded in the office of the Kosciusko County Recorder.

**IN THE MATTER OF ANNUAL LEASE AGREEMENT- COUNTY HIGHWAY AND TOWN OF SILVER LAKE:**

Marsha McSherry, County Administrator, presented a lease agreement between the County Highway Department and the Town of Silver Lake, stating the annual lease of \$1 per year for 20 years, is an agreement to allow County Highway to use ground throughout the year.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve the annual lease agreement between the County Highway and the Town of Silver Lake, for \$1 per year for 20 years.

**IN THE MATTER OF PROJECT COORDINATION CONTRACT-BRIDGE #161:**

Scott Tilden, County Highway Superintendent, presented a coordination project agreement for preliminary engineering on bridge #161, located on CR 200S over Walnut Creek, with a maximum amount of federal funds of \$206,560. Tilden stated this is the 80% of the eligible costs for preliminary engineering, with the whole project being 80/20, scheduled to begin in 2023-2024.

MOTION: Brad Jackson  
SECOND: Robert Conley  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve the project coordination contract for bridge #161 in the amount of \$206,560.

**IN THE MATTER OF SNOW & ICE CONTROL POLICY:**

Scott Tilden, County Highway Superintendent, presented an amended snow and ice control policy, with changes on page 3, section E, defining how the contractor is to be paid for hauling, stockpiling and returning salt and sand.

MOTION: Brad Jackson  
SECOND: Robert Conley  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve the Snow & Ice Control Policy as presented.

**IN THE MATTER OF BID OPENING FOR BRIDGE #9 RECONSTRUCTION:**

Scott Tilden, County Highway Superintendent, came before the Commissioners requesting to open bids. Chad Miner, County Attorney, opened the bids submitted. The following were the results:

Bid Item	Bridge #9 Reconstruction				
Name	Total Base Bid	+Alt A	+Alt B	+Alt C	+All Alts
Phend & Brown	\$2,268,794.92	No Bid	No Bid	\$2,241,494.92	No Bid
Rieth-Riley	\$1,981,326.00	No Bid	No Bid	No Bid	No Bid
HRP Construction	\$1,585,075.42	No Bid	No Bid	No Bid	No Bid

Tilden made the recommendation to the Commissioners to take all the bids under advisement and stated he would review the bids and return to the November 12, 2019 meeting with his recommendation.

**IN THE MATTER OF FURTHER BUSINESS-KABS 3<sup>rd</sup> QUARTER CLAIM:**

Matt Boren, Cardinal Services, came before the Commissioners, and presented KABS 3<sup>rd</sup> Quarter Claim for approval. Boren stated the amount of reimbursement requested is \$39,135 for the state share and \$92,509 for the federal share.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve KABS 3<sup>rd</sup> Quarter claim in the amounts of \$39,135 for the state share and \$92,509 for the federal share.

**IN THE MATTER OF FURTHER BUSINESS-SURVEYOR EQUIPMENT:**

Mike Kissinger, County Surveyor, came before the Commissioners, requesting their recommendation for disposing of a portable core drilling machine and a large generator. Kissinger stated the items were purchased 8-10 years ago, from the section-corner perpetuation fund, and while they are still in good condition, they are no longer needed.



There was a brief discussion regarding what other offices have done in similar situations. County Auditor, Michelle Puckett, stated the age of the items exceed any real value, due to depreciation.

The Commissioners' recommendation was to check with other offices, such as the County Highway Department, to see if they have a need for the items.

**IN THE MATTER OF FURTHER BUSINESS-SURVEYOR UPDATE ON PLUNGE CREEK DRAINAGE PROJECT:**

Mike Kissinger, County Surveyor, gave an update on the Plunge Creek drainage project, located on CR 400E, stating the project was completed last week and there were no issues to report, following the significant amount of rain we just had. In addition, Kissinger stated the land owners in the area are very appreciative of the results and were very helpful during the process.

**IN THE MATTER OF FURTHER BUSINESS-JERRY CLASE RETIREMENT:**

The Commissioners extended appreciation to Animal Control Officer, Jerry Clase, for his time and many years of service to the community and congratulated Clase on his retirement.

Being no further business to come before the Commissioners, the meeting was adjourned.

## KOSCIUSKO COUNTY COMMISSIONERS November 12, 2019

The Kosciusko County Commissioners met for their regular meeting on November 12, 2019 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Cary Groninger - President  
Brad Jackson-Vice-President  
Robert Conley

Chad Miner – County Attorney  
Michelle Puckett – Auditor  
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

**IN THE MATTER OF VETERAN OF THE MONTH – WILLIAM MILLER:**

Rich Maron, Veteran Service Officer, introduced the November Veteran of the month, William Miller, stating Miller was born on December 1, 1965 in Columbia City to Lloyd & Barbara Sue Miller. Miller joined the Army in 1985, taking basic training and advanced infantry training at Fort McClellan, Alabama, where he trained to become a member of the military police. After successful completion of training, Miller was assigned to the 978<sup>th</sup> Military Police Company, where he remained until 1998.

Miller, and wife Stacey, were married in February of 1986, and in May he received orders for Mueenster Army Base in Diburg Germany, where he spent the next four years as part of the NATO Physical Security Force. Miller's next assignment took him to Fort Bragg, North Carolina, where he served the next eight years, including a one year assignment in South Korea.

Miller was honorably discharged in 1999 and he returned to Warsaw, where he became a member of the National Guard Armory 315. Miller's unit was called into action for Operation Iraqi Freedom in Kuwait and Iraq. In addition, Miller served with his 293<sup>rd</sup> Guard Unit in a humanitarian effort to help with the cleanup following hurricane Katrina.

Miller retired from the military in 2006, resides in Warsaw, and is currently employed by Shiloh Industries in Pierceton. He and his wife, Stacey, have two children: a son, Tim and daughter-in-law Melissa, who are currently stationed in Fort Bragg, North Carolina, a daughter, Chandler, and two grandchildren, Asher and Aubrey. Miller and his son were the first father-son combination to be stationed together in Operation Iraqi Freedom.

Maron and the Commissioners thanked Miller for his service and presented him with a plaque.

Miller thanked the Commissioners for the acknowledgement and accepted the plaque on behalf of his brothers.

**IN THE MATTER OF 2020 TEEN COURT GRANT REQUEST:**

Betsey Vastbinder, Teen Court Director, presented the 2020 Teen Court grant request in the amount of \$129,039, stating she, along with Lana Horoho, Teen Court Case Manager, oversee the program. Vastbinder stated there are currently 44 open cases, with the first 2 cases just recently closed. The structure of the program, Vastbinder continued, is to hold teens to the high standard our community expects by supporting them while they learn behaviors that are acceptable.

MOTION: Robert Conley

TO: Approve the 2020 Teen Court grant request in the amount of \$129,039.

SECOND: Brad Jackson

AYES: 3            NAYS: 0

UNANIMOUS

**IN THE MATTER OF PURDUE CONTRACTUAL SERVICES AGREEMENT:**

Kelly Heckaman, Director, Purdue Extension, presented the 2020 Purdue Contractual Services Agreement, stating the contract amount was approved by County Council, during the budgeting process for 2020.

MOTION: Robert Conley

TO: Approve the 2020 Purdue Contractual Services Agreement, as presented.

SECOND: Brad Jackson

AYES: 3            NAYS: 0

UNANIMOUS

**IN THE MATTER OF E-POLL BOOK CONTRACT:**

Ann Torpy, County Clerk, presented a contract with knowINK, for the purchase of e-poll books for the 2020 elections. Torpy stated the cost savings, which were anticipated with Verizon did not reflect a savings, and therefor recommended knowINK, which offers a much more cost effective service. Included in the annual agreement presented, Torpy concluded, are 50 ipads, printers, software with updates included, along with a buy-back option if the number of ipads needed turns out to be lower than the original 50 purchased.

MOTION: Brad Jackson

TO: Approve the contract with knowINK, for the purchase of e-poll books for the 2020 elections, as presented.

SECOND: Robert Conley

AYES:            NAYS:

UNANIMOUS

**IN THE MATTER OF ELECTION CYBER SECURITY:**

Ann Torpy, County Clerk, presented information from the Secretary of State stating although it is not required, it is recommended that counties provide additional cyber security for voting systems, as well as suggested counties use the same service used by the State. At this time, Torpy continued, it appears the State will pay for the service, with FireEye, through at least 2022. Torpy concluded, stating the IT staff have participated in the discussions and determined the FireEye security service to be compatible with the county's software.

MOTION: Brad Jackson

TO: Approve entering into a Cyber Security Agreement, with FireEye.

SECOND: Robert Conley

AYES: 3            NAYS: 0

UNANIMOUS

**IN THE MATTER OF KABS-GENERAL MANAGER:**

Matt Boren, Cardinal Services Corporate Vice President, introduced Tony Peterson to the Commissioners, stating Peterson has been selected as the recommendation for KABS general manager, a position formerly held by Amanda Landis, who left to pursue another job opportunity. Boren stated Peterson, who has worked with Cardinal Services for the past 16 years, currently as the adult services director, has a lot of experience and knowledge to offer.

MOTION: Robert Conley

TO: Approve the recommendation of Tony

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

Peterson, for the position of KABS general manager.

**IN THE MATTER OF 2016 DIOBLIGATED GRANT FUNDS REQUEST:**

Ed Rock, Emergency Management Director, stated previously approved grants for a perimeter chemical testing device and dual band radios have been approved, items have been purchased and received, and in order to meet the grant requirements for reimbursement, checks will need to be issued prior to end of the month. Rock stated, upon the approval of the additional appropriation request, scheduled to be heard by Council later in the week, he would request the Commissioners' approval to issue the two checks outside of the regular pay cycle.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the request to issue checks outside of the regular pay cycle to accommodate the grant requirements for the perimeter chemical testing device and dual band radios.

**IN THE MATTER OF TRAVEL STATUS CLARIFICATION-EMA:**

Ed Rock, Emergency Management Director, stated for clarification purposes as we head into the winter season, the three levels of travel status are indicators of what condition the county roads are in. Rock continued, stating an advisory (yellow) means conditions are favorable for slick or hazardous roads and drivers should use caution. A watch (orange), Rock continued, means roads have been determined to be slick and hazardous and drivers should avoid any unnecessary travel and a warning (red), which requires a declaration from the Commissioners, means travel is not advised and emergency personnel may not be able to reach you, should you take the risk.

**IN THE MATTER OF BID RECOMMENDATION FOR BRIDGE #9:**

Scott Tilden, County Highway Superintendent, stated bids were recently opened for Bridge #9, which is located on Husky Trail over Deeds Creek. The following four bids were received:

**Bridge #9 Reconstruction**

Name	Total Base Bid	+Alt A	+Alt B	+Alt C	+All Alts
Phend & Brown	\$2,268,794.92	No Bid	No Bid	\$2,241,494.92	No Bid
Rieth-Riley	\$1,981,326.00	No Bid	No Bid	No Bid	No Bid
<del>HRP Construction</del>	<del>\$1,585,075.42</del>	<del>No Bid</del>	<del>No Bid</del>	<del>No Bid</del>	<del>No Bid</del>

With an engineer's estimate of \$1,269,418.22, and the lowest bid (HRP) being withdrawn due to an error, leaving the next closest bid over \$700,000 above the engineer's estimate, Tilden stated, his recommendation would be to reject all the bids and request an alternative structure type from our consultant, which would be more conducive to the Count's budget.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Accept the recommendation to reject all bids and request an alternative structure type from our consultant.

**IN THE MATTER OF CR 800W ORDINANCE:**

Scott Tilden, County Highway Superintendent, submitted an ordinance prohibiting certain thru traffic on CR 800W, from US Highway 30 to Indiana State Road 19, stating since the roadway was recently redone through the Community Crossings project, considering the poor soil conditions in the area, restricting use would be beneficial to the longevity of the repairs.

Chad Miner, County Attorney, stated the ordinance presented would prohibit any commercial or agricultural vehicle, or any vehicle with a combined gross weight above 26,000 pounds from using the roadway as a thru-way but farmers using the road to access their fields would still be permitted to do so. In addition, Miner stated the ordinance states signs would be posted and first time offenders would incur a \$100 fine and subsequent offences would be \$200.

MOTION: Robert Conley

SECOND: Brad Jackson

TO: Approve the ordinance prohibiting certain thru traffic on CR 800W, from US Highway

AYES: 3 NAYS: 0 30 to Indiana State Road 19 as presented.  
UNANIMOUS

**ORDINANCE NO. 19-11-12-001 (2019110516)**  
As recorded in the office of the Kosciusko County Recorder.

**IN THE MATTER OF OPENING BIDS FOR THE COUNTY HIGHWAY 2020 ANNUAL SUPPLIES:**

Chad Miner, County Attorney, opened bids submitted for the 2020 annual highway supplies.  
The following were the results:

Vendor	Location	Supply
Great Lakes Chloride	Warsaw, IN	Calcium chloride dust control
Columbia City Mill Service	Columbia City, IN	Slag aggregate
Elkhart County Gravel	Warsaw, IN	Gravel
Irvine Materials Inc	Huntington, IN	Limestone
Phend & Brown	Milford, IN	Gravel
RJ Keirn Trucking	Claypool, IN	Limestone
Speedway Sand & Gravel	Fort Wayne, IN	Gravel
Ransbottom Excavating	Claypool, IN	Limestone
Dalton's Inc	North Webster, IN	Weed spray & brush control
Debco Metal Culverts	Francesville, IN	Culvert pipe/multiple sizes
St Regis Culvert Inc	Indianapolis, IN	Culvert pipe/multiple sizes
Debco Metal Culverts	Francesville, IN	Concrete Simple Bridge Pkgs-Multi sizes
CivilCon	Jeffersonville, IN	Concrete Simple Bridge Pkgs-Multi sizes
Primco Inc	Fort Wayne, IN	Concrete Simple Bridge Pkgs-Multi sizes
Debco Metal Culverts	Francesville, IN	Bigger culvert structures-Multi sizes
St Regis Culvert Inc	Indianapolis, IN	Bigger culvert structures-Multi sizes
CivilCon	Jeffersonville, IN	Bigger culvert structures-Multi sizes
Asphalt Materials	Warsaw, IN	Liquid Bituminous-Multi grades
Pierceton Trucking	Warsaw, IN	Liquid Bituminous-Multi grades
Lemler Oil, Inc	Bourbon, IN	On & off road diesel
Phend & Brown	Milford, IN	Plant rental for mixing HAC or HAE
Brooks Construction Co	Fort Wayne, IN	Hot mix asphalt
Niblock	Columbia City, IN	Hot mix asphalt
Phend & Brown	Milford, IN	Hot mix asphalt
Central Paving Inc	Logansport, IN	Hot mix asphalt
Brooks Construction Co	Fort Wayne, IN	Hot mix asphalt (laid by contractor)
Niblock Excavating	Columbia City, IN	Hot mix asphalt (laid by contractor)
Phend & Brown	Milford, IN	Hot mix asphalt (laid by contractor)
Ceres Solutions Coop	Wabash, IN	On road & Off road Diesel fuel
Petroleum Traders	Fort Wayne, IN	On road & Off road Diesel fuel
Lemler Oil Company	Bourbon, IN	On road & Off road Diesel fuel
United Oil Corporation	Columbia City, IN	On road & Off road Diesel fuel
Timber Bridge & Culvert Inc	Portage, MI	Timber Bridge Pkgs

Scott Tilden, County Highway Superintendent, made the recommendation to the Commissioners to take all the bids under advisement. Tilden stated he would review the bids and return to the November 26, 2019 meeting with his recommendations.

Bids were available for public inspection following the meeting.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3 NAYS: 0  
UNANIMOUS  
TO: Approve Tilden's recommendation to take bids under advisement and review at the November 26, 2019 meeting.

Being no further business to come before the Commissioners, the meeting was adjourned.

## KOSCIUSKO COUNTY COMMISSIONERS November 26, 2019

The Kosciusko County Commissioners met for their regular meeting on November 26, 2019 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Cary Groninger - President  
Brad Jackson-Vice-President  
Robert Conley

Chad Miner – County Attorney  
Michelle Puckett – Auditor  
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

### **IN THE MATTER OF ANIMAL CONTROL OFFICER VEHICLE:**

Shane Bucher, Chief Deputy, Sheriff's Office, presented a request for a 2019 brown crew cab V8 Hemi Dodge truck with a fiberglass topper and police package, currently available through John Jones Automotive Group, at a cost of \$34,216. Bucher stated the truck will be used for animal control as well as police patrol.

MOTION: Robert Conley

TO: Approve the purchase of the 2019 Dodge truck, at a cost of \$34,216, as presented.

SECOND: Brad Jackson

AYES: 3            NAYS: 0

UNANIMOUS

### **IN THE MATTER OF FLOOD CONTROL ORDINANCE AMENDMENT:**

Matt Sandy, Area Planning, presented a flood control ordinance amendment, stating since the current ordinance was accepted, regulations have changed reducing the grade requirements in fill areas. This, Sandy continued, lowers the requirements to meet flood protection grade, while maintaining the minimum requirements of state statutes. Sandy stated the amendment comes with a unanimous recommendation of the Area Planning Commission.

MOTION: Robert Conley

TO: Approve flood control ordinance amendment as presented.

SECOND: Brad Jackson

AYES: 3            NAYS: 0

UNANIMOUS

### **ORDINANCE NO. 19-11-26-002 (2019111107)**

As recorded in the office of the Kosciusko County Recorder.

### **IN THE MATTER OF SECTION CORNER TRUCK REQUEST-SURVEYOR:**

Mike Kissinger, County Surveyor, requested the purchase of a truck, stating a vehicle was approved within the budget to be used for section corner work. The truck, Kissinger stated is an allowable expense through the section corner perpetuation fund and would be utilized by the Assistant Surveyor, reducing the amount of wear and tear on their personal vehicle. Kissinger stated personal vehicles have historically been used but following some research, he could not find another county still using personal vehicles for section corner work. In conclusion, Kissinger stated, the vehicle would only be used for section corner work and would be parked on county property when not in use, not taken home or used for any personal travel.

MOTION: Robert Conley

TO: Approve the purchase of a truck through the section corner perpetuation fund, to be used for section corner work only and parked on county property when not in use.

SECOND: Brad Jackson

AYES: 3            NAYS: 0

UNANIMOUS

### **IN THE MATTER OF CYBER SECURITY AGREEMENT-COUNTY CLERK:**

Chad Miner, County Attorney, on behalf of Ann Torpy, County Clerk, presented the contract between the County and the Indiana Secretary of State with regards to FireEye, which had not yet been prepared when approved at the November 12, 2019 Commissioner meeting. Miner stated upon review of the document, he had no objection.

MOTION: Brad Jackson  
SECOND: Robert Conley  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve the cyber security agreement,  
with the Indiana Secretary of State and  
FireEye, as presented.

**IN THE MATTER OF KABS-CAPITAL AGREEMENT (REVISED):**

Michelle Puckett, County Auditor, on behalf of KABS, presented a revised Capital Agreement, stating the document, previously approved by Commissioners, required a price change and is therefore submitted for signature.

MOTION: Brad Jackson  
SECOND: Robert Conley  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve the revised document, as  
presented.

**IN THE MATTER OF 2020 INTER-LOCAL AGREEMENT-SOLID WASTE:**

Michelle Puckett, County Auditor, presented the 2020 Inter-Local Agreement between the County Auditor and the Solid Waste District, stating the agreement allows the Auditor to continue to serve as controller for the District. Puckett continued stating County Council approved the agreement at their November meeting, and if approved it will be presented for approval at the December Solid Waste meeting. Commissioner Groninger inquired about the possibility of an increase to the \$6,000 annual fee for the service, which Council had discussed since there has been no increase to the annual fees since 2000. Puckett confirmed the information and stated a possible increase would be considered with next year's budget.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve the 2020 Inter-Local Agreement  
with the Solid Waste District.

**IN THE MATTER OF INDOT-BRIDGE #30 GRANT REQUEST:**

Scott Tilden, County Highway Superintendent, submitted a grant request to replace Bridge #30, located on Beer Road over Turkey Creek. Tilden stated the Federal/INDOT Call for Projects grant, which the bridge qualifies for through the most recent inspection report is for 80% federal and 20% local funding and would be for construction year 2025.

MOTION: Brad Jackson  
SECOND: Robert Conley  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve the Bridge #30 grant request, as  
presented.

**IN THE MATTER OF INDOT FINANCIAL LETTER OF COMMITMENT:**

Scott Tilden, County Highway Superintendent, presented a financial letter of commitment, which Tilden stated is a requirement of the grant application for the grant (approved above). Tilden stated the total costs listed for the Bridge #30 Project are \$1,896,200.00, with the 80% federal obligation of \$1,516,960.00 and the local funds 20% obligation of \$379,240.00, which would be paid from Cumulative Bridge funds.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve the financial letter of  
commitment as presented.

**IN THE MATTER OF BID RECOMMENDATIONS FOR 2020 ANNUAL HIGHWAY SUPPLIES:**

Scott Tilden, County Highway Superintendent, stated bids were opened for 2020 Annual Highway Supplies at the November 12, 2019 meeting. The following bids were recommended:

<b>ITEM</b>	<b>BIDDERS</b>	<b>RECOMMENDATION</b>
<b>Dust Control</b>	Great Lakes Chloride	Accept the bid from Great Lakes Chloride
<b>Road Signs</b>	No bids due to aluminum & plastic market volatility	Solicit material quotes on an as needed basis
<b>Sign Posts</b>	No bids due to steel market volatility	Solicit material quotes on an as needed basis
<b>Aggregate</b>	Columbia City Mill Service Company	
	Elkhart County Gravel Inc	
	Irving Materials Inc	
	Phend & Brown	
	RJ Keirn Trucking LLC	
	Speedway Sand & Gravel Inc	
	Ransbottom	Accept all bids due to the geographic location of gravel pits & stone quarries throughout the County
<b>Weed Spray</b>	Daltons	Accept the bid from Daltons
<b>Corrugated Metal Pipe (Culvert)</b>	Debco Metal Culverts	
	St Regis Culvert Inc	Accept both bids since there are many product variation and sizes that would hold value to the County
<b>Cast in Place, Concrete Simple Bridge Package</b>	Debco Metal Culvert	
	CivilCon	
	Primco Inc	Accept all bids since there are many product variation and sizes that would hold value to the County
<b>Structural Plate Pipe, Pipe Arches, Arches</b>	Debco Metal Culverts	
	St Regis Culvert Inc	
	CivilCon	Accept all bids since there are many product variation and sizes that would hold value to the County
<b>Liquid Bituminous Materials</b>	Asphalt Materials	
	Pierceton Trucking	Accept both bids and use monthly pricing due to market volatility
<b>Plant Rental for Mixing H.A.C or H.A.E.</b>	Phend & Brown	Accept the bid of Phend & Brown
<b>Bituminous Hot Mix H.A.C or H.A.E. (Contractor provided materials in county trucks)</b>	Brooks Construction Company	
	Niblock	
	Phend & Brown	
	Central Paving Inc	Accept all bids due to product availability in various locations
<b>Bituminous Hot Mix H.A.C or H.A.E. (Laid by contractor)</b>	Brooks Construction Company	
	Niblock	

	Phend & Brown	Accept all bids, obtaining firm prices that are based upon the annual bids for each specific project throughout the season
<b>Diesel Fuel</b>	Ceres Solutions Cooperative	
	Petroleum Traders	
	Lemler Oil Company	
	United Oil Company	Accept all bids having escalation and de-escalation clauses and then as needed have vendors bid on spot purchasing throughout the year. The County will also look at some fuel contracting for some of its fuel purchases for 2020 and will provide all 4 vendors an opportunity to bid on the selected amount
<b>Treated Timber Structures</b>	American Timber Bridge & Culvert Inc	Accept the bid of American Timber Bridge & Culvert Inc

MOTION: Brad Jackson  
SECOND: Robert Conley

TO: Approve Tilden's recommendations as presented.

AYES: 3 NAYS: 0  
UNANIMOUS

**IN THE MATTER OF REZONING FROM AG TO AG II-CASWELL:**

Dan Richard, Area Planning, presented a request to rezone a 20 acre tract, located at the southwest corner of the intersection of 600W and 200S from Agricultural to Agricultural II, stating the sell offs have been exhausted. With the ordinance restricting further development in the strictly agricultural zoned area, Richard stated, rezoning to Agricultural II would permit the petitioner to subdivide the 20 acres into 2 parcels with the intention of constructing a home. With the commitment of the petitioner to include within the deed and base of the plat, the agreement that only 2 parcels will be created, Richard stated, it is the unanimous recommendation of the Area Planning Commission to allow the rezoning from Agricultural to Agricultural II.

There was a brief discussion regarding the living conditions within an agricultural area and whether, if allowed to build, the petitioner could remonstrate against any further development of the existing surrounding farms.

The Petitioner, David Caswell, stated he had no concerns with the living conditions within an agricultural area, having moved from the country to town, several years ago and regretting it, he is ready to return.

With no one present to speak against the Petition, the Commissioners closed discussion to the public.

MOTION: Robert Conley  
SECOND: Brad Jackson

TO: Approve the rezoning of the 20 acre tract at the southwest corner of the intersection of 600W and 200S from Agricultural to Agricultural II, as presented.

AYES: 3 NAYS: 0  
UNANIMOUS

**ORDINANCE NO. 19-11-26-001 (2019111106)**  
As recorded in the office of the Kosciusko County Recorder.

Being no further business to come before the Commissioners, the meeting was adjourned.

**KOSCIUSKO COUNTY COMMISSIONERS**  
**December 10, 2019**



The Kosciusko County Commissioners met for their regular meeting on December 10, 2019 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Cary Groninger - President  
Brad Jackson-Vice-President  
Robert Conley

Chad Miner – County Attorney  
Michelle Puckett – Auditor  
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

**IN THE MATTER OF VETERAN OF THE MONTH – LAWRENCE B GROSS:**

Rich Maron, Veteran Service Officer, came before the Commissioners to introduce Veteran Lawrence B. Gross. Maron stated Gross was born August 19, 1923 in Pierceton IN, the fourth of seven children, to Earl & Katie Gross. Following graduation from Pierceton High School in 1941, Gross took flying lessons at Smith Field in Fort Wayne, later deciding to pursue a career as a pilot. Gross enlisted in the Army Air Force and entered pilots training in the primary, basic and advanced flying schools in Texas. On May 23, 1944, Gross was commissioned a 2<sup>nd</sup> Lieutenant and received silver wings and a pilot rating. In 1947, the Army Air Force became a separate service as we know it today as the United States Air Force.

On June 16, 1945, Gross was united in marriage to Athalia (Dill) and they moved to Langley Field, Virginia. From there, their travels took them to Lawson Field Georgia, Pope AFB North Carolina, Elmendorf AFB Anchorage Alaska, Sewart AFB Smyrna Tennessee, Naha AB Naha Okinawa Japan and finally Seymour-Johnson AFB Goldsboro North Carolina. During these tours, Gross flew a variety of planes, including the P-40, B-24, C-46, C-119, C-123 and C-130, transporting cargos of fuel, passengers, paratroopers and bombs for Vietnam.

Gross is an extremely decorated Veteran of WWII, Korea and Vietnam, receiving too many medals and awards to mention, but the ones he is most proud of are his distinguished flying cross, bronze star and the air medal with 3 oak leaf clusters. Gross's duties during his 28 years of service consisted mainly of instructor pilot, standardized check pilot, squadron operations officer, staff operations plans officer for the western hemisphere and the pilot for the General of the 19<sup>th</sup> Air Force. Gross retired in August of 1970, as Lieutenant Colonel with a rating of Command Pilot with over 9000 hours of flying time.

Mr. and Mrs. Gross celebrated 74 years of marriage this year. They have a daughter and son-in-law, Mary Beth and Jim who reside in Arizona, a son and daughter-in law, James Lawrence and Joyce, who reside in Pennsylvania, two grandchildren, Eva and Joseph, a great-grandchild, Braydon, two step-grandchildren and a step-great-grandchild.

Maron and the Commissioners thanked Gross for his service and presented him with a plaque.

**IN THE MATTER OF SIDNEY/JACKSON TOWNSHIP FIRE COMMUNICATIONS GRANT REQUEST:**

Kevin McSherry, County Fire Association, and Kevin Wagoner, Sidney Fire, presented a grant request in the amount of \$7,851.34. McSherry stated grant funds in the amount requested, have been awarded through the Kosciusko County Community Foundation, as in years past in order to maintain radio communications between the fire territory and central dispatch. With the anticipation of at least 1 or 2 years before the countywide upgrade comes through, McSherry continued, an interim remedy can be obtained through the use of these grant funds. In conclusion, McSherry stated previous grant awards have not required the Council and Commissioner's approval but in accordance with the County's change in procedures, this request is being submitted for approval and will be presented to the Council December 12, 2019 for approval as well.

MOTION: Brad Jackson  
SECOND: Robert Conley  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve the Sidney/Jackson Township  
Fire Communications grant award of  
\$7,851.34.

**IN THE MATTER OF KEDCO AGREEMENT:**

Chad Miner, County Attorney, stated he anticipates a few minor adjustments to the agreement presently available. Miner stated he plans to re-submit the agreement for approval at the December 23, 2019 meeting.

**IN THE MATTER OF COUNTY ATTORNEY CONTRACT:**

Chad Miner, County Attorney, presented the Attorney-Client Fee Contract between himself and the County for 2020, stating the only change from last year's agreement is the 2% cost of living increase as approved for county employees.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the Attorney-Client Fee

Contract, reflecting a 2% increase from last year's agreement.

**IN THE MATTER OF TEEN COURT LEASE AGREEMENT:**

Chad Miner, County Attorney, presented a lease agreement between Teen Court and the County, stating a monthly amount has been established and agreed upon for the use of space by employees of the Teen Court program. Since the use of space began in November, Miner concluded, the grant agreement presented reflects such dates.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the lease agreement between

Teen Court and the County, as presented.

**IN THE MATTER OF ANIMAL CONTROL-MEMORANDUM OF UNDERSTANDING:**

Chad Miner, County Attorney, presented a memorandum of understanding between the County Commissioners and the Sheriff's Office, stating animal control services will soon be provided by the Sheriff's Office, which will provide an officer as well as a patrol vehicle.

MOTION: Brad Jackson

SECOND: Robert Conley

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the Memorandum of

Understanding with the Sheriff's Office for the addition of the animal control officer and patrol vehicle, as presented.

**IN THE MATTER OF THE 2020 ANIMAL WELFARE LEAGUE-AGREEMENT FOR SERVICES:**

Marsha McSherry, County Administrator, presented an Agreement for Services in the amount of \$150,000 between the County Commissioners and Animal Welfare. McSherry stated agreement has been established, for Animal Welfare to provide animal pick-up services, throughout the County, for the 2020 calendar year.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the Agreement for Services in the amount of \$150,000 between the County Commissioners and Animal Welfare for animal pick-up services throughout the 2020 calendar year.

**IN THE MATTER OF THE 2020 APPOINTMENTS BY COMMISSIONERS:**

Marsha McSherry, County Administrator, presented the following appointments for approval:

<b><u>2020 Board Appointments</u></b>		<b><u>Term Exp</u></b>	<b><u>Term (Yrs)</u></b>
Alcohol Beverage Commission	Alan Alderfer	12/31/20	(1)
Area Plan Board	Kevin McSherry	12/31/23	(4)
Area Plan Board (Comm Member)	Robert Conley	12/31/20	(1)
Board of Zoning Appeals	Charlie Haffner	12/31/20	(1)
	Lee Harman	12/31/20	(1)
Bowen Center Board	Jon Garber	12/31/20	(1)
Child Protection Team	Dave Bumbaugh	12/31/20	(1)

Drainage Board	Cary Groninger	12/31/20	(1)
Emergency Mngt Advisory Board	Cary Groninger	12/31/20	(1)
KCCRVC	Kathy Ray	12/31/21	(2)
	Mark Skibowski	12/31/21	(2)
KEDCo	Brad Jackson	12/31/20	(1)
MACOG	Cary Groninger	12/31/20	(1)
MREDD (for MACOG)	Doug Baumgardner	01/01/21	(1)
	Rob Parker	01/01/21	(1)
OrthoWorx	Brad Jackson	12/31/20	(1)
PTABOA	Susie Stookey	12/31/20	(1)
	Phyl Olinger	12/31/20	(1)
Redevelopment Commission	Bruce Woodward	12/31/20	(1)
	Mike Metzger	12/31/20	(1)
	Doug Hanes	12/31/20	(1)
(Non-voting from school corp)	Jeremy Mullins	12/31/21	(2)
St Joseph River Basin	Jon Roberts	12/31/20	(1)
Strategic Planning Committee	Brad Jackson	12/31/20	(1)
	Marsha McSherry	12/31/20	(1)
Wage Committee	Brad Jackson	12/31/20	(1)
Weights & Measures	(TBD by end of year)	12/31/20	(1)

MOTION: Brad Jackson

TO: Approve the 2020 Board Appointments  
as presented.

SECOND: Robert Conley

AYES: 3 NAYS: 0

UNANIMOUS

#### **2020 Department Head Appointments**

Area Plan Director	Dan Richard	12/31/20	(1)
County Administrator	Marsha McSherry	12/31/20	(1)
County Attorney	Chad Miner	12/31/20	(1)
GIS	Bill Holder	12/31/20	(1)
County Highway Superintendent	Steve Moriarity	12/31/20	(1)
Homeland Security/LEPC	Ed Rock	12/31/20	(1)
System Administrator	Bob Momeyer	12/31/20	(1)
Veterans Officer	Rich Maron	12/31/20	(1)

MOTION: Brad Jackson

TO: Approve the 2020 Department Head  
Appointments as presented.

SECOND: Robert Conley

AYES: 3 NAYS: 0

UNANIMOUS

#### **2020 Misc Recommendations for Appointment**

Board of Health	Terry Owens	12/31/23	(4)
Drainage Board	James Scott	12/31/23	(4)

MOTION: Robert Conley

TO: Approve the 2020 Recommendations for  
Appointment as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

#### **2020 Misc Recommendation for Appointment**

Public Defender (Judges Appt)	Steve Harris	12/31/22	(3)
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There was a brief discussion regarding the Public Defender (Judges Appointment) and it was determined the Judges would need to present their appointment recommendation to the Commissioners for approval.

Being no further business to come before the Commissioners, the meeting was adjourned.

## KOSCIUSKO COUNTY COMMISSIONERS December 23, 2019

The Kosciusko County Commissioners met for their regular meeting on December 23, 2019 at 9:00 a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Cary Groninger - President  
Brad Jackson-Vice-President  
Robert Conley

Chad Miner – County Attorney  
Michelle Puckett – County Auditor  
Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment.

### **IN THE MATTER OF 2021 JDAI GRANT REQUEST:**

Judge Cates presented a request to continue the JDAI (Juvenile Detention Alternative Initiative) program, through grant funding. Cates stated the program continues to run successfully and each day a juvenile is not incarcerated, the County saves approximately \$140.

MOTION: Brad Jackson

TO: Approve the 2021 JDAI grant request, in the amount of \$88,759 as presented.

SECOND: Robert Conley

AYES: 3            NAYS: 0

UNANIMOUS

### **IN THE MATTER OF TIPPY/CHAPMAN REGIONAL SEWER DISTRICT:**

Chad Miner, County Attorney stated the sewer district has been approved by IDEM, with the next step being board appointments.

Ken Jones, CEO, Jones Petrie Rafinski, presented an update, which included the following information:

- An abundance of residents within the district have offered to serve on the board
- The board will consist of 7 members. The Commissioners will select 2, Council will select 2, Tippy Township will select 1, Plain Township will select 1 and the potential treatment provider will select 1. Meetings could be begin as soon as at least 6 members are selected.
- The project could proceed as soon as the board directs

Miner suggested the Commissioners recommendations for appointment be presented at the next meeting.

### **IN THE MATTER OF KEDCO AGREEMENT:**

Chad Miner, County Attorney presented an agreement between County Commissioners and KEDCo for approval.

Alan Tio, KEDCo CEO, affirmed an agreement is supported between the 2 entities.

MOTION: Brad Jackson

TO: Approve the Agreement for Services

SECOND: Robert Conley

between County Commissioners and KEDCo as presented.

AYES: 3            NAYS: 0

UNANIMOUS

### **IN THE MATTER OF KEDCO- SYRACUSE ROAD PROJECT REQUEST:**

Alan Tio, KEDCo CEO, presented a request for support with a road assessment within the town of Syracuse to determine the best way to improve road access in and around the Pollywood

campus. Tio stated Pollywood is a fast growing company, which the town of Syracuse wishes to support further growth. Partnership with the town of Syracuse and the County, Tio concluded, is recommended in order to improve conditions in and around the business.

MOTION: Brad Jackson  
SECOND: Robert Conley  
AYES: 3 NAYS: 0  
UNANIMOUS  
TO: Approve support of the Syracuse road assessment in the amount of \$5,000 as presented, using 2020 funds.

**IN THE MATTER OF RESOLUTION IN SUPPORT OF HUMAN LIFE:**

Dave Koontz, Executive Director of Right to Life-North Central Indiana, presented a resolution for approval, stating the Right to Life organization represents a large number of county citizens who feel it is important that our governing bodies support the protection of all human life.

Commissioner Conley read the resolution.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3 NAYS: 0  
UNANIMOUS  
TO: Approve the acceptance of the Resolution in Support of Human Life as presented.

**RESOLUTION NO. 20-01-02-001 (2020010034)**

As recorded in the office of the Kosciusko County Recorder

**IN THE MATTER OF 2020 MISC. APPOINTMENT RECOMMENDATION:**

Marsha McSherry, County Administrator, presented the Judges' recommendation of Steve Harris for the 2020 Public Defender appointment.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3 NAYS: 0  
UNANIMOUS  
TO: Approve Steve Harris as the 2020 Public Defender appointment, as the Judges' recommendation.

**IN THE MATTER OF MOWER PURCHASE -COUNTY HIGHWAY:**

Scott Tilden, County Highway Superintendent, presented a request to purchase the two side-mount 60" side rotary mowers, which are budgeted for in 2020. Tilden stated the mowers will replace two worn out mowers purchased approximately thirteen years ago. Tilden concluded, stating the mowers have been bid and awarded at \$25,500 each, through SourceWell, a company used by many schools and governments to assist with discounting rates.

MOTION: Robert Conley  
SECOND: Brad Jackson  
AYES: 3 NAYS: 0  
UNANIMOUS  
TO: Approve the purchase of 2 mowers at \$25,500 each as presented.

**IN THE MATTER OF BID DATE REQUEST -COUNTY HIGHWAY:**

Scott Tilden, County Highway Superintendent, presented a request to set a bid date for two single-axel dump truck bodies, which are budgeted for 2020. Tilden recommended the bid date of February 18, 2020 at 9:15am.

MOTION: Brad Jackson  
SECOND: Robert Conley  
AYES: 3 NAYS: 0  
UNANIMOUS  
TO: Approve the bid date of February 18, 2020 at 9:15 am for two dump truck bodies.

**IN THE MATTER OF REZONING REQUEST-DEETER:**

Dan Richard, Area Planning, presented a request to rezone a 10+acre tract, located behind the racket club in Plain Township, from residential to agricultural. Richard stated, following the consideration of the planned use of constructing a communication tower, the unanimous recommendation of the Area Planning Commission is to deny the request based on the following factors:

- 1) County ordinance states towers have to be at least two miles apart. An existing tower does not allow an additional tower compliance with the ordinance.
- 2) Complications with the approach zone at the airport would not support the addition of a communication tower at the subject location.

Steve Snyder, Attorney for Petitioner, stated the request presented is simply to rezone and not to determine the planned use. Snyder stated the significant costs required to develop such a small tract of residential land as well as the many surrounding commercial properties does not support residential zoning. Snyder concluded, stating the present use of the property is agricultural.

Gene Hawkins, neighboring property owner, stated he agrees the property has been farmed for the 20 years he has lived in the area, and although he does not necessarily object to the proposed cell tower construction, he does have concerns regarding the unknown health risks as well as the detriment one could have with regards to property value in the area.

Steve Snyder stated for the record, the results of research regarding living next to cell towers, thus far, remains inconclusive.

The Commissioners closed the matter to the public, for discussion.

MOTION: Robert Conley  
SECOND: Cary Groninger

AYES: 2 NAYS: 0  
Brad Jackson Abstained  
UNANIMOUS

TO: Accept the recommendation of the Area Planning Commission and deny the request to rezone the 10+acre tract from residential to agricultural.

**IN THE MATTER OF RELEASE OF PAYROLL & CLAIMS REQUEST:**

With the adjustment in scheduling, moving the January 7, 2020 meeting to January 14, 2020, Michelle Puckett, County Auditor, requested approval to release payroll and claims on the regularly scheduled pay date of January 7, 2020, stating payroll and claims will be presented for approval at the January 14, 2020 meeting.

MOTION: Robert Conley  
SECOND: Brad Jackson

AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve the release of payroll and claims on January 7, 2020, with all relative documents to be presented at the January 14, 2020 meeting.

**IN THE MATTER OF TILDEN RETIREMENT:**

The Commissioners extended appreciation to Scott Tilden for his many years of service as County Highway, Superintendent and congratulated him on his retirement.

**IN THE MATTER OF 2020 ELECTION OF OFFICERS:**

The matter of 2020 election of officers was presented.

MOTION: Robert Conley  
SECOND: Brad Jackson

AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve the 2020 election of officers as follows:  
Brad Jackson, President  
Robert Conley, Vice-President  
Cary Groninger, Member

Being no further business to come before the Commissioners, the meeting was adjourned.