

# KOSCIUSKO COUNTY COMMISSIONERS

## January 3, 2012

The Kosciusko County Commissioners met for their regular meeting on January 3, 2012 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN.

Those present were:

Brad Jackson - President  
Bob Conley  
Ron Truex

Mike Miner – County Attorney  
Marsha McSherry – Auditor  
Ron Robinson, County Administrator

The meeting was opened with the pledge and a word of prayer. Minutes were approved as presented. Claims were signed and approved for payment.

### **IN THE MATTER OF ELECTION OF 2012 OFFICERS:**

President Brad Jackson called for nominations for 2012 officers.

MOTION: Ron Truex TO: Nominate Bob Conley for President for 2012.  
SECOND: Brad Jackson  
AYES: 2 NAYS: 0; 1 *Abstain*

MOTION CARRIED

MOTION: Bob Conley TO: Nominate Ron Truex for Vice-President for 2012.  
SECOND: Brad Jackson  
AYES: 2 NAYS: 0; 1 *Abstain*

MOTION CARRIED

### **IN THE MATTER OF SYSTEMS ADMINISTRATOR REQUEST:**

County Administrator, Ron Robinson, stated the IT Department obtained quotes on a storage/back-up system for the County computer data to be located off-site at the Work Release building. Robinson added the \$33,000.00 cost is already budgeted for 2012.

MOTION: Ron Truex TO: Approve purchase of storage/back-up system as requested.  
SECOND: Brad Jackson  
AYES: 3 NAYS: 0

UNANIMOUS

### **IN THE MATTER OF HEALTH DEPARTMENT OFFICE MANAGER POSITION:**

Ron Robinson, County Administrator, stated an evaluation performed by Waggoner, Irwin, Scheele & Associates, Inc. recommended that the Health Department should reclassify an existing position to an office manager to be in charge while the department head and deputy are out of the office. Robinson added another recommendation for the office manager position was a \$1,400.00 pay increase. Robinson noted the pay increase must first be approved by the wage committee. Robinson then added the Commissioners need only accept or deny the recommendation; and if accepted, the recommendation will then go before Council.

MOTION: Ron Truex TO: Accept the recommendation to reclassify an existing position to an office manager in the Health Department as requested.  
SECOND: Brad Jackson  
AYES: 3 NAYS: 0

UNANIMOUS

### **IN THE MATTER OF COUNTY HIGHWAY UPDATES:**

Scott Tilden, Highway Superintendent, provided the following updates to the Commissioners stating the new trucks are getting delivered once the dump bodies are added. Tilden added KCHD is keeping up with the weather and taking care of county roads.

Tilden then added KCHD is still working on the unofficial detour for the renovation of the State Road 15 overpass in Claypool.

Commissioner Ron Truex provided thanks to KCHD for their hard work and dedication through the inclement weather.

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

## **KOSCIUSKO COUNTY COMMISSIONERS**

### **January 17, 2012**

The Kosciusko County Commissioners met for their regular meeting on January 17, 2012 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Bob Conley - President  
Ron Truex  
Brad Jackson

Mike Miner – County Attorney  
Marsha McSherry – Auditor  
Ron Robinson, County Administrator

The meeting was opened with the pledge and a word of prayer. Minutes were approved as presented. Claims were signed and approved for payment.

Bob Conley gave condolence to Sue Ann Mitchell and her family for the recent loss of her husband.

#### **IN THE MATTER OF 2010 INTEROPERABLE EMERGENCY COMMUNICATIONS GRANT:**

Emergency Management Director, Ed Rock, presented a 2010 Interoperable Emergency Communications Grant Program Sub-Grant Agreement. Rock explained the grant funds are to help departments become compliant with the narrow banding requirements. The new requirements will require some departments to purchase new radios. The grant is for a total of \$24,000. The departments will pay 50% and Homeland Security will pay 50%. Rock made the recommendation to have the County Commissioner put \$12,000 upfront for any cost that might occur now and then submit charges for reimbursement to Homeland Security. County Auditor, Marsha McSherry, concurred the Auditor's office will serve as the administrator of the grant.

MOTION: Ron Truex

TO: Approve grant application as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

#### **IN THE MATTER OF KABS QUARTERLY REPORT:**

KABS Director, Matt Boren, stated that in 2010 the year ended with 60,000 and 2011 ended with 65,000 rides. The ridership program continues to grow. Boren also stated the demand is higher than ever and they are turning people away. The calls are treated on a first come first serve basis.

Boren presented the INDOT Contract-Invoice Voucher for 2011 fourth quarter for the Commissioner's signatures. Boren stated the amounts to be requested and approved are \$19,796 in State funds and \$56,150 in Federal funds.

MOTION: Brad Jackson

TO: Approve 2011 fourth quarter voucher as presented.

SECOND: Ron Truex

AYES: 3 NAYS: 0

UNANIMOUS

#### **IN THE MATTER OF BRIDGE 616 – WINONA BEACH ROAD (PETERSON DITCH):**

Scott Tilden, Highway Superintendent, presented the Title sheet for Bridge 616 to be signed and approved. The improvement is for the 100 foot area (28 foot bridge and 72 foot of roadway). Tilden explained the bridge would help the debris problem in that area. The Highway Department is in that area a couple times a year cleaning out the ditches. Tilden stated the total expense for this project will be \$210,000 and the money has already been accounted for in the bridge funds.

MOTION: Brad Jackson

TO: Approve Title sheet for Bridge 616.

SECOND: Ron Truex

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF LETTER OF UNDERSTANDING FOR SR-15 DETOUR:**

Scott Tilden, Highway Superintendent, presented Letter of Understanding from Indiana Department of Transportation (INDOT). The letter is for the closure of SR-15 over the Norfolk Southern Railroad located 4 miles north of SR-14. INDOT will have an official detour for state roads, but Kosciusko County will have an unofficial detour route. The route will include CR-900S, CR-200W and CR-550S. Kosciusko County will be responsible for signing any weight restrictions on the unofficial detour. INDOT has agreed to reimburse Kosciusko County for costs related to damage on the unofficial detour. Reimbursable work must be approved by INDOT prior to the beginning of any work. Tilden stated work on CR-550S will begin next week to widen the road and prepare it for the detour.

Tilden stated they will be placing signage for the detour stating "No Semi's" as the unofficial detour will be strictly for lighter vehicles such as cars, pickup trucks and motorcycles.

Ron Truex expressed concern about an ordinance being in place for all the necessary signage. Tilden stated he will review where potential problems might be and get the ordinances approved in advance. The detour is scheduled to begin February 20, 2012 and end mid September.

Tilden is concerned with some of the challenges that he feels they will be faced with such as freezing and thawing of roads, geographical and the span of the project.

MOTION: Ron Truex TO: Approve Letter of Understanding from  
SECOND: Brad Jackson Indiana Department of Transportation.

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF HIGHWAY UPDATES:**

Scott Tilden, Highway Superintendent, stated a recommendation will be coming for the posting of a 35mph speed limit sign on 100N. The change is due to Lakeland Regional Sewer District putting in a new plant. Tilden feels it is necessary for safety issues. Tilden will further discuss this at a later meeting.

**IN THE MATTER OF JOSEPH HAMMONS/WAW-WIL-A-WAY-PARK VACATION REQUEST – PLAIN TOWNSHIP:**

Area Plan Director Dan Richards presented a vacation request from Petitioner Joseph Hammons, to vacate public ways designated as "walk ways" on the Plat of Waw-Wil-A-Way Park.

Richards stated the areas being referenced are two 6' wide platted public ways. Petitioner Joseph Hammons currently owns three 40' lots, two lots are together and the third is separated by a 6' public way. There is also another 6' public way to the south side of Hammons property. Both 6' public ways are being proposed to be vacated and relocated according to the petition. Richards understood Hammons would like to build one large home on all three properties. Richards went on to say that a Public Hearing was held in reference to the two 6' platted public ways and that the original motion was denied due to split decisions. After further discussion the motion was moved to keep the 6' public way to the south intact and relocate the other one to the north side of the Hammons property. Richards stated this would give Mr. Hammons three continuous lots of 120' to build his new home on.

Steve Snyder, Attorney representing Joseph Hammons, brought forth the recommendation to have the 6' public way between Mr. Hammons two lots be vacated altogether and not relocated. Bob Conley confirmed with Richards what the original recommendation was and per Richards the original recommendation was to vacate the 6' public way between Mr. Hammons lots and relocate it to the north side of the property and keep the 6' public way to the south side of the property as is.

No one else appeared in favor of the vacation

No one appeared in opposition to the vacation

MOTION: Ron Truex

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Accept the recommendation to approve the vacation and relocation of the public way in the plat of Waw-Wil-A-Way Park to relocate the 6' public way between the lots to the north side of the property and keep the 6' public way to the south side of the property.

**ORDINANCE NO. 12-1-17-001V (2012010536)**

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 January 31, 2012**

The Kosciusko County Commissioners met for their regular meeting on January 31, 2012 at 9:00 A.M. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Bob Conley - President  
Brad Jackson  
Ron Truex

Mike Miner – County Attorney  
Marsha McSherry – Auditor  
Ron Robinson, County Administrator

The meeting was opened with the pledge and a word of prayer. Minutes were approved as presented. Claims were signed and approved for payment.

### **IN THE MATTER OF ELECTION FOR PRESIDENT FOR 2012 BOARD OF FINANCE:**

Sue Ann Mitchell, Treasurer, stated a president for the Board of Finance for 2012 needed to be elected. Ron Truex volunteered to serve.

MOTION: Brad Jackson

TO: Approve Ron Truex as the President for the 2012 Board of Finance.

SECOND: Bob Conley

AYES: 2 NAYS: 0

UNANIMOUS

### **IN THE MATTER OF THE INVESTMENT POLICY FOR 2012 FOR BOARD OF FINANCE:**

Sue Ann Mitchell, Treasurer, reported the interest received this year from investments was very minimal and unfortunate. CD's garner less interest than what was received on checking accounts so more money was moved to higher interest bearing checking accounts. Mitchell negotiated with the banks to receive a higher interest rate.

MOTION: Ron Truex

TO: Approve the investment policy for 2012 for the Board of Finance.

SECOND: Bob Conley

AYES: 3 NAYS: 0

UNANIMOUS

### **IN THE MATTER OF HEALTH DEPARTMENT:**

Bob Weaver, Health Department Director, requested to approve the appointment of Terri Owens to the Board of Health for 2012. Terri is a representative from the hospital and is the Director of the Infectious Control Center.

MOTION: Ron Truex

TO: Approve the 2012 Appointment of Terri Owens to the Board of Health.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

### **IN THE MATTER OF 2011 HOMELAND SECURITY GRANT PROGRAM SUB-GRANT AGREEMENT:**

Ed Rock, Emergency Management Director, requested approval for the 2011 Homeland Security Grant Program Sub-Grant Agreement. The sub-grant is for an amount not to exceed \$50,000. The grant money will be split between the seven (7) counties and used on projects already in progress. Rock stated that Marsha McSherry will serve as the Fiscal Agent for the District and Rock will serve as the point of contact.

MOTION: Ron Truex

TO: Approve 2011 Homeland Security Grant Program Agreement.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

### **IN THE MATTER OF APPOINTMENTS FOR MACOG:**

Ron Robinson, County Administrator, requested the approval for the re-appointments of Max Courtney and Mark Dobson to serve on the Regional Economic Development District Board for 2012.

MOTION: Ron Truex

TO: Approve 2012 appointments for the

Regional Economic Development District Board.

Ron Robinson, County Administrator, requested approval to spend \$8500 for repairs on the cameras in the jails and courts.

TO: Approve \$8500 spend for repairs on the cameras in the jails and courts.

cameras in the jails and courts.

cameras in the jails and courts.

UNANIMOUS

Ron Robinson, County Administrator, requested approval to spend \$25,000 for repairs and upgrades on the current phone system at the following buildings: Annex, Highway, Work Release and Power in Syracuse. The current system is over 10 years old and is causing problems. The phone system in the Old Courthouse has already been updated.

TO: Approve \$25,000 spend to upgrade the phone service.

phone service.

phone service.

UNANIMOUS

Ron Robinson, County Administrator, requested approval to spend \$15,180 annually for internet service with Google. Robinson stated the current provider cannot handle the load any longer. The current cost is \$2000 annually. Ron Truex and Brad Jackson both expressed their concern over the increase in the annual fee. Truex and Jackson both wanted further explanation. Mike Miner, County Attorney and Bob Momeyer, System Administrator, explained that the County is out of compliance with the State requirements for archival retrieval of email communication. The current internet provider does not have the ability to accommodate the State requirements. The purposed internet provider, Google, has proven to provide the necessary coverage to allow the County to be within State guidelines. Momeyer stated that Google will also correct other issues such as, checking email and calendar while away from the office. Turex made the motion to approve the spend, but requested the tax payers know this is a burden that the State Officials has placed upon them.

TO: Approve \$15,180 spend annually for internet service with Google.

internet service with Google.

internet service with Google.

UNANIMOUS

Scott Tilden, Highway Superintendent, presented an Ordinance for a 35mph speed limit on CR-100N. The speed limit would begin at a point 1,860 feet east of CR-450E and continue east for 2,100 feet. The area is the location of the new Lakeland Regional Sewer District and Tilden felt it necessary for safety reasons to reduce the speed limit in this area.

TO: Approve Speed Limit Ordinance on CR-100N to 35 mph.

100N to 35 mph.

100N to 35 mph.

UNANIMOUS

As recorded in the office of the Kosciusko County Recorder

Scott Tilden, Highway Superintendent, reported that the second dump truck has been repaired and would be delivered today. The two remaining truck repairs are 90% and 50% complete and should be delivered in the near future.

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

## **KOSCIUSKO COUNTY COMMISSIONERS**

### **February 14, 2012**

The Kosciusko County Commissioners met for their regular meeting on February 14, 2012 at 9:00 A.M. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Bob Conley - President  
Brad Jackson  
Ron Truex

Mike Miner – County Attorney - absent  
Marsha McSherry – Auditor  
Ron Robinson, County Administrator

The meeting was opened with the pledge and a word of prayer. Minutes were approved as presented. Claims were signed and approved for payment.

#### **IN THE MATTER OF DEPARTMENT HEAD UPDATE:**

Sheriff, Rocky Goshert provided the Commissioners a booklet with the 2011 year end statistics for this department.

Ron Truex recognized Goshert and his team for their service & great work they do for the community.

Emergency Management Director, Ed Rock presented a pass through grant in the amount of \$50,000 from the Indiana Department of Homeland Security. The grant is for an administrative assistant for the district. The position is currently held by Austin Brag and they would like to continue to employ Brag as a contractor for that work.

Auditor, Marsha McSherry agreed to be the Fiscal Agent for the grant.

MOTION: Ron Truex

TO: Approve the \$50,000 Indiana

SECOND: Brad Jackson

Department of Homeland Security grant.

AYES: 2 NAYS: 0

UNANIMOUS

#### **IN THE MATTER OF COUNTY ATTORNEY UPDATE:**

Truex presented on behalf of County Attorney, Mike Miner. Truex requested an Ordinance be granted for the official detour route on SR-15. The Ordinance allows law enforcement to fine a semi-driver up to \$500 for not using the designated roads posted for the detour. The Ordinance excludes local deliveries. Truex and Scott Tilden, Highway Department Supervisor stated the fine is necessary as the roads being used for the unofficial route are not equipped to handle the semi trucks.

MOTION: Brad Jackson

TO: Approve the \$500 fine for Semi Trucks  
not using the official detour route.

SECOND: Bob Conley

AYES: 2 NAYS: 0

UNANIMOUS

#### **ORDINANCE NO. 12-02-14-004 No Trucks (2012021007)**

As recorded in the office of the Kosciusko County Recorder

Truex, met with the Mayor and the Chamber for properties on south Buffalo Street that are in the Commissioners certificate sale (certificate # 4311094 & 4311095). The city has interest in these properties for additional parking spaces. The properties have an estimated \$45,000 owed in back taxes, which will make them hard to sell. The properties stretch from Lake Street to Buffalo Street along the south side of the railroad tracks. Truex is asking that these certificates be assigned to the city. The city would then be responsible for cleaning these properties up.

MOTION: Brad Jackson

TO: Approve the transfer of properties in the  
certificate sale to the city.

SECOND: Bob Conley

AYES: 2 NAYS: 0

UNANIMOUS

#### **RESOLUTION 12-02-14-003 (2012021008)**

As recorded in the office of the Kosciusko County Recorder

**IN THE MATTER OF INSTALLING STOP SIGNS ON CR 200W AND CR 900S:**

Highway Superintendent, Scott Tilden presented an Ordinance to install a stop sign on the northwest and southeast corners of CR 200W and CR 900 S making it a 4-way stop.

MOTION: Brad Jackson

TO: Approve the Ordinance for stop signs to be posted at CR 200W and CR 900S.

SECOND: Ron Truex

AYES: 2 NAYS: 0

UNANIMOUS

**ORDINANCE NO. 12-02-14-001 stop sign (2012021010)**

As recorded in the office of the Kosciusko County Recorder

**IN THE MATTER OF POSTING SPEED LIMIT SIGNS ON CR 550S, CR 900S AND CR 200W:**

Tilden presented an Ordinance to post speed limit signs on the following roads for the unofficial detour: CR 550S – between SR 15 and CR 200W shall be 35 mph, CR 900S- between SR 15 and CR 200W shall be 45 mph, CR 200W- between CR 550S and CR 900S shall be 45 mph except where otherwise posted. Ron Truex and Brad Jackson felt 35 mph on CR 550S was to slow, but after further explanation from Tilden and Sheriff Goshert the 35 mph posting on CR 550S was agreed upon. Tilden states that after the detour project is complete he will bring a repeal back to the Commissioners to address the speed limit postings at that time.

MOTION: Ron Truex

TO: Approve the Ordinance for the posting of speed limit signs.

SECOND: Brad Jackson

AYES: 2 NAYS: 0

UNANIMOUS

**ORDINANCE NO. 12-02-14-002 speed (2012021009)**

As recorded in the office of the Kosciusko County Recorder

**IN THE MATTER OF VETERANS AWARD PRESENTATION:**

Rich Maron, Veterans Affairs Officer stated it was an honor to introduce Wilbur Brake. Maron gave a brief description of Brakes service and then presented him with a Certificate of Recognition. Maron expressed his gratitude to Brake for the years of service to our Community and Country.

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

**KOSCIUSKO COUNTY COMMISSIONERS  
February 28, 2012**

The Kosciusko County Commissioners met for their regular meeting on February 28, 2012 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Bob Conley - President  
Ron Truex  
Brad Jackson

Mike Miner – County Attorney  
Marsha McSherry – Auditor  
Ron Robinson, County Administrator

The meeting was opened with the pledge and a word of prayer. Minutes were approved as presented. Claims were signed and approved for payment.

**IN THE MATTER OF COUNTY ATTORNEY:**

Mike Miner, County Attorney stated the final piece of property has been purchased for Western Route project. Miner recommended a search be done to confirm there are no other interested parties for this property, but the project can still move forward.

**IN THE MATTER OF PURCHASING GENERATOR FOR WORK RELEASE BUILDING:**

Ron Robinson, County Administrator stated during the summer months there has been electrical issues at the Work Release building. These outages interfere with security and refrigeration. There were four outages last year and one became a critical issue. Robinson requested the approval to move forward with the purchase of a generator. The total cost for the generator and installation is \$30,000.

MOTION: Ron

TO: Approve the purchase of a generator for the Work Release building.

SECOND: Brad

AYES: 3            NAYS: 0

UNANIMOUS

**IN THE MATTER OF AMENDMENT TO PERSONNEL POLICY HANDBOOKS-E-VERIFY:**

Ron Robinson, County Administrator requested approval for the amendment to the Personnel Policy handbooks for E-verify. The E-verify is a government requirement.

MOTION: Ron

TO: Approve the amendment for the Personnel Policy handbooks for E-verify.

SECOND: Brad

AYES: 3            NAYS: 0

UNANIMOUS

**ORDINANCE NO. 2012-02-28-001 (2012021527), 2012-02-28-002 (2012021528), 2012-02-28-003 (2012021529), 2012-02-28-004 (2012021530)**

As recorded in the office of the Kosciusko County Recorder

**IN THE MATTER OF AMENDMENT TO THE WESTERN ROUTE INTERSECTION IMPROVEMENT:**

Ron Robinson, County Administrator requested approval to amend the contract with The Troyer Group for the Western Route Intersection project. Ron Truex explained the change order is necessary in order to keep Old 30 open during the construction phase of the next roundabout. Truex stated after completion of the first roundabout businesses and property owners were not happy with closure of Old 30. The County promised they would not close Old 30 during the construction of the next roundabout. The total cost of the amendment is \$64,177.00.

MOTION: Ron

TO: Approve the amendment to the original contract with The Troyer Group for the Western Route Intersection improvement project.

SECOND: Brad

AYES: 3            NAYS: 0

UNANIMOUS

**IN THE MATTER OF INTERLOCAL AGREEMENT WITH NAPPANEE AND THE CITY OF EKLHART:**

Ron Robinson, County Administrator requested the approval of the Interlocal Agreement with the city of Nappanee and Elkhart County. The agreement states that any 911 calls for Nappanee within the city limits will be routed to the District's PSAP. The 911 calls for Nappanee outside the city limits, but inside Kosciusko County will be routed to the Kosciusko County's PSAP.

MOTION: Ron

TO: Approve Interlocal agreement for routing of 911 calls in the city of Nappanee.

SECOND: Brad

AYES: 3            NAYS: 0

UNANIMOUS

**IN THE MATTER OF SPEED LIMIT ORDINANCE ON KINSEY ROAD, CR 800S, CR 600S, CR 400W and CR 625S:**

Scott Tilden, Highway Superintendent, presented an Ordinance for a 45mph speed limit various County roads: Kinsey road between CR 400 S and CR 550 S, CR 800S from 200W to SR15, CR600S from IN SR15 to CR 400W, CR 400W from CR 600s to CR 625S and CR 625S from CR 400W to CR 450w.

MOTION: Ron

TO: Approve 45 mph speed limit on Kinsey Road, CR 800S, CR 600S, CR 400W and CR 625S

SECOND: Brad

AYES: 3            NAYS: 0

UNANIMOUS

**ORDINANCE NO. 12-02-28-005 Speed (2012021532), 12-02-28-006 Speed (2012021531)**

As recorded in the office of the Kosciusko County Recorder



**IN THE MATTER OF HIGHWAY UPDATES:**

Tilden stated a crew will be out paint striping today. Tilden also confirmed all the dump trucks have been received back and all are in good working order.

**IN THE MATTER OF PFEIFFER-VEACH ADDITION/SAWMILL LAKE VACATION REQUEST – TIPPECANOE TWP:**

Dan Richards, Area Plan Director presented an Ordinance for a vacation request from Petitioner Paul and Janice Blair. The vacation was for vacating two alleys within the revised plat of the Pfeiffer-Veach Addition on Sawmill Lake. Richards stated the Area Plan is in full recommendation of this Ordinance.

Richard Helm, Attorney representing the Blairs, presented maps showing what two alley's will be vacated.

Brad Jackson abstained from this vacation.

No one else appeared in favor of the vacation

No one appeared in opposition to the vacation

MOTION: Ron

SECOND: Bob

AYES: 2 ABSTAIN: 1

UNANIMOUS

TO: Accept the recommendation to approve the Ordinance to vacate two alleys within the revised plat of Pfeiffer-Veach Addition.

**ORDINANCE NO. 12-02-28-007 V (2012021533)**

As recorded in the office of the Kosciusko County Recorder

**IN THE MATTER OF AMENDMENT TO REZONING ORDINANCE:**

Dan Richards, Area Plan Director presented a Rezoning Ordinance for the real estate located at 8230 N SR 13 Syracuse, which is property Wawasee Airport. Richards stated the airport would like to sell a portion of the property and have it reclassified for Agricultural Use. The property would be used to accommodate storage warehouses.

No one else appeared in favor of the vacation

No one appeared in opposition to the vacation

MOTION: Brad

SECOND: Ron

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the recommendation for the Rezoning Ordinance.

**ORDINANCE NO. 12-02-28-001 Z (2012021534)**

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  
March 13, 2012**

The Kosciusko County Commissioners met for their regular meeting on March 13, 2012 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN.

Those present were:

Bob Conley - President

Ron Truex

Brad Jackson

Mike Miner – County Attorney

Marsha McSherry – Auditor

Ron Robinson, County Administrator

The meeting was opened with the pledge and a word of prayer. Minutes were approved as presented. Claims were signed and approved for payment.

**IN THE MATTER OF VETERANS AWARD PRESENTATION:**

Rich Maron, Veteran Affairs Officer stated the recipient of the Veteran's award for the month of March was Russell Hart. Maron went onto say that Hart is a very honorable and respected man and the turn out of his family is an indication of how great of a man he is. Hart was a Korean Veteran and received a Bronze Star. Maron shared that Hart had his lovely wife, Retha of 59 years, his two sons, David and John and several other family members including grandchildren

and great-grandchildren present for the award presentation. Hart thanked the Commissioners for the award and stated he was very appreciative of the recognition.

**IN THE MATTER OF LAKELAND REGIONAL SEWER DISTRICT**

**APPOINTMENT:**

Ron Truex requested the appointment of David Doctor to the Lakeland Regional Sewer District.

MOTION: Ron Truex

TO: Approve the Appointment of Dave

SECOND: Brad Jackson

Doctor to the Lakeland Regional Sewer

AYES: 3 NAYS: 0

District.

UNANIMOUS

**IN THE MATTER OF EMPLOYEE BREAKFAST FOR GOVERNMENT MONTH:**

Ron Robinson, County Administrator requested approval from the Commissioners to honor County employee's with a breakfast in April during Government month. The breakfast was approved and will be held on Friday April 13, 2012.

**IN THE MATTER OF HIGHWAY UPDATE:**

Scott Tilden, Highway Superintendent, requested approval to set a date for opening a bid for the replacement of bridge 616 – Winona Beach Road over Peterson Ditch to occur on April 10, 2012 at 9:15 a.m. The Commissioners agreed to this date and time.

Tilden requested to set a date for opening a bid for a Highway dump truck. Tilden stated he has money in his budget to purchase one new truck this year. Tilden requested the meeting occur on April 24, 2012 at 9:15 a.m. The Commissioners agreed to this date and time. Ron Truex stated the Highway department purchased one new truck last year, but is playing catch up for not purchasing trucks over the past several years. The plan is to continue to purchase at least one new truck each year to maintain a current dependable fleet of trucks.

Tilden presented an Operational report to the Commissioners for their review. Tilden asked the Commissioners to review before the next Commissioners meeting on March 27, 2012 and approve at that meeting.

Tilden presented a Supplemental Agreement for bridges 616, Winona 1 and Winona 2 in reference to the construction inspection that is required by the state. The construction inspection will be conducted by USI an inspection consultant out of Indianapolis for a total cost of \$42,600. The breakdown is \$16,600 for bridge 616, \$13,000 for Winona 1 bridge and \$13,000 for Winona bridge 2. The Commissioners requested Tilden obtain a detailed breakdown of these expenses from USI. Tilden will bring this information back to the Commissioners at a later meeting for approval.

**IN THE MATTER OF PRELIMINARY ROAD FUNDING:**

Tilden presented a preliminary road funding request stating he will be short from last year by approximately \$1.5 million dollars for road repairs. Tilden stated the rising cost of fuel and asphalt are key factors in this shortage. Tilden stated he submitted an appropriation last year in the amount of \$50,000 for the rising fuel costs. Tilden increased his budget this year by that \$50,000, but is uncertain at this point if that will be enough. Tilden stated he has \$975,000 in his budget this year for road repairs, but last year the budget was \$2.4 million. Brad Jackson made the motion to take the request to Council and request the \$1.5 million that is required to maintain the road repairs. Truex stated the discussion with Council should be that a \$2.4 million budget is the minimum amount required to maintain a program that will keep our roads in proper condition. Anything less than the \$2.4 million would cause the roads to go beyond fixing and need to be replaced, which would only increase the cost. Truex went on to say how important it is to maintain the \$2.4 million budget at current cost. Truex feels that letting the budget slip back will only cause complications later as it will need to be made up at some point.

MOTION: Brad Jackson

TO: Approval to move request for additional

SECOND: Ron Truex

\$1.5 million in road repairs to Council for

AYES: 3 NAYS: 0

their approval

UNANIMOUS

**IN THE MATTER OF RECOGNITION OF SCOTT TILDEN:**

Bob Conley, President, recognized Scott Tilden for his Master Road Builders Award he received from Purdue University on March 6, 2012. Tilden was 1 of 4 out of 92 that received this honor.

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

**KOSCIUSKO COUNTY COMMISSIONERS  
March 27, 2012**

The Kosciusko County Commissioners met for their regular meeting on March 27, 2012 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Bob Conley - President  
Ron Truex  
Brad Jackson

Mike Miner – County Attorney - absent  
Marsha McSherry – Auditor - absent  
Ron Robinson, County Administrator

The meeting was opened with the pledge and a word of prayer. Minutes were approved as presented. Claims were signed and approved for payment.

**IN THE MATTER OF DEPARTMENT HEAD:**

Sue Ann Mitchell, County Treasurer presented a report from the 2012 Annual Home Show. Mitchell stated the Home Show was a great success due to the help from several county employees. Mitchell stated the main goal was to demonstrate the updated Kosciusko County website to the community. Ed Rock, Emergency Management Director, donated three weather radios' which drew several residents into the booth. This allowed for Mitchell and team to talk about the website and show various features that are available. Mitchell stated that a huge number of direct phone calls are now being handled through the website, which has taken a load off all the offices. Mitchell confirmed they talked to 300 residents over the three day show. The residents had questions in reference to aerial photos, voting districts, ditches, fences, taxes and assessments. Mitchell believes the outreach to the community was very beneficial. Mitchell also stated that there was no cost to the county for this event as the fees were paid for by a personal donation.

**IN THE MATTER OF KABS UPDATE:**

Matt Boren, KABS Director, presented a Compliance Review that was conducted by the Indiana Department of Transportation (INDOT). The review had a couple of recommendations, which Boren is working on an action plan to address these. Ron Truex requested a copy of this action plan be submitted to the Commissioners once established.

**IN THE MATTER OF DRAINAGE BOARD APPOINTMENT:**

Ron Truex requested to appoint Steve Metzger to the Drainage Board. Metzger will replace Maurice McDaniel as he has resigned.

MOTION: Ron Truex

TO: Appoint Steve Metzger to the Drainage Board.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF COUNTY ADMINISTRATOR:**

Ron Robinson, County Administrator, presented an amendment to a lease with Creative Benefits. The policy has been upgraded on how the insurance is paid.

MOTION: Ron Truex

TO: Approve amendment to the lease with Creative Benefits.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF HIGHWAY DEPARTMENT UPDATE:**

Scott Tilden, Highway Superintendent, presented the 2011 Annual Operational Report for Local Roads and Streets at the last Commissioners meeting for their review. Tilden asked the Commissioners if they had any questions. The Commissioners had no questions and approved the report.

MOTION: Ron Truex

TO: Approve the Operational Report for  
Local Roads and Streets.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

Tilden presented a fee justification report for the 616 bridge, Winona 1 and Winona 2 bridges that was requested by the Commissioners at the prior meeting. Tilden had a representative from USI Consultants present to answer questions and concerns from the Commissioners. The Commissioners questioned the 4.5% fee that was being charged. The USI representative stated they will be responsible to ensure the contractor is following all the proper requirements, such as tearing down and properly disposing of material, utilities, drilling and driving of pylons. Truex stated that he would support Tilden on this 4.5% fees if he felt they were comparable to other consultants. Tilden stated he was comfortable with using USI and paying the 4.5% fee. Truex stated the fee serves as an insurance policy for the construction of these bridges for the county.

MOTION: Ron Truex

TO: Approve the \$42,000 consultation fee by  
USI Consultants for the 616, Winona 1 and  
Winona 2 bridges.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF PETITION FOR VACATION OF PUBLIC WAY BEAVER DAM PARK – SEWARD TOWNSHIP – ARRON STAVEDAHL, PETITIONER:**

Dan Richard, Area Plan Director, presented a report recommendation for the following vacation by petitioner, Arron Stavedahl. Stavedahl desires to vacate the following unnamed, unopened public way between the east line of Lots 35 and 36 in Beaver Dam Park to its terminus at the south line of the right-of-way of Swick Road, including the un-vacated portion adjacent to the west line extended south of Lot 14 in Beaver Dam Park and the west line extended north of Lot 51 Meredith's First Addition to Beaver Dam Park. Several adjacent real estate owners appeared before the Commissioners in agreement with the vacation.

Steve Snyder, Attorney, stated his client was in agreement to the recommendation as well.

Brad Jackson stated he would make the motion to approve the vacation with a contingency that the deed be updated to prevent the property from land lock. Richards stated an extra paragraph will be added to the deed to combine the lots.

MOTION: Brad Jackson

TO: Approve the petition for the vacation on  
Beaver Dam Park by Arron Stavedahl.

SECOND: Ron Truex

AYES: 3 NAYS: 0

UNANIMOUS

**ORDINANCE NO. 12-3-27-001 V (2012031310)**

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  
April 10, 2012**

The Kosciusko County Commissioners met for their regular meeting on April 10, 2012 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN.

Those present were:

Bob Conley - President  
Ron Truex  
Brad Jackson-Absent

Mike Miner – County Attorney  
Marsha McSherry – Auditor  
Ron Robinson, County Administrator

The meeting was opened with the pledge and a word of prayer. Minutes were approved as presented. Claims were signed and approved for payment.

**IN THE MATTER OF VETERANS AWARD – THORPE MITCHELL:**

Rich Maron, Veteran Affairs Officer stated the recipient of the Veteran's award for the month of April is Thorpe Mitchell. Maron stated that Mitchell is full of character and very deserving of this award. Mitchell is a retired Air Force, Air Guard, AF Reserve full Colonel. Maron listed several of Mitchell's accomplishments and achievements throughout his career. Maron added that Mitchell is a top rated pilot and has received every rating possible. Maron thanked Mitchell for his years of service and dedication. Mitchell then thanked Maron for the award and stated he was glad to do the service and enjoyed every minute of it.

**IN THE MATTER OF DEPARTMENT HEAD:**

Matt Boren, KABS Director, presented an action plan for the findings from the Compliance Review for the Commissioners to review.

Ed Rock, Emergency Management Director, stated he is currently working on a Mutual Aid agreement for each county. The agreement will allow the moving of resources between counties in the event of a disaster. Rock stated he will forward the agreement to the County Attorney for evaluation and then present it to the Commissioners for their approval.

David Rosenberry, Director of Personnel for 911 Dispatch, stated it is National Telecommunications week. Rosenberry would like to thank all the Dispatchers for the job they perform.

**IN THE MATTER OF LPA-CONSULTING CONTRACT:**

Ron Robinson, County Administrator, stated the bid for the next Round About was awarded to E&B paving out of Anderson, Indiana. The bid is not to exceed \$306,441.00 and is lower than the engineer's original estimate. The utility lines for this project are currently being relocated and congested traffic is anticipated.

Robinson presented a contract for LPA-Consulting for the inspection of the Round About project. Robinson requested the Commissioner's to approve and sign the contract.

MOTION: Ron Truex TO: Approve the LPA-Consulting Contract  
SECOND: Bob Conley  
AYES: 2 NAYS: 0  
UNANIMOUS

**IN THE MATTER OF NORTHERN LAKES MEDICAL :**

Robinson presented a contract for Northern Lakes Medical and the 911 Dispatch Center. Northern Lakes Medical, Dr. Williams, will oversee the medical calls that go through dispatch. Dr. Williams has agreed to continue to provide these services at the same cost. Robinson requested the Commissioner's to approve and sign the contract.

MOTION: Ron Truex TO: Approve the Northern Lakes Medical  
SECOND: Bob Conley contract  
AYES: 2 NAYS: 0  
UNANIMOUS

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

Marsha McSherry, County Auditor, presented two Conflict of Interest for the Nappanee Public Library: Angela Stillson and Gavin Miller

MOTION: Ron Truex TO: Approve the Conflict of Interest for the  
SECOND: Bob Conley Nappanee Public Library  
AYES: 2 NAYS: 0  
UNANIMOUS

**IN THE MATTER OF HIGHWAY DEPARTMENT OPENING BID FOR  
REPLACEMENT OF BRIDGE 616 (WINONA BEACH ROAD OVER PETERSON  
DITCH):**

Scott Tilden, Highway Superintendent, stated bid's for replacement of bridge 616 ends at 9:15am today and in two weeks there will be an upcoming bid for a dump truck.

**IN THE MATTER ANY FURTHER BUSINESS:**

Mike Miner, County Attorney, stated 9:15am and the bid's are closed for the 616 bridge. The bid's were as follows:

Pioneer Associates Inc. - \$211,391.87

LaPorte Construction - \$188,805.00

Beer & Slaybaugh - \$168,553.00

Scott Tilden requested that all bid's be taken under review and a final decision will be made in 2 weeks at the next Commissioner's meeting.

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

**KOSCIUSKO COUNTY COMMISSIONERS  
April 24, 2012**

The Kosciusko County Commissioners met for their regular meeting on April 24, 2012 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Bob Conley - President  
Ron Truex  
Brad Jackson

Mike Miner – County Attorney  
Marsha McSherry – Auditor  
Ron Robinson, County Administrator

The meeting was opened with the pledge and a word of prayer. Minutes were approved as presented. Claims were signed and approved for payment.

**IN THE MATTER OF DEPARTMENT HEADS:**

Ed Rock, Emergency Management Director, requested approval to write a grant in the name of Kosciusko County Firemen's Association, hosted by Warsaw Wayne Township Fire Territory. The grant is for roughly \$568,000.

MOTION: Ron Truex

TO: Approval to write a grant in the name of  
Kosciusko County Firemen's Association.

SECOND: Brad Jackson

AYES: 2                      NAYS: 0

UNANIMOUS

Jason McSherry, County Clerk, requested to have two security features added to his bank account due to fraudulent activity. A check was written against the clerk's bank account in the amount of \$10.00. These security features are already on other department bank accounts. The cost for these two features will be \$35 per month for both features.

MOTION: Brad Jackson

TO: Approve security features for fraudulent  
activity on the clerk's bank account.

SECOND: Ron Truex

AYES: 2                      NAYS: 0

UNANIMOUS

Matt Boren, KABS Director, presented first quarter claim in the amount of \$132,709 (\$107,458 Federal and \$25,251 State) .

MOTION: Ron Truex

TO: Approve first quarter claim.

SECOND: Brad Jackson

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AYES: 2                      NAYS: 0  
UNANIMOUS

**IN THE MATTER OF ABATE:**

Ty Marshall- member of ABATE asked that the Commissioners proclaim May Motorcycle Safety Awareness Month. Bob Conley states this Proclamation is signed every year and is a great thing for the community to ensure safety for everyone involved.

MOTION: Brad Jackson                      TO: Approve proclamation for May to be  
SECOND: Ron Truex                      recognized as Motorcycle Safety Awareness  
AYES: 2                      NAYS: 0                      Month  
UNANIMOUS

**IN THE MATTER OF MILFORD LIBRARY APPOINTMENT :**

Marsha McSherry, County Auditor, presented Milford Library Appointment for Charlotte Siegfried till end of 2012. The State changed the terms for the Library Board and at that time Charlotte will be re-appointed for a full term.

MOTION: Ron Truex                      TO: Approve the Milford Library  
SECOND: Brad Jackson                      Appointment of Charlotte Siegfried.  
AYES: 2                      NAYS: 0  
UNANIMOUS

**IN THE MATTER OF COUNTY ADMINISTRATOR:**

Ron Robinson, County Administrator, requested approval to renew the McCallister contract. They conduct maintenance on the generator for the Courthouse and the Justice Building. The cost has gone up \$179 since 2002. The options are a 1, 3 or 5 year contract with the 3 year being the best deal. Robinson would like to move forward with the 3 year contract. The Commissioners agreed to the renewal of a 3 year contract.

MOTION: Brad Jackson                      TO: Approve renewal of a 3 year contract  
SECOND: Ron Truex                      with McCallister.  
AYES: 2                      NAYS: 0  
UNANIMOUS

Robinson, requested approval to renew contract with Sun Life for medical insurance.

MOTION: Ron Truex                      TO: Approval to renew contract with Sunlife  
SECOND: Brad Jackson                      for Medical Insurance.  
AYES: 2                      NAYS: 0  
UNANIMOUS

Robinson, requested to renew contract with Creative Benefits, which is the county's current consultant for medical benefits.

MOTION: Ron Truex                      TO: Approval to renew contact with our  
SECOND: Brad Jackson                      current consultant, Creative Benefits, on  
AYES: 2                      NAYS: 0                      medical benefits.  
UNANIMOUS

Robinson, requested approval for an agreement with Medstat to support a clinic for the county employees. The partnership will allow bigger savings to the county employees on the rising medical expenses. The research has shown that similar clinics in surrounding areas have saved a considerable amount of money on insurance claims in an excess of \$100,000. Ron Truex stated it is a great opportunity for the county and the employees to save money.

MOTION: Ron Truex                      TO: Approve contract with MedStat to  
SECOND: Brad Jackson                      facilitate a medical clinic for county  
AYES: 2                      NAYS: 0                      employees.  
UNANIMOUS

Ron Robinson, County Administrator states that the county building is having repairs due to a large separation in the roof that is allowing water to filter into the building instead of into the gutters and off the building. The repairs should be completed in a couple days.

**IN THE MATTER OF BEER AND SLAYBAUGH AWARDED BID FOR BRIDGE 616:**

Scott Tilden, Highway Superintendant, stated on April 10, 2012 bids for the 616 bridge were accepted for review. Tilden requested that the bid be awarded to Beer and Slaybaugh with a bid of \$168,553. The Commissioners approved the bid and signed the agreements.

MOTION: Ron Truex

TO: Approve and award Bridge 616 bid to

SECOND: Brad Jackson

Beer and Slaybaugh.

AYES: 2                      NAYS: 0

UNANIMOUS

**IN THE MATTER OF BIDS FOR WINONA LAKE 1 AND WINONA LAKE 2 BRIDGE:**

Scott Tilden, Highway Superintendant, presented the Title work for bridges Winona Lake 1 and Winona Lake 2 for approval. Tilden also requested the approval to obtain bids for these two bridges. Mike Miner, County Attorney, stated the bridges are two different jobs and need to have two separate bids. The Commissioners agreed with Miner and approved to allow the bidding process. Tilden requested to have the bids accepted on May 22, 2012 and opened at 9:15am.

MOTION: Ron Truex

TO: Approval to bid out Winona Lake 1

SECOND: Brad Jackson

and Winona Lake 2 bridge work.

AYES: 2                      NAYS: 0

UNANIMOUS

**IN THE MATTER OF PETITION FOR VACATION AND RELOCATION OF PUBLIC WAY- WAVELAND BEACH – TURKEY CREEK TOWNSHIP – NORTH EAST WAWASEE, LLC:**

Dan Richards, Area Plan Director, presented a petition for vacation and relocation of a public way. The desire is to vacate a portion of East Wawasee Drive adjacent thereto and located within a part of Lot 15 and a part of East Wawasee Drive as platted in Waveland Beach on Lake Wawasee in Turkey Creek Township. Richards stated North East Wawasee, LLC, petitioner, is requesting to straighten out the curve on a portion of Lake Wawasee Drive at the petitioner's expense. Richard went on to say that after review the Area Plan Commission is in full support of the request.

Steve Snyder, Attorney for the petitioner, states his client will incur all the expenses for removing and relocating the road. North East Wawasee, LLC will be required to adhere to all county road and drainage standards that are imposed by the county highway and county surveyor. Snyder stated that the curve has always been an issue to his client due to repairs he makes to the brick wall for people missing the curve and hitting it. The resolution presented will benefit both his client and the public in general as a safety issue of the blind curve.

Paul Stoelting, Attorney for Enchanted Hills, represented his client by stating they have concerns with additional taxes being accessed, the construction taking place over the summer months, and the integrity of the stairway if access is blocked. Brad Jackson asked Stoelting if his client had any issues with the straightening of the road. Stoelting commented that his client did not have issues with the straightening, but rather concerns on when and how the roadwork would be done. Enchanted Hills also requested that all fences or guard rails be replaced to protect the playground and park area.

Steve Dickenson, Board VP for Enchanted Hills, stated there is concern that if the public right of way is moved that the land ownership underneath the right of way would be lost. Mike Miner, County Attorney, stated that if the public right of way moves the land owner of the property under the public right of way does not lose that property. Dickenson stated that they do not have an issue with the straightening of the road, but they do have an issue as to when the work will be completed. Dickenson also stated the board feels that straightening the road out will only decrease safety due to the potential for higher speeds being used through that area. Dickenson in his final comments stated the Board is against the vacation of the property to the left.

Tony Zirille, Attorney for George Hubert, opened by saying his client would like the Commissioners to deny the request. Hubert does not have an issue with the straightening of the road, but does have an issue with losing access through his property for lake access. After further discussion with the Commissioners it was established that the lake access was not being taken away in the original request that was presented. Zirille stated that his client, Hubert, will agree to the vacation/relocation as long as his lake access is not removed.



Joyce Boyce, concerned resident, stated her and her husband felt it would be a hazard for the road to be straightened out due to the excessive speed that would occur. Boyce stated that the current curve actually acted as a safety feature to keep the speeds reduced in that area.

Ron Sims, Sea Scouts Skipper, stated his concern is for the Sea Scouts as they use the lake access to get their canoes and kayaks down to the lake. The Sea Scouts program is a great organization and it has helped many young adults. Sims also had concerns with not having lake access from a firemen's point of view as he also serves as a firefighter.

Ann Cabiner, concerned resident, stated she has an issue with the new road coming into her property. The Commissioners assured her that the road would not and could not come into her property. Cabiner also had a concern with the speed increasing down the new road.

Greg Long, concerned resident, stated he feels the curve is not a safety issue and it actually forces people to slow down. The other area of concern was for the firefighters, but the Commissioners assured Long that they have full access to the lake for water. Long stated his hope is for a compromise for all parties involved.

The Commissioners spoke and agreed to leave the north ½ of the road open and to keep the access from the roadway to the north open, which is already there and will not change. The issue with the road construction will be addressed with the road engineer, which includes any drainage issues. Speed limit signs will be posted for public safety.

MOTION: Ron Truex

TO: Approve the petition for vacation and relocation of public way on a portion of East Wawasee Drive.

SECOND: Brad Jackson

AYES: 2

NAYS: 0

UNANIMOUS

**IN THE MATTER OF PETITION FOR REZONING FOR AGRICULTURAL USE –  
PETITIONER – PAUL GRAHAM:**

Dan Richards, Area Plan Director, requested that part of section 36, Township 33 North, Range 5 East, in Prairie Township be re-zoned from Industrial II to Agricultural use. The petitioner, Paul Graham, would like to build a single family residence on the property. Richards stated there would be a restricted covenant attached to the property deed to protect surrounding Industrial II land. Richards stated that the petitioner is well aware of the Industrial II land surrounding his property. Paul Graham, petitioner, stated his purpose for this request is to build a home on the land that has been in his family for over 30 years.

MOTION: Brad Jackson

TO: Approve the rezoning for Agricultural use.

SECOND: Ron Truex

AYES: 2

NAYS: 0

UNANIMOUS

**ORDINANCE NO. 12-04-24-001Z (2012041033)**

As recorded in the office of the Kosciusko County Recorder

**IN THE MATTER OF OPENING BID FOR HIGHWAY DUMP TRUCK:**

Mike Miner, County Attorney, opened bids for the County Highway single axle dump truck.

The bids were as follows:

Selking International \$154,011

Palmer trucks \$155,373

Hill Truck Sales \$143,893

Tilden will take the bids for review and present his recommendation to the Commissioners on May 7, 2012.

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

**KOSCIUSKO COUNTY COMMISSIONERS  
May 7, 2012**

The Kosciusko County Commissioners met for their regular meeting on May 7, 2012 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN.

Those present were:

Bob Conley - President  
Ron Truex - absent  
Brad Jackson

Mike Miner – County Attorney  
Marsha McSherry – Auditor  
Ron Robinson, County Administrator

The meeting was opened with the pledge and a word of prayer. Minutes were approved as presented. Claims were signed and approved for payment.

**IN THE MATTER OF COUNTY ADMINISTRATOR :**

Ron Robinson, County Administrator, presented agreement for the Kosciusko Medical Group doctor services for the Medical Director of emergency dispatch center. The price of the agreement is the same and has been the same for the past five years.

MOTION: Brad Jackson  
SECOND: Bob Conley  
AYES: 2                      NAYS: 0  
UNANIMOUS

TO: Approve the agreement for the  
Kosciusko Medical Group doctor services for  
the emergency dispatch center.

Ron Robinson, County Administrator, presented a renewal contract for Centurylink Sales Solutions, Inc. The contract is the same as last year.

MOTION: Brad Jackson  
SECOND: Bob Conley  
AYES: 2                      NAYS: 0  
UNANIMOUS

TO: Approve the renewal contract with  
Centurylink Sales Solutions, Inc.

Ron Robinson, County Administrator, presented an agreement with Cardinal Services, Inc. for use of the health care clinic facility. The agreement is for two years with an out after one year.

MOTION: Brad Jackson  
SECOND: Bob Conley  
AYES: 2                      NAYS: 0  
UNANIMOUS

TO: Approve the agreement between  
Kosciusko County and Cardinal Services, Inc.  
for use of the health clinic facilities.

Ron Robinson, County Administrator, stated the liability for workmen's comp insurance is coming due, but are still in negotiations. Robinson would like permission to sign and approve once the final numbers are in. The Commissioners agreed to this request.

**IN THE MATTER OF CONFLICT COUNTY AUDITOR:**

Marsha McSherry, County Auditor, presented the Annual Report for the Congressional Township Funds for approval.

MOTION: Bob Conley  
SECOND: Brad Jackson  
AYES: 2                      NAYS: 0  
UNANIMOUS

TO: Approve the Annual Report for the  
Congressional Township Funds.

**IN THE MATTER OF COUNTY HIGHWAY UPDATES:**

Scott Tilden, Highway Superintendent, requested approval to award the truck bid to Hill's Truck sales. The bid was for \$143,893 for a 2013 freightliner 114 SD with equipment from WA Jones. The bid also included the trade of the 1994 dump truck

MOTION: Brad Jackson  
SECOND: Bob Conley  
AYES: 2                      NAYS: 0  
UNANIMOUS

TO: Approval to award truck bid to Hill's  
Truck sales.

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

**KOSCIUSKO COUNTY COMMISSIONERS**  
**May 22, 2012**

The Kosciusko County Commissioners met for their regular meeting on May 22, 2012 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN.

Those present were:

Bob Conley - President  
Ron Truex  
Brad Jackson

Mike Miner – County Attorney  
Marsha McSherry – Auditor  
Ron Robinson, County Administrator

The meeting was opened with the pledge and a word of prayer. Minutes were approved as presented. Claims were signed and approved for payment.

Bob Conley, President, took a moment to welcome Jon Garber to the County Council.

**IN THE MATTER OF DEPARTMENT HEADS:**

Ed Rock, Emergency Management Director, stated they are in the process of obtaining a Mutual Aid agreement that would encompass all jurisdictions in Kosciusko County and District Two. A Resolution must be signed and approved before the Mutual Aid agreement can be approved. Rock stated the Resolution and Mutual Aid agreement will be presented at the next Commissioners meeting.

**IN THE MATTER OF COUNTY ATTORNEY:**

Mike Miner, County Attorney, stated they are preparing to file on the condemnation property for the last piece of property needed for the Roundabout project.

**IN THE MATTER OF COUNTY ADMINISTRATOR- NEPOTISM ORDINANCE :**

Ron Robinson, County Administrator presented an Ordinance for the acceptance of a new Nepotism Law that will take effect in July. All the paperwork has been prepared and ready to be sent out to all employees, but the Ordinance must first be approved.

MOTION: Ron Truex

TO: Approve Nepotism Ordinance.

SECOND: Brad Jackson

AYES: 3                      NAYS: 0

UNANIMOUS

**ORDINANCE NO. 2012-05-22-001 (2012050983)**

As recorded in the office of the Kosciusko County Recorder

**IN THE MATTER OF COUNTY ADMINISTRATOR- DATA EXCHANGE AGREEMENT:**

Ron Robinson, County Administrator, presented a Data Exchange agreement between the State GIS and Kosciusko County GIS. The agreement states the two can trade services between each other. The State GIS has furnished funding for the Ortho project in past years.

MOTION: Brad Jackson

TO: Approve the Data Exchange Agreement.

SECOND: Ron Truex

AYES: 3                      NAYS: 0

UNANIMOUS

**IN THE MATTER OF COUNTY ADMINISTRATOR- LIABILITY INSURANCE:**

Ron Robinson, County Administrator, stated the completion of the liability insurance review. The insurance increased an additional \$15,000 this year, but the workmen's compensation insurance decreased.

**IN THE MATTER OF COUNTY ADMINISTRATOR- REQUEST NEW ACCOUNT NUMBER:**

Ron Robinson, County Administrator, stated they would like to create a new account number of 31082. The new account number will be used to purchase vehicles and equipment.

MOTION: Ron Truex

TO: Approve new account number of 31082.

SECOND: Brad Jackson

AYES: 3                      NAYS: 0

UNANIMOUS

**IN THE MATTER OF COUNTY HIGHWAY UPDATES:**

Scott Tilden, Highway Superintendent, requested the approval of a Speed Ordinance of 25 mph in the following locations: Barrington Hills sub-division, Bruner Rd from State Rd 25 to the end of Bruner Rd, Lakeview Park Drive (between Bruner Rd and Palestine Lane), and Palestine Lane (between Lakeview Park Drive and Bruner Rd).

MOTION: Ron Truex

TO: Approve 25mph Speed Limit Ordinance.

SECOND: Brad Jackson

AYES: 3                      NAYS: 0

UNANIMOUS

**ORDINANCE NO. 12-05-22-003 SPEED (2012050985)**

As recorded in the office of the Kosciusko County Recorder

**IN THE MATTER OF RE-ZONING FROM RESIDENTIAL TO AGRICULTURAL – PETITIONERS DANIEL AND ERIN MCKIBBIN:**

Dan Richards, Area Plan Director, presented a report recommendation to re-zone a track of ground under the name of petitioners Daniel & Erin McKibbin that is located on Old 30 West. The re-zoning will be from residential to agricultural to allow agricultural type animals. Area Plan comes before the Commissioners with a favorable recommendation to allow the re-zoning of this track.

MOTION: Ron Truex

TO: Approve the re-zoning from residential

SECOND: Brad Jackson

to agricultural under the petitioners Daniel &

AYES: 3                      NAYS: 0

Erin McKibbin.

UNANIMOUS

**ORDINANCE NO. 12-05-22-002 Z (2012050984)**

As recorded in the office of the Kosciusko County Recorder

**IN THE MATTER OF VACTION AND RELOCATION – PETITIONER NORTHEAST WAWASEE LLC:**

Dan Richards, presented a copy of a proposed Ordinance that was drawn up by the Petitioner, Northeast Wawasee LLC. This Ordinance is in reference to a vacation that was proposed at the last Commissioners meeting. The recommendation is to have the County Attorney, Mike Miner, review for the correct language.

MOTION: Ron Truex

TO: Approval to have Mike Miner review the

SECOND: Brad Jackson

proposed Ordinance from Northeast Wawasee

AYES: 3                      NAYS: 0

LLC for appropriate language.

UNANIMOUS

**ORDINANCE NO. 12-4-24-001 V**

**IN THE MATTER OF BIDS FOR WINONA BRIDGE 164 & 165:**

Mike Miner, County Attorney, and Scott Tilden opened bids for the Winona Bridge 164 & 165. The following bids were received:

Pioneer Associates – Bridge 164 - \$181,686.80 Bridge 165 - \$141,859.46

Laporte Construction – Bridge 164 - \$203,144.53, Bridge 165 - \$133,334.76

Camden Construction – Bridge 164 - \$190,505.00, Bridge 165 - \$128,210.00

Beer & Slabaugh – Bridge 164 - \$181,539.80, Bridge 165 - \$128,779.75

Tilden states the engineer estimates were as follows:

Bridge 164 - \$228,076.00

Bridge 165 - \$159,270.50

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

## **KOSCIUSKO COUNTY COMMISSIONERS**

### **June 5, 2012**

The Kosciusko County Commissioners met for their regular meeting on June 5, 2012 at 9:00 A.M. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN.

Those present were:

Bob Conley - President  
Brad Jackson  
Ron Truex

Marsha McSherry – County Auditor  
Ron Robinson – County Administrator  
Mike Miner - County Attorney

The meeting was opened with the pledge and a word of prayer. Minutes were approved as presented. Claims were signed and approved for payment.

#### **IN THE MATTER OF REDACTION SERVICES AND SUPPORT AGREEMENT:**

Deb Wright, County Recorder, presented the annual Redaction services and support agreement for approval.

MOTION: Brad Jackson

TO: Approve the annual Redaction Services and Support Agreement.

SECOND: Ron Truex

AYES: 3 NAYS: 0

UNANIMOUS

#### **IN THE MATTER OF NON PROFIT 2013 BUDGET REQUESTS:**

The following not-for-profit organizations appeared before the Commissioners to request funding for the 2013 budget year.

- ❖ 4-H Council – Tammy Wise and Angela Truitt-Petre spoke on behalf of the 4-H Council requesting \$51,574 for 2013. Wise stated they work with the youth and try to make them into the “Leaders” of tomorrow. The 4-H Council is having a bigger membership drive this year to push 4-H out to more of the youth within the county. Three new programs are being offered this year: Lego, Mountain Biking and Self-Determined. Ron Truex expressed his approval on the youth being able to express themselves outside the box and commended Wise and Truitt-Petre on these new programs. Wise and Truitt-Petre thanked the Commissioners for their continued support.
- ❖ Kosciusko Economic Development Corporation – George Robertson, Economic Director from Kosciusko Economic Development Corporation (KEDCo) thanked the County for its past support. Robertson introduced Dan Brown, Infra-Structure Chairman to the Commissioners. Robertson stated that Kosciusko counties current unemployment rate is 6.6% and that 1 out of the 8 jobs in America have been created in Indiana. Robertson shared his excitement over these numbers and stated this all stems from existing businesses growing and exceeding their growth potential. Robertson added there are still existing challenges they are faced with, such as, no shovel ready sites in the county and having very few existing buildings available. KEDCo has been working with the Redevelopment Committee to have shovel ready sites in place this year. Robertson also stated that companies are looking for shell buildings and this is another area that cannot be overlooked. Robertson is requesting an additional \$25,000 over last year for a total of \$177,000 for 2013. The additional money is to fund a fourth full-time position of an experienced economic developer. Robertson expressed this is the time to get aggressive in Indiana and the conditions are the best they have been in over a decade to bring new companies to our county.
- ❖ Cardinal Services – Jane Wear, Cardinal Services, thanked the County for letting them participate in the Clinic program and stressed the impact it will have on their employees and families. Ron Truex thanked Cardinal Services for joining and helping make the program a reality. Truex and Bob Conley both expressed the positive impact the clinic will have on everyone involved. Wear stated they are requesting a 3% increase from last year for a total amount of \$117,815 for 2013. Wear asked for financial support for three (3) programs offered at Cardinal Services: Head Start (services children through age 5); Community Living Program (services adults with developmental and physical

disabilities) and KABS (bus services provided throughout the County). Wear stated the KABS program may have to reduce a bus route in half due to funding issues and they are currently turning people away.

- ❖ Home Health Care – Rick Paczkowski, Executive Director, thanked the County for its past support and requested \$42,750 for 2013. Paczkowski stated the requested funds are used to allow individuals to remain in their homes rather than be institutionalized. Paczkowski further stated there were 18,000 visits to clients with health care employees driving 55,000 miles to those visits. Paczkowski added his staff goes above and beyond to help their patients even with rising costs and decreased funding from the State. Paczkowski added the program has been turning individuals away due to lack of funds.
- ❖ Historical Society – Jerry Frush, Museum President, introduced the new Director, Sally Hogan and the new Treasurer, Jerry Black. Black stated they are requesting the same amount from last year of \$20,255 for 2013. Black stated the utilities have increased over 20% the past few years, but this past spring insulation improvements were made in hopes to reduce the utilities for cost savings. Black also stated new copiers were purchased through donations and the maintenance agreements are half the cost of the old ones, which will allow another cost saving to help hold the line on the overall budget expenses. Black added that Hogan is starting several new programs in hopes to increase memberships, which would then increase the amount of donations. Hogan stated one of the new programs will be the Walkabouts throughout the county. The Walkabouts will focus on areas of the county that go unnoticed. Hogan also stated they have been very active in school tours and is now providing take home packets for the teachers and students. In September there will be a reenactment of the signing of the Constitution of the United States. The Historical Society now has Kiosk for WWII Veterans and family members to use to have pictures framed and printed off. Ron Truex commented on the Warsaw Winona Lake video that is available for viewing and what a great promotional piece it is. Truex stated this video needs to be referenced and published more. Hogan states that they will be doing more public speaking and could use that video in their talks.
- ❖ Beaman Home – Tracie Hodson, Executive Director, thanked the County for its past support stating they are the emergency shelter for victims experiencing domestic violence. Hodson stated the staff is evaluating and reorganizing programs and marketing its outreach program (DOVE - Domestic Violence Education), which is the heart and soul of the program. Hodson stated the shelter is looking to purchase a new home for the shelter. The current 3 bedroom home that has 13 beds is truly not equipped to serve up to 150 people a year that it currently does. Hodson added the shelter is open 24/7. They are requesting \$37,200 for 2013.
- ❖ Council for Aging – April Baxter, Director for the Kosciusko Community Senior Activity Center, began by thanking the County for its past support and requested \$35,000 for 2013. Baxter stated the Council serves the County's senior citizens with Mobile Meals, transportation to medical visits allowing them to remain at home and not be placed in a medical or health care facility, homemaker services and the Senior Activity Center.
- ❖ St. Joe River Basin – Requested \$450, with no representation at the meeting.
- ❖ Animal Welfare League – Darla McCammon, AWL Executive Director, introduced Board President, Tammy Kern. McCammon stated the County provides approximately twenty percent (20%) of the shelter's budget. McCammon requested \$80,340 for 2013 adding the AWL is always fundraising and raising awareness throughout the community. McCammon noted that almost all of the funding for the AWL comes from donations. The cost to run the AWL is \$350,000 annually. McCammon stated they have had a significant increase in medical expenses and food over the past year and donations are way down due to the current economy. AWL continues to look for innovative ways to get the animals adopted and the adoption rate has increased by 22%. The euthanasia rate had decreased by 35%. The decrease is due to the increase in the adoption rate. McCammon finished by stating the AWL has definitely outgrown the current location and will in the near future need to look for a new building.
- ❖ Bowen Center – Jay Baumgartner, Bowen Center CFO, requested \$528,080 the amount mandated by the State. Baumgartner explained the Center serves lower income families with 65% of clients served earning \$20,000 or less and 78% of clients served earning \$30,000 or less. Baumgartner shared that 50% of the patients they see are referrals from another county agency. Baumgartner noted one (1) of every fourteen (14) Kosciusko

County residents receive services through Bowen Center. Steffen added an initiative the Bowen Center will work on is Community calibration and how to get all the people they are currently working with to come together as one big community.

**IN THE MATTER OF COUNTY ATTORNEY:**

Mike Miner, County Attorney, stated that things for the roundabout are wrapping up and moving along.

**IN THE MATTER OF JOB DESCRIPTION FOR SOIL AND WATER DEPARTMENT:**

Ron Robinson, County Administrator, requested approval to adopt a new job description for the Soil and Water department. Robinson stated there is no compensation change. The job description will be updated to reflect what the current position truly is.

MOTION: Ron Truex

TO: Approval to adopt a new job description for the Soil and Water department.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF RESOLUTION AND FOR MUTUAL AID AGREEMENT:**

Ron Robinson, County Administrator, requested the adoption of the resolution for the Mutual Aid Agreement between mutual counties and the adoption of the Mutual Aid Agreement.

MOTION: Ron Truex

TO: Approval of the resolution and adoption of the Mutual Aid Agreement.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

**RESOLUTION NO. 2012-06-05-001 (2012060158)**

As recorded in the office of the Kosciusko County Recorder

**IN THE MATTER 2011 EMERGENCY MANAGEMENT PERFORMANCE GRANT-SALARIES SUB-GRANT AGREEMENT:**

Ron Robinson, County Administrator, requested the adoption of the Emergency Management Performance Grant. This grant is for half of Ed Rock and Cathy Reeds salary from 2011. Robinson stated the agreement needs to be adopted for the county to re-coop these funds.

MOTION: Ron Truex

TO: Approval of the 2011 Emergency Management Performance Grant-Salaries.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF COUNTY ADMINISTRATOR UPDATE:**

Ron Robinson, County Administrator, stated the Clinic opened on June 4<sup>th</sup> and several employees have used the services. Robinson stated there have been a few computer glitches, but overall things are working smoothly.

**IN THE MATTER OF BIDS FOR BRIDGE 164 AND 165:**

Scott Tilden, Highway Superintendent, stated that two weeks ago the Commissioners were presented with bids for Bridge 164 and 165. Phil Beer stated that the lowest bid for Bridge 164 was from Beer & Slabaugh (\$181,539.80) and asked for approval to move forward with Beer & Slabaugh for Bridge 164.

MOTION: Brad Jackson

TO: Approval for Beer & Slabaugh to win the bid for Bridge 164.

SECOND: Ron Truex

AYES: 3 NAYS: 0

UNANIMOUS

Phil Beer stated that the lowest bid for Bridge 165 was from Camden Construction (\$128,213.00) and asked for approval to move forward with Camden Construction for Bridge 165.

MOTION: Brad Jackson

TO: Approval for Camden Construction to win the bid for Bridge 165.

SECOND: Ron Truex

AYES: 3 NAYS: 0

UNANIMOUS

Scott Tilden stated that combined the bids for Bridge 164 and 165 were \$77,000 under the engineer's original bids. The Commissioners expressed their approval of how competitive all the bids were. Beer stated they will be moving forward with pre-construction meetings for both bridges.

**IN THE MATTER OF TRANSFER OF FUNDS FOR COUNTY HIGHWAY:**

Tilden requested approval to transfer \$85,000 to fund 1135-44017-000-000 for the replacement of a Case 590 – 1994 Loader/Backhoe. This piece of equipment has nearly 8000 hours. The \$85,000 funds will come from the following: \$35,000 from fund 1135-39000-000-000 (Bridge Replacement), \$40,000 from fund 1135-39052-000-000 (Bridge Maintenance) and \$10,000 from fund 1135-39086-000-000 (Guardrail). Tilden stated the funds are available due to the bridge bids coming in lower. Tilden will come back to the Commissioners with a bid date once Council approves the transfer.

MOTION: Brad Jackson

SECOND: Ron Truex

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approval to transfer \$85,000 to fund 1135-44017-000-000 from the following funds: \$35,000 from fund 1135-39000-000-00 (Bridge Replacement), \$40,000 from fund 1135-39052-000-000 (Bridge Maintenance) and \$10,000 from fund 1135-39086-000-00 (Guardrail).

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

## **KOSCIUSKO COUNTY COMMISSIONERS June 19, 2012**

The Kosciusko County Commissioners met for their regular meeting on June 19, 2012 at 9:00 A.M. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Bob Conley - President  
Brad Jackson  
Ron Truex

Marsha McSherry – County Auditor  
Ron Robinson – County Administrator  
Mike Miner - County Attorney

The meeting was opened with the pledge and a word of prayer. Minutes were approved as presented. Claims were signed and approved for payment.

**IN THE MATTER OF VETERANS AWARD – TOM EVERETT:**

Rich Maron, Veteran Affairs Officer stated the recipient of the Veteran's award for the month of June is Tom Everett. Maron stated that it was his privilege and honor to have Everett recognized as Veteran of the month. Everett is a life member of the American Legion, VFW, DAV, AMVETS and the KWVA. Everett serves as a Chaplin and has officiated funerals for fallen Vets. Maron thanked Everett for his years of service and dedication. Everett then thanked Maron and the Commissioners for the award and stated he was glad to do the service and enjoyed every minute of it.

**IN THE MATTER OF INGEO – ELECTRONIC RECORDING CONTRACT:**

Deb Wright, County Recorder, requested Commissioners to approve an electronic recording contract with INGEO. The e-recording will allow the recorder's office to expand their current e-recording system. Wright stated there is no additional charge for this service.

MOTION: Ron Truex

SECOND: Brad Jackson

AYES: 3 NAYS: 0

TO: Approve electronic recording contract with INGEO



UNANIMOUS

**IN THE MATTER OF COUNTY CLERK:**

Jason McSherry, County Clerk, requested approval of a software license agreement with Microvote Election Management System.

MOTION: Ron Truex

TO: Approve the software license agreement with Microvote Election Management System

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF KCV CYCLING CLUB:**

Troy Turley, KCV Cycling Club member, stated the KCV Cycling Club has been working with MAGCO to help evaluate the need for signage of bike routes. Tim Dombrosky, Assistant City Planner for Warsaw, stated the City of Warsaw is in agreement with the plan. Turley stated they have been working with Scott Tilden, Highway Superintendent, to get guidance on the type of signage that is needed and the best placement for this signage. Dombrosky stated they have submitted a grant for \$25,000 to the KCCRVC committee for approval. Dombrosky went onto say that if the grant is awarded then there would be no cost to the county. The commissioner's main concern is safety for the community.

MOTION: Brad Jackson

TO: Approval to move forward with the placement of the bike route signage if the \$25,000 grant from KCCRVC is approved.

SECOND: Ton Truex

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER COUNTY ATTORNEY:**

Mike Miner, County Attorney, requested approval of the Clinic Service Agreement between Kosciusko County and MedStat.

MOTION: Brad Jackson

TO: Approval of Clinic Service agreement

SECOND: Ron Truex

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER 2011 HOMELAND SECURITY GRANT PROGRAM:**

Ron Robinson, County Administrator, brought a grant to the Commissioners on behalf of Ed Rock. The grant is to replenish the funds for anything in the future as the funds were depleted due to a recent deployment. The amount of the grant is for \$47,000.

MOTION: Brad Jackson

TO: Approval of the 2011 Homeland Grant program to replenish the funds to \$47,000.

SECOND: Ron Truex

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF THE COUNTY HIGHWAY UPDATE:**

Scott Tilden, Highway Superintendent, requested approval to appear before the Commissioner's at 9:15am on July 31, 2012 to open bids for the purchase of a new backhoe. The Commissioner's were in agreement to open the bids at this date and time. The plan is to trade in the current backhoe to help with the overall cost of the new backhoe.

**IN THE MATTER OF NON-FOR PROFIT:**

Brad Jackson stated the Wage Committee met and proposed that the Non-For Profit Organizations be awarded the same amount of funding they received in 2012.

MOTION: Brad Jackson

TO: Approval for the Non-For Profit

SECOND: Ron Truex

Organization to be awarded the same amount of funding they received in 2012.

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF KOSCIUSKO COUNTY BURN BAN:**

Bob Conley, President County Commissioners, referenced the burn ban that went into effect on June 15, 2012 for Kosciusko County. The burn ban will continue through this Friday, June 22, 2012. The Commissioners along with the Emergency Management Manager will meet late to re-evaluate the situation. There have been 22 calls related to fires, but none of critical nature.

**IN THE MATTER OF VACATION OF UNNAMED PUBLIC WAY – PETITIONERS-  
DAVID & VICKIE METZGER:**

Dan Richards, Area Plan Director, stated the petitioners David and Vickie Metzger are requesting to vacate an unopened public way between Lots 6, 7 and 12 in Mort’s Addition south of EMS B64 Lane. The recommendation from Area Plan is to allow the vacation for one united parcel but to relocate the public right of way to the southern portion of the petitioner’s property. The vote was seven (7) to one (1) for Area Plan in favor of allowing the vacation.

Steve Snyder, Attorney, stated his petitioner’s are requesting approval to vacate a public way between Lots 6, 7 & 12. Snyder went onto say that this particular public right of way is not and has not been used for several years. There is another public right of way one lot over that would still be available for public use. The petitioner’s took it upon themselves to fix a water drainage issue that affected other property owners and has agreed to maintain that drain as his expense. Snyder requested that the burden of maintaining that drain remain on his client and allow the vacation of the public right of way and no relocation of the public right of way.

Richards argued that the public was given incorrect information in the advertisement. The advertisement states Petition for vacation and relocation of a public way. The Commissioner’s came to an agreement that Snyder would re-advertise the vacation with the correct language. The Commissioner’s will hear the petition again at the July meeting. The Commissioner’s agreed to table this discussion till after Snyder issues a new public notice.

MOTION:	Brad Jackson	TO:	Approval to table the petition for a new
SECOND:	Ron Truex		public notice be advertised with the correct
AYES:	3	NAYS:	0
UNANIMOUS			

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

**KOSCIUSKO COUNTY COMMISSIONERS  
July 3, 2012**

The Kosciusko County Commissioners met for their regular meeting on July 3, 2012 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Bob Conley - President	Mike Miner – County Attorney
Ron Truex	Marsha McSherry – Auditor
Brad Jackson	Ron Robinson, County Administrator

The meeting was opened with the pledge and a word of prayer. Minutes were approved as presented. Claims were signed and approved for payment.

**IN THE MATTER OF VETERANS AWARD –THOMAS HUGHES:**

Rich Maron, Veteran Affairs Officer stated the recipient of the Veteran’s award for the month of July is Thomas Hughes. Maron stated that Hughes was a recipient of the Purple Heart which is a very special award. Hughes also earned a Combat Medic Badge, served in Vietnam and 3 years in the US Army. Maron along with the Commissioners thanked Hughes for his service and presented Hughes with a plaque as a small token of appreciation for his years of service.

**IN THE MATTER OF DEPARTMENT HEAD:**

David Rosenberry, Director of Dispatch, presented the Commissioners with statistics from the June 29, 2012 storm that hit Kosciusko County. Rosenberry stated that dispatch took 440 calls within the first hour of the storm. A majority of these calls were to report power lines down, power outages and trees down. Rosenberry also stated that prior to the storm hitting Kosciusko County they were getting the roll over calls from Marshall County. Dispatch had all six stations

filled and still could not keep up with all the calls. The Commissioners asked Rosenberry to thank Dispatch for an amazing job on the call volume and their dedication to assisting all the callers.

**IN THE MATTER OF EXTENDING THE CURRENT DISASTER DECLARATION:**

Ed Rock, Emergency Management Director, requested the Commissioners extend the Disaster Declaration for another two weeks. The current Disaster Declaration ends at noon on July 3, 2012. Rock feels the Disaster Declaration should be extended to July 17, 2012 and reviewed again at that time. The Commissioners were all in agreement to the extension.

Rock went on to say that Rosenberry confirmed since June 15, 2012 when the original Disaster Declaration was put into force there have been 72 calls in reference to burning complaints. During the month of June 2012 there were 3.6 field or grass fires reported daily.

MOTION: Ron Truex TO: Approve the extension of the Disaster  
SECOND: Brad Jackson Declaration to July 17, 2012

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF COUNTY ADMINISTRATOR-MAXIMUS CONSULTING SERVICES, INC CONTRACT :**

Ron Robinson, County Administrator, presented a contract between Kosciusko County and MAXIMUS Consulting Services, Inc. The contract will allow MAXIMUS to collect on Title IV-D reimbursements for the courts. The cost is \$7,200.00 per year with MAXIMUS collecting an average of over \$50,000.00 per year. The Commissioners agree that the return rate is great and agreed to accept the contract.

MOTION: Ron Truex TO: Approve contract between Kosciusko  
SECOND: Brad Jackson County and MAXIMUS Consulting Services,  
AYES: 3 NAYS: 0 Inc.

UNANIMOUS

**IN THE MATTER OF COUNTY ADMINISTRATOR-INTERLOCAL AGREEMENT BETWEEN KOSCIUSKO COUNTY AND THE CITY OF WARSAW:**

Robinson presented an Interlocal agreement between Kosciusko County and the City of Warsaw. The agreement is for road repairs for the new sewer lines on Fox Farm Rd. The City of Warsaw has agreed to redo the entire road instead of repairing with patch work. The City of Warsaw will complete all the work and Kosciusko County will reimburse the City of Warsaw with funds from the Highway. Per Scott Tilden, Highway Superintendent, he has the funds available for this agreement.

MOTION: Brad Jackson TO: Approve Interlocal Agreement between  
SECOND: Ron Truex Kosciusko County and The City of Warsaw  
AYES: 3 NAYS: 0 for the repairs on Fox Farm road

UNANIMOUS

**IN THE MATTER OF COUNTY ADMINISTRATOR- REQUEST FOR HEALTH CLINIC INVOICES BE PAID OUT OF THE NORMAL CLAIMS CYCLE:**

Robinson requested approval for health clinic invoices be processed out of normal claims cycle and be paid as they are received. The process will work the same as it does for the utility bills. Robinson stated that a majority of the bills will be for medications and clinic cost.

MOTION: Ron Truex TO: Approve health clinic invoices be  
SECOND: Brad Jackson processed out of the normal claims cycle and  
AYES: 3 NAYS: 0 paid as they are received

UNANIMOUS

**IN THE MATTER OF COUNTY ADMINISTRATOR- 2013 HOLIDAY AND MEETING CALENDAR:**

Robinson presented the 2013 Holiday and Meeting calendar for approval. Robinson also stated that in 2013 there will be two less Holidays due to no election.

MOTION: Ron Truex TO: Approve 2013 Holiday and Meeting  
SECOND: Brad Jackson Calendar

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF COUNTY ADMINISTRATOR: FEDERAL GRANT FOR  
COMPLETION OF PHASE 5 ON ROUND ABOUT:**

Robinson advised Commissioners that the Federal Grant was received from the Federal Government to INDOT for \$122,250.00 for the completion of Phase 5 of the Round About.

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

**KOSCIUSKO COUNTY COMMISSIONERS  
July 17, 2012**

The Kosciusko County Commissioners met for their regular meeting on July 17, 2012 at 9:00 A.M. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN.

Those present were:

Bob Conley - President  
Brad Jackson  
Ron Truex

Marsha McSherry – County Auditor  
Ron Robinson – County Administrator  
Mike Miner - County Attorney

The meeting was opened with the pledge and a word of prayer. Minutes were approved as presented. Claims were signed and approved for payment.

**IN THE MATTER OF EXTENDING THE CURRENT DISASTER DECLARATION:**

Ed Rock, Emergency Management Director, requested the Commissioners extend the Disaster Declaration for another two weeks. Rock feels the Disaster Declaration should be extended to July 31, 2012 and reviewed again at that time. The Commissioners were all in agreement to the extension.

The Commissioners thanked the community for using a lot of good common sense over the Fourth of July Holiday weekend. Ron Truex stated that it shows the faith that is placed on the people of this county is well earned and justified as they are all making good and wise choices during this burn ban.

MOTION: Brad Jackson

TO: Approve the extension of the Disaster  
Declaration to July 31, 2012

SECOND: Ron Truex

AYES: 3                      NAYS: 0

UNANIMOUS

**Record No. 2012070705**

As recorded in the office of the Kosciusko County Recorder

**IN THE MATTER OF HEALTH DEPARTMENT:**

Neal Brown, Department Administrator/Environmental Scientist, stated the Indiana Department of Health is requiring all local health departments to utilize a Certified Soil Scientist every time a septic application is filed in the Health Department. Brown is requesting a letter from the Commissioners in support of the Kosciusko County Health Department to fight this requirement. Brown stated that Kosciusko has never been challenged by a homeowner as to whether or not a septic system was designed properly. The cost for the local Health Department to do a soil test is \$25.00, but if a Certified Soil Scientist administers the test the cost would range from \$250.00 to \$350.00. Brown stated that only three counties in the state still do their own soil testing and Kosciusko County is one of those counties and would like it to remain that way. Brown went on to say that if the Health Department feels a Certified Soil Scientist is needed one is called in for the testing. The issues involved are timely service, time frame of test to be preformed and the unnecessary cost for the homeowner.

MOTION: Brad Jackson

TO: Approve and sign letter to the  
Environmental Public Health Division for the  
Indiana State Department of Health in

SECOND: Ron Truex

AYES: 3                      NAYS: 0

UNANIMOUS

reference to the use of a Certified Soil  
Scientist

**IN THE MATTER OF PIERCETON LIBRARY BOARD APPOINTMENT:**

Marsha McSherry, County Auditor, requested the appointment of Terra Dunn for the Pierceton Library Board. The term will be from 7-12-2012 to 7-12-2016.

MOTION: Ron Truex

TO: Approve appointment of Terra Dunn to

SECOND: Brad Jackson

the Pierceton Library Board for a term of 7-

AYES: 3 NAYS: 0

12-2012 to 7-12-2016

UNANIMOUS

**IN THE MATTER OF DAVE PATTERSON – YELLOW CREEK LAKE SIGNAGE:**

Dave Patterson, Yellow Creek Lake resident, requested guidance from the Commissioners on lake signage. Patterson stated there were two signs posted to direct the public to Yellow Creek Lake. The signs were taken down by the State over a year ago. The Yellow Creek Lake Community would like those signs reposted. Bob Conley, President, will call the State Representative on behalf of Patterson to see if there is anything that can be done.

**IN THE MATTER OF GREG MITCHELL – EMS LANE ON BARBEE CHAIN:**

Greg Mitchell, Barb Sledge and other Barbree Lake residents requested guidance and direction in the area of the nuisance of four wheelers, golf carts and other recreational toys. Mitchell stated that these recreational toys are destroying the road and personal property in the area of B48 and B49 EMS Lane. Mitchell stated that he contacted the Highway Department, but was denied any assistance with help in maintaining the road as the EMS lane is considered a privately maintained road not a county road. Mitchell also referenced the issue of safety and theft in the area. Mike Miner, County Attorney, suggested that Mitchell speak to the other property owners on that lane and see if they would be in agreement to have the lane vacated. The Commissioners agreed that the suggestion by Miner would be a good resolution to Mitchell's concerns. The Commissioners did address the safety, theft and property damage issue and stated Mitchell and the other homeowners needed to contact the local law enforcement for resolution. Mitchell and the other residents will speak to Sheriff Goshert about the person property damage, safety and theft concerns.

**IN THE MATTER OF COUTY ATTORNEY:**

Mike Miner, County Attorney, stated he is still working with the homeowner and the bank on the Condemnation for the Round About and will continue to proceed forward.

**IN THE MATTER OF FURTHER BUSINESS:**

The public is having issues hearing the presenters so a microphone has been requested for the presenters to speak into. Ron Robinson, County Administrator, is aware of this issue and will research a solution to the problem.

Jerry Frush, President of County Jail Museum, stated the 30 year lease on the museum is about up and needs to be extended. Frush will discuss this with Ron Robinson, County Administrator.

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

**KOSCIUSKO COUNTY COMMISSIONERS  
July 31, 2012**

The Kosciusko County Commissioners met for their regular meeting on July 31, 2012 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN.  
Those present were:

Bob Conley - President  
Ron Truex  
Brad Jackson

Mike Miner – County Attorney  
Marsha McSherry – Auditor  
Ron Robinson, County Administrator

The meeting was opened with the pledge and a word of prayer. Minutes were approved as presented. Claims were signed and approved for payment.

**IN THE MATTER OF THE CURRENT DISASTER DECLARATION:**

Ed Rock, Emergency Management Director, recommended the Commissioners lift the Disaster Declaration on the burn ban as of noon today, July 31, 2012. Rock stated with the amount of rain over the past week he feels good about lifting the ban. There are only two other counties touching Kosciusko County that are still under a burn ban. Ron Truex requested the burn ban be lifted immediately and not wait till noon. Rock requested that the media state that the public still needs to be cautious when burning and to keep their fires to a size they can maintain. Rock went onto say that there is a lot of debris from the past storms and that the public just needs to continue to use good judgment when burning.

MOTION: Ron Truex

TO: Approve that the Disaster Declaration for the burn ban be lifted immediately as of July 31, 2012

SECOND: Brad Jackson

AYES: 3                      NAYS: 0

UNANIMOUS

**IN THE MATTER OF KABS UPDATE:**

Matt Boren, Director, presented the 2<sup>nd</sup> Quarter Funds and stated they are claiming \$84,805.00 from Federal and \$25,251.00 from State.

Boren also presented the 2013 Operating Grant for approval. Boren stated there is no Capital grant for this year and that the Federal allocation for the Operating Grant has decreased a great deal from 2012. Boren was informed that the new Highway Act should help in 2014 but not for 2013. The cut for 2013 was \$37,977.00 and will most likely result in a decrease in services.

Boren advised the Commissioners that he submitted his resignation with the Department of Services and his last day will be August 17, 2012. Boren thanked the Commissioners for letting him serve them and the county and in turn the Commissioners thanked Boren for his dedication and service to the county and community.

MOTION: Ron Truex

TO: Approve the Quarterly Funds and the 2013 Operating Grant

SECOND: Brad Jackson

AYES: 3                      NAYS: 0

UNANIMOUS

**IN THE MATTER OF COUNTY ASSESSOR:**

Laurie Renier, County Assessor, stated the Form 11 notices will be going out today. The forms are the reassessment notices from March 1, 2012. Bob Conley asked if there was an increase and Renier stated there were a number of decreases this year.

**IN THE MATTER OF MILFORD LIBRARY APPOINTMENT – MARGARET COUSINS:**

Bob Conley, President, read the appointment for Margaret Cousins for term beginning on 7-31-2012 and ending on 7-31-2016.

MOTION: Ron Truex

TO: Approve the Milford Library Appointment for Margaret Cousins for term 7-31-2012 to 7-31-2016

SECOND: Brad Jackson

AYES: 3                      NAYS: 0

UNANIMOUS

**IN THE MATTER OF KOSCIUSKO COUNTY JAIL LEASE RENEWAL:**

Mike Miner, County Attorney, presented a renewal of lease agreement between The Board of Commissioners of the County of Kosciusko and the Kosciusko County Historical Society. The lease agreement is in respect to the Kosciusko County Jail. The lease will be for an additional thirty years and terminate on September 6, 2042. The rental sum is \$30.00 and payable in thirty annual installments of \$1.00 each.

MOTION: Ron Truex

TO: Approve the renewal of lease agreement for the Kosciusko County Jail through September 6, 2042

SECOND: Brad Jackson

AYES: 3                      NAYS: 0

UNANIMOUS

**IN THE MATTER OF HEALTH ORDINANCE FOR THE SEALING OF UNSAFE BUILDINGS:**

Miner presented an Ordinance for the Health Department on the sealing of unsafe buildings. Miner stated this Ordinance will allow the Health Department to seal any unsafe buildings that might be a hazard to the community.

MOTION: Brad Jackson

TO: Approve the Health Ordinance for the sealing of unsafe buildings

SECOND: Ron Truex

AYES: 3                      NAYS: 0

UNANIMOUS

**ORDINANCE NO. 12-07-31-005 (2012071397)**

As recorded in the office of the Kosciusko County Recorder

**IN THE MATTER OF COUNTY HIGHWAY:**

Scott Tilden, County Highway, stated the bridge on Winona Beach Road will be open within the next two weeks. Tilden also stated he started the chip and seal project and has roughly 10 miles done. This project should be finished up by Labor Day. Ron Truex asked when Fox Farm road would be completed and Tilden stated the only thing left to do is the paint stripes.

**IN THE MATTER OF OPENING BIDS FOR A NEW BACKHOE:**

Mike Minor opened bids for the new Backhoe:

Rudd Equipment – Volvo \$85,000, Trade in value \$10,100 for a total net price \$74,900

Westside Tractor Sales – John Deere 410 K \$97,100, Trade in value \$12,000 for a total net price \$85,100

McDonald Machinery – Case 590 \$99,833, Trade in value \$15,500 for a total net price \$84,330

Scott will take the bids under advisement for review and report back to the Commissioners at the next meeting on August 14, 2012

**IN THE MATTER OF VACATION OF UNNAMED PUBLIC WAY – PETITIONERS-DAVID & VICKIE METZGER:**

Dan Richards, Area Plan Director, stated this vacation was originally brought before the Commissioners on June 19, 2012 and tabled for further discussion after Steve Snyder issued a new public notice. The notice was issued with the correct information stating it was a vacation only and not a relocation of a public way. Richards stated there was a hearing and Area Plan could not come up with a recommendation as the vote was split. Conley asked for anyone opposed to this request and no one came forward. The Commissioners agreed to approve the vacation.

MOTION: Ron Truex

TO: Approve the vacation for the unnamed public way for petitioner David & Vickie Metzger

SECOND: Brad Jackson

AYES: 3                      NAYS: 0

UNANIMOUS

**ORDINANCE NO. 12-7-31-001 V (2012071396)**

As recorded in the office of the Kosciusko County Recorder

**IN THE MATTER OF VACATION OF UNNAMED PUBLIC WAY FOR– PETITIONERS- DEBORAH FLANAGAN TRUST, JONATHON NEEDLER AND MARGOT BROWN PAHUD:**

Richards, stated this vacation is for three different petitioners, Deborah Flanagan, Jonathan Needler and Margot Brown. The vacation would be to vacate an unopened road, located in Turkey Creek Township as follows: Lot 8 and the west ½ of Lot 7, Lot 12 & 13 and Lot 10 and 11 in Lake View Park. The Kosciusko County Area Plan was in full agreement of this vacation. Steve Snyder, Attorney for all three petitioners also agreed to the vacation.

MOTION: Brad Jackson

TO: Approve vacation of the unnamed public way for Petitioners Deborah Flanagan, Jonathan Needler and Margot Brown in Lake View Park

SECOND: Ron Truex

AYES: 3                      NAYS: 0

UNANIMOUS

**ORDINANCE NO. 12-7-31-003 V (2012071395) Flanagan, 12-7-31-004 V (2012071394) Needler, 12-7-31-002 V (2012071443) Pahud**

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**

### **August 14, 2012**

The Kosciusko County Commissioners met for their regular meeting on August 14, 2012 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Bob Conley - President  
Ron Truex  
Brad Jackson

Mike Miner – County Attorney  
Marsha McSherry – Auditor  
Ron Robinson, County Administrator

The meeting was opened with the pledge and a word of prayer. Minutes were approved as presented. Claims were signed and approved for payment.

#### **IN THE MATTER OF LAKE FESTIVAL UPDATE:**

Nate Bosch PhD., Director, gave an overview of the 2012 Northern Indiana Lakes Festival. Bosch stated the event was a huge success with over 2,000 in attendance over a two day period. Bosch stated the intent of the festival is to educate people on the value of the lakes and how they can help take better care of them. There was support from 100 organizations and businesses for this event and a lot of community volunteers. Bosch explained the surveys that were handed out showed an overall increase in interest and knowledge of our lakes and water after attending the festival. Bosch finished by thanking the County for being such great host and for their continued support.

#### **IN THE MATTER OF FROST ENGINEERING:**

Jerry Frost, President, of Frost Engineering gave an overview of his company. Frost started out by complimenting the Commissioners and County on how well the Courthouse has been taken care of. Frost Engineering has been around since 2005 and is prequalified with INDOT. Frost stated his company has 24-7 emergency for road, bridges and building structures along with assessment of various structures. Frost also has the capabilities to manufacture the complicated highway signs to the simple street signs. Frost questioned who he should contact to get in the bid process on any current or future jobs that the county may have. Bob Conley, Commissioners President, referred Frost to Scott Tilden, Highway Superintendent, for information on the bidding process. Frost finished by thanking the Commissioners for their time.

#### **IN THE MATTER OF COUNTY ATTORNEY:**

Mike Miner, County Attorney, stated they received the final signature for the last piece of parcel for the Round About and they can move forward with all the paperwork.

#### **IN THE MATTER OF COUNTY ADMINISTRATOR:**

Ron Robinson, County Administrator, stated the contract with RW Armstrong for phase five of the Round About needs to be approved. The contract has already been signed by the Commissioners but a motion was not made. Ron Truex made the motion.

MOTION: Ron Truex

TO: Approve the contract with RW

SECOND: Brad Jackson

Armstrong for phase five of the Round About

AYES: 3                      NAYS: 0

UNANIMOUS



**IN THE MATTER OF BID FOR BACKHOE:**

Scott Tilden, County Highway, stated after reviewing the bids, it was his recommendation to the Commissioners to award the loader backhoe bid to the lowest responsive bid that met the County Highway specifications. The company that met these specifications was MacDonald Machinery Company out of Fort Wayne, Indiana. The loader backhoe bid was for \$84,333.00 with the trade of the 1994 590 Case loader backhoe. Tilden stated the lowest bid was from Rudd Equipment Company, but they did not comply with the specific specifications for a 15 foot loader. Their bid was for a 14 foot loader instead.

MOTION: Ron Truex

TO: Approve to award the loader backhoe bid

SECOND: Brad Jackson

to MacDonald Machinery Company out of

AYES: 3

NAYS: 0

Fort Wayne, Indiana

UNANIMOUS

**IN THE MATTER OF TEMPORARY ROAD CLOSURE ON CR 150W:**

Tilden, requested approval for a temporary road closure on CR 150W from SR 15 to CR 200 S. Walnut Creek Church will be having an event on August 26, 2012 from 3pm to 8pm.

MOTION: Ron Truex

TO: Approve the road closure on August 26,

SECOND: Brad Jackson

2012 from 3pm to 8pm on CR 150 W from SR

AYES: 3

NAYS: 0

15 to CR 200S for an event for Walnut Creek

UNANIMOUS

Church

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

## County of Kosciusko

Engineering, Roads, Bridges, & Drainage



Scott Tilden  
Superintendent  
2936 E. Old Road 90  
Warsaw, Indiana 46582

Phone: 574.372.2356  
Fax: 574.372.2357  
Email: stilden@hwydept.com

August 2, 2012

Board of Commissioners of Kosciusko County, Indiana  
100 West Center Street  
Warsaw, Indiana 46580

The Kosciusko County Highway Department received and opened bids on July 31<sup>st</sup>, 2012 for one (1) 2012 or Newer 15 foot Class 4 Tier Loader/Buckhoe

The following is the summary of the results.

Vendor	Model	Bid (without trade)	Bid (with trade)
MacDonald Machinery Co., Inc	2012 590SN Case Loader Buckhoe	\$ 99,833.00	\$ 84,333.00
West Side Tractor Sales Of Indiana	John Deer 410K Buckhoe	\$ 97,100.00	\$ 85,100.00
Rudd Equipment Company	Volvo BL70B	\$ 85,000.00	\$ 74,900.00

After reviewing the bids, my recommendation to the Kosciusko County Board of Commissioners would be to award the loader buckhoe bid to the lowest responsive and responsible bid that meets the Kosciusko County Highway specifications to McDonald Machinery Company Fort Wayne, IN for the 2012 590SN Loader buckhoe with a bid of \$84,333.00 including the Trade of a 1994 590 case Loader buckhoe

Reasons for the Decision:

**CLASSIFICATION**

Spec: 16 Foot Class Tier 4 Loader Backhoe

Volvo: Did not comply they bid a 14 Foot Class Tier 3 Loader Backhoe

Case: Complied

**ENGINE**

Spec: 4-cylinder, turbocharged diesel engine with a minimum 108 net horsepower at 2,200 RPM. Tier IVa certified per Federal Emissions Standards

Volvo: Did not comply there net horsepower was a 91. Also there bid a Tier 3 Emissions

Case: Complied

**POWER TRAIN**

The axle load rating shall be:

Spec: Front Axle (4wd) maximum static – 57,883 lbs minimum

Volvo: Did not comply Front Axle maximum static-53,400 lbs minimum

Case: Complied

Spec: Rear Axle maximum static – 70,848 lbs minimum

Volvo: Did not comply Rear Axle maximum static-42,152 lbs minimum

Case: Complied

Spec: Front Axle (4wd) dynamic operating – 47,428 lbs minimum

Volvo: Did not comply Front Axle dynamic operating-21,356 lbs minimum

Case: Complied

Spec: Rear Axle dynamic operating – 49,494 lbs minimum

Volvo: Did not comply Rear Axle dynamic operating-16,861 lbs minimum

Case: Complied

Spec: Front Axle (4wd) static operating – 18,969 lbs minimum

Volvo: Did not comply Front Axle static operating-15,737 lbs minimum

Case: Complied

Spec: Rear Axle static operating – 19,798 lbs minimum

Volvo: Did not comply Rear Axle static operating-16,861 lbs minimum

Case: Complied

**LOADER AND LINKAGE FEATURE**

Spec: Dual parallel lift cylinders

Volvo: Did not comply they only provide a single cylinder

Case: Complied

**LOADER BUCKET**

Spec: Minimum SAE dump cylinder breakout force of 13 717 pounds force

Volvo: Did not comply they had a minimum SAE dump cylinder breakout force of 12,837 pounds force

Case: Complied

Spec: Minimum SAE lift capacity to full height of 8,425 pounds

Volvo: Did not comply they had a minimum SAE lift capacity to full height of 7,319 pounds

Case: Complied

**BACKHOE AND CONTROLS**

Spec: Over-center backhoe design for improved balance during transport and road rig

Volvo: Did not comply they do not have over center design

Case: Complied

Spec: The backhoe controls shall be of an ergonomic design with low lever effort. Controls must be pilot w/ POWER LIFT & Command Control

Volvo: Did not comply they do not have power lift

Case: Complied

**BACKHOE – Extendahoe**

Spec: Minimum SAE dig depth with over-center Extendahoe extended for 24-inch flat bottom of 18 feet 5 inches

Volvo: Did not comply they have a minimum SAE dig depth with over-center Extendahoe extended for 24-inch flat bottom of 18 feet 3 inches

Case: Complied

**OPERATOR ENVIRONMENT**

Spec: Over center backhoe release inside the cab

Volvo: Did not comply they do not have an over-center backhoe release inside the cab

Case: Complied

**HYDRAULICS**

Spec: Anti-rebound valve for backhoe swing precision

Volvo: Did not comply they do not have an Anti-rebound valve for backhoe swing precision

Case: Complied

Sincerely,

Scott Tilden  
Kosciusko Highway Superintendent

## KOSCIUSKO COUNTY COMMISSIONERS

### August 28, 2012

The Kosciusko County Commissioners met for their regular meeting on August 28, 2012 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Bob Conley - President  
Ron Truex  
Brad Jackson

Mike Miner – County Attorney  
Marsha McSherry – Auditor  
Ron Robinson, County Administrator

The meeting was opened with the pledge and a word of prayer. Minutes were approved as presented. Claims were signed and approved for payment.

**IN THE MATTER OF THE ANNUAL TAILGATE PARTY:**

Ron Robinson, County Administrator, invited the Commissioners to the third annual Tailgate party on September 14, 2012 from 11-2 on the courthouse lawn.

**IN THE MATTER OF COUNTY CREDIT CARDS:**

Ron Robinson, County Administrator, requested approval to switch from American Express credit cards to Lake City Bank Visa credit cards. A comparison was done between PNC and Lake City and Lake City had the better options. The reason for the switch was due to issues with American Express and the fact that they are not accepted everywhere, which was causing issues with travel.

MOTION: Ron Truex

SECOND: Brad Jackson

AYES: 3                      NAYS: 0

UNANIMOUS

TO: Approve the switch from American

Express credit card to Lake City Visa credit card.

**IN THE MATTER OF NON-FOR PROFIT – ARROW HEAD COUNTRY RC & D:**

Bob Conley, President, requested approval from the Commissioners to accept a late request from Arrow Head County RC & D for \$450.00.

MOTION: Ron Truex

SECOND: Brad Jackson

AYES: 3                      NAYS: 0

UNANIMOUS

TO: Approve the late request for the Non-For

Profit organization Arrow Head County RC &

D in the amount of \$450.00.

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

## **KOSCIUSKO COUNTY COMMISSIONERS September 11, 2012**

The Kosciusko County Commissioners met for their regular meeting on September 11, 2012 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Bob Conley - President

Ron Truex

Brad Jackson

Mike Miner – County Attorney

Marsha McSherry – Auditor

Ron Robinson, County Administrator

The meeting was opened with the pledge and a word of prayer. Minutes were approved as presented. Claims were signed and approved for payment.

**IN THE MATTER OF VETERANS AWARD – DONALD REINHOLT:**

Rich Maron, Veteran Affairs Officer stated the recipient of the Veteran's award for the month of September is Donald Reinholt. Maron stated that it was his honor to recognize Reinholt as the recipient for this award. Maron went on to say that even though Reinholt's term was during the peace time it was still very heroic to give ones time and life to protect those in our nation. Maron thanked Reinholt for his years of service and dedication. Reinholt then shared a short story and thanked Maron and the Commissioners for the award.

**IN THE MATTER OF CHILD IMMUNIZATION FOR MEDICAID  
REIMBURSEMENT:**

Bob Weaver, Health Department Director, requested approval to have the Immunization Ordinance updated to allow the charge of \$8.00 per immunization for everyone. The Health Department applied for the \$8.00 reimbursement program through Medicaid. The program will allow the Health Department to receive \$8.00 per immunization that is administered. The

money from this program will be used to pay for the rental of the K21 building that is used to administer the immunizations.

MOTION: Ron Truex

SECOND: Brad Jackson

AYES: 3                      NAYS: 0

UNANIMOUS

TO: Approve the request to have the

Immunization Ordinance updated to allow the charge of \$8.00 per immunization.

**IN THE MATTER OF KOSCIUSKO LAKES AND STREAMS:**

Ed Rock, Emergency Management, Director, stated that on September 6, 2012 the Kosciusko Lakes and Streams association along with Lake Tippecanoe homeowners association and the Emergency Management team hosted a meeting to discuss the Tippy River and the draining issues. Rock stated this was the first of many meetings that will take place, but the meeting was very beneficial and a great starting point. Rock also addresses the fact that Kosciusko will be requesting the help from other counties and the state to help in the draining issue. Ron Truex stated he attended the meeting and it was very informative, but there is a lot of work ahead of them to make this happen.

**IN THE MATTER OF COUNTY ASSESSOR:**

Laurie Renier, County Assessor, invited the Commissioners to attend the Council meeting on September 13, 2012 for her presentation on Pictometry.

**IN THE MATTER OF GRACE COLLEGE:**

Ron Robinson, County Administrator, stated that Grace College requested use of the courthouse lawn on September 28, 2012 to recognize the homeless. Robinson stated Grace College has been doing this for several years now.

**IN THE MATTER OF FLU SHOTS:**

Ron Robinson, County Administrator, stated that Flu shots will be given to all county employee's on October 30, 2012 on the 3<sup>rd</sup> floor of the courthouse starting at 2 pm.

**IN THE MATTER OF COUNTY HIGHWAY UPDATE:**

Scott Tilden, Highway Superintendent, requested that November 5, 2012 at 9:15 a.m. be set as the date for the Annual County Supply Bids for 2013.

MOTION: Ron Truex

SECOND: Brad Jackson

AYES: 3                      NAYS: 0

UNANIMOUS

TO: Approve November 5, 2012 at 9:15 a.m.

as the date for the Annual County Supply Bids for 2013.

**IN THE MATTER OF FIRST FRIDAY:**

Mayor Thallemer stated that First Friday was moved to the second Friday, September 14, 2012 this month due to the weather.

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

## **KOSCIUSKO COUNTY COMMISSIONERS September 25, 2012**

The Kosciusko County Commissioners met for their regular meeting on September 25, 2012 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Bob Conley - President  
Ron Truex  
Brad Jackson

Mike Miner – County Attorney  
Marsha McSherry – Auditor  
Ron Robinson, County Administrator

The meeting was opened with the pledge and a word of prayer. Minutes were approved as presented. Claims were signed and approved for payment.

**IN THE MATTER OF COUNTY CLERK:**

Jason McSherry, County Clerk, presented information on the Early/Absentee Voting. Voting runs from October 8<sup>th</sup> – November 5<sup>th</sup>, Monday-Friday from 8am-4:30pm and Saturday October 27<sup>th</sup> and November 3<sup>rd</sup> from 8am-4pm. The voting will be open through lunches this year as a convenience to the public. The public test for electronic voting machine will be on October 9<sup>th</sup> at 8:15am in the Clerk's office. The deadline to register to vote is October 9<sup>th</sup>.

**IN THE MATTER OF EMERGENCY MANAGEMENT:**

Ed Rock, Emergency Management Director, presented the 2011 Emergency Management Performance Grant-Competitive Sub-Grant Agreement. The Competitive grant is in addition to the Wage Reimbursement grant. The Grant is for \$4,054.00 and will be used for public outreach programs to the community, equipment and training.

MOTION: Brad Jackson

TO: Approve the Emergency Management

SECOND: Ron Truex

Performance Grant – Competitive Sub-Grant

AYES: 3                      NAYS: 0

Agreement in the amount of \$4,054.00.

UNANIMOUS

**IN THE MATTER OF COUNTY ADMINISTRATOR – ROUND ABOUT:**

Ron Robinson, County Administrator, stated that next week the traffic will be changed from the north to the south to complete the next phase of the Round About. The projected completion date with INDOT is November 15<sup>th</sup> but Robinson stated it would be sooner if the weather cooperates.

**IN THE MATTER OF COUNTY HIGHWAY UPDATE:**

Ron Robinson represented on behalf of Scott Tilden, Highway Superintendent. Robinson presented an inspection report for the final phase of the bridge for the Commissioners to approve and sign.

MOTION: Ron Truex

TO: Approve the inspection report for the

SECOND: Brad Jackson

final phase of the bridge.

AYES: 3                      NAYS: 0

UNANIMOUS

**IN THE MATTER OF VACATION OF PUBLIC WAY – PETITIONER- LARRY & JUDY FARVER:**

Dan Richard, Area Plan Director, stated Larry and Judy Farver is requesting to vacate portions of Elwood Avenue in Highland View Gardens 3<sup>rd</sup> Addition and Louie D Moore's 5<sup>th</sup> Addition to Highland View Gardens on Wawasee Lake. Richard stated that Area Plan had a hearing and agreed unanimously that the vacation should not be allowed. Area Plan felt the right away should remain open and continue to be used as is. Area Plan received over seventy-two (72) letters containing one hundred and ten (110) signatures in opposition to the vacation.

Steve Snyder, Attorney for Larry and Judy Farver, opened by stating his clients would like to have the public way stated by Richard vacated. The issues his clients have are with parking of vehicles and blocking of their driveway. Snyder offered alternatives such as vacating a portion of the public way to allow for pedestrian traffic only or requesting a no parking ordinance for the public way. Richard stated that Area Plan took the alternative options in to consideration, but the committee was still in unanimous agreement to not allow the vacation at all.

Jack Birch, Attorney, representing Tom Burton, requested the vacation not be allowed. Birch went on to say that there has been no evidence of parking in the area that would demonstrate the driveway of Mr. Farver being blocked in any manner. Birch also stated that Mr. Burton understands all the improvements that Mr. Farver has done, but he did these at his own free will. Birch feels that the issue is not parking, but the fact that Mr. Farver is attempting to gain additional lake frontage property at no additional cost. Other surrounding homeowners spoke against the vacation and stressed the importance in keeping this public way open for public use to allow families to enjoy fishing and other summer/winter activities. The homeowners were all in agreement that the issue is not the parking of cars and blocking the driveway as there is very little traffic and they have seen no cars parked in that area.

Ron Truex stated that Snyder and Farver have issues with the fact of people parking and blocking Mr. Farver's driveway. Truex suggested that a No Parking Ordinance be put in place from Louie St to the lake. The Ordinance will read to allow Brian Eilers access to park in front of his garage that is located on the public way in question. Mike Miner, County Attorney, will

process the Ordinance for the No Parking. The motion was to establish a No Parking Ordinance and to deny the vacation.

MOTION: Ron Truex

TO: Approve a No Parking Ordinance from Louie St to the lake and to deny the vacation that was presented.

SECOND: Brad Jackson

AYES: 3                      NAYS: 0

UNANIMOUS

**IN THE MATTER OF VACATION OF PUBLIC WAY – PETITIONER- MARK B. ANDERSON:**

Dan Richard, Area Plan Director, stated Petitioner, Mark Anderson would like to vacate a public way. The areas to be vacated are Lots six (6), seven (7), eight (8) in block eight (8) of the original plat of Wooster. Richards stated Area Plan was in unanimous agreement to accept the vacation as presented.

Chad Miner, attorney for Mark Anderson, stated they had no additional information to provide and was in agreement with the recommendation.

MOTION: Brad Jackson

TO: Approve vacation of the original plat of Wooster with Lots six (6), seven (7) and eight (8).

SECOND: Ron Truex

AYES: 3                      NAYS: 0

UNANIMOUS

**ORDINANCE NO. 12-09-25-001 (2012091376)**

As recorded in the office of the Kosciusko County Recorder

**IN THE MATTER OF ORDINANCE AMENDMENT FOR ZONING ORDINANCE, ORDINANCE NUBMER 75-1 MISC. RECORD 53, PG. 130 – 3.6 TEMPORARY USES:**

Dan Richard, Area Plan Director, requested an amendment to the Zoning Ordinance number 75-1 Misc. Record 53, pg. 130 – 3.6 Temporary Uses. The amendment would allow for exceptions for commercial warehouses in residential zoned and temporary structures used in conjunction with public improvement projects. The temporary structures need to meet the standard requirements and all permits must still be obtained. Area Plan gave a unanimous recommendation to accept this ordinance.

MOTION: Brad Jackson

TO: Approve Zoning Ordinance for Ordinance Number 75-1 Misc, Record 53, Pg 130. Section – 3.6 Temporary Uses.

SECOND: Ron Truex

AYES: 3                      NAYS: 0

UNANIMOUS

**ORDINANCE NO. 12-09-25-002 Z (2012091377)**

As recorded in the office of the Kosciusko County Recorder

**IN THE MATTER OF ORDINANCE AMENDMENT FOR ZONING ORDINANCE, ORDINANCE NUBMER 75-1 MISC. RECORD 53, PG. 130 – 3.26 PERFORMANCE STANDARDS:**

Dan Richard, Area Plan Director, requested an amendment to the Zoning Ordinance number 75-1 Misc. Record 53, pg. 130 – 3.26 Performance Standards. The amendment was for existing residential or commercial zoning to allow a 500 ft buffer for odor and air pollution in addition to waste matter as long as it was up to the Indiana Department of Environmental regulations. The 500 ft buffer was so air pollutants could not cross lot lines in such a concentration as to negatively affect the use and enjoyment of residential districts.

MOTION: Ron Truex

TO: Approve Zoning Ordinance for Ordinance Number 75-1 Misc, Record 53, Pg 130. Section – 3.26 Performance Standards.

SECOND: Brad Jackson

AYES: 3                      NAYS: 0

UNANIMOUS

**ORDINANCE NO. 12-09-25-003 Z (2012091375)**

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 9, 2012**

The Kosciusko County Commissioners met for their regular meeting on October 9, 2012 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Bob Conley - President  
Ron Truex  
Brad Jackson

Mike Miner – County Attorney  
Marsha McSherry – Auditor  
Ron Robinson, County Administrator

The meeting was opened with the pledge and a word of prayer. Minutes were approved as presented. Claims were signed and approved for payment.

### **IN THE MATTER OF OCTOBER VETERAN OF THE MONTH – CHARLES GARNER:**

Rich Maron, Veteran Affairs Officer, introduced the October Veteran of the month, Charles Garner of Syracuse. Garner was a WWII vet who served in Normandy, Northern France, Rhineland, Ardennes and Central Europe. He was awarded the European African Middle Eastern Theatre Ribbon with five (5) bronze stars, two (2) overseas bars and one (1) service stripe. Maron thanked Garner for his time of service and stated it was an honor to recognize him as the October Veteran of the month.

### **IN THE MATTER OF COUNTY ATTORNEY – NO PARKING ORDINANCE:**

Mike Miner, County Attorney, presented a No Parking Ordinance for the vacation of public way in Highland View Gardens Addition for petitioners Larry and Judy Farver. The Ordinance was approved at the Commissioners meeting on September 25, 2012. Miner presented the Ordinance to be signed and recorded.

#### **ORDINANCE NO. 12-10-9-001 V (2012100526)**

As recorded in the office of the Kosciusko County Recorder

### **IN THE MATTER OF COUNTY ATTORNEY – SELLING PROPERTY ON PALESTINE LAKE:**

Mike Miner, County Attorney, stated that an interested party contacted County Auditor, Marsha McSherry in reference to property on Palestine Lake. The interested party would like to purchase a section on Palestine Lake that the County currently owns. Miner stated the assessed value is within the guidelines to be sold. Commissioner, Ron Truex, made a motion to approve the sale of the property as long as it meets all requirements.

MOTION: Ron Truex

TO: Approve the County to sell a portion of property on Palestine Lake to an interested party.

SECOND: Brad Jackson

AYES: 3                      NAYS: 0

UNANIMOUS

### **IN THE MATTER OF COUNTY ADMINISTRATOR – LEASE AGREEMENT WITH ANIMAL WELFARE LEAGUE:**

Ron Robinson, County Administrator, presented a new Lease Agreement between Kosciusko County and the Animal Welfare League of Kosciusko County for 2013. Robinson stated the agreement has not increased in price and will remain at One Dollar (\$1.00) per year.

MOTION: Ron Truex

TO: Approve the Lease Agreement between Kosciusko County and the Animal Welfare League of Kosciusko County for 2013.

SECOND: Brad Jackson

AYES: 3                      NAYS: 0

UNANIMOUS

### **IN THE MATTER OF COUNTY ADMINISTRATOR – PROPOSAL WITH WTH ENGINEERING:**

Ron Robinson, County Administrator, presented a Proposal for Dispatch with WTH Engineering for the old mapping system. Robinson stated they are transitioning over to a new system, but the old system will still be used for Fire and EMS until it is completely phased out by the new

system. President, Bob Conley, asked Robinson how long it would take to phase the old system out. Robinson was not sure at this time. The cost of the proposal is \$2,012.50 and Robinson commended David Rosenberry on his ability to negotiate such a good price. Rosenberry was able to cut the cost in half.

MOTION: Brad Jackson

TO: Approve the Proposal with WTH

SECOND: Ron Truex

Engineering for the mapping system used by

AYES: 3                      NAYS: 0

Dispatch.

UNANIMOUS

**IN THE MATTER OF NON-FOR PROFIT 2013 AGREEMENTS:**

Marsha McSherry, County Auditor, presented the 2013 Not for Profit Service Agreements for the Commissioners to sign.

**IN THE MATTER OF COUNTY HIGHWAY- SPEED LIMIT NORTHWINDS SUBDIVISION:**

Scott Tilden, Highway Superintendent, presented an Ordinance to have the speed limit in the Northwinds Subdivision lowered to 25 mph.

MOTION: Ron Truex

TO: Approve Speed Limit Ordinance in

SECOND: Brad Jackson

Northwinds Subdivision to 25 mph.

AYES: 3                      NAYS: 0

UNANIMOUS

**ORDINANCE NO. 12-10-9-001 SPEED (2012100521)**

As recorded in the office of the Kosciusko County Recorder

**IN THE MATTER OF COUNTY HIGHWAY- SPEED LIMIT CR 700S – CLAYPOOL:**

Scott Tilden, Highway Superintendent, presented an Ordinance to repeal the speed limit of 40 mph on CR 700S from SR 15 east to the town limits of Claypool (Ordinance No. 96-11). The speed limit on CR 700S from SR 15 east to the town city limits of Claypool shall be 30 mph.

MOTION: Ron Truex

TO: Approve to repeal speed limit of 40 mph

SECOND: Brad Jackson

to 30 mph on CR 700S from SR 15 east to the

AYES: 3                      NAYS: 0

town city limits of Claypool.

UNANIMOUS

**ORDINANCE NO. 12-10-9-002 SPEED (2012100522)**

As recorded in the office of the Kosciusko County Recorder

**IN THE MATTER OF COUNTY HIGHWAY- INDOT REIMBURSEMENT CONTRACT:**

Scott Tilden, Highway Superintendent, presented an unofficial reimbursement contract from INDOT for invoices that Tilden submitted for road repairs that were completed during the overhead project at Claypool. The total for the contract is \$11,132.42.

MOTION: Brad Jackson

TO: Approve the unofficial reimbursement

SECOND: Ron Truex

contract from INDOT in the amount of

AYES: 3                      NAYS: 0

\$11,132.42.

UNANIMOUS

**IN THE MATTER OF COUNTY HIGHWAY – FERGUSON ROAD:**

Tilden stated they will be setting out traffic counters for approximately one week on Ferguson Road to monitor the traffic. The counters will record how much traffic and what type of traffic is traveling on Ferguson Road. Tilden will do a traffic study and get with the Commissioners to see what signage, if any needs to be posted. Truex stated they had received a call in reference to semi traffic on Ferguson Road.

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

## **KOSCIUSKO COUNTY COMMISSIONERS October 23, 2012**

The Kosciusko County Commissioners met for their regular meeting on October 23, 2012 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Bob Conley - President  
Ron Truex  
Brad Jackson

Mike Miner – County Attorney  
Marsha McSherry – Auditor  
Ron Robinson, County Administrator

The meeting was opened with the pledge and a word of prayer. Minutes were approved as presented. Claims were signed and approved for payment.

### **IN THE MATTER OF AIC & SRI SCHOLARSHIP RECIPIENT – HOLLIE IRWIN:**

David Bottorff, Executive Director of AIC, appeared before the Commissioners to present a \$1,000.00 scholarship award. The scholarship recipient is Hollie Irwin, step daughter to Amy Irwin in Area Plan. Bottorff stated that Hollie was a student at Warsaw High School and is now attending Manchester College with a major in social work. Bottorff spoke of the impressive application that won Hollie the scholarship. Hollie has been actively involved in the community on a volunteer basis. Hollie will receive \$500.00 in the fall and another \$500.00 in the spring. Hollie thanked the Commissioners and Bottorff for the scholarship award.

### **IN THE MATTER OF KABS – GENERAL MANAGER – VICKIE LOOTENS:**

Randy Hall, Cardinal Services Corporate Vice President, introduced Vickie Lootens as the candidate to replace Matt Boren as General Manager of KABS. Lootens has been employed with Cardinal Services for seven (7) years as a manager overseeing the community employment program. Hall stated that Lootens has demonstrated excellent managerial skills and he feels very confident that Lootens will do an exceptional job as the KABS General Manager.

MOTION: Ron Truex

TO: Approve the recommendation for Vickie

SECOND: Brad Jackson

Lootens to be named General Manager for

AYES: 3                      NAYS: 0

KABS.

UNANIMOUS

### **IN THE MATTER OF KABS – 3<sup>RD</sup> QUARTER CLAIM:**

Vickie Lootens, KABS General Manager, presented the 3<sup>rd</sup> Quarter Claim for approval

MOTION: Ron Truex

TO: Approve the 3<sup>rd</sup> Quarter claim for KABS

SECOND: Brad Jackson

AYES: 3                      NAYS: 0

UNANIMOUS

### **IN THE MATTER OF KABS MODIFIED 2013 BUDGET REQUEST:**

Vickie Lootens, KABS General Manager, presented a modified 2013 budget for KABS.

Lootens advised the Commissioners that they received more money from State than what was originally anticipated. The request to the Commissioners is to approve the 2013 budget in response to the additional funding from State.

MOTION: Ron Truex

TO: Approve the modified 2013 budget in

SECOND: Brad Jackson

response to the additional funding from State.

AYES: 3                      NAYS: 0

UNANIMOUS

### **IN THE MATTER OF HOMELAND SECURITY GRANT:**

Ron Robinson, County Administrator, presented a Homeland Security Grant for \$2,200.00 on behalf of Ed Rock. The grant will be used for equipment for the hand radio operations. The grant is at no cost to the county.

MOTION: Brad Jackson

TO: Approve Homeland Security Grant in the  
amount of \$2,200.00

SECOND: Ron Truex

AYES: 3                      NAYS: 0

UNANIMOUS

**IN THE MATTER OF VACATION AN ‘ALLEY’– PETITIONERS- RANDY & CONNIE NORMAN:**

Dan Richard, Area Plan Director, stated Randy and Connie Norman are requesting to vacate an “alley” in the Plat of the Town of Sevastopol. The area is sixteen (16) feet wide and one hundred and twenty (120) feet long. Richard stated that Area Plan was in unanimous agreement to allow the vacation as requested.

Richard Helm, Attorney, stated that Randy and Connie Norman wish to vacate a dead end alley in Sevastopol with the consent of the only adjourning land owner.

MOTION: Brad Jackson

TO: Approve to vacate a dead end alley in the Town of Sevastopol

SECOND: Ron Truex

AYES: 3                      NAYS: 0

UNANIMOUS

**ORDINANCE NO. 12-10-23-001 V**

As recorded in the office of the Kosciusko County Recorder

**IN THE MATTER OF REZONING – PETITIONER – MARK DILLION:**

Dan Richard, Area Plan Director, stated Petitioner, Mark Dillon, originally requested rezoning a certain piece of real estate located at SR 13 and CR 350N to Commercial. Area Plan denied the request and advised Mark Dillon to contact the Board of Zoning Appeals. Dillon did contact the Board of Zoning Appeals and resolved his issues. Richard stated there is a petition still outstanding that needs to be denied since Dillon did not withdrawal his petition for the rezoning. Richards also stated that Dillon is happy with the resolution he received from the Board of Zoning Appeals.

MOTION: Brad Jackson

TO: Approve the denial for the rezoning of real estate located at SR 13 and CR 350N to Commercial

SECOND: Ron Truex

AYES: 3                      NAYS: 0

UNANIMOUS

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

**KOSCIUSKO COUNTY COMMISSIONERS  
November 5, 2012**

The Kosciusko County Commissioners met for their regular meeting on November 5, 2012 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Bob Conley - President  
Ron Truex  
Brad Jackson

Mike Miner – County Attorney  
Marsha McSherry – Auditor  
Ron Robinson, County Administrator

The meeting was opened with the pledge and a word of prayer. Minutes were approved as presented. Claims were signed and approved for payment.

**IN THE MATTER 100<sup>th</sup> EAGLE SCOUT PRESENTATION:**

Bob Conley, Commissioners President, presented Dick McCleary a recognition plaque for his 100<sup>th</sup> Eagle Scout along with the 100<sup>th</sup> year of Eagle Scouts. McCleary had three Eagle Scouts in attendance with him and Conley thanked each Scout for their dedication to such a great organization. McCleary thanked the Commissioners for the award.

**IN THE MATTER OF COUNTY ADMINISTRATOR:**

Ron Robinson, County Administrator, stated the Round About opened up on Friday, November 2, 2012.

Robinson stated the employee Christmas party will be on Tuesday, December 18<sup>th</sup>.

**IN THE MATTER OF COUNTY HIGHWAY 2013 SUPPLY BIDS:**

Mike Miner, County Attorney, opened and read the bids for the Highway 2013 supplies. Tilden made the recommendation to take all bids for review and award the jobs at the November 20, 2012 meeting.

See attached for breakdown of bids.

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

Kosciusko County Highway Bids  
Monday November 5, 2012 9:15AM  
For the YEAR 2013

page 1

BIDDER

MATERIAL Supplied

GREAT LAKES

Calcium chloride

chloride INC

38% - 42%

WARSAW IN

Dust control solution

Hohman EXCAVATING, INC

SILVER LAKE INDIANA

Pit Run GRAVEL

SPEEDWAY Sand + GRAVEL

GRAVEL Aggregates

Fort Wayne IN

Disko Indiana pit

STOCK BERGER Trucking, LLC.

Limestone delivery

plymouth IN

To Kosciusko county  
Highway

ELKHART County GRAVEL

GRAVEL AND

INCORPORATED

crushed Limestone Aggregates

NEW PARIS IN

Robert McCullough

Fort Wayne IN

GRAVEL Aggregate

G + G Hauling + EXCAVATING, INC

crushed

WARSAW IN

Limestone  
products and  
DELIVERY

Kosciusko County Highway Bids  
Monday November 5, 2012 9:15AM  
For the year 2013

PAGE 2

BIDDER

MATERIALS supplied

Jerry W Bailey Trucking  
Fort Wayne IN

Aggregate  
crushed Limestone products

Zimmerman Newcomer  
Gravel

Aggregate  
Gravel products

Millford IN

IMI

Crushed Limestone

Irving Materials, INC  
Huntington, IN

Aggregates

Hanson Aggregates  
Fort Wayne IN

crushed Limestone

West Plains, Mining LLC  
Wabash IN

crushed Limestone  
And DELIVERY

Phend + Brown, INC  
Millford IN

Gravel and  
Limestone Aggregate

Daltons

WEED AND Brush

Warsaw IN

Spray

Kosciusko County Highway Bids

Monday November 5, 2012 9:15am PAGE 3

For the year 2013

Bidder	Materials supplied
DEBCO Metal Culverts FRANCESVILLE, IN	Culvert metal PIPES / Structural plate PIPE, CAST IN place simple BRIDGE packages
ST. Regis Culvert, Inc CHARLOTTE Michigan	Culvert Metal PIPES / Structural plate PIPE
Metal Culverts, INC. JEFFERSON City MO	Culvert metal PIPES
R.L. McCoy, INC Columbia City IN	CAST IN place simple Bridge packages
primco Inc Fort Wayne IN	CAST IN place simple bridge packages
Asphalt Materials, INC WARSAW IN	Liquid Bituminous Material
PIERCE TON TRUCKING CO, INC WARSAW IN	Liquid Bituminous Material



Kosciusko County Highway Bids  
Monday November 5, 2012 9:15am  
For the year 2013

Page 4

BIDDER

MATERIALS supplied

NiBlock Excavating INC,

Bristol IN

Asphalt plant rental  
And Hot and cold

mix MATERIALS supplied  
AND LAID

Brooks Construction  
company, INC.

Hot mix material  
Supplied And LAID

Central PAVING, INC  
Logansport IN

Bituminous patching  
mixture

phend + Brown, INC  
Milford IN

Asphalt plant  
rental, Bituminous  
Hot mix Asphalt  
manufactured and  
delivered/Bituminous  
patching material

Rocal INC.

Frank Fort OHIO

quote list  
for signs  
and post

PETROLEUM TRADERS

Fort Wayne IN

ON AND OFF  
ROAD DIESEL  
FUEL

Kosciusko County Highway Bids  
Monday November 5, 2012 9:15AM  
For the year 2013

page 5

Bidder

materials supplied

North Central Co-op

ON AND OFF

WABASH IN

ROAD DIESEL FUEL

JACKSON OIL + SOLVENTS, INC

ON AND OFF

Indianapolis IN

ROAD DIESEL FUEL

Bailman Oil Company, Inc

ON AND OFF ROAD

BREMEN, IN

DIESEL FUEL

AMERICAN TIMBER BRIDGE

TREATED TIMBER

VICKSBURG Michigan

BRIDGE STRUCTURES

## **KOSCIUSKO COUNTY COMMISSIONERS November 20, 2012**

The Kosciusko County Commissioners met for their regular meeting on November 20, 2012 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Bob Conley - President  
Ron Truex  
Brad Jackson

Mike Miner – County Attorney  
Marsha McSherry – Auditor  
Ron Robinson, County Administrator

The meeting was opened with the pledge and a word of prayer. Minutes were approved as presented. Claims were signed and approved for payment.

### **IN THE MATTER OF NOVEMBER VETERAN'S AWARD- LARRY STOUT:**

Rich Maron, Veteran Affairs Officer, introduced the November Veteran of the month Larry Stout. Stout served in Vietnam in the US Navy from 1964-1968. He was stationed at the Great Lakes Naval Station in Illinois. Stout served in the light boat division and their main duty was to put a beacon in the river system for the Special Forces. Maron thanked Stout for his years of service and congratulated him on this award. The Commissioners thanked Stout for his service to our Country. Stout thanked the Commissioners and was very appreciative of the recognition.

### **IN THE MATTER OF HOMELAND SECURITY GRANT – SAMPLE TEAM RESPONSE KIT:**

Ed Rock, Emergency Management Director, presented a grant for approval. The grant is for a total of \$3,000 and will be used for a RAD Sample Team Response Kit. Kosciusko County is required to have a sampling team available due to the location of the Cook Nuclear facility and any radiological issues that might occur. The sampling team has been picked and trained, but they are in need of an RAD Sample Team Response Kit. The grant would allow the purchase of this kit. The sampling team is made up of five (5) members.

MOTION: Ron Truex

TO: Approve the Homeland Security Grant  
for the RAD Sample Team Response Kit.

SECOND: Brad Jackson

AYES: 3                      NAYS: 0

UNANIMOUS

### **N THE MATTER OF INTER-LOCAL AGREEMENTS FOR TERMINAL SERVICES DATA:**

Ron Robinson, County Administrator, presented the Inter-Local Agreements for Terminal Services for the towns within Kosciusko County. The agreements are for the annual fees associated with the use of the law enforcement computer systems and software along with the maintenance and up keep on the systems.

MOTION: Ron Truex

TO: Approve the Inter-Local Agreements for  
Terminal Services.

SECOND: Brad Jackson

AYES: 3                      NAYS: 0

UNANIMOUS

### **IN THE MATTER OF THE APPOINTMENTS FOR THE REGIONAL ECONOMIC DEVELOPMENT DISTRICT FOR MACOG:**

Ron Robinson, County Administrator, stated it is time to nominate two people to serve on the Regional Economic Development District for MACOG. The two members in the past have been Max Courtney and Mark Dobson. They have both agreed to serve on this committee again.

MOTION: Brad Jackson

TO: Approve the nomination of Max  
Courtney and Mark Dobson to serve on the  
Regional Economic Development District for  
MACOG.

SECOND: Ron Truex

AYES: 3                      NAYS: 0

UNANIMOUS

**IN THE MATTER OF COUNTY ADMINISTRATOR:**

Ron Robinson, County Administrator, presented a Product Service Agreement with Century Link. David Rosenberry, Dispatch Chief, negotiated with Century Link and got a much lower rate than in the past. Bob Conley, President, commended Rosenberry for his work on the negotiation.

MOTION: Brad Jackson

TO: Approve the Product Service Agreement with Century Link.

SECOND: Ron Truex

AYES: 3                      NAYS: 0

UNANIMOUS

**IN THE MATTER OF EXTENSION CONTRACTUAL SERVICE AGREEMENTS:**

Marsha McSherry, County Auditor, presented the Annual Extension Contractual Services Agreement. There was a 1% increase for an amount of \$105,890 for the year.

MOTION: Ron Truex

TO: Approve the Annual Extension Contractual Services Agreement.

SECOND: Brad Jackson

AYES: 3                      NAYS: 0

UNANIMOUS

**IN THE MATTER OF MILFORD LIBRARY APPOINTMENT – CHARLOTTE SIEGFRIED:**

Marsha McSherry, County Auditor, presented the Milford Library Board Appointment as Charlotte Siegfried.

MOTION: Ron Truex

TO: Approve the Milford Library Board Appointment of Charlotte Siegfried.

SECOND: Brad Jackson

AYES: 3                      NAYS: 0

UNANIMOUS

**IN THE MATTER OF COUNTY HIGHWAY UPDATE:**

Scott Tilden, County Highway Superintendent, presented his recommendations for the 2013 Supply bids. The Commissioners agreed with Tilden's recommendations.

MOTION: Brad Jackson

TO: Approve the 2013 Supply Bid recommendations.

SECOND: Ron Truex

AYES: 3                      NAYS: 0

UNANIMOUS

**IN THE MATTER OF VACATION FOR ROAD CLOSURE:**

Dan Richard, Area Plan Director, presented a recommendation to vacate two sections of county roadway within Kosciusko County. The roads are 1350 North from Old 15 to 100 E and Old 15 from E North St to 1400 in the Milford community. The Area Plan had a meeting and was in unanimous agreement to allow the vacation. Richard stated there were limited responses to the vacation prior to the Area Plan meeting. Area Plan did receive letters of support from the town board and Fire Chief in this particular area. Richard stated that an email from a Tina Fraley was received with questions, but they were not considered for the Area Plan meeting as they were not presented in time. Richard stated he forwarded the email onto Robinson to present to the Commissioners for their consideration.

Jack Salazar spoke in opposition to the vacation as it will hinder his route to and from work. Salazar requested that the Commissioners reject the vacation due to the amount of traffic that uses the roads in question.

Tina Fraley approached the Commissioners and asked that the questions within her email be addressed. Fraley was concerned with the ability of an emergency response team getting to that area. The Commissioners stated that they have a letter from the Fire Chief stating that the closure of the roads in question will not hamper their emergency response teams at all. The emergency response teams would enter the area from the south not the north, so the closure would not impede their ability to get to this area.

MOTION: Ron Truex

TO: Approve the vacation for 1350 North from Old 15 to 100 E and Old 15 from E North St to 1400.

SECOND: Brad Jackson

AYES: 3                      NAYS: 0

UNANIMOUS

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

## **KOSCIUSKO COUNTY COMMISSIONERS December 4, 2012**

The Kosciusko County Commissioners met for their regular meeting on December 4, 2012 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN.

Those present were:

Bob Conley - President  
Ron Truex  
Brad Jackson

Mike Miner – County Attorney  
Marsha McSherry – Auditor  
Ron Robinson, County Administrator

The meeting was opened with the pledge and a word of prayer. Minutes were approved as presented. Claims were signed and approved for payment.

### **IN THE MATTER OF DECEMBER VETERAN’S AWARD-BRUCE BUTLER:**

Rich Maron, Veteran Affairs Officer, introduced the December Veteran of the month as Bruce Butler. Butler was Navy & Vietnam Veteran and served from 1969 to 1973. Butler was accompanied by his wife Jane for the presenting of the Veteran’s award. Butler served on a floating base for riverboats in the gulf. Maron stated that Butler was accredited with rescuing a Navy Pilot during his term. The Commissioners thanked Butler for his time and dedication to our Country.

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

Dick Green, Turkey Creek Regional Sewer and Water District Attorney, came before the Commissioner’s to introduce Shannon McLeod from Priority Project Resources, Inc. McLeod stated that the Turkey Creek Regional Sewer District provides water service to approximately 208 homes located in Kosciusko County. Although the water system is in relatively good condition, its age is a concern and distribution pressure problems are becoming common. McLeod stated that Turkey Creek Regional Sewer District would like to hire an engineer to professionally evaluate the system and provide corrective alternatives and cost estimates via the completion of the Preliminary Engineering Report. The estimate for this study is \$30,000.00 and the Turkey Creek Regional Sewer District would like to apply for a grant via the Office of Community and Rural Affairs (OCRA) to help cover some of the out-of-pocket expense. Listed below are the OCRA Planning Grant requirements:

- Kosciusko County would need to sponsor the planning grant application
- Kosciusko County can have three (3) OCRA CDBG (Community Development Block Grant) grants at one time
- Kosciusko County would have to be the grant sponsor/applicant on a “planning grant”; there is no sub-recipient allowed under the “planning” program
- Grant request will be \$30,000.00 and the District will supply the required local match
- County will be required to designate a Commissioner to be a project liaison
- Commissioner liaison will need to attend the engineering interviews/scoring, OCRA site visit and attend public hearing
- Commissioners will be required to sign the application/ County attorney will also need to review the application and attest signatures

Brad Jackson was nominated as the Commissioners liaison for this planning grant. President, Bob Conley, signed a letter of Intent to submit the Planning Application.

MOTION: Brad Jackson

TO: Approve the letter of Intent to submit  
Planning Application.

SECOND: Ron Truex

AYES: 3                      NAYS: 0

UNANIMOUS

### **IN THE MATTER OF SOUND COMMUNICATIONS CONTRACT:**

Ron Robinson, County Administrator, presented a contract with Sound Communications for the recording equipment that records all the Sheriff and Dispatch phone lines. The contract is for \$7,375.00.

MOTION: Ron Truex

TO: Approve the contract with Sound  
Communications for the recording equipment for  
the Sheriff’s & Dispatch phone lines.

SECOND: Brad Jackson

AYES: 3                      NAYS: 0

UNANIMOUS

**IN THE MATTER OF WHERE TECHNOLOGY HAPPENS ENGINEERING CONTRACT:**

Ron Robinson, County Administrator, presented a contract with Where Technology Happens Engineering in the amount of \$900.00. This agreement is for the mapping software that is in the Sheriff vehicles.

MOTION: Brad Jackson

TO: Approve the agreement with Where

SECOND: Ron Truex

Technology Happens Engineering in the amount of \$900.00.

AYES: 3                      NAYS: 0

UNANIMOUS

**IN THE MATTER OF RESIGNING THE HOMELAND SECURITY GRANT:**

Ron Robinson, County Administrator, presented a Homeland Security Grant to the Commissioners for their signatures. The grant was already approved, but had the incorrect number on it from the State, which required new signatures.

**IN THE MATTER OF THE 911 LEGISLATION APPEAL LETTER:**

Ron Robinson, County Administrator presented an appeal letter for approval by the Commissioners in reference to the SEA 345 State Legislation that was passed regulating funding for the new statewide 9-1-1 fund. Robinson stated that Council has already signed and approved the letter

MOTION: Ron Truex

TO: Approve the E911 Legislation Appeal Letter.

SECOND: Brad Jackson

AYES: 3                      NAYES:

MOTION CARRIED

**IN THE MATTER OF THE 2013 SOLID WASTE INTER-LOCAL AGREEMENT:**

Marsha McSherry, County Auditor, presented the 2013 Solid Waster Inter-Local Agreement. This agreement allows the Auditor to serve as the controller for the Solid Waste District.

MOTION: Ron Truex

TO: Approve the 2013 Solid Waste Inter-Local Agreement.

SECOND: Brad Jackson

AYES: 3                      NAYS: 0

UNANIMOUS

**IN THE MATTER OF VACATION FOR EPWORTH FOREST – UNNAMED RIGHT OF WAYS:**

Lee Taylor, Area Plan, presented an Ordinance to the Commissioners for approval in the naming of unnamed road right of ways that are privately maintained roads within the North Indiana Conference of United Methodist Church better known as Epworth Forest. The new names will be Emmaus Drive, Impact Drive and Shaky Way. Taylor stated these roads will not be maintained by the county, but they need names in order to be in compliance with 911 guidelines.

MOTION: Ron Truex

TO: Approve the naming of unnamed road right of ways within North Indiana Conference of United Methodist Church better known as Epworth Forest.

SECOND: Brad Jackson

AYES: 3                      NAYS: 0

UNANIMOUS

**ORDINANCE NO. 2012-12-04-002 (2012120141)**

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 11, 2012**

The Kosciusko County Commissioners met for a special meeting on December 11, 2012 at 11:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Bob Conley - President  
Ron Truex  
Brad Jackson

Mike Miner – County Attorney  
Marsha McSherry – Auditor  
Ron Robinson, County Administrator

The meeting was opened with the pledge and a word of prayer.

**IN THE MATTER OF AREA PLAN:**

Dan Richard, Area Plan Director, brought before the Commissioners a re-zoning ordinance. The re-zoning tract of ground is at the Elkhart County line and is located at 1400 North and Old SR 15. The 270 plus acres of land will be re-zoned from Agricultural to an I-3(Heavy Industrial). There is also residential zoning in the area known as the Milford Junction. Area Plan had a lengthy meeting and had a lot of good input, but after looking at the goals and objectives of the Kosciusko Comprehensive plan and meeting with the Milford Town Board and Economic Development group Area Plan was in unanimous agreement to allow the re-zoning to an I-3.

Dan Brown, Milford Redevelopment Commission, stated they had submitted comments to the Area Plan Commission. They have been working for the past several years with the ground in that area that is already zoned as an I-3. Brown stated that the re-zoning request from Trupointe is compatible and complimentary to the objectives of the Milford Redevelopment Commission in the work they are doing. The Milford Redevelopment Commission feels that Trupointe will be a positive thing as it will bring employment and economic growth to the area.

Doug Ruch, Milford Town Council President, stated they had submitted a letter of recommendation to the Area Plan Commission in favor of the re-zoning. Ruch stated the Council welcomed Trupointe and felt they would complement the area in both jobs and taxation. Ruch shared that the Milford Town Council held a public meeting with Trupointe and residents of the area. The meeting was a question and answer session so the residents could be informed to the best of their ability.

George Robertson, KEDCo Director, stated that they have been trying to build this area for the past two years. Robertson has shown this area to at least four prospects in that time. Robertson stated that Trupointe is the best possible company they could have got for development in that area. Robertson gave several reasons for this: Trupointe is committed to the community that they are located in, they use as many local vendors as possible for their business, they hire locally and will be creating at least seventy new jobs that will have above average wages for this area. Robertson concluded by saying that KEDCo fully supports the project.

Nancy Clouse, homeowner, stated she is not opposed to Trupointe coming to the area as it will create new jobs and opportunities for the area. Clouse is concerned her property value will decrease, the increase in traffic on 100 E and the widening of the road. Clouse stated that their house is right on 100 E now and if they widen the road it will be too close to her bedroom window.

Tina Fraley, homeowner, stated she has the same concerns as Clouse. Fraley had brought studies that were conducted by an International Consultant group. Fraley stated it has been proven that perception has a lot to do with your property value and that with Trupointe being built across the street it will make their property value decrease. Fraley stated she is not opposed to Trupointe coming to this area, but would like the Commissioners to help the homeowners hold Trupointe to a certain level of quality and dignity between everyone. Fraley shared her concern with trucks being able to sit out on 100 E as they wait to enter Trupointe. The Commissioners assured her this would not happen as there is already an Ordinance in place for obstructing traffic. Fraley also commented on the ground barrier that Trupointe originally agreed to have put in place for at least 30 feet, but has now stated it will only be approximately 15 feet. Fraley is concerned that the ground barrier might not even happen now and would like the Commissioners to enforce a ground barrier be put in place. The Commissioners stated that Trupointe will have to provide a site plan and that will be submitted to Area Plan for approval. Once Area Plan approves the site plan then Trupointe has to abide by that plan. This site plan can go back and forth between the two until all parties involved are in agreement.

Robert Bowerman, representing Maple Leaf Feed Mill, stated Maple Leaf is not opposed to the development of Trupointe. Maple Leaf is more concerned with the County's plan for the extension of 1300 north over to route 15. Bowerman stated that Maple Leaf would like some sort of time line from the County on when the extension will occur. The Commissioners stated they cannot give a timeline right now as they will not begin the extension until the last payment on the Justice building is made. The Commissioners stated that by the time Trupointe starts

taking grain, which will be approximately two years, and the hope would be to have the extension of 1300 north completed shortly after that. The extension of 1300 north will only benefit both Trupointe and Maple Leaf Feed Mill.

**ORDINANCE NO. 12-12-11-001 Z (2012120562)**

As recorded in the office of the Kosciusko County Recorder

MOTION: Ron Truex	TO: Approve the unanimous decision by Area	
SECOND: Brad Jackson	Plan to accept the re-zoning for Trupoint to an	
AYES: 3	NAYS: 0	I-3.
UNANIMOUS		

**IN THE MATTER OF ROAD RIGHT OF WAY:**

Ron Robinson, County Administrator, presented a contract from USI Consultants for the work on 100 E and the survey needed on 1300 north. Robinson stated that by doing both at the same time it will save the County a considerable amount of money.

MOTION: Brad Jackson	TO: Approve the contract with USI	
SECOND: Ron Truex	Consultants for work on 100 E plus the survey	
AYES: 3	NAYS: 0	work on 1300 north.
UNANIMOUS		

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

**KOSCIUSKO COUNTY COMMISSIONERS  
December 18, 2012**

The Kosciusko County Commissioners met for their regular meeting on December 18, 2012 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Bob Conley - President	Mike Miner – County Attorney
Brad Jackson	Marsha McSherry – Auditor
Ron Truex	Ron Robinson, County Administrator

The meeting was opened with the pledge and a prayer. Minutes were approved as presented. Claims were signed and approved for payment.

**IN THE MATTER OF TIPPECANOE RIVER CLEAN-UP PROJECT:**

Jon Tyler, Lake Tippecanoe Property Owners Vice President, stated that Dr. Nate Bosch and Ed Rock are coming before the board to ask for support and assistance on a project. The project has been in the works for the past year and is being led by Lake Tippecanoe Property Owners (LTPO) and Kosciusko Lakes and Streams. LTPO came up with a plan of action for areas they would like to explore and flooding mitigation was an area they decided to focus on. The flooding issue in Kosciusko County has become more of an issue over the past several years. They were looking for a proactive solution by cleaning the Tippecanoe River of debris to allow the decrease in flooding issues and increase the rate in which the river flows. Nate Bosch, Director Kosciusko Lakes and Streams Associate Professor, stated the clean up would stretch from Oswego Dam to the County Line. The project would consist of the removal of any logs that might be jamming up the river and any other debris that might be causing a blockage. Bosch, stated they would start at County Line and work their way up stream and monitor for any backups they may occur. Ed Rock, Emergency Management Director, stated they would like permission to obtain bids for the project. Rock stated they had some estimates of what the cost may be, but they will not know for sure until they do the bidding process. This process is also needed in order to determine if they need to apply for some grants. The Commissioners were in agreement with allowing the advertisement for the bidding process. Ron Truex, Commissioner,



stated he felt the project was a positive thing and a very good thing for the residents in Kosciusko County.

MOTION: Ron Truex

TO: Approve the request to allow bids for the Tippecanoe Clean-up project.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF ANNUAL APPOINTMENTS:**

The Commissioners considered the following appointments:

Alcohol Beverage Commission	Gordon Vanator
Area Plan Director	Dan Richard
Area Plan Board	Bob Conley
Area Plan Board	Kevin McSherry
Board of Health – Med. Director	Dr. William Remington
Board of Health	Karen Scripture (4 years)
	Karen Boling
Board of Zoning Appeals	Lee Harman
	Charlie Haffner
	Walt Church (4 years)
County Administrator	Ron Robinson
County Attorney	Mike Miner
County Highway Superintendent	Scott Tilden
CVB Commission	Wes Stouder (2 years)
	Mary Mills (2 years)
	John Hall (2 years)
Drainage Board	Ron Truex
	Steve Metzger (4 years)
Economic Development (Feb)	Wes Stouder
GIS	Bill Holder
Homeland Security/LEP	Ed Rock
KEDCo	Ron Truex
OrthoWorx	Brad Jackson
PTABOA	Phil Beer
	Gerald “Jake” Bitner
	Gary Salyer
Public Defenders Board	John Hall
	Alan Alderfer
	Steve Harris
Redevelopment Commission	Max Courtney
	Bruce Woodward
	Henry DeJulia
St. Joe River Basin	John Roberts
System Administrator	Bob Momeyer
Veteran Officer	Rich Maron
Wage Committee	Brad Jackson
Weights & Measures	Larry Marner
WCDC	Bob Conley

MOTION: Brad Jackson

TO: Approve all appointments presented for up to one (1) year unless otherwise stated.

SECOND: Ron Truex

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF 2013 COUNTY ATTORNEY CONTRACT:**

Ron Robinson, County Administrator, presented the 2013 County Attorney Contract to the Commissioners for signature. Robinson noted the Contract is identical to the 2012 Contract except for a 2% increase making the total salary \$24,378.00

MOTION: Ron Truex

TO: Approve 2013 County Attorney Contract as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF KCCRVC 2013 INTER-LOCAL AGREEMENT:**

Marsha McSherry, County Auditor, presented the 2013 KCCRVC Inter-Local Agreement. The agreement allows the Auditor to be the controller for the KCCRVC Commission. This is an annual agreement.

MOTION: Ron Truex

TO: Approve the 2013 KCCRVC Inter-Local Agreement as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF MOVING PAYROLL DATE:**

Ron Robinson, County Administrator, requested approval from the Commissioners to move the last payroll date for 2012 from January 1, 2013 to December 31, 2012.

MOTION: Brad Jackson

TO: Approve the request to move the last payroll date for 2012 from January 1, 2013 to December 31, 2012.

SECOND: Ron Truex

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF HIGHWAY UPDATE:**

Scott Tilden, Highway Superintendent, requested permission to set a bid date and time for a bid opening for a mini excavator and a skid steer trac loader. Tilden requested date is February 12, 2013 at 9:15am. The Commissioners stated Tilden has their blessing to obtain bids for the February 12, 2013 meeting.

Truex questioned the current speed limit posted for the roundabouts. Tilden stated the 30mph was posted for the construction and is being evaluated now to see what the correct speed limit should be through that area.

Truex commented that the Mobile Home Factory in Etna Green would be re-opening in the near future. Truex stated the speed limit of 45mph was removed for that area. Truex would like to see the 45mph speed limit reposted once the factory reopens. Tilden stated he would work on getting that addressed.

Robinson stated they met with INDOT for final inspection on the Zimmer Road roundabout. There were very few issues and they were with signs. The Highway Department was out fixing the sign issues today.

**IN THE MATTER OF PIERCETON WOODS ACADEMY:**

Rick and Debbie Wagoner, concerned resident, spoke in opposition to the academy being located in Pierceton. The Wagoner's stressed their concern that the facility is housing residents that are not classified correctly for that facility. They feel that their lives are being compromised due to the types of teenagers that are being housed there. The Wagoner's have spoken to the Pierceton Policy department, Judge Huffer, the Sheriff's department and the State on their concerns. The Wagoner's would like to see the facility closed or at least properly licensed for the types of teenagers they have living there. Bob Conley, Commissioner's President, stated that they have been talking with the Sheriff's department, Judge Huffer and various other individuals in hopes to get this situation addressed and under control.

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