

# KOSCIUSKO COUNTY COMMISSIONERS

## January 6, 2009

The Kosciusko County Commissioners met for their regular meeting on January 6, 2009 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 – County 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 OFFICERS:**

President Brad Jackson called for nominations for 2009 Officers.

MOTION: Ron Truex TO: Nominate Bob Conley as President for 2009.  
SECOND: Brad Jackson

AYES: 2 NAYS: 0; *1 Abstain*

UNANIMOUS

MOTION: Bob Conley TO: Nominate Ron Truex as Vice President  
SECOND: Brad Jackson for 2009.

AYES: 2 NAYS: 0; *1 Abstain*

UNANIMOUS

### **IN THE MATTER OF 2009 APPOINTMENTS:**

The Commissioners considered the following appointments:

Area Plan Board	Bob Conley
Board of Health	Karen Boling
Drainage Board	Ron Truex
Economic Development	Wes Stouder
KDI	Ron Truex
Wage Committee	Brad Jackson

County Administrator, Ron Robinson noted he spoke with Karen Boling and she is willing to serve on the Board of Health. President Bob Conley further noted all other appointees have been asked and are willing to serve on the respective Boards or Committees.

MOTION: Ron Truex TO: Approve all appointments presented for  
SECOND: Brad Jackson up to one (1) year.

AYES: 3 NAYS: 0

UNANIMOUS

### **IN THE MATTER WHITKO SCHOOL CORPORATION WAGE COMMITTEE APPOINTMENT:**

County Administrator, Ron Robinson, stated he received a request from Whitko School Corporation for an appointee to serve on a Wage Committee for a hearing January 19, 2009. President Bob Conley recommended Ron Robinson continue to serve on the wage committee.

### **IN THE MATTER OF HIGHWAY DEPARTMENT ANNUAL BRIDGE REPORT:**

President Bob Conley complimented the Highway Department on the annual bridge report received by the Commissioners. Conley noted the report is extensive, helpful and done in a timely manner.

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

## **KOSCIUSKO COUNTY COMMISSIONERS**

### **January 20, 2009**

The Kosciusko County Commissioners met for their regular meeting on January 20, 2009 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

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 BOARD OF FINANCE APPOINTMENT:**

County Treasurer, Sue Ann Mitchell, stated a President is needed for the Board of Finance, and this position is traditionally held by one of the Commissioners.

MOTION: Brad Jackson

TO: Nominate Ron Truex as President of  
Board of Finance for 2009.

SECOND: Bob Conley

AYES: 3 NAYS: 0

UNANIMOUS

#### **IN THE MATTER OF 2008 INVESTMENT REPORT:**

Sue Ann Mitchell, County Treasurer, presented the 2008 Financial Report noting Certificates of Deposit taken out in area banks were based on bids and generally given to the bank with higher interest rates. Mitchell further noted there were forty (40) Certificates of Deposit given to Flagstar Bank, one (1) to Mutual Bank and seven (7) to Lake City Bank. Mitchell stated the banks were previously notified by fax and given a short response time thereby eliminating viable rates from other banks due to time constraints. Mitchell noted she would like to modify the investment policy and the notification process giving area banks two (2) days advance notice for CD renewal bids. Mitchell explained other monies held at local banks are NOW funds where those banks accept property tax payments for the County and hold those funds in interest bearing accounts at that respective bank. Mitchell further noted Lake City Bank is the primary bank for the County. Mitchell explained there was a significant drop in interest between 2007 and 2008 primarily due to low interest rates, additional homestead refund monies and also the late property tax collection in 2008.

MOTION: Brad Jackson

TO: Accept 2008 Investment Report as  
presented.

SECOND: Ron Truex

AYES: 3 NAYS: 0

UNANIMOUS

#### **IN THE MATTER OF BOARD OF FINANCE ORGANIZATION AND INVESTMENT POLICY:**

Sue Ann Mitchell, County Treasurer, presented the Board of Finance Organization and Investment Policy noting the changes such as notifying the banks ahead of time for interest rates and notifying via email in addition to fax notification.

MOTION: Ron Truex

TO: Accept Board of Finance Organization  
and Investment Policy as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF 2009 APPOINTMENTS:**

The Commissioners considered the following appointments with President Bob Conley noting he spoke with the appointees and all are willing to serve in the respective positions. County Administrator, Ron Robinson, noted a third appointee for the Public Defenders Board will come from the County Judges to be presented at the February Commissioners meeting.

Public Defenders Board

John Hall

Alan Alderfer

Bell Memorial Library

Dick Webb

Drainage Board

Maurice McDaniel

MOTION: Ron Truex

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

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF MEMORANDUM OF AGREEMENT WITH TOWN OF CLAYPOOL:**

County Administrator, Ron Robinson presented a Memorandum of Agreement between the Town of Claypool and the County observing the agreement between the parties for a radio antenna on the water tower in Claypool. Robinson explained the Agreement will allow future Commissioners and Town Board Members to be aware of the terms of the Agreement between the parties.

MOTION: Brad Jackson

TO: Approve Memorandum of Agreement with the Town of Claypool as presented.

SECOND: Ron Truex

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF AGREEMENT WITH CJ TECHNOLOGY:**

County Administrator, Ron Robinson presented an Agreement with CJ Technology to move the live feed from the surveillance cameras in the Courthouse to the dispatch center in the Justice Building. Robinson noted moving the live feed will allow for surveillance and security of the Courthouse 24 hours a day, 7 days a week through the dispatch center and satellite security; also allowing the equipment to be maintained by one (1) company in one (1) location. Robinson further noted the cost for the upgrade will be \$8,445.00.

MOTION: Brad Jackson

TO: Approve Agreement with CJ Technology as presented.

SECOND: Ron Truex

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF 911 COMMUNICATIONS CENTER STATISTICAL REPORT FOR 2008:**

President Bob Conley remarked there are a large number of calls received by the 911 dispatch center as stated in the 911 Communications Center Statistical Report for 2008. Conley requested Tom Brindle, Emergency Communications Director, explain some of the statistics within the report. Brindle noted the number of 911 calls in 2007 were 23,800 and 24,301 in 2008 with a 1.9% increase; noting further 65% of those calls were from cell phones. Brindle also stated the overall increase for service calls for police, fire and/or EMS was 12.5% with 66,449 calls in 2007 and 75,931 calls in 2008. Brindle noted part of the increase may be due to the inclusion of emergency and non-emergency calls from the Syracuse police department. Brindle also noted inclement weather and power outages increased the number of calls to the dispatch center. Conley questioned the number of units calling into the 911 dispatch center. Brindle responded approximately 40 units call into dispatch. Brindle further noted Kosciusko County 911 is a back up dispatch center for the following counties: Whitley, Elkhart, Marshall and Fulton. Commissioner Ron Truex noted with high regard that the dispatch center is a 7 day a week/24 hour a day operation with no slow days for calls within the week.

**IN THE MATTER OF HIGHWAY UPDATE:**

Highway Superintendent, Dennis Pletcher, stated with the weather improving, the Highway Department is repairing broken equipment and preparing to do patchwork when the roads are clear of snow and ice. Pletcher also thanked the 911 dispatch center for their courteous and helpful employees when relaying calls or information to the Highway Department.

Commissioner, Ron Truex, also thanked the Highway Department for their hard work in the recent inclement weather.

**IN THE MATTER OF MARTIN LONG VACATION REQUEST-TIPPECANOE TOWNSHIP:**

Dan Richard, Area Plan Director, presented a vacation request from Martin Long to vacate a public right-of-way in Long's Park on the north side of James Lake previously heard by the Commissioners on December 9, 2008. Richard stated a new hearing was held before the APC wherein any new information was to be presented. Richard further stated it was again the unanimous recommendation (8-0) of the APC to not approve the vacation request.

Steve Snyder, Attorney for Martin Long, noted the property surrounding the public right-of-way is owned by the Baptist Camp; noting further previous right-of-way vacations were done throughout the Baptist Camp. Snyder stated the only access to the property is by an easement created as part of the plat of Long's Park noting there is no public access to this R-O-W only a private road that runs out to Crystal Flash Road.

Martin Long spoke in favor of the vacation noting his family has maintained the public R-O-W for over 40 years. Long's main concern is the public using the land as a restroom and to dump trash when they anchor their boats on the sandbar in front of his property.

Carolyn Long Shepherd spoke in opposition of the vacation noting her grandparents platted the property, stating if the public R-O-W is vacated then the non-lakefront property owners are denied access to the lake.

Richard reiterated APC's position stating once a platted R-O-W is vacated, the R-O-W is gone forever. Richard stated APC is planning for the future, not just immediate circumstances presented and Area Plan Commission represents and protects the public and its interests.

Snyder reiterated vacating the R-O-W does not eliminate anyone's private right or easement to use that area, it only eliminates public use.

Further discussion ensued regarding different options that could be implemented as to the platted R-O-W and/or how to restrict public access (with signage) and eliminate the misuse of the land by the public gaining access from the lake. Commissioner Brad Jackson requested Richard look into what, if any, restrictions the County can place on the land, limiting the public's use.

Conley closed the meeting to the public and discussion was held between the Commissioners.

MOTION: Ron Truex

TO: Support APC recommendation and deny vacation request.

SECOND: Bob Conley

AYES: 2 NAYS: 0; *1 Abstain*

UNANIMOUS

Richard suggested Petitioner document (with photos) the number of boats, trash, restroom use, etc. on the land and bring said documentation to the APC. Richard added that unless circumstances change (documentation) the request to vacate cannot be brought back before the APC for two (2) years per State guidelines.

Truex requested Richard research what options County may have to regulate and/or restrict access by the public.

**IN THE MATTER OF AREA PLAN COMMISSION UPDATE:**

Dan Richard, Area Plan Director, stated APC is looking into height restrictions and wind generating options with these items to be discussed at their next meeting, February 4, 2009; also inviting the Commissioners to attend APC meetings.

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

## **KOSCIUSKO COUNTY COMMISSIONERS**

### **February 3, 2009**

The Kosciusko County Commissioners met for their regular meeting on February 3, 2009 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 - *Absent*

Mike Miner – County Attorney  
Marsha McSherry – County 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 BOARD OF FINANCE MINUTES:**

County Treasurer, Sue Ann Mitchell, presented the minutes from the January Board of Finance meeting for signature.

MOTION: Brad Jackson

TO: Approve minutes of January Board of Finance meeting as presented.

SECOND: Bob Conley

AYES: 2            NAYS: 0

UNANIMOUS

#### **IN THE MATTER OF SHERIFF DEPARTMENT INTERN:**

Sheriff Rocky Goshert introduced First Lieutenant John Springer of the United States Army who is working an internship with Sheriff Department. Goshert explained Springer is finishing his degree at St. Francis University. The Commissioners thanked Springer for helping both as an intern and for serving in the Army.

#### **IN THE MATTER OF 2009 APPOINTMENTS:**

The Commissioners considered the following appointments with President Bob Conley noting all of the appointees are willing to serve in the respective positions.

Public Defenders Board

Steve Harris

Pierceton & Washington Township Library

Harold Barker

Redevelopment Commission

Henry DeJulia

MOTION: Brad Jackson

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

SECOND: Bob Conley

AYES: 2            NAYS: 0

UNANIMOUS

#### **IN THE MATTER OF SUPERIOR II COURT REQUEST:**

County Administrator, Ron Robinson, presented a request from Judge Jarrette to send a case worker to a school in Ann Arbor, Michigan on March 26 & 27, 2009. Robinson noted the Commissioners approval is needed since the trip requires out-of-state travel. Robinson then explained the funding for the trip has already been appropriated for in Superior II's budget.

MOTION: Brad Jackson

TO: Approve travel for caseworker as requested.

SECOND: Bob Conley

AYES: 2            NAYS: 0

UNANIMOUS

#### **IN THE MATTER OF VERA BRADLEY FOUNDATION USE OF COURTHOUSE LAWN:**

Ron Robinson, County Administrator, stated attorney Dana Leon on behalf of the Vera Bradley Foundation, has requested permission to place pink ribbons on the trees of the Courthouse lawn for breast cancer awareness. Robinson explained this will take place on April 17, 2009. Commissioners approved the placement of pink ribbons in the trees on the Courthouse lawn by consensus.

**IN THE MATTER OF 2009 INTER-LOCAL AGREEMENT WITH KOSCIUSKO COUNTY CONVENTION, RECREATION AND VISITOR COMMISSION:**

Marsha McSherry, County Auditor, presented an Inter-local Agreement between the County and Kosciusko County Convention, Recreation and Visitor Commission. McSherry explained the Agreement allows the County Auditor to serve as Controller of the CVB for 2009.

MOTION:	Brad Jackson	TO: Approve and sign Inter-local Agreement
SECOND:	Bob Conley	between the County and the KCCRVC for
AYES: 2	NAYES: 0	County Auditor to act as controller for the
UNANIMOUS		CVB.

**IN THE MATTER OF HIGHWAY UPDATE:**

Highway Superintendent, Dennis Pletcher, stated the Highway Department is running low on salt and sand to maintain the roads this winter. Pletcher wanted to inform the public on this matter as well as state the Highway Department is doing their best and trying to be frugal with the supplies to make it through the rest of the winter season.

**IN THE MATTER OF STATE ROAD 15 RE-ROUTING REQUEST:**

Dennis Pletcher, Highway Superintendent, stated he received a request from the Town of Silver Lake to re-route traffic on State Road 15 for their annual Silver Lake Days celebration on June 18 and 19, 2009. Pletcher explained the request is the same as in the past noting further, the request does require three (3) signatures.

MOTION:	Brad Jackson	TO: Approve request to re-route State Road
SECOND:	Bob Conley	15 for Silver Lake Days on June 18 and 19,
AYES: 2	NAYS: 0	2009 as presented.
UNANIMOUS		

**IN THE MATTER OF SPEED LIMIT REDUCTION ON COUNTY FARM ROAD – CLAY TOWNSHIP:**

Highway Superintendent, Dennis Pletcher, presented a request to reduce and post the speed limit to 45mph on County Farm Road between County Road 450S and Hoppus Road. Pletcher recommended posting the 45mph signs along County Farm Road due to the curve between CR450S and Hoppus Road. Pletcher further mentioned the Sheriff's department performed a traffic analysis on the area and their recommendation concurs with Pletcher's.

MOTION:	Brad Jackson	TO: Approve reducing and posting speed
SECOND:	Bob Conley	limit signs along County Farm Road between
AYES: 2	NAYS: 0	County Road 450S and Hoppus Road.
UNANIMOUS		

Pletcher noted he will bring an Ordinance for said speed limit reduction to the February 17, 2009 Commissioners meeting for signature.

**IN THE MATTER OF SPEED LIMIT REDUCTION ON COUNTY ROAD 200N – WASHINGTON AND TIPPECANOE TOWNSHIPS:**

Highway Superintendent, Dennis Pletcher, presented a request to reduce and post the speed limit to 45mph on County Road 200N between State Road 13 and County Road 850E en route to Jellystone Campground. Pletcher explained the speed limit now is 55mph pursuant to Indiana Code. Pletcher further stated the Sheriff's department performed a traffic analysis on the area and did not provide a recommendation, noting further the Sheriff's department does not have any citation and/or accident information for that area. Pletcher recommended the speed limit reduction citing many driveways, farm lanes that exit onto CR200N and camper traffic during the summer months.

Commissioner Brad Jackson recommended leaving the speed limit 55mph pursuant to Indiana Code.

**IN THE MATTER OF SPEED LIMIT REQUEST – WINDMILL WEST SUBDIVISION - WAYNE TOWNSHIP:**

Highway Superintendent, Dennis Pletcher, presented a request from residents of Windmill West Subdivision in Wayne Township to post 30mph speed limit signs along the roads within the Windmill West Subdivision.

**IN THE MATTER OF SPEED LIMIT REQUEST – WINDMILL WEST SUBDIVISION - WAYNE TOWNSHIP CONTINUED:**

Pletcher stated he did not recommend the request since the speed limit for urban areas such as the area within the subdivision is currently 30mph pursuant to Indiana Code 95-21-5-2. Both Commissioners Conley and Jackson supported Pletcher's recommendation to reject the request to post the 30mph speed limit within Windmill West Subdivision.

**IN THE MATTER OF STOP SIGN REQUEST AT EAST SHORE DRIVE AND CORNELIUS ROAD – TURKEY CREEK TOWNSHIP:**

Dennis Pletcher, Highway Superintendent, presented a request from the Syracuse Trail Committee to make the intersection at East Shore Drive and Cornelius Road a three-way stop. Pletcher noted there is a visibility issue from East Shore Drive when turning east onto Cornelius Road; further noting the posted speed limit is 30mph. Pletcher explained the Syracuse Trail Committee is installing a crosswalk for that intersection to connect its trail into Syracuse. Pletcher further noted the addition of pedestrian traffic would make the intersection more dangerous without the addition of the three-way stop. Pletcher recommended the installation of the stop sign as presented.

MOTION: Brad Jackson

TO: Approve recommendation for a three-way stop at the intersection of East Shore Drive and Cornelius Road.

SECOND: Bob Conley

AYES: 2 NAYS: 0

UNANIMOUS

Pletcher noted he will bring an Ordinance for said three-way stop at East Shore Drive and Cornelius Road to the February 17, 2009 Commissioners meeting for signature.

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

## **KOSCIUSKO COUNTY COMMISSIONERS February 17, 2009**

The Kosciusko County Commissioners met for their regular meeting on February 17, 2009 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

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 EMERGENCY MANAGEMENT 2008 INDIANA DEPARTMENT OF HOMELAND SECURITY GRANT:**

Ed Rock, Emergency Management Director, presented a grant from the Indiana Department of Homeland Security for 2008. Rock explained the Grant is for \$900,000 to install the consolettes in all of the dispatch centers in the district, thereby all centers would be capable of receiving and transmitting at 800 MHz. Rock explained further once the Grant is approved by the State, the County would then begin to purchase and install equipment. Rock confirmed the Grant covers 100% of the costs of the 800 MHz equipment and service.

MOTION: Brad Jackson

TO: Approve the 2008 Indiana Department of Homeland Security Grant as presented.

SECOND: Ron Truex

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF KABS 2008 QUARTERLY REPORT:**

Rita Baker, KABS Director, presented the Quarterly Operating Financial Statement and the Indiana Department of Transportation Contract Invoice-Voucher for review and signature. Baker explained the amount of \$115,700 is for the last quarter of 2008 and will finish off the grant for 2008.

MOTION: Brad Jackson

SECOND: Ron Truex

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve and sign the Quarterly Operating Financial Statement and the Indiana Department of Transportation Contract Invoice-Voucher.

Baker further explained KABS is waiting to see if they will receive any of the stimulus package from the Federal government.

**IN THE MATTER OF ALCOHOLIC BEVERAGE BOARD APPOINTMENT:**

President Bob Conley requested Gordon Vanator be reappointed to the ABC for a one (1) year term expiring December 31, 2009. Both Conley and County Administrator, Ron Robinson, noted Vanator has held the position for many years and is willing to continue to serve in that position.

MOTION: Brad Jackson

SECOND: Ron Truex

AYES: 3 NAYS: 0

UNANIMOUS

TO Approve appointment of Gordon Vanator to Alcoholic Beverage Board for a one (1) year term expiring December 31, 2009.

**IN THE MATTER OF MICHAEL WALTERS POOR RELIEF HEARING – SEWARD TOWNSHIP:**

Michael Walters appeared before the Commissioners to appeal his denial for assistance from the Seward Township trustee. Walters stated he called the trustee requesting assistance for a dental problem. He went on to say the trustee made an appointment for him with a dentist in Bourbon; however, he could not make the appointment as he had an appointment at the food stamp office the same day. Walters then stated he had called the dentist to reschedule the appointment and a new date was given. Walters noted it was at that time the trustee notified him that his request for assistance was denied as she felt his dental problem was no longer an emergency. Walters then added in the meantime he located a dentist in Warsaw that would be willing to do the dental work for a minimal fee of \$10.00.

Aime Hoffman, Seward Township trustee, presented a packet to the Commissioners with Walters' claim and denial paperwork. Hoffman noted at the time of Walters' request for assistance, she felt he needed immediate care as he was taking penicillin. She added she chose a dentist outside of the Warsaw area as the dentist in Bourbon is cheaper. Hoffman stated she denied his rescheduled appointment as she no longer felt his condition was an emergency. She then added Walters has previously received help with his mortgage and utilities.

Commissioner Brad Jackson commended Hoffman for being frugal with the County's funding and for treating the monies like it were "coming out of her pocket". Jackson stated the monies in essence do come out of Hoffman's pocket through her position as Seward Township trustee.

Further discussion ensued regarding Walters' request and subsequent solution by his locating a dentist in Warsaw to do the dental work for a small fee. Hoffman noted she would be willing to pay the \$10.00 dental fee when Walters presents her with a receipt for the services and she will pay the dentist directly.

MOTION: Ron Truex

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Support the decision of the Seward Township trustee to pay \$10 for dental bill once copy of dental bill is provided to the Seward Township trustee and the trustee will pay the dentist directly.

**IN THE MATTER OF SPEED LIMIT REDUCTION ON COUNTY FARM ROAD – CLAY TOWNSHIP:**

Highway Department Road Supervisor, Jeff Rohrer, presented an Ordinance to reduce and post the speed limit of 45mph on County Farm Road between County Road 450S and Hoppus Road for the Commissioners' signature. Rohrer explained the Commissioners had approved the speed limit reduction at the February 3, 2009 meeting.

**ORDINANCE NO. 09-02-17-002 Speed**

**As recorded in of the office of the Kosciusko County Recorder**



**IN THE MATTER OF STOP SIGN REQUEST AT EAST SHORE DRIVE AND CORNELIUS ROAD – TURKEY CREEK TOWNSHIP:**

Highway Department Road Supervisor, Jeff Rohrer, presented an Ordinance to make the intersection at East Shore Drive and Cornelius Road a three-way stop for the Commissioners' signature. Rohrer explained the Commissioners had approved the stop sign request at the February 3, 2009 meeting.

**ORDINANCE NO. 09-02-17-001 Stop**

**As recorded in of the office of the Kosciusko County Recorder**

**IN THE MATTER OF USI CONSULTANTS, INC. AGREEMENT:**

Highway Department Road Supervisor, Jeff Rohrer, presented an Agreement for Engineering Services between the County and USI Consultants, Inc. to inspect and inventory the small structures in the County. President Bob Conley requested Rohrer define the meaning of "small structure". Rohrer responded that a small structure is a structure containing a pipe from 3' up to 20' in diameter. Rohrer further explained the pipe is the culvert that goes under the road.

MOTION: Ron Truex TO: Approve Agreement between USI  
SECOND: Brad Jackson Consultants, Inc. to inspect and inventory  
AYES: 3 NAYS: 0 small structures in the County as presented.  
UNANIMOUS

**IN THE MATTER OF AREA PLAN COMMISSION HEIGHT REGULATIONS ORDINANCE AMENDMENT:**

Matt Sandy, Area Plan Assistant Director, presented an Amendment to the Height Ordinance providing for a taller accessory structure in a residential district. Sandy noted this matter was previously discussed at the December 23, 2008 Commissioners meeting and was also discussed with the Kosciusko County Builders Association, in order to come up with a height that would allow for more architectural design. Sandy explained the consensus was to allow a maximum height of 25' at the peak and eave height of 16'. Sandy further explained the proposed height regulations received a unanimous recommendation from APC. Sandy then noted for clarification purposes the eave height will be measured from the bottom of the eave fascia. Sandy further noted a request for a building height greater than 25' will require an application for a variance from APC; also noting if a variance is granted, the front and side depths are increased one (1) foot for each additional foot of height as previously discussed.

MOTION: Ron Truex TO: Approve Ordinance for Height  
SECOND: Brad Jackson Regulations as presented.  
AYES: 3 NAYS: 0  
UNANIMOUS

Commissioner Brad Jackson commended APC for work on the Ordinance.

**ORDINANCE NO. 09-02-17-003 Height**

**As recorded in of the office of the Kosciusko County Recorder**

**IN THE MATTER OF SELLERS REZONING REQUEST – WASHINGTON TOWNSHIP:**

Dan Richard, Area Plan Director, presented a rezoning request from Harold and Freda Sellers to rezone a five (5) acre tract from Commercial to Agricultural in Washington Township. Richard explained the property is off of County Road 400E just to the north of Wilcox Road. Richard noted the property surrounding the five (5) acre tract is primarily agricultural. Richard further stated it was the unanimous recommendation of the APC to approve the rezoning from commercial to agricultural.

No one appeared in opposition to the rezoning. Harold and Freda Sellers were present in favor of the rezoning.

MOTION: Ron Truex TO: Accept the recommendation of the APC  
SECOND: Brad Jackson to allow the rezoning request for the five (5)  
AYES: 3 NAYS: 0 acre tract from commercial to agricultural in  
UNANIMOUS Washington Township as presented.

**ORDINANCE NO. 09-02-17-004Z**

**As recorded in of the office of the Kosciusko County Recorder**

**IN THE MATTER OF AREA PLAN COMMISSION ROAD TRIP TO BENTON COUNTY:**

Dan Richard, Area Plan Director, invited the Commissioners to accompany the APC on a road trip on KABS buses to travel to Benton County to study the windmill project in that County. Richard noted the trip will take place on March 4, 2009 after the APC meeting.

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

**KOSCIUSKO COUNTY COMMISSIONERS  
March 3, 2009**

The Kosciusko County Commissioners met for their regular meeting on March 3, 2009 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 REDEVELOPMENT COMMISSION UPDATE:**

Redevelopment Commission members, Max Courtney and Bruce Woodward, thanked the Commissioners for the opportunity to serve the community on the Redevelopment Commission and then Courtney spoke of the individual members:

- ❖ The late Lowell Owens was a stabilizing force on the Commission who will be missed.
- ❖ Larry Teghtmeyer has governmental experience and keeps the Commission on track and keeps a project timeline.
- ❖ Bill Warren has extensive knowledge in real estate throughout the County.
- ❖ Bruce Woodward also has experience in real estate as well as working on other zoning and planning commissions in Warsaw.
- ❖ Henry DeJulia has past experience in developing economic plans and also in local government.

Courtney explained the Commission helped implement the TIF districts for the Dreyfus plant, Maple Leaf Farms and Leesburg area. Courtney then stated the Commission has also been involved in the Lakeland Regional Sewer District as well as the Greenway project. Courtney then stated the Commission is developing an economic plan for the Commissioners' approval for the benefit of the County. Courtney noted KDI is assisting by gathering any reports, surveys, etc. done regarding any of the existing or potential businesses, population, resident requests or requirements that will aid in the developing of an economic plan for the County. Courtney remarked this information should expose opportunities for promotion of industries to move into the community that would compliment existing economic sectors.

Woodward noted another project the Commission has worked on is the Western Corridor which is the industrial corridor to the west of Warsaw. Woodward felt there has always been a need for industrial ground in the County for existing growing businesses as well as to attract new businesses. Woodward explained the initial reason the Western Corridor was developed in the 1980s was to keep industrial ground at a lower cost. Woodward then explained infrastructure, such as location of the existing Warsaw sewage plant, water lines and broadband lines, is needed in these areas for businesses to develop and grow. Woodward added another part of the economic plan will be to work with the biomedical industry in order to keep them in the community.

Commissioner Ron Truex felt the Redevelopment Commission has done a fine job of gathering facts and looking at not only the present but to the future when planning for the County. Woodward also noted the investment made in joining MaCog has been worthwhile and beneficial to the County.

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

County Attorney, Mike Miner, stated he was asked to attend the February Redevelopment Commission meeting and assist with any legal implications of the actions of the Commission. Miner felt this Redevelopment Commission has kept focused on their goals and are willing to go forward with the intended objectives set forth by the legislature. Miner noted the Commission is a primary vehicle in developing business, existing or new, within the County.

**IN THE MATTER OF ADVANCE PRODUCTS GROUP CONTRACT:**

Ron Robinson, County Administrator, presented a Maintenance Contract between the County and Advance Products Group (New Paris Telephone) for one (1) year for the Commissioners' review and signature. Robinson explained the County has been on a free three (3) year maintenance agreement that is now expiring. Robinson further explained the cost of the Contract is \$12,936.00 per year which includes upgrades and software for the telephone system. Robinson concurred with Commissioner Ron Truex that Advance Products Group has done a good job and the telephone system has been a savings over the previous system.

MOTION: Ron Truex TO: Approve Maintenance Contract with  
SECOND: Brad Jackson Advance Products Group for one (1) year as  
AYES: 3 NAYS: 0 presented.  
UNANIMOUS

**IN THE MATTER OF VERIZON CONTRACT FOR 911 CENTER:**

Ron Robinson, County Administrator, presented a Contract between the County and Verizon for the 911 Dispatch Center. Robinson explained this Contract is for a router system for the southern part of the County. Robinson further explained the urgency in needing the Contract signed, he previously called two (2) of the Commissioners to obtain approval to sign said Contract.

MOTION: Brad Jackson TO: Approve Contract with Verizon for 911  
SECOND: Ron Truex center router system as presented and  
AYES: 3 NAYS: 0 previously signed.  
UNANIMOUS

**IN THE MATTER OF COUNTY HIGHWAY DEPARTMENT 2008 YEAR-END REPORT:**

Highway Superintendent, Dennis Pletcher, presented the Highway Department 2008 year-end report. Pletcher requested the Commissioners review the report and he will bring the final report to the March 17, 2009 meeting for approval and signature.

**IN THE MATTER OF ST. JUDE BIKE RIDE:**

Highway Superintendent, Dennis Pletcher, stated he received a notice from the St. Jude Hospital Bike Ride Committee regarding their bike ride on June 6, 2009. Pletcher explained the Committee is notifying local highway departments and law enforcement in both Kosciusko and Elkhart Counties to raise awareness for this event; noting further that the bike ride starts in North Webster.

**IN THE MATTER OF FINANCIAL ISSUES OF COUNTY HIGHWAY DEPARTMENT:**

Dennis Pletcher, Highway Superintendent, presented an information packet to the Commissioners noting the KCHD has not, as first anticipated, had to pull funding from the rainy day fund. Pletcher noted the motor vehicle highway account is the largest operating account with the funding coming from fuel tax. Pletcher then noted local road and street funding is still fuel tax monies but the State divides it up into two (2) funds so monies are not all spent on salaries. Pletcher concurred with Commissioner Ron Truex in the County's funding from the State has decreased by 20% since 2004. Pletcher then noted a letter from the State Auditor wherein it states the County should expect 10% less funding for 2009.

Pletcher referenced County Road 350N with regard to rising material costs, stating now that issues have been resolved with the road bed, the costs have been too high to pave CR 350N. Pletcher then referenced the cash and investments for 2009 in comparison to the 2005 cash and investment totals, noting the total monies have not been reduced as much as initially anticipated. Pletcher explained his department has been frugal with the funding by not purchasing additional equipment and repairing roads as needed so as to not use the entire rainy day monies. Pletcher noted the summary pages of the packet contain figures showing two (2) different oil costs for the material used to complete the chip and seal program and/or pave roads. Pletcher stated these figures show what the difference in total project cost can be when the material cost changes drastically.

**IN THE MATTER OF FINANCIAL ISSUES OF COUNTY HIGHWAY DEPARTMENT  
CONTINUED:**

Pletcher requested the Commissioners consider allowing the Highway Department to use some of the rainy day money to cold mix asphalt and pave some of the deteriorated roads in the County, only if the oil cost continues to decrease. He then said however, if oil costs increase, KCHD will not purchase additional material at inflated prices.

Commissioner Brad Jackson questioned the shortfall in funding from the State. Pletcher responded the State receives funding from the Federal Highway Department and then divides the funding between the counties according to a motor vehicle formula. Jackson speculated the State gives less to the counties so the State does not show a shortfall.

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

**KOSCIUSKO COUNTY COMMISSIONERS  
March 17, 2009**

The Kosciusko County Commissioners met for their regular meeting on March 17, 2009 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

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 PROFORMA CONTRACT:**

County Treasurer, Sue Ann Mitchell, presented a Contract between the County and ProForma; noting the Contract is for the printing of tax bills. Mitchell then explained ProForma will print the tax bill form and envelopes adding the tax bills will be printed on letter size paper instead of legal size paper. Mitchell noted addresses will be matched with the post office in advance of mailing tax bills to avoid the trays of returned mail received in 2008. Mitchell further noted the post office will charge the County fifteen cents each to receive the correct address but this should alleviate the trays of returned mail. Mitchell stated the total cost of the Contract is unknown at this time as the amount of address corrections needed is unknown; however, the cost per tax bill is thirty cents which should be a cost savings compared to last year.

MOTION: Ron Truex

TO: Approve Contract with ProForma for  
printing of 2008 payable 2009 tax bills.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF EMERGENCY MANAGEMENT REPORT ON RECENT  
FLOODING:**

Ed Rock, Emergency Management Director, thanked everyone who helped with recent flooding. Rock also acknowledged the following companies and/or organizations for their help: Embarq, Indiana Guard Reserve, Medtronic employees, and Community Response Team from World Compassion Network.

Rock then stated those residents that had any damage from the flooding are asked to report the damage. Rock explained quotes to repair damage are not needed just what damage occurred. Rock then stated cities and towns also need to report any damage that occurred beginning with the March 8, 2009 storms. Rock also stated emails will be sent to the cities and towns requesting they report any damage. Rock explained in order to receive any disaster relief from FEMA, a certain dollar amount in damage must be reported by citizens, towns and cities. Rock then explained if there is enough damage and the FEMA declaration of a disaster is received, cities and towns can receive 75% of their repair costs.

Rock then stated members of Indiana Department of Homeland Security are scheduled to visit the County on March 18 and 19, 2009 to canvass damaged areas to be sure damage is being reported and damage assessments are completed in a timely manner. Rock then noted some damage assessments will be done door-to-door to be sure all damage is being reported.

**IN THE MATTER OF NATIONAL TORNADO AWARENESS WEEK:**

Ed Rock, Emergency Management Director, stated this is National Tornado Awareness Week from March 15 through March 21, 2009, whereby the County is asked to participate in a statewide tornado awareness test on March 18, 2009. Rock noted the test will occur once between 10:00 and 10:30am and then again between 7:00 and 7:30pm.

County Administrator, Ron Robinson, stated the County will not be participating in the tornado awareness test on March 18, 2009 due to the County Tax Sale being held at that time; instead the Courthouse and Justice Building will hold a separate tornado awareness drill at a later date.

**IN THE MATTER OF GIS/GPS GRANT:**

Emergency Management Director, Ed Rock, and Bill Holder, GIS Director, presented a two-part grant for both GIS and GPS. Holder explained the Indiana Department of Homeland Security (IDHS) would like to utilize local GIS data to aid in response to emergencies. Holder then stated IDHS is providing funding for the County to share its GIS data with the IDHS. Holder further explained Kosciusko County does not have the capability to transfer the data to the State and the cost would be approximately \$5,000 of the \$14,894 provided through the grant. Holder then noted the remainder of the grant monies may be used for GIS expenses or to purchase GPS units for departments throughout the County that would utilize GPS units. Holder then explained the \$5,000 is for the Schneider Corporation to transfer the data to the State as the County sends its data nightly to the Schneider Corporation for the Beacon/GIS website. Holder noted Schneider has an established connection for said transfer therefore the County would not incur further expense to make said transfer directly to the State.

Commissioner Ron Truex inquired what the County is gaining by providing the data to the State. Holder noted the IDHS should have good data for the County in case of emergency. Rock then noted the State could use the information to plot damage reports to be sent to FEMA to aid in providing assistance to a needed area.

Rock stated again the balance of the grant funds may be used for GPS units for County departments so County funds are not used.

MOTION: Ron Truex

TO: Accept grant monies as long as monies are used for items that would be purchased with County funds anyway.

SECOND: Brad Jackson

AYES: 3      NAYS: 0

UNANIMOUS

**IN THE MATTER OF 2008 HOMELAND SECURITY GRANT:**

Emergency Management Director, Ed Rock, presented the 2008 Homeland Security Grant in the amount of \$40,319.38. Rock explained through the Grant, the State pays one-half of Rock's wages as well as Cathy Reed's wages. Rock further explained the total wages are submitted to the IDHS and one-half of those wages are paid through the Grant.

MOTION: Ron Truex

TO: Accept grant monies in the amount of \$40,319.38 for 2009 wages.

SECOND: Brad Jackson

AYES: 3      NAYS: 0

UNANIMOUS

**IN THE MATTER OF THE TROYER GROUP CONTRACT:**

Ron Robinson, County Administrator, presented a Contract between the County and The Troyer Group. Robinson explained the Contract is for roundabouts and road improvements on Old Road 30 from Zimmer Road to Fox Farm Road.

MOTION: Ron Truex

TO: Approve Contract between the County and The Troyer Group.

SECOND: Brad Jackson

AYES: 3      NAYS: 0

UNANIMOUS

**IN THE MATTER OF COURTHOUSE AND JUSTICE BUILDING UPDATES:**

- ❖ Ron Robinson, County Administrator, noted NIPSCO requested a tree be removed on the Courthouse lawn that was growing into their power lines. Robinson further noted NIPSCO will replace the tree in the spring.
- ❖ Robinson then stated the Commissioners had approved work on the Courthouse in the fall but that work could not start due to the weather. Robinson further stated the windows on the Courthouse are being caulked to prevent water leakage, etc. Robinson said work on the roof will begin once work on the windows is completed.
- ❖ Robinson also noted with the recent rain, an issue was discovered with the windows in the Prosecutor's office in the Justice Building. Robinson then stated the water ran down the windows and into the Prosecutor's office noting there became a need to re-caulk the windows and work on the stone on the front of the building to prevent further damage.

**IN THE MATTER OF CONFLICT OF INTEREST STATEMENT:**

County Auditor, Marsha McSherry presented a Conflict of Interest Statement for Angela Stillson who is the owner of Stillson Studio and is contracted by the Nappanee Public Library for graphic art services. Stillson is also a Nappanee Public Library Board member.

MOTION: Ron Truex

TO: Approve conflict of interest statement for Angela Stillson.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF COUNTY TAX SALE:**

Marsha McSherry, County Auditor, informed the Commissioners the County Tax Sale would be March 18, 2009 in the Old Courtroom at 10:00am.

**IN THE MATTER OF COUNTY HIGHWAY DEPARTMENT 2008 YEAR-END REPORT:**

Highway Superintendent, Dennis Pletcher, referenced the Highway Department 2008 year-end report presented at the March 3, 2009 meeting. Pletcher had requested the Commissioners review the report and approve it at the March 17, 2009 meeting.

MOTION: Brad Jackson

TO: Approve 2008 Year-End Report for the County Highway Department as presented.

SECOND: Ron Truex

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF BUDGET OF COUNTY HIGHWAY DEPARTMENT:**

Dennis Pletcher, Highway Superintendent, stated he was informed by the County Auditor the State had approved a reduced highway budget. Pletcher then expressed concern as how the KCHD will make up the shortfall.

**IN THE MATTER OF ACCOLADES:**

Highway Superintendent, Dennis Pletcher, thanked the County Commissioners and Council Members for their hard work in making the County government work in frugal times. Pletcher also thanked the Sheriff and his department for their hard work at keeping the residents of Kosciusko County safe.

**IN THE MATTER OF GRUBBS REZONING REQUEST – PLAIN TOWNSHIP:**

Dan Richard, Area Plan Director, presented a rezoning request from Kim and Monica Grubbs to rezone a two (2) acre tract from Agricultural to Residential in Plain Township. Richard explained the property is on the southwest corner of County Road 350S and 150W. Richard noted the properties surrounding the two (2) acre tract are both agricultural and residential. Richard further stated it was the unanimous recommendation of the APC to approve the rezoning from agricultural to residential.

No one appeared in opposition to the rezoning. Monica Grubbs spoke in favor of the rezoning noting they are placing a mobile home on the property for her son to live in.

MOTION: Ron Truex

TO: Accept the recommendation of the APC to allow the rezoning request for the two (2) acre tract from agricultural to residential in Plain Township as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

**ORDINANCE NO. 09-03-17-001Z**

**As recorded in of the office of the Kosciusko County Recorder**

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

## **KOSCIUSKO COUNTY COMMISSIONERS**

### **March 31, 2009**

The Kosciusko County Commissioners met for their regular meeting on March 31, 2009 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

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 OFFICE FURNITURE QUOTES:**

Ron Robinson, County Administrator, presented three (3) quotes to purchase new office furniture for a County office. Robinson recommended proceeding with the lowest quote of \$14,480.88.

MOTION: Ron Truex

TO: Approve expenditure with lowest bid for office furniture.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

#### **IN THE MATTER OF TREE REMOVAL AT CHURCH BUILDING:**

Ron Robinson, County Administrator, requested permission to remove three (3) pear trees on the south side of the church building noting the trees are hanging on the roof. Robinson further requested another tree be removed on east side of the building and replace it with a pear tree similar to the City of Warsaw's tree line along Center Street. Robinson also stated extra cuttings from existing overgrown plants from the Justice Building will be used to recreate the landscape that became overgrown at the church and was removed.

MOTION: Brad Jackson

TO: Allow removal of trees and replant landscape.

SECOND: Ron Truex

AYES: 3 NAYS: 0

UNANIMOUS

#### **IN THE MATTER OF SECURITY CAMERA SERVERS:**

Ron Robinson, County Administrator, presented a quote from CJ Technology to purchase three (3) new servers for the cost of \$30,646.00. Robinson explained the new servers would control the security cameras for the Justice Building including the Jail and the Courthouse. Robinson also explained the new servers would allow for a continuous feed instead of a 3-5 second lag time in recording.

MOTION: Brad Jackson

TO: Approve purchase of servers as presented.

SECOND: Ron Truex

AYES: 3 NAYS: 0

UNANIMOUS

#### **IN THE MATTER OF DRUG TASK FORCE FUNDS:**

Ron Robinson, County Administrator, presented a request from the City of Warsaw for monies the County is holding from drug seizures. Robinson explained the City would like to outfit patrol cars by using those funds in the amount of \$5,870.00.

MOTION: Ron Truex

TO: Approve expenditure as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

#### **IN THE MATTER OF FEMA BUILDING USE:**

County Administrator, Ron Robinson, noted FEMA will be using the old church building for gathering damage assessments for Kosciusko County as well as 4-5 other counties.

**IN THE MATTER OF WINDMILL INFORMATION MEETING:**

Marsha McSherry, County Auditor, stated Farm Bureau Insurance will be holding an informational meeting at the Shrine Building regarding windmills and wind technology on April 15, 2009 at 7:00p.m. and County Officials have been invited to attend.

**IN THE MATTER OF COUNTY HIGHWAY BRIDGE 190 UPDATE:**

Highway Superintendent, Dennis Pletcher, noted federal funding was sought for Bridge 190 on Country Club Road. Pletcher stated the engineering agreement is for \$206,000 with the construction costs approximately \$807,000. Pletcher expressed concern over the inflated costs and believed the project could be done in-house for around \$350,000. Pletcher requested permission to have MaCog pull the bridge from the federal funding aid list.

Commissioner Ron Truex questioned if the County could do the work at a lower cost without the federal funds. Pletcher noted Primco assured him the 31' span of bridge on Country Club Road should be no more than \$250,000 and with additional work the ending cost should be no more than \$350,000.

MOTION: Brad Jackson

TO: Proceed with most cost efficient method to replace Bridge 190.

SECOND: Ron Truex

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF ROAD WORK:**

Dennis Pletcher, Highway Superintendent, noted potholes in county roads are being patched and requested patience in this matter since potholes can appear faster than the Highway Department can fill them.

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

## **KOSCIUSKO COUNTY COMMISSIONERS**

### **April 14, 2009**

The Kosciusko County Commissioners met for their regular meeting on April 14, 2009 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 KABS ARRA APPLICATION:**

Rita Baker, KABS Director, presented the American Recovery and Reinvestment Act (ARRA) Application for signature. Baker explained through the application, KABS will receive \$207,000 which is being used for two (2) new buses and one (1) car to better service the County. Baker further explained the car will be a four-door that will be more efficient for transports to Riley's Children's Hospital in Indianapolis with gas mileage as well as parking.

**IN THE MATTER OF COUNTY EMPLOYEE APPRECIATION BREAKFAST:**

County Administrator, Ron Robinson, stated that the County employee appreciation breakfast will be held on Thursday, May 7, 2009 at 7:00a.m. in the Justice Building. Robinson noted the breakfast is held in conjunction with National Government Week which runs from May 3 through May 9, 2009.

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



## **KOSCIUSKO COUNTY COMMISSIONERS**

### **April 28, 2009**

The Kosciusko County Commissioners met for their regular meeting on April 28, 2009 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

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 EMERGENCY MANAGEMENT UPDATES:**

Ed Rock, Emergency Management Director, presented updates regarding the efforts being taken to ensure the County and its residents receive federal funding from the flood damage in March, 2009:

- ❖ FEMA will be setting up an office for individual assistance for homeowners who sustained damage from the flooding; and that information will be given to the public through the media as soon as it is available.
- ❖ The County – 12,000 sandbags were filled and used in one (1) day during the flooding and when District II was called for assistance, they responded with 50,000 additional bags delivered by noon that same day.
- ❖ District II – District II directors provided assistance with paperwork when Rock was ill. Rock further noted that cooperative effort between the counties is another reason to be involved in District II.
- ❖ District II – 800 MHz service through the District II grant should be fully installed at the dispatch center very soon.

President Bob Conley questioned if any research was being done to locate other causes for the flooding, i.e. blocked ditches, drain tile, etc. Commissioner Ron Truex responded the flooding has been discussed at the Drainage Board meetings and the majority of the water in the County drains into the Tippecanoe River. Truex then stated the water will only drain into the river when the river is lower than the drain tile. Truex further noted the river level was not decreasing therefore the standing water could not drain into the river. Conley stated he has received telephone calls voicing concerns with blockage issues downstream that are not allowing the water to drain. Truex responded the DNR allows some blockage of the Tippecanoe River to help control erosion. Truex explained if the river was opened up completely the force of the water would erode the river banks causing further damage.

#### **IN THE MATTER OF INDIANA STATE DEPARTMENT OF HEALTH PRESENTATION:**

Todd Wyckoff, District II Team Leader of the Indiana State Department of Health (ISDH), noted he is in the Emergency Preparedness Division of the ISDH. Wyckoff explained his office is working with all of the health departments within District II to be sure their emergency plans are in order and uniform throughout the District.

Wyckoff stated his team was formed in response to 9/11 and Hurricane Katrina and also to have a plan in place for the “worst case scenario”, i.e. an anthrax attack. Wyckoff noted in such an attack, the plan is to make sure medications are delivered in a timely manner from the strategic national stock pile. Wyckoff further noted the plan is in place and uniform so neighboring counties can assist if needed.

Wyckoff then noted on May 9, 2009 there will be a District II exercise wherein all district health departments participate as one of the requirements to receive the grant funding.

Wyckoff remarked Kosciusko County has done a great job and is approximately six (6) months ahead of the target goal.

Commissioner Ron Truex stated again if one (1) county has an issue, the other counties in the District help and also if there is a multi-county issue, then other Districts assist District II.

Wyckoff remarked ISDH and Homeland Security are partners at the State and District level thereby providing assistance to an effected area.

**IN THE MATTER OF ABATE PROCLAMATION:**

Don Barton, representative of Kosciusko County ABATE, introduced Cheyenne Stewart, Safety Instructor for ABATE. Stewart stated that ABATE stands for American Bikers Aimed Toward Education and the organization is non-profit and promotes education, safety and charity. Stewart requested the Commissioners sign the Proclamation declaring May, 2009 as Motorcycle Safety and Awareness Month.

MOTION: Ron Truex

TO: Declare May as Motorcycle Safety and Awareness Month.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF COUNTY ROAD 250E RECOMMENDATION REQUEST:**

Dennis Pletcher, Highway Superintendent, requested a recommendation from the Commissioners on County Road 250E regarding the repair work needed on said road. Pletcher noted the road is separating at the drain and is in need of repair. Pletcher explained the repairs suggested by the Bonar Group (and INDOT is accepting their suggestion) is to abandon the drain tile placed in the roadway, fill it with grout, fill the pavement and re-pave the roadway; also installing two (2) new drains into the wetlands. Pletcher further noted the State will not give the funding to “de-muck” that area due to the wetlands and peat in the ground. Pletcher further noted his recommendation is to remove the curb, add a shoulder area and guardrail. Pletcher explained the shoulder and guardrail will be easier for the KCHD to maintain over time. Commissioner Ron Truex questioned which entity would be responsible for the repairs as well as payment for the repairs to the roadway. Pletcher responded INDOT is approaching Federal Highway for additional funding for the project; then INDOT will hire a contractor to complete the repairs. President Bob Conley then questioned whether the County will have any liability for the project in the future. Pletcher replied the roadway must be built to the Federal Highway standards with either a high curb or guardrail. Pletcher reiterated his recommendation of removing the curb, adding a shoulder area and guardrail.

MOTION: Brad Jackson

TO: Support the recommendation of Pletcher to remove the curb, add a shoulder area and guardrail to County Road 250E.

SECOND: Ron Truex

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF USI CONSULTANTS:**

Dennis Pletcher, Highway Superintendent, discussed preliminary proposals submitted by USI for bridge design work for Bridge 190 and Bridge 29. Pletcher noted the proposal for Bridge 190 (on Country Club Road) is higher than normal because there is little right-of-way in that area. Pletcher further noted Bridge 29 (on Old Road 15, south of Milford) is also in need of replacement according to recent bridge inspections.

Pletcher requested permission from the Commissioners to request final proposals on the two (2) bridges from USI; and once received, those proposals will then come before the Commissioners for final approval.

MOTION: Ron Truex

TO: Proceed to obtain final proposals from USI on Bridge 190 and Bridge 29.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF HIGHWAY UPDATES:**

Highway Superintendent, Dennis Pletcher, noted the Highway Department is continuing to patch county roads and is also working on drain tile and washouts caused by the flooding. Pletcher further stated KCHD will not begin paving projects until mid-June in an attempt to avoid inclement weather.

**IN THE MATTER OF KRAMER REZONING REQUEST – WAYNE TOWNSHIP:**

Dan Richard, Area Plan Director, presented a rezoning request from Theodore Kramer to rezone a 1.8 acre tract from Agricultural to Commercial in Wayne Township. Richard explained the property is on the northwest corner of Fox Farm Road and Old Road 30. Richard noted the property surrounding the 1.8 acre tract is primarily commercial. Richard further stated it was the unanimous recommendation of the APC to approve the rezoning from agricultural to commercial.

**IN THE MATTER OF KRAMER REZONING REQUEST – WAYNE TOWNSHIP**  
**CONTINUED:**

Adam Turner, Attorney for Theodore Kramer, spoke in favor of the rezoning stating the rezoning request was made so the Kramer's could make full use of the property. No one appeared in opposition to the rezoning.

MOTION: Brad Jackson

SECOND: Ron Truex

AYES: 3            NAYS: 0

UNANIMOUS

TO: Accept the recommendation of the APC to allow the rezoning request of the 1.8 acre tract from agricultural to commercial in Wayne Township as presented.

**ORDINANCE NO. 09-04-28-001Z**

**As recorded in of the office of the Kosciusko County Recorder**

**KOSCIUSKO COUNTY COMMISSIONERS**  
**May 12, 2009**

The Kosciusko County Commissioners met for their regular meeting on May 12, 2009 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 - *Absent*

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 STIMULUS FUNDING FOR SHERIFF'S DEPARTMENT:**

Sheriff Rocky Goshert reported there is funding available through the President's stimulus package in the form of a \$15,000 grant that can be used for equipment. Goshert explained he would like to use those funds to update the shotguns for the Sheriff's department. Goshert further explained the existing shotguns are old and need of repair and this grant would outfit each patrol car with a shotgun. Goshert then noted this update does not require any additional funds from the County but he would like the approval of the Commissioners before going forward with the grant application.

MOTION: Brad Jackson

SECOND: Bob Conley

AYES: 2            NAYS: 0

UNANIMOUS

TO: Allow Sheriff to proceed with grant application process.

**IN THE MATTER OF MacALLISTER POWER SYSTEMS CONTRACT:**

Ron Robinson, County Administrator, referenced a Contract between the County and MacAllister Power Systems explaining the Contract is for the generator in the Justice Building. Robinson stated he contacted the Commissioners individually for signature regarding the Contract since the signatures were needed before the May 12, 2009 Commissioners' meeting. Robinson explained the generator does not restore full power to the entire Justice Building but enough that each office is able to continue operating.

MOTION: Brad Jackson

SECOND: Bob Conley

AYES: 2            NAYS: 0

UNANIMOUS

TO: Approve Contract between the County and MacAllister Power Systems.

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

Ron Robinson, County Administrator, provided the following updates:

- ❖ The Contract with Zimmer, Inc. regarding usage of the retention pond on Old Road 30 that was previously approved by the Commissioners was signed after some errors in the Contract were corrected.
- ❖ The heating/cooling system as well as the sewer system is currently being worked on in the Justice Building. There has been an intermittent sewer odor in the Justice Building and upon inspection, it was found some of the circulation fans did not have power connected to them. There is a crew in the Justice Building today working on the problem.

**IN THE MATTER OF ANNUAL SCHOOL FUND REPORT:**

County Auditor, Marsha McSherry, presented the Annual School Fund Report for the Commissioners' signature. McSherry explained the Report states the funds are present and have been disbursed as prescribed by State Board of Accounts.

MOTION: Brad Jackson

TO: Approve Annual School Fund Report as presented.

SECOND: Bob Conley

AYES: 2 NAYS: 0

UNANIMOUS

**IN THE MATTER OF USI CONSULTANTS CONTRACT:**

Dennis Pletcher, Highway Superintendent, presented a Contract between the County and USI Consultants. Pletcher explained the Contract is for the bridge design work for Bridge 190 and Bridge 29, as previously discussed and approved in the April 28, 2009 meeting. Pletcher reiterated Bridge 190 is on Country Club Road and Bridge 29 is on Old Road 15, south of Milford. Pletcher then stated the replacement of Bridge 190 should begin in late fall, 2009 with construction through the winter and Bridge 29 would then be replaced in the spring 2010.

**IN THE MATTER OF NO TRUCK SIGN REQUEST ON COUNTY ROAD 150W:**

Dennis Pletcher, Highway Superintendent, presented a request to post a "no truck sign" on County Road 150N and 525W. Pletcher explained the trucks, most en route to Creighton Brothers, are notified through their GPS systems that the road is a short cut to Old Road 30 but semi trucks cannot navigate the 90 degree turn and thereby must back up and sometimes drive on the lawns of the nearby residents. Commissioner Ron Truex suggested via email that a more specific "no semi truck sign" be posted; thereby limiting semi trucks but allowing other trucks that can navigate the turn. Commissioners Bob Conley and Brad Jackson concurred with the "no semi truck sign" request. Pletcher noted he will present an Ordinance for that sign at the next Commissioners' meeting.

**IN THE MATTER OF HIGHWAY UPDATES:**

Highway Superintendent, Dennis Pletcher, noted the Highway Department is continuing to patch county roads and funding is running out at an alarming rate. Pletcher further noted additional funding is needed to continue the repairs and Pletcher is diligently looking for additional funding.

**IN THE MATTER OF WIGHTMAN PETRIE-REVISED SYRACUSE COMPREHENSIVE PLAN:**

Matt Sandy, Area Plan Assistant Director, stated the Town of Syracuse participates in the Area Plan Commission along with other towns in the County and the Town adopted a comprehensive plan in 2006. Sandy noted the Town's plan then becomes an addendum to the County's comprehensive plan. Sandy further noted the Town of Syracuse is working on an industrial park with Elkhart County. Sandy then stated Elkhart County requested the Town's plan merge with Elkhart's industrial plan. Sandy further stated changes were made to the Town's plan according to the requests of Elkhart County. Sandy then noted it was the unanimous recommendation of the APC to approve the changes made to the comprehensive plan of the Town of Syracuse. Commissioner Brad Jackson questioned whether the Syracuse Town Council has approved the changes to the plan. Sandy replied the Town Council has approved the plan but he is unsure whether Elkhart County has approved the plan.

MOTION: Brad Jackson

TO: Accept the recommendation of the APC to approve the comprehensive plan of the Town of Syracuse as presented.

SECOND: Bob Conley

AYES: 2 NAYS: 0

UNANIMOUS

**IN THE MATTER OF TRANSFER OF PROPERTY-OLD HUSKY TRAIL – WAYNE TOWNSHIP:**

Steve Snyder, Attorney representing Dale and M. Joan Hermann and Menard's, stated the Indiana Department of Transportation condemned the title to the right of way for Husky Trail when US 30 was installed. Snyder then stated in 1973, INDOT notified the County that INDOT was abandoning the excess portion of that property to the County. Snyder then noted the property was annexed into the City of Warsaw with Menard's. Snyder further stated since the new Husky Trail was installed, the right of way for the old Husky Trail needs to be vacated since the City of Warsaw has already vacated the eastern portion of that right of way.

**IN THE MATTER OF TRANSFER OF PROPERTY-OLD HUSKY TRAIL – WAYNE TOWNSHIP CONTINUED:**

Snyder added the issue was first questioned when Dale and M. Joan Hermann, property owners along the Old Husky Trail, needed access onto the new Husky Trail. Snyder explained the proposal is to transfer the County's title to the Old Husky Trail to the City of Warsaw which can be completed without any bidding process or notice. Snyder then explained the City of Warsaw will complete the process with the Hermann's for their access to the new Husky Trail and Menard's will then be able to finish their development between Menard's and US 30. Snyder requested a resolution from the Commissioners approving the execution of a Quit Claim Deed transferring the abandoned right of way to the City of Warsaw. Snyder remarked that he discussed the matter with County Attorney, Mike Miner, and the City of Warsaw Attorney, Mike Valentine, and both were in agreement for the Quit Claim Deed.

County Attorney, Mike Miner, concurred with Snyder noting the City and County can transfer property without advertisement or notice and this cleans up an issue dating back to 1973.

MOTION:	Brad Jackson	TO: Approve the resolution for the execution	
SECOND:	Bob Conley	of a Quit Claim Deed from the County to the	
AYES:	2	NAYS: 0	City of Warsaw for the abandoned right of
UNANIMOUS			way located in Wayne Township.

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

**KOSCIUSKO COUNTY COMMISSIONERS  
May 26, 2009**

The Kosciusko County Commissioners met for their regular meeting on May 26, 2009 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 - *Absent*  
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 NO TRUCK SIGN ORDINANCE ON COUNTY ROAD 150N:**

Dennis Pletcher, Highway Superintendent, presented an Ordinance to post a "no semi truck sign" on County Road 150N and 525W for Commissioners' signature. Pletcher noted the sign request was previously approved at the May 12, 2009 meeting.

**IN THE MATTER OF QUIT CLAIM DEED OF TAX SALE PROPERTY:**

County Attorney, Mike Miner, stated a taxpayer purchased a property at tax sale that he would now like to quit claim to the County. Miner noted the taxpayer realized the property is off of a right-of-way and no longer wants to own the property but cannot allow the property to go back to tax sale as he is a frequent purchaser of tax sale properties (and those delinquent in taxes cannot purchase properties at tax sale). Miner further noted no action needs to be taken on this matter by the Commissioners; he just wanted to inform them of this matter. Commissioner Ron Truex stated the Commissioners support the decision of Miner.

**IN THE MATTER OF AREA PLAN COMMISSION BUSINESS MEETING TIME:**

President Bob Conley suggested the time for Area Plan Commission business be moved from 9:30a.m. to 9:15a.m. Due to previously advertised hearing times, this change will take effect July 1, 2009.

MOTION:	Brad Jackson	TO: Begin Area Plan Commission business at
SECOND:	Ron Truex	9:15a.m. beginning July 1, 2009.
AYES:	3	NAYS: 0
UNANIMOUS		

**IN THE MATTER OF NETZLEY VACATION – PLAIN TOWNSHIP:**

Matt Sandy, Area Plan Assistant Director, requested a continuance as this vacation has not been presented to the Area Plan Commission for an opinion/decision. Sandy noted the attorney for Zachary and Vandria Netzley agreed to the continuance.

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

**KOSCIUSKO COUNTY COMMISSIONERS**  
**June 9, 2009**

The Kosciusko County Commissioners met for their regular meeting on June 9, 2009 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 - <i>Absent</i>	Marsha McSherry – County Auditor
Brad Jackson	Ron Robinson - County Administrator
Ron Truex	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 TECHNOLOGY UPGRADE:**

Systems Administrator, Bob Momeyer, stated he has been investigating new technology that would allow the County to better utilize its servers and hardware called “Virtualization”. Momeyer explained “Virtualization” allows the server box to be subdivided and used for multiple applications making the process more efficient. Momeyer noted this new technology should reduce costs over time since new servers would not be needed. Momeyer further noted this process would also allow better preparedness for disaster recovery situations. Through research and networking, Momeyer suggested a product called VM Ware which includes hardware, software and some tech-support. Momeyer noted he obtained quotes for the product and the cost would be approximately \$29,000.

Commissioner Ron Truex questioned the cost of the technology versus a cost savings to the County over a five (5) year period. Momeyer noted there is an investment upfront to get the infrastructure in place. Momeyer stated the County will need to replace three (3) to four (4) servers within the next year but by adding this new technology to the current servers, those servers will not need replaced.

Commissioner Brad Jackson questioned what, if any, are the ongoing costs with this product. Momeyer responded the cost for licensing of the product as well as support would be approximately \$3,000 per year.

Truex requested Momeyer prepare a five (5) year cost projection and present same to County Administrator, Ron Robinson. Truex noted if the proposal shows a savings over the five (5) year period and Robinson agrees with the cost savings, the Commissioners would approve the technology upgrade request.

MOTION: Ron Truex	TO: Have Momeyer present cost savings
SECOND: Brad Jackson	projection to Robinson and allow Robinson to
AYES: 2 NAYS: 0	approve “Virtualization” project if savings
UNANIMOUS	indicated.

**IN THE MATTER OF FIRE DISTRICT II STATE GRANT REQUEST:**

Darrell Eiler, Fire District II Coordinator, presented the Indiana Department of Homeland Security grant agreement for renewal. Eiler stated the request is for the County Auditor to continue on as the fiscal body for the grant. Eiler noted over the last two (2) years, the State has cut District II’s budget by \$80,000 but District II would still like to provide quality fire training. Eiler further noted they are working on a new business plan that would allow for half of the classes to be taught at Clay Fire Territory in South Bend and the other half in Warsaw. Marsha McSherry, County Auditor, recommended that her office continue on as the fiscal body for this grant.

MOTION: Brad Jackson	TO: Accept recommendation from Auditor
SECOND: Ron Truex	McSherry that the County Auditor continue on
AYES: 2 NAYS: 0	as the fiscal agent for the grant for a period of
UNANIMOUS	one (1) year.

**IN THE MATTER OF WCDC USE OF COURTHOUSE LAWN:**

Ron Robinson, County Administrator, stated the WCDC had requested the use of the Courthouse lawn for two (2) events on August 7, 2009 and August 8, 2009. Robinson had no objection; however he will meet with the WCDC Director, Cindy Dobbins, to set forth parameters for using the Courthouse lawn.

MOTION: Brad Jackson

TO: Authorize use of the Courthouse lawn by WCDC for two (2) separate events on August 7, 2009 and August 8, 2009.

SECOND: Ron Truex

AYES: 2 NAYS: 0

UNANIMOUS

**IN THE MATTER OF KABS CAPITAL GRANT APPLICATION:**

On behalf of Rita Baker, KABS Director, County Auditor, Marsha McSherry, presented the 2009 KABS Capital grant application for the Commissioner's approval.

MOTION: Brad Jackson

TO: Approve grant application as submitted.

SECOND: Ron Truex

AYES: 2 NAYS: 0

UNANIMOUS

**IN THE MATTER OF NO SEMI TRUCK SIGN ON COUNTY ROAD 150N:**

Highway Department Road Supervisor, Jeff Rohrer requested an official vote on an Ordinance to post a "no semi truck" sign on County Road 150N and 525W. Rohrer noted the sign request was previously presented at the May 12, 2009 meeting.

MOTION: Brad Jackson

TO: Approve the posting of a "no semi truck" sign on County Road 150N and 525W as presented.

SECOND: Ron Truex

AYES: 2 NAYS: 0

UNANIMOUS

**IN THE MATTER OF NETZLEY VACATION – PLAIN TOWNSHIP:**

Matt Sandy, Area Plan Assistant Director, presented a vacation request from Zachary and Vandria Netzley to vacate a north-south right-of-way and a portion of an east-west alleyway in the Town of Oswego, Plain Township. Sandy stated the Petitioners own all four (4) properties abutting the proposed vacation areas. Sandy then stated no negative response was received from any service providers and/or neighboring property owners. Sandy further stated it was the unanimous recommendation of the APC to approve the vacation request as long as all four (4) of the Petitioners' properties are deeded together (combined) so there are no landlocked tracts. Adam Turner, Attorney for Zachary and Vandria Netzley, appeared on behalf of the Petitioners noting the vacation does not block any public access to any public right-of-way.

No one appeared in opposition to the vacation.

MOTION: Brad Jackson

TO: Accept the recommendation of APC to approve the vacation of the north-south public right-of-way and east-west alleyway in the Town of Oswego, Plain Township as long as all four (4) properties are deeded together.

SECOND: Ron Truex

AYES: 2 NAYS: 0

UNANIMOUS

**ORDINANCE NO. 09-06-09-001V**

As recorded in of the office of the Kosciusko County Recorder

**IN THE MATTER OF CHAPMAN LAKES ENVIRONMENTAL WATCH APPOINTEE REQUEST:**

Commissioner Ron Truex stated the Chapman Lakes Environmental Watch has requested an appointee from the Commissioners to serve on a committee working on their sewer district proposal to the Lakeland Regional Sewer District. Truex volunteered to serve on this committee.

MOTION: Brad Jackson

TO: Appoint Commissioner Ron Truex to serve as appointee on the Chapman Lakes Environmental Watch per their request.

SECOND: Ron Truex

AYES: 2 NAYS: 0

UNANIMOUS

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

## **KOSCIUSKO COUNTY COMMISSIONERS**

### **June 23, 2009**

The Kosciusko County Commissioners met for their regular meeting on June 23, 2009 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 - *Absent*

Marsha McSherry – County 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 ADVANCED MICRO-ELECTRONICS, INC CONTRACT:**

Sue Ann Mitchell, County Treasurer, presented a contract between the County and Advanced Micro-Electronics, Inc (AME Group). Mitchell explained the AME Group manages the credit card tax payments for the County. Mitchell noted County Attorney, Mike Miner, previously reviewed the Contract. Mitchell also explained the AME Group protects the taxpayers by only selling the information to mortgage companies but not to other companies for solicitation purposes. Mitchell noted those taxpayers that use the credit card service are charged a fee of .0295 which has been the best rate after researching same.

MOTION: Brad Jackson

TO: Approve Contract between the County and the AME Group as presented.

SECOND: Bob Conley

AYES: 2            NAYS: 0

UNANIMOUS

#### **IN THE MATTER OF CISCO CELLULAR MOBILE DATA PROJECT:**

Sheriff Rocky Goshert and Sergeant Chad Hill requested approval for the Cisco Cellular Mobile Data Project. Goshert explained the current data system runs at 800 MHz and is becoming obsolete due to the State removing funding and using an internet system. Goshert further explained the State and the surrounding counties currently use a mobile air card system. Goshert then stated the internet air card system allows officers to obtain information on driver's licenses, vehicle registration as well as photographs, warrants and also the ability to write and send reports from within their vehicle. Goshert further provided the funding for the upfront cost of the project would come from the Dispatch 911 EDIT funds in the amount of approximately \$63,000. Goshert noted there is a cost of \$900 per month to run the program. Goshert explained the cost is \$2,500 per car to run the current system. Goshert further noted there are no dead spots in the County with the air card system with Centennial Wireless. Goshert also stated the modems for the current system will need to soon be replaced however, the modems are no longer being produced and used modems would have to be purchased as new modems are not available.

MOTION: Brad Jackson

TO: Approve system upgrade of Cisco Cellular Mobile Data Air Cards as presented.

SECOND: Bob Conley

AYES: 2            NAYS: 0

UNANIMOUS

#### **IN THE MATTER OF SUPERIOR II OUT OF STATE TRAVEL REQUEST:**

Judge James Jarrette requested approval for out of state travel for a case worker to attend a drug and alcohol program conference in Nashville, Tennessee as part of the continuing legal education. Jarrette explained the cost will be approximately \$500 and will be covered by user fees from the Drug and Alcohol program further noting those funds are budgeted and available for this expense.

MOTION: Brad Jackson

TO: Approve out of state travel as requested.

SECOND: Bob Conley

AYES: 2            NAYS: 0

UNANIMOUS



**IN THE MATTER OF LAWN MOWER PURCHASE:**

County Administrator, Ron Robinson, requested approval to purchase a used John Deere lawnmower for the Work Release Center, using the oldest mower as a trade-in for a cost of \$6,250.

MOTION: Brad Jackson

TO: Allow the purchase of the John Deere mower as requested.

SECOND: Bob Conley

AYES: 2 NAYS: 0

UNANIMOUS

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

Highway Superintendent, Dennis Pletcher, informed the Commissioners the Motor Vehicle Highway (MVH) fund will have a shortfall of \$1.3 million in 2010 due to an increase in operating costs as well as decreased funding from the fuel tax. Pletcher explained all operating costs except road repair materials come out of the MVH fund. Pletcher noted the 2009 budget will require additional funding from the rainy day fund and there will be inadequate funding for the 2010 budget from the State to cover rising operating costs.

Pletcher referenced the State legislature's solution for the County to initiate a wheel or local tax. However, those taxes cannot, by law, fund the operating expenses of the Highway department, only the materials. Pletcher noted in an effort to reduce expenses, there are less roads being paved causing more potholes to appear and be filled; and mowing cycles have been reduced to lessen the costs of wages and fuel. Pletcher also noted in an effort to cut expenses from the budget, equipment has not been replaced; therefore there are snow plow trucks with high mileage causing more equipment break downs.

Pletcher stated INDOT has informed the Highway Department existing roads may need to revert back to gravel which the taxpayer will not appreciate.

Pletcher encouraged all taxpayers to contact their representatives in State government for help and to not place the burden on the local taxpayers.

Commissioner Brad Jackson commended Pletcher for his and the Highway Department's efforts in the tough economic times.

**IN THE MATTER OF NON PROFIT 2010 BUDGET REQUESTS:**

The following not-for-profit organizations appeared before the Commissioners to request funding for the 2010 budget year.

- Historical Society – Jack Elam, Museum Director requested \$22,506 for 2010 and stated that a current audit will not be completed until July, 2009. Elam stated the employee wages have remained the same and by cutting corners and additional fundraising, they will get by with the amount requested.
- St. Joe River Basin – Karen Mackowiak stated the Basin's main purpose is water quality and it represents seven (7) counties along the St. Joseph River Basin. The Basin has helped those counties with various water quality programs/activities/education and receives State funding but additional funding is requested from those seven (7) counties within the Basin. Mackowiak stated Kosciusko County drains 71,277 acres as part of the Basin. Mackowiak requested \$500 for 2010.
- KDI – Wayne Lukenbill, Chairman for KDI, stated KDI's role is to promote economic development throughout the County through the retention and expansion of existing business, also attracting new business to improve the quality of life. Lukenbill then stated KDI consists of 28 members focusing on business retention, infrastructure, business attraction and communications. Lukenbill noted KDI has three (3) main expenses: the website which is most often the first contact potential businesses have with the County; also the production of their annual report as well as a bi-monthly email newsletter. Lukenbill requested \$33,250 for 2010.
- Bowen Center – Kurt Carlson explained the Center served approximately 3,700 Kosciusko County residents. Carlson further explained the Center serves lower income families with 58% of people served earning \$20,000 or less. Carlson noted the Center received grants from the United Way and K21 Foundation to aid in increasing costs. President Bob Conley commended the Center for seeking out additional funding through grants, etc. The amount requested is based on State guidelines.

**IN THE MATTER OF NON PROFIT 2010 BUDGET REQUESTS CONTINUED:**

- Home Health Care – Rick Paczkowski, Executive Director, thanked the County for its past support received by Real Services. Paczkowski requested \$50,000 for 2010 stating the requested funds are used to allow individuals to remain in their homes rather than be institutionalized. Paczkowski further stated there were 2,700 visits to clients with health care employees driving 40,000 miles to those visits. Paczkowski noted he will continue to search for additional funding to help with rising costs and decreased funding from the State.
- Council for Aging – Jack Felger requested \$35,000 for 2010. Felger began by thanking the Commissioners for their past support. Felger stated the Council serves senior citizen residents of the County five (5) days a week transporting residents to medical visits which allowed them to remain at home and not be placed in a medical or health care facility. Felger noted there are survey responses from residents included in the information packet stating the residents' need for these services. Felger stated by way of cutting costs, they have reduced their transportation services to seven (7) hours per day. This cut in hours has caused a waiting list for residents for transportation services.
- Beaman Home – Tracie Hodson, Executive Director, thanked the County for its past support stating they are the emergency shelter for anyone experiencing domestic violence. Hodson further stated the Beaman Home served over 300 families in the outreach program as well as 152 residents inside the shelter. Hodson explained the request for funding covers direct shelter services to clients which includes a full-time and part-time staff member along with operating expenses. Hodson requested \$45,000 for 2010.
- Animal Welfare League – Trish Harrell, AWL Business Coordinator, requested \$69,845 for 2010. Harrell stated there have been physical improvements to the shelter with a new roof on the outside kennels. Harrell noted they are addressing animal care on a county level by offering vaccination and other clinics and seven (7) pet education workshops. Harrell further noted there have been more animals adopted and rescued than euthanized. Harrell also noted there has been an increase in animals in the shelter due to the economy causing them to look for more innovative ways to get the animals out of the shelter such as barn cats being spayed or neutered at no cost and given to local farmers.
- 4-H Council – Janelle Deatsman on behalf of the 4-H Council along with Amy Kintzel requested \$47,002 for 2010. Deatsman explained the funds are used for the fairgrounds and youth programs such as leadership camps and other training opportunities throughout the year. Deatsman explained there are 742 youth involved in 4-H with 644 in regular 4-H from 3<sup>rd</sup> to 12<sup>th</sup> grade and the other 98 are involved in the Exploring 4-H program.
- Arrowhead RC & D – Stan Moore thanked the County for their past contributions and introduced Randy Moore, Director/Coordinator who requested \$500 for 2010. Moore referenced their budget as receiving \$500 from ten (10) counties. Moore then stated the most recent work has been river rafting programs for children. Moore stated last year the Warsaw Community High School freshman class went on a river rafting trip during the last week of August, 2008 and this year the same trip will be done by the freshman class in August, 2009. Moore further noted another program is held on the trails in Winona Lake where a professional forester speaks to residents about tree and forest care within the County.
- Cardinal Services – Randy Hall, Cardinal Services, thanked the County for its past contributions to Cardinal Services. Hall noted Cardinal has provided services to over 3,200 residents each year. Hall asked for financial support for four (4) programs offered at Cardinal Services: Head Start with services to children through age 5; Group Homes with services to adults with development and physical disabilities; KABS which provides bus service throughout the County along with the purchase of a car to provide additional service; and Sus Amigos that reaches out to Latino students to finish school as well as set career goals. Hall requested \$106,815 for 2010.

**IN THE MATTER OF THWAITS VACATION – TURKEY CREEK TOWNSHIP:**

Matt Sandy, Area Plan Assistant Director, presented a vacation request from Lawrence Thwaits to vacate 50 x 130 right-of-way on Lake Syracuse on Eastshore Drive in Turkey Creek Township. Sandy stated other rights-of-way have been vacated in Addmore Park in the past. Sandy noted this right-of-way services three (3) residences. Sandy further noted a concern of APC was access for those property owners.

**IN THE MATTER OF THWAITS VACATION – TURKEY CREEK TOWNSHIP**  
**CONTINUED:**

Sandy stated it was the unanimous recommendation of the APC to approve the vacation with the condition that a 25' easement to Eastshore is given to the two (2) property owners. Sandy then stated no negative response was received from any service providers and/or neighboring property owners.

Steve Snyder, Attorney for Thwaits, noted the three (3) residences have shared the right-of-way as a common drive, and they would now like the right-of-way known as Snavelly Avenue vacated with the north 25' to go to Thwaits and the south 25' to go to Arnott. Snyder further noted the Thwaits' 25' is subject to an easement in favor of both Arnott and Beery for access over the existing driveway.

No one appeared in opposition to the vacation.

MOTION: Brad Jackson

SECOND: Bob Conley

AYES: 2            NAYS: 0

UNANIMOUS

TO: Accept the recommendation of APC to approve the vacation of the Snavelly Avenue public right-of-way with the conditions and easements noted.

**ORDINANCE NO. 09-06-23-001V**

As recorded in of the office of the Kosciusko County Recorder

**IN THE MATTER OF CHURCH OF GOD REZONING REQUEST – SEWARD TOWNSHIP:**

Dan Richard, Area Plan Director, presented a rezoning request from the Church of God to rezone a 1.19 acre tract from Agricultural to Residential in Seward Township. Richard explained the property is on the north side of Yellow Creek Lake. Richard noted the property surrounding the 1.19 acre tract is both agricultural and residential. Richard further stated it was the unanimous recommendation of the APC to approve the rezoning from agricultural to commercial.

No one appeared in opposition to the rezoning.

MOTION: Brad Jackson

SECOND: Bob Conley

AYES: 2            NAYS: 0

UNANIMOUS

TO: Accept the recommendation of the APC to allow the rezoning request of the 1.19 acre tract from agricultural to residential in Seward Township as presented.

**ORDINANCE NO. 09-06-23-002Z**

As recorded in of the office of the Kosciusko County Recorder

**IN THE MATTER OF USE OF COURTHOUSE LAWN:**

Jon Fussle on behalf of the Kosciusko County Tea Party requested the use of the Courthouse south lawn on July 1, 2009 from 6:00 to 8:00p.m. President Conley requested Fussle coordinate the activity with Ron Robinson, County Administrator.

MOTION: Brad Jackson

SECOND: Bob Conley

AYES: 2            NAYS: 0

UNANIMOUS

TO: Authorize use of the Courthouse lawn by Kosciusko County Tea Party on July 1, 2009 from 6:00 to 8:00p.m. subject to coordination with County Administrator.

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

**KOSCIUSKO COUNTY COMMISSIONERS**  
**July 7, 2009**

The Kosciusko County Commissioners met for their regular meeting on July 7, 2009 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 COUNTY ASSESSOR BID OPENING FOR COMPUTER SOFTWARE:**

Mike Miner, County Attorney, opened all sealed bids received for computer software for the County Assessor's office. The bids were as follows:

- XSoft for \$292,200

Renier stated the proposed software is compatible with the software used by the County Auditor. Renier further stated with the new software, transfers and splits done by the Auditor's office would interface with the Assessor's software. Renier noted the State mandated software for both the Assessor and Auditor have the ability to interface or communicate with a deadline of December 31, 2009.

Commissioner Ron Truex questioned if the new software does not require double entry on the part of the Assessor's office, will that enable County Assessor employees to complete other tasks in a timelier manner. Renier responded the time gained will be used to expedite trending, checking lot dimensions, etc., making the office more efficient overall.

President Bob Conley questioned where the funding for the software would originate. Renier responded the amount for the software is already budgeted in reassessment funds.

Conley and Commissioner Brad Jackson inquired as to the shortage of other bids. Renier stated the request for bids was advertised as required by law. Renier also noted there are other software companies available but most are not compatible with the Auditor and none have allowed for tax bills to be completed on time in other counties.

Conley also questioned if the increased efficiency would cause downsizing in the Assessor's office. Renier responded the downsizing was done when the township offices were closed.

Renier explained the funding for the budgeted positions that were not filled will return to County General.

MOTION: Brad Jackson

TO: Accept the bid by XSoft as presented.

SECOND: Ron Truex

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF HIGHWAY BID OPENING FOR MATERIALS:**

Mike Miner, County Attorney, opened all sealed bids received for materials. The bids were as follows:

- Asphalt Materials Inc. – various bids on assorted materials

MOTION: Ron Truex

TO: Accept the bid of Asphalt Materials, Inc.

SECOND: Brad Jackson

as presented.

AYES: 3 NAYS: 0

UNANIMOUS

Pletcher stated one (1) of the two (2) companies that placed a bid for materials in November, 2008 is no longer in business and he felt it in the County's best interest to have an additional bid on file for materials.

**IN THE MATTER OF ELECTRONIC PAYMENT SYSTEM RESEARCH UPDATE:**

Jason McSherry, County Clerk, informed the Commissioners he is researching an electronic payment system for the Clerk's office. McSherry noted the company is reputable and is currently being used in the County Treasurer's office for online tax payments. McSherry stated he is attempting to reduce the traffic at the counter in the Clerk's office. McSherry noted there is no cost to the County, either upfront or user fees; all of the fees are paid directly by the consumer. McSherry further noted this software is not fully compatible over the internet with Gavel, the Clerk's current software due to its age therefore; payments would still be taken at the county or over the telephone.

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

Commissioner Ron Truex stated his presentation is neither in favor of or opposition to, either lake area seeking to join the Lakeland Regional Sewer District (LRSD); however the presentation is in support of providing a vehicle to make that happen should the people within those areas decide they want to move ahead with a sewer system.

Background was provided on prior meetings and previous actions taken regarding the LRSD.

**IN THE MATTER OF LAKELAND REGIONAL SEWER DISTRICT PRESENTATION  
CONTINUED:**

Truex noted the acceptance of the two (2) Petitions into the LRSD would not change the momentum of the LRSD, nor would it change the timetable. Truex further noted the Chapman Lakes and Tippecanoe areas would move ahead solely on their own timeline based on the working groups of those two (2) areas. Truex mentioned a member of the Tippecanoe and Chapman Lakes groups may be appointed to the LRSD and those members would serve as a liaison between its respective group and the LRSD.

Truex noted the inclusion of the additional areas into the LRSD may aid in planning of future capacity needs in pipelines and treatment facilities. Truex further noted the existing LRSD will have no obligation to shift existing funds or manpower to the projects in the Chapman or Tippecanoe areas. Truex stated each additional area or group will require its own outreach effort, funding model and bond issues, etc. Truex further stated he believes the two (2) groups have taken those steps through their Petitions and qualify for the Commissioners' recommendation to the LRSD as based on Indiana Code 13-26. Truex recommended the Commissioners forward the Petitions of both the Environmental Task Force and Chapman Lakes Environmental Watch to the LRSD to approve or disapprove the respective Petitions.

MOTION: Brad Jackson

TO: Table a decision on the Petitions of both the Environmental Task Force and Chapman Lakes Environmental Watch until the July 21, 2009 Commissioners meeting.

SECOND: Ron Truex

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF ROOF REPAIR QUOTE:**

County Administrator, Ron Robinson, stated he will provide roof repair quotes for the County Annex building at the July 21, 2009 meeting. Robinson also stated he will present quotes for a snow plow truck at that meeting as well.

**IN THE MATTER OF EMERGENCY MANAGEMENT OUT OF STATE TRAVEL  
REQUEST:**

Ron Robinson, County Administrator, requested approval for out of state travel for Ed Rock, Emergency Management Director, to attend Department of Homeland Security training in Alabama. Robinson further stated the trip is at no expense to the County as the Federal government pays all of the costs.

MOTION: Ron Truex

TO: Approve out of state travel as requested.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

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

Highway Superintendent, Dennis Pletcher, stated with regard to Federal stimulus monies, the County has applied for the maximum amount allowed per county. Pletcher noted few roads within Kosciusko County qualify for the stimulus money; further noting qualified roads are typically a state route. Pletcher then stated the project presented for stimulus funding is Old Road 30 from end to end through Kosciusko County (except the area from County Road 350W to the Warsaw city limits). Pletcher mentioned the Old Road 30 project was chosen due to high maintenance costs on that road and would therefore, free-up county monies for other projects.

**IN THE MATTER OF HIGHWAY DEPARTMENT ADDITIONAL FUNDING  
REQUEST:**

Highway Superintendent, Dennis Pletcher, requested a recommendation from the Commissioners to ask County Council for additional funding. Pletcher noted he would like to begin a chip and seal program where 10% of the roads throughout the County are resurfaced by chip and seal each year. Pletcher stated for the past six (6) to seven (7) years, the County has been unable to perform that task due to decreased funding and increased material costs. Pletcher then requested authorization from the Commissioners to request from Council approximately \$1.2 million from the EDIT funds.

President Bob Conley stated without knowing the amount in the EDIT Fund, he cannot make a recommendation but would like to discuss the matter with the County Council. Conley expressed concern with overextending the EDIT Fund since the State has decreased funding each year.

**IN THE MATTER OF HIGHWAY DEPARTMENT ADDITIONAL FUNDING REQUEST CONTINUED:**

Commissioner Ron Truex concurred with Conley on his concern with overextending funds.

Truex noted he could not support a recommendation to use EDIT funds.

Commissioner Brad Jackson further concurred with Conley and Truex. Jackson also noted taxpayers should be aware the current State funding is equal to the amount of funding received in 1995.

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

Commissioner Ron Truex stated a member of the Drainage Board, Dorris Harrold passed away leaving the position vacant. Truex noted James Scott of Pierceton expressed an interest in serving on the Board if there were ever a vacant position. Truex then noted another member of the Drainage Board, Eldon “Bud” Watkins passed away. Truex recommended appointing James Scott to the position vacated by Harrold. Truex further noted another recommendation will be made in the future to fill Watkins’ position.

Commissioner Brad Jackson questioned the term of the appointments to Drainage Board. Truex noted the appointment term is four (4) years.

MOTION: Ron Truex

TO: Accept recommendation to appoint

SECOND: Brad Jackson

James Scott to the Drainage Board for a four

AYES: 3 NAYS: 0

(4) year term.

UNANIMOUS

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

Dave Tyler of the Environmental Task Force requested clarification of Commissioner Truex’ presentation regarding the forwarding of the respective petitions to the LRSD. Tyler questioned whether Commissioner Truex was recommending to the other Commissioners that both Petitions be forwarded to the LRSD with their recommendation for approval. Truex responded that was his recommendation.

Tyler requested further clarification whether the Commissioners intend on making a final decision on the Petitions at their next meeting on July 21, 2009. Truex again responded that a final decision on the Petitions will be made at the Commissioner’s meeting on July 21, 2009 and he will then present the Commissioners’ decision to the LRSD at their August meeting.

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

## **KOSCIUSKO COUNTY COMMISSIONERS July 21, 2009**

The Kosciusko County Commissioners met for their regular meeting on July 21, 2009 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

Marsha McSherry – County Auditor

Brad Jackson

Ron Robinson - County Administrator

Ron Truex

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 9/11 MEMORIAL REQUEST:**

Ken Locke, 9/11 Committee, noted Kosciusko County is the only county in Indiana to have a ceremony each year to remember those killed in the 9/11 tragedy. Locke presented a potential design of a memorial the 9/11 Committee would like placed on the northeast corner of the courthouse lawn. Locke stated no one in Kosciusko County was killed in the 9/11 tragedy therefore would like to have the memorial serve a dual purpose to also commemorate all county emergency personnel killed in the line of duty. Locke noted through research there have been four (4) emergency personnel killed in the line of duty in Kosciusko County. Locke also noted he spoke with County Administrator, Ron Robinson, where Robinson stated the foundation is cracked on another monument located on the courthouse lawn and that foundation can possibly be fixed at the same time as the installation of the 9/11 monument.

**IN THE MATTER OF 9/11 MEMORIAL REQUEST CONTINUED:**

Locke stated the cost of the monument is \$8,500 and the 9/11 committee would cover 100% of that cost; their only request is a place to display the monument on the courthouse lawn.

President Bob Conley stated after speaking to some County residents, those residents were offended at bringing the 9/11 victims into the County. Conley thought an emergency personnel memorial would be better served at the building where the emergency personnel served i.e. sheriff's department, EMS and fire departments.

Commissioner Ron Truex clarified that the 9/11 monument would be a way to remember the local emergency personnel killed in the line of duty. Truex further clarified he is not in favor of a monument exclusively for the 9/11 tragedy since Kosciusko County is not where the tragedies occurred but is in favor of a memorial for fallen local emergency personnel. Commissioner Brad Jackson concurred with Truex on recognizing the fallen local emergency personnel and the courthouse square as a place to remember local individuals.

MOTION: Brad Jackson

TO: Support the monument regarding fallen

SECOND: Ron Truex

local heroes – with the details of the

AYES: 3 NAYS: 0

monument content to be worked out before

UNANIMOUS

placement.

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

**PRESENTATION:**

Commissioner Ron Truex stated as background that he volunteered to represent the Commissioners on both the Leesburg sewer board and Lakeland Regional Sewer District (LRSD) Board. Truex noted with the presentation of the Petitions for inclusion to the LRSD from Chapman Lake and Lake Tippecanoe in October, 2008, the Commissioners must act and forward those Petitions to the LRSD. Truex clarified the Commissioners are voting on whether or not to forward the respective Petitions to the LRSD with a recommendation. Truex further clarified if the Commissioners do not forward the Petitions, the petitioners have the right to present their petitions again to either the Commissioners or another qualified entity. Truex then clarified if the petitions are forwarded with a positive recommendation and the LRSD accepts the petitions, then each group becomes a separate entity of the LRSD with their own defined boundaries. Truex stated with each group as its own entity, they will have to obtain their own funding, etc. Truex further stated the LRSD would appoint a committee within each lake group then that committee would make a recommendation to the Commissioners on who should be appointed to serve on the LRSD board. Truex also stated each committee would make decisions based on their findings if a particular area would get sewers. Truex further noted if the LRSD denied the petitions, then the petitioners would return to the Commissioners and the LRSD decision may or may not be repealed to IDEM. Truex simplified by saying today's vote was whether there will be one sewer district or 3 separate sewer districts. Truex reiterated that all discussion on whether an area is in a particular district or would get sewers needs to take place after an area has been placed in a district.

President Bob Conley opened up the floor for public input:

- ❖ Doug Hart – Chapman Lake – questioned if the LRSD is the only choice or can an area join another district like Warsaw? Truex responded the Petition was brought by these two (2) groups to the Commissioners to join LRSD. Truex further responded the districts can contract for service with different providers such as North Webster or Warsaw. Truex also stated being in a sewer district does not dictate which sewage plant is used but is based on which plant would work better.
- ❖ Ed Hearn – Attorney for several Lake Tippecanoe property owners – questioned if there have been another series of petitions filed since January 1, 2009? Truex responded no. Hearn then asked if the by-laws of the LRSD been amended to provide for the committees that would be formed and additional appointed board members if the petitions are accepted by the LRSD? Truex responded no amendments have been made since the petitions have not technically been presented to the LRSD for consideration. Hearn noted four (4) legal issues to be addressed: First, a petition should show need. Truex responded letters have been received from IDEM and the State Board of Health stating a need for sewers exists. Hearn expressed concern that there are no scientific studies showing a need for, or impact of, sewers on Lake Tippecanoe. Truex reiterated the words of IDEM stating the Commissioners are not to debate the merit of the petitions; that is the responsibility of the LRSD before accepting or denying the petitions. Hearn responded he did not believe that to be correct. Hearn's second legal issue was whether or not the Commissioners are an eligible entity. Hearn cited IC13-26-8-1 as to whether the Commissioners are qualified to make a recommendation on the petitions to the LRSD.

**IN THE MATTER OF LAKELAND REGIONAL SEWER DISTRICT PRESENTATION**  
**CONTINUED:**

Truex responded he has spoken with IDEM regarding whether the Ed Hearn – Attorney for several Lake Tippecanoe property owners continued Commissioners are an eligible entity and according to IDEM, the Commissioners are an eligible entity. Hearn’s third legal issue dealt with adding two (2) representatives to the LRSD from the Tippecanoe and Chapman areas. Hearn stated there are currently four (4) representatives from the Barbee area and three (3) at-large members. Hearn noted according to the population for Tippecanoe and Chapman versus Barbee, Tippecanoe and Chapman would not be equally represented with one (1) member from each area on the LRSD board. Hearn’s last legal issue was that Tippecanoe and Chapman lakes’ petitions were presented to the Commissioners and tabled in their 2008 session; and pursuant to parliamentary procedure “ended and died” at the end of that session and those petitions have not subsequently been represented. Truex responded if the petitions need to be tabled for two (2) weeks so the petitioners can represent then that can be done. Hearn again expressed concern that there is not a need for sewers on Lake Tippecanoe and no scientific study has been done proving the need for sewers. Truex reiterated it has been the Commissioners’ goal to forward the petitions to the LRSD to make a determination on their merit.

- ❖ Phil Juillerat - Chapman Lake – questioned if one (1) group believes septic systems would be better for Chapman Lake, what action can another group take to stop mandated sewers. Truex responded each group would present its case to that lakes’ respective committee and that committee would make a determination from the information offered either for or against sewers.
- ❖ John Durham – Lake Tippecanoe – had a problem with a group of people dictating what he needs. Durham suggested having a referendum on the sewer issue allowing the people effected to decide. Truex reiterated each group would present its case to that lakes’ respective committee and that committee would make a determination by the information offered either for or against sewers, noting that is how each group gains a “voice” on their position. County Attorney, Mike Miner, noted the law does not provide the avenue to place this issue on a referendum for vote.
- ❖ Katie Beyer – Chapman Lake – questioned: who appoints the committee once accepted into the district. Truex responded the LRSD would appoint a committee within each lake group then that committee would make a recommendation to the Commissioners on who should be appointed to serve on the LRSD board. Truex further responded that issue will have to be addressed again to be sure the by-laws allow for equal representation among the different lake areas. Beyer expressed concern as to the equal representation within the committee. Truex noted the committees would be well-rounded with individuals with opinions on the issues. Beyer further expressed concern as to notice to the individual property owners. Truex also noted the meeting times would be published through the media. President Conley further noted the media provides information through the radio and newspaper and taxpayers need to pay attention to those avenues for information on meetings, etc.
- ❖ Dave Tyler – Lake Tippecanoe – Tyler stated if there was a procedural issue with the carrying over of the tabled original petition then Tyler was resubmitting the petition to the Commissioners. Miner noted research has not been done on the carry over of the original tabled petition. Truex further noted he is not comfortable making a motion without clarification of the legal issues.
- ❖ Alberta Wamsley – Chapman Lake area living on County Road 400 N platting Thorntree Subdivision. Wamsley noted the area around Chapman Lake is primarily agricultural farmland. She questioned if the LRSD is the only district Chapman and Tippecanoe can join or can they join or form another district. Jackson noted a separate district can be formed but it is more cost effective to have one (1) district instead of two (2) or three (3) separate districts. Miner responded Chapman or Tippecanoe could form their own district but would have to follow the same procedure the LRSD followed when that district was formed. Wamsley expressed concern with proper representation on any committee formed for the Chapman area that would report to the LRSD.
- ❖ Stephen Davis – Barbee Lakes – Davis stated there has been nothing accomplished through the Barbee Conservancy district and now the LRSD. Truex responded over two (2) years of meetings there have been options presented that have not been viable and worthwhile for the area. Truex reiterated just because an area is in a sewer district, does not mean that area will have sewers. Truex further noted groundwork and planning must be completed before sewers can be started.



**IN THE MATTER OF LRSD PRESENTATION CONTINUED:**

- ❖ President Conley noted a motion and decision will not be made at this meeting but at a future meeting which will be closed to public input.
- ❖ Bob Ragland – Lake Tippecanoe – Ragland believed the petition contains assumptions and not scientific data. Ragland referenced studies done by Grace College and JF New and discussed same. Truex then referenced a letter from the State Board of Health noting a need for sewers around the lakes to prevent failing septic systems from contaminating the lake.
- ❖ Mark Storer – Chapman Lake & member of CLEW group – stated the petition for Chapman Lake was not based solely on lake quality but on ground water quality also. Storer expressed concern as to septic systems contaminating the ground water not just the lake water.
- ❖ Don Miller – Chapman Lake – questioned who is going to make the committee appointments and where is the people's voice in the appointments. Miller recommended allowing the people to elect the board members and committee members instead of appointing those members. Miller felt the issue of sewers on the lake and taxes are the two (2) most important topics within the County. Truex stated an appointed board is as competent as an elected board.
- ❖ Dave Granger representing Jim and Jean Gaul – Lake Tippecanoe – expressed concern with the economic impact of sewers on taxpayers with today's poor economic conditions.
- ❖ John Durham – questioned whether the issue could be decided through a non-binding referendum. Truex responded the issue will be researched by the county attorney.
- ❖ Jean Sajak owner of Chapman Lake Marina & Campground – noted Truex tabled discussion on the matter on October 28, 2008 stating the public had not gotten proper notice. She then asked how people have gotten further information on sewers around the lakes. President Conley noted the media has published the meeting dates and times and also the results of meetings.
- ❖ Jane Eyler – Lake Tippecanoe – questioned if the LRSD is a taxing entity collecting tax monies from the Kosciusko County taxpayers. Truex responded no. Eyler questioned where their funding comes from. Truex again responded the funding was a rollover of funds from the Barbee Conservancy district. Truex reiterated if accepted by the LRSD, each lake area would have to raise its own funding and be self-sustaining. Truex noted each lake area would charge its own user fees based on the cost of building and maintaining the system in that particular area.
- ❖ Kevin Edmonds – living on County Road 450 N, north of Chapman Lake – expressed concern with the boundaries drawn by the CLEW petition as his lot is not directly on Chapman Lake and he sees no justification for being included. Edmonds suggested re-drawing the boundaries requiring the petition to show justification for the boundaries.

The public portion of the discussion was closed. It was noted the Commissioners would not hear any further public comments before rendering a decision.

MOTION: Ron Truex

TO: Table decision on two (2) petitions until

SECOND: Bob Conley

Commissioners receive clarification on legal

AYES: 2 NAYS: 1

issues presented.

MOTION PASSED

**IN THE MATTER OF MISHLER VACATION – TIPPECANOE TOWNSHIP:**

Matt Sandy, Area Plan Assistant Director, presented a vacation request from Robert Mishler to vacate a portion of Shelf Drive in Vanator Bluff Park on Secrist Lake in Tippecanoe Township. Sandy stated other portions of Shelf Drive were previously vacated in Vanator Bluff Park.

Sandy stated it was the unanimous recommendation of APC to approve the vacation with the condition that the right-of-way be rededicated through an easement running parallel to Secrist Lake like the other previously vacated portions of Shelf Drive. Sandy then stated no negative response was received from any service providers and/or neighboring property owners.

Steve Snyder, Attorney for Mishler, provided documentation showing the area to be vacated as well as the rededicated area along Secrist Lake.

No one appeared in opposition to the vacation.

MOTION: Brad Jackson

TO: Accept the recommendation of APC to

SECOND: Ron Truex

approve the vacation of the Shelf Drive public

AYES: 3 NAYS: 0

right-of-way with a redirected easement.

UNANIMOUS

**ORDINANCE NO. 09-07-21-001V**

As recorded in the office of the Kosciusko County Recorder

**IN THE MATTER OF WIND TOWER ORDINANCE:**

Matt Sandy, Area Plan Assistant Director, noted Area Plan has been researching the logistics of a wind tower ordinance. Input was gathered from Benton County that has wind farms with multiple units and Marshall County that have individual single towers, as well from Farm Bureau when drafting an ordinance for Kosciusko County.

In reviewing the ordinance, Commissioner Ron Truex expressed concern as to the County requiring maintenance and performing inspection on the wind towers. Truex felt the inspections should be mandatory but paid for by the owner of the tower(s). Truex further felt any modifications should be recertified at the owner's expense.

Commissioner Brad Jackson expressed concern as to the \$2,500 permit fee for large scale wind farms stating the fee was excessive. Sandy noted there is no fee for individual wind towers 120' or less in height. Jackson suggested the owner pay for the cost of the engineering of their wind tower(s). Jackson further suggested the permit fee cover solely the County's costs since any fee over that cost is considered a tax.

County Attorney, Mike Miner, questioned whether there is a bond requirement for the removal of abandoned wind towers. Sandy noted APC has the right to require a bond equal to the reasonable cost of removing the wind tower when located in a large scale wind farm operation. Dan Richard, Area Plan Director, noted removing paragraphs 1 – 4 will remove the sections requiring the County to track maintenance and perform inspections. Richard requested the Commissioners keep an open mind regarding costs associated with the wind towers since this a new ordinance.

Jackson thanked Sandy and APC for their work in researching and preparing the ordinance. Sandy noted modifications will be made to the ordinance as requested and presented to the Commissioners at their next meeting for approval.

**IN THE MATTER OF WARSAW COMMUNITY PUBLIC LIBRARY BOARD APPOINTMENT:**

Marsha McSherry, County Auditor, presented a request from the WCPL to reappoint Ruth Jones to the Warsaw Community Public Library Board retroactive to July 1, 2009.

MOTION: Brad Jackson TO: Approve appointment of Ruth Jones to  
SECOND: Bob Conley WCPL Board retroactive to July 1, 2009.

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF COUNTY ASSESSOR'S SOFTWARE CONTRACT:**

Marsha McSherry, County Auditor, presented a Contract for the Assessor's software between the County and X-Soft for signature. McSherry explained the Contract was approved by the Commissioners at their meeting on July 7, 2009 and was reviewed by County Attorney, Mike Miner.

**IN THE MATTER OF COUNTY ASSESSOR TRAVEL REQUEST:**

County Auditor, Marsha McSherry, presented a request for out of state travel for the County Assessor, Laurie Renier, to attend the International Association of Assessing Offices on September 13 through 16, 2009 in Louisville, Kentucky. McSherry further noted Renier will be splitting costs with the county assessor from Adams County to reduce expenses.

MOTION: Ron Truex TO: Approve out of state travel as requested.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

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

Commissioner Ron Truex stated there is a vacant position on the Drainage Board due to the passing of Eldon "Bud" Watkins. Truex noted Mike Long of Etna Green expressed an interest in serving in that position for the remainder of Watkins' term.

MOTION: Brad Jackson TO: Accept recommendation to appoint

SECOND: Ron Truex Mike Long to the Drainage Board for the

AYES: 3 NAYS: 0 remainder of Watkins' term.

UNANIMOUS

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

## **KOSCIUSKO COUNTY COMMISSIONERS**

### **August 4, 2009**

The Kosciusko County Commissioners met for their regular meeting on August 4, 2009 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 - *Absent*

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 LAKELAND REGIONAL SEWER DISTRICT UPDATE:**

County Attorney, Mike Miner, stated that he researched the legalities of electing versus appointing the LRSD Board. Miner stated whether or not the petitions from Chapman Lake and Lake Tippecanoe were passed on to the LRSD Board by the Commissioners, the LRSD Board could petition IDEM for a change in board structure, i.e. electing or appointing the board. Miner recommended tabling the petitions again to further research which avenue the Commissioners wish to take with regard to board structure. Miner then stated there was concern regarding accountability of the current LRSD board. Miner noted with the current LRSD board, there is no accountability to the taxpayers as they are not elected but appointed. Miner also stated once the Commissioners pass the petitions on with their recommendation, it is out of their control and under the control of the LRSD board. Miner noted one (1) option was to have a county-wide sewer district with its own board similar to the Drainage Board. Discussion ensued regarding the structure of a county-wide sewage board.

President Bob Conley stated the open discussion portion of the meeting concerning the LRSD petitions was closed at the last meeting but any further questions can be sent to the Commissioners.

Conley then questioned Miner whether the petitions needed to be filed again with the Commissioners. Miner responded the Commissioners have the authority to forward one (1) or both petitions to the LRSD for their consideration.

Miner suggested again tabling the petitions possibly for two (2) meetings to allow enough time for further research and decisions to be made on a County-wide sewer district.

Commissioner Brad Jackson expressed concern with tabling the issue for an extended period of time and possibly losing the summer lake residents.

Conley proposed tabling the issue until the meeting on August 18, 2009.

#### **IN THE MATTER OF MAXIMUS, INC. CONTRACT:**

County Clerk, Jason McSherry, presented a Contract between the County and Maximus, Inc. stating Maximus looks for options to take full advantage of the Title IV-D (child support) incentive money. McSherry stated he would then like to utilize that money to supplement the operating costs within the Clerk's budget. McSherry noted the contract employs Maximus using the incentive money so County funds are not used for their services. McSherry further noted any incentive monies used from now until October, 2010 will be reimbursed up to 66% due to the President's economic stimulus package.

Glen Eschenbacher from Maximus, Inc. reviewed a packet of material presented to the Commissioners stating most counties report only the salary for the child support clerk when ancillary charges can also be reported. Eschenbacher noted a time study was performed for each employee in the Clerk's office to determine a percentage of child support duties performed by others within the Clerk's office that are not billed. Eschenbacher further noted the Federal Government allows re-billing to be retroactive for two (2) years to October, 2008 allowing additional reimbursement for billing that may have been overlooked or missed.

President Bob Conley questioned which fund any potential reimbursement monies would return to. Eschenbacher noted any funds collected from retroactive billing would go to the County General fund.

**IN THE MATTER OF MAXIMUS, INC. CONTRACT CONTINUED:**

Eschenbacher referenced the packet of material provided to the Commissioners regarding Title IV-D child support performance from 2000-2007 noting the Federal Government looks at these figures when spending incentive monies. Eschenbacher noted the fee for the review and submission of retroactive services is \$4,000 and that fee is reimbursed through the monies collected, adding a unit could receive additional monies in excess of \$10,000.

County Attorney, Mike Miner, previously reviewed the Contract and stated it was acceptable.

MOTION: Brad Jackson

TO: Approve Contract with Maximus, Inc. as presented.

SECOND: Bob Conley

AYES: 2 NAYS: 0

UNANIMOUS

**IN THE MATTER OF COURTHOUSE DOME UPDATES:**

Ron Robinson, County Administrator, stated the work on the Courthouse Dome, as previously approved by the Commissioners, will begin in two (2) weeks with the color to be silver or gold. The consensus of the Commissioners was to paint the dome gold.

**IN THE MATTER OF MAINTENANCE TRUCK:**

County Administrator, Ron Robinson, stated the Highway Department allowed the use of one (1) of their trucks for snow removal last year instead of contracting those services which resulted in an approximate \$30,000 savings. Robinson requested permission to purchase a new pick-up truck for snow removal noting he received two (2) bids and would like to go with the lowest bid. Robinson noted the lowest bid was from Kerlin Motors for \$24,057.60 which includes a snow blade and tow package.

MOTION: Bob Conley

TO: Accept bid for truck purchase from Kerlin Motors, Inc. as presented.

SECOND: Brad Jackson

AYES: 2 NAYS: 0

UNANIMOUS

**IN THE MATTER OF COUNTY ANNEX ROOF REPAIR:**

County Administrator, Ron Robinson, stated he received three (3) bids to repair the roof as well as the steeple on the County Annex building. Robinson then stated he received quotes for both metal roofing and asphalt shingles. Robinson noted the lowest bid was from Bambi's for asphalt shingles in the amount of \$30,520.

MOTION: Brad Jackson

TO: Accept bid for County Annex building repairs from Bambi's Roofing as presented.

SECOND: Bob Conley

AYES: 2 NAYS: 0

UNANIMOUS

**IN THE MATTER OF GAS TANK ISSUE:**

Ron Robinson, County Administrator, stated IDEM approved final release of the jail parking lot where the gas tanks were previously removed. Robinson noted the cost while awaiting final release from IDEM to the County was approximately \$3,500 every four (4) months.

President Bob Conley thanked Robinson for his diligence in getting the area cleared through IDEM.

**IN THE MATTER OF DISPATCH TRAVEL REQUEST:**

County Administrator, Ron Robinson, stated the Dispatch center was asked to send a representative to Washington, DC from September 19 through 22, 2009. Robinson further stated the training allows the dispatch center to be recognized as a certified center by the National Center for Missing and Exploited Children. Robinson noted the only cost to the County is mileage to and from South Bend Regional Airport as the clearinghouse will pay for the plane ticket as well as hotel and food expenses.

MOTION: Bob Conley

TO: Approve travel request for Dispatch center to Washington DC as presented.

SECOND: Brad Jackson

AYES: 2 NAYS: 0

UNANIMOUS

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

Ron Robinson, County Administrator, stated the insurance flex plan was changed to a nine (9) month program. Robinson requested permission to sign the new insurance plans when available.

The consensus of the Commissioners was to allow Robinson to sign the documentation on behalf of the Commissioners.

**IN THE MATTER OF 2010 HOLIDAY AND MEETING SCHEDULE:**

Marsha McSherry, County Auditor, presented the 2010 county calendar for the Commissioners approval, noting this calendar includes the same number of paid holidays as 2009 with the addition of two (2) election days.

MOTION: Brad Jackson

TO: Approve 2010 calendar as presented.

SECOND: Bob Conley

AYES: 2 NAYS: 0

UNANIMOUS

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

Dennis Pletcher, Highway Superintendent, presented the following updates:

- ❖ “Hazard elimination areas” have been identified as County Farm Road near County Road 600S, Packerton Road near County Road 600S and County Road 550S. Pletcher noted these areas have remained flooded due to inclement weather but work in these areas is almost complete to prevent flooding and ice in the winter. Pletcher further noted County Farm Road and Packerton Road will remain gravel until fall, 2009 allowing the gravel to compact as much as possible before paving. Pletcher then stated County Road 550S will remain gravel for a longer period of time due to the unstable ground around that road. Pletcher stated other areas throughout the County have been targeted to fix with gravel as funding allows.
- ❖ County Road 250E to Wooster Road reconstruction has begun. Pletcher noted that project was a federal aid project with plans drawn up by Bonar Group and approved by INDOT and that road has since started to settle and sink into the marsh area around it. Pletcher stated Nipsco closed CR 250E this week and Phend & Brown will then close CR 250E to begin their six (6) week program to reconstruct the road.

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

President Bob Conley stated the Commissioners received a letter of appreciation from Scott and Lori Shepherd thanking the Highway Department for installing the no semi truck signs on County Road 525W. The letter reported the signs are working and the trucks are being diverted to Old Road 30.

**IN THE MATTER OF WIND TOWER ORDINANCE:**

Matt Sandy, Area Plan Assistant Director, presented the revised Wind Tower Ordinance noting the fee section was removed as well as the section regarding inspections per the Commissioners' direction.

Commissioner Brad Jackson expressed concern with the County incurring engineering or other fees and to be sure the owner would incur all of the fees for engineering, inspection, etc. Sandy responded the Ordinance states those costs are to be paid by the owner.

MOTION: Brad Jackson

TO: Accept Wind Tower Ordinance as presented.

SECOND: Bob Conley

AYES: 2 NAYS: 0

UNANIMOUS

**ORDINANCE NO. 09-08-04-001 Wind**

As recorded in the office of the Kosciusko County Recorder

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

**CLARIFICATION:**

Dave Tyler, as a resident of Lake Tippecanoe in response to County Attorney, Mike Miner's comments on County government not having control over the LRSD board, stated the LRSD board consists of seven (7) members, four (4) of those members appointed by the Commissioners and three (3) of those members appointed by Council. Tyler noted with these appointments, County government has complete control of the LRSD board.

**IN THE MATTER OF LAKELAND REGIONAL SEWER DISTRICT**  
**CLARIFICATION CONTINUED:**

Tyler then requested clarification on Miner's earlier comments regarding changes to the Constitution of the LRSD on whether the board is elected or appointed. Miner clarified by saying at the previous meeting there was significant interest in having elected LRSD board members. Miner further clarified that he informed the Commissioners the LRSD board would need to petition IDEM to become an elected board. Miner further stated the Commissioners do not have the authority to petition IDEM to change the LRSD board from appointed to elected. Tyler questioned Miner as to his suggestion of a county-wide sewer district and whether that county-wide sewer district would be subject to the same requirements set forth in Indiana Code 13-26. Miner responded whether the County set up a separate county-wide sewer district or became part of the LRSD; the County would still be subject to the requirements set forth in Indiana Code 13-26.

Tyler then questioned if the two (2) petitions were still viable, why would the subject need to be tabled based on the consideration of a County-wide sewer district. Miner noted since sewers have not been installed in the Barbee area, now may be the time to consider a County-wide sewer district rather than once ground has been broken on sewers in and around Barbee or any other lake.

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

**KOSCIUSKO COUNTY COMMISSIONERS**  
**August 18, 2009**

The Kosciusko County Commissioners met for their regular meeting on August 18, 2009 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 EMERGENCY MANAGEMENT UPDATE:**

Ed Rock, Emergency Management Director, introduced Eric Nicols as the new District II Coordinator replacing Deb Faulk who moved on to FEMA. Nicols conveyed his background and experience. The Commissioners welcomed Nicols to the County.

Rock then stated sand and bags are available at three (3) locations (and anyone needing sand bags filled should bring their own shovel):

- ❖ Chapman Lake boat ramp;
- ❖ Kosciusko County Highway Department; and
- ❖ Behind Metzger Trucking in Silver Lake.

Rock further noted the City of Warsaw also has sand and bags available at the sewage treatment plant in Boggs Industrial Park.

**IN THE MATTER OF KABS 2010 OPERATIONAL GRANT APPLICATION:**

Rita Baker, KABS Director, presented the 2010 KABS operational grant application in the amount of \$530,000 for the Commissioner's signature.

**IN THE MATTER OF KABS 2009 QUARTERLY REPORT:**

Rita Baker, KABS Director, presented the Quarterly Operating Financial Statement and the Indiana Department of Transportation Contract Invoice-Voucher for signature.

**IN THE MATTER OF KABS UPDATE:**

KABS Director, Rita Baker, informed the Commissioners that she is retiring and interim Director will be Randy Hall.

The Commissioners expressed their thanks to Baker as she has been an asset to KABS.

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

Commissioner Ron Truex stated the situation continues to evolve however, a recommendation would be made on whether the two (2) petitions would be forwarded on to the Lakeland Regional Sewer District (LRSD).

Truex supplied background information on prior meetings and previous actions taken regarding the LRSD.

Truex expressed his desire to have as few sewer districts in the County as possible. Truex noted the confusion of many taxpayers regarding the difference between forming a sewer district and building sewers. Truex reiterated many peoples' desire to have elected officials within a sewer district instead of appointed officials.

Truex stated his recommendation is to form a county-wide sewer district instead of many smaller sewer districts in the County. Truex noted "creating a county-wide sewer district does not mean that [a person] will ever have sewers". Truex further stated by having a county-wide sewer district, the County can request the board be comprised of all elected officials. Truex then said that unless mandated by the Board of Health or IDEM, no one will have a sewer unless a majority of those coming to the county-wide sewer district board seeking relief, support that petition. Truex noted if there is a mandate, the County can help the effected people navigate through the governmental system. Truex then noted the County will not solicit sewers in any certain area but will provide assistance to those taxpayers that have a problem. Truex further noted problems can be solved without involving additional homes solely in an effort to keep costs down, when those additional homes may not need or want sewers.

Truex reiterated only the effected homes will be dealt with and the county-wide district would not increase an area to reduce the costs of those that need help. Truex stated each project would be independent from other projects and would be funded project by project. Truex then stated a home will never have a sewer bill if they do not have sewers, further noting a sewer district is not a taxable billing entity.

In conclusion, Truex stated as the County researches the facts of forming a county-wide sewer district; he moved to deny forwarding both petitions to the LRSD.

President Bob Conley noted his preference for a county-wide sewer system with elected officials to serve on that board.

MOTION: Ron Truex

TO: Deny forwarding the Petitions of the

SECOND: Brad Jackson

Environmental Task Force and Chapman

AYES: 3 NAYS: 0

Lakes Environmental Watch to the LRSD.

UNANIMOUS

**IN THE MATTER OF INTER-LOCAL AGREEMENT WITH LOCAL  
MUNICIPALITIES FOR MOBILE DATA PROJECT:**

Ron Robinson, County Administrator, referenced the Inter-local Agreement between the County and several local municipalities. Robinson explained this agreement would allow other municipalities to access the County and State data with mobile air cards. Robinson further explained the County will pay for the initial set-up and will receive annual reimbursement from the respective municipalities.

MOTION: Ron Truex

TO: Approve the Inter-local Agreement

SECOND: Bob Conley

between the County and local municipalities

AYES: 3 NAYS: 0

as presented.

UNANIMOUS

**IN THE MATTER OF DISPATCH CENTER/SERVER ISSUE:**

Ron Robinson, County Administrator, stated there has been a reoccurring heat issue in the room that houses the computer servers as well as the Dispatch Center. Robinson explained if the temperature in those areas cannot be maintained around 70° the equipment can degrade and become damaged. Robinson requested permission to spend \$200,000 for a new cooling unit. Robinson further explained the unit will allow additional usage if there is a need to expand. President Bob Conley noted the need to be proactive to protect the investment rather than paying to repair or replace a server.

MOTION: Brad Jackson

TO: Approve the purchase of cooling unit at a

SECOND: Ron Truex

cost of \$200,000 as presented.

AYES: 3 NAYS: 0

UNANIMOUS

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

Ron Robinson, County Administrator, stated the work on the Courthouse Dome, will begin during the last week of August, 2009. Robinson then stated the work on the roof and steeple of the County Annex will also begin during the last week of August, 2009.

**IN THE MATTER OF EXECUTIVE SESSION ACTION:**

Commissioner Ron Truex stated the Commissioners and Council had met in a joint executive session regarding the 2010 budget as well as the remainder of the 2009 budget. Truex stated every effort was made to balance the budget with the expected shortfall in revenue. Truex noted a hiring freeze for all County offices was recommended.

Commissioner Brad Jackson questioned whether an employee could be replaced. Truex responded there will be no hiring unless the full Council approves an appropriation for that position.

President Bob Conley noted this action must be taken to enable the County to continue operating without interruption.

MOTION: Ron Truex

TO: Enact a hiring freeze effective

SECOND: Brad Jackson

immediately with the exception of positions

AYES: 3 NAYS: 0

that the full Council approves to fund.

UNANIMOUS

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

County Auditor, Marsha McSherry, noted the Commissioners must make an appointment to the Lakeland Regional Sewer District. McSherry further noted Lowell Gilmore expressed an interest in serving on that board again.

MOTION: Ron Truex

TO: Approve appointment of Lowell Gilmore

SECOND: Brad Jackson

to Lakeland Regional Sewer District for a

AYES: 3 NAYS: 0

term of one (1) year.

UNANIMOUS

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

County Auditor, Marsha McSherry, noted the Commissioners must make an appointment to the Turkey Creek Regional Sewer District. McSherry further noted Joseph Todd expressed an interest in serving on that board again.

MOTION: Ron Truex

TO: Approve appointment of Joseph Todd to

SECOND: Brad Jackson

Turkey Creek Regional Sewer District for a

AYES: 3 NAYS: 0

term of four (4) years.

UNANIMOUS

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

Highway Superintendent, Dennis Pletcher, presented the following updates:

- ❖ With the recent rain, the Highway Department has placed high water signs throughout the County to warn motorists.
- ❖ Highway Department has felt the budget impact due to increased maintenance from excessive rain. The increased maintenance also caused summer highway projects to be delayed or postponed.
- ❖ Clarified the Council approved \$200,000 to cover a shortfall in the budget for road rebuilding and repairs.
- ❖ Council also approved budget reductions and Pletcher provided clarification as to the reasoning behind the budget reduction request. Pletcher noted the Department of Local Government Finance reviews the Highway Department's budget each year, and looks at the operating balance and then suggests adjustments. Pletcher noted the Rainy Day Fund has been depleted each year due to the loss of revenue from the State level. Pletcher further noted he budgeted into the Rainy Day Fund with those funds to be used for emergency situations or repairs. Pletcher then stated in order to have enough cash operating balance on hand for the DLGF to approve the 2010 Highway budget; line items needed to be reduced in the 2009 budget.

**IN THE MATTER OF 2010 CENSUS:**

President Bob Conley stated the County has been contacted by the 2010 census bureau. Conley noted the census bureau is assembling a countywide committee to obtain an accurate count of the citizens of Kosciusko County.



**IN THE MATTER OF LAKELAND REGIONAL SEWER DISTRICT PRESENTATION  
CLARIFICATION:**

Steve Matthias questioned the motion regarding the petitions filed with the Commissioners for consideration regarding the LRSD. Commissioner Ron Truex stated while investigation continues into establishing a county-wide sewer district, the Commissioners denied forwarding the petitions to the LRSD. Truex noted while further information is gathered, he is not prepared to share a timeline or scope of the project.

Bettina Mocha requested clarification on the motion made. County Attorney, Mike Miner, clarified the motion by saying that nothing changed for the people in the LRSD (Barbee Chain). Those living at or around Chapman Lake and Lake Tippecanoe are not included in the LRSD as those petitions will not be forwarded to LRSD.

Mark Burkes felt Commissioner Truex' comments were excellent and thought his comments should be made public.

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

**KOSCIUSKO COUNTY COMMISSIONERS  
September 1, 2009**

The Kosciusko County Commissioners met for their regular meeting on September 1, 2009 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

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 TAX BILL UPDATE:**

Sue Ann Mitchell, County Treasurer, informed the Commissioners the tax rate for Warsaw Schools obtained from the Department of Local Government Finance was incorrect further explaining 27,000 corrected tax bills were mailed to taxpayers with an estimated cost to the County of \$20,000. Mitchell noted \$7,200 of the \$20,000 will be reimbursed by the DLGF during the certification process per the agreement with the DLGF. Mitchell further noted there is a question and answer sheet included with the corrected tax bills to help answer taxpayers' questions. Mitchell stated she and County Auditor, Marsha McSherry, studied the issue and determined it was in the best interest of the taxpayers to correct the error made by the DLGF and send corrected tax bills at a savings of approximately \$1 million to Kosciusko County taxpayers.

**IN THE MATTER OF 2010 CENSUS:**

President Bob Conley introduced Cynthia Krump from the US Census Bureau. Krump stated she is a partnership specialist for government entities with ten (10) Indiana counties. Krump then stated part of her goal is to help cities, towns and county government form complete count committees that help obtain an accurate census count. Krump noted the complete count committees have the sole responsibility of spreading awareness to residents and the importance of completing the census form. Krump also noted there will be a census in schools program to educate students on the process and rationale for the census. Krump stated the questionnaire in spring, 2010 will consist of ten (10) questions. Krump requested the Commissioners sign a proclamation, agreeing to form a count committee to achieve an accurate count for Kosciusko County. Conley agreed to serve as liaison on the county committee.

MOTION: Brad Jackson

TO: Approve signing proclamation to form  
count committee to aid with 2010 Census.

SECOND: Ron Truex

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF HEALTH DEPARTMENT FEE CHANGES:**

Ron Robinson, County Administrator, presented the Health Department Fee Schedule noting one (1) increase in the cost of the traveler vaccine.

MOTION: Ron Truex

TO: Accept fees schedule for Health Department as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

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

Highway Superintendent, Dennis Pletcher, presented the following updates:

- ❖ County Farm Road just north of County Road 600S – the area has been filled with gravel and equalizer pipe was installed noting the area will receive asphalt once the chip seal program is completed.
- ❖ Packerton Road just south of County Road 600S– will reopen soon as repairs were made due to water damage from the excessive rain.
- ❖ Cornelius Road in Syracuse – work will begin after Labor Day with the road being closed from East Shore Drive to Warner Road. Fill and drain tile will be added to alleviate the flooding problem in that area.
- ❖ Provided a list of anticipated chip/seal projects to be completed before winter.

**IN THE MATTER OF WEED CONTROL MANAGEMENT ISSUE:**

Highway Superintendent, Dennis Pletcher, stated the Highway Department contracts for the spraying of County right-of-way for broadleaf and weed control. Pletcher went on to say the spraying is done every other year to alternating halves of the County. Pletcher noted in the past taxpayers have had issue with the County spraying thus causing the taxpayer to erect signs defining a “no spray area”. Pletcher requested guidance from the Commissioners on whether or not he should pursue a no spray permit with standardized signage. Pletcher also suggested a bond be put in place for damages caused by the contractor who performs the spray work. Commissioner Ron Truex expressed concern with the County accepting responsibility for spraying flowers, etc. located in the county right-of-way.

President Bob Conley felt the issue of overspray warranted the institution of a bond by the contractor with the bond being released once spray season has ended.

Commissioner Brad Jackson concurred on the use of standardized signage with the taxpayer applying for a permit for said sign. Jackson added the permit could also release the County or the contractor of any liability from overspray or mistakenly spraying a no spray area. Jackson stated he did not agree to the use of a bond from the contractor.

Conley noted the taxpayer could purchase the signage from the County and install said sign to the specifications designed by the County.

Truex once again expressed concern with a taxpayer submitting a claim for damages in a right-of-way as the right-of-way is property they do not own. Truex suggested discontinuing spraying the right-of-way areas due to budget constraints, or suggested spraying for weeds on an “as needed” basis.

MOTION: Brad Jackson

TO: Draft language for a no spray permit with language holding the County and spray contractor harmless for any overspray or accidental spraying and provide standardized signage for purchase at the residents’ cost.

SECOND: Ron Truex

AYES: 2 NAYS: 1

UNANIMOUS

**IN THE MATTER OF VALLEY SPRINGS SUBDIVISION UPDATE:**

Dennis Pletcher, Highway Superintendent, stated work has been held up by Nipsco.

Commissioner Ron Truex expressed concern with an odor emanating from a manhole on the south end of the Valley Springs subdivision. Pletcher believed the odor was manure stemming from farmland runoff to the north of Valley Springs. Truex expressed concern regarding the drain tile in that subdivision and the excessive rainfall in the last year. Pletcher detailed the work being done on the drain tile in an attempt to alleviate the water and drainage problems.

**IN THE MATTER OF HAWTHORNE SUBDIVISION – TURKEY CREEK TOWNSHIP:**

Kyle Newcomer and Marlin Miller of Millwood Construction and Clay Brooks of Phend and Brown, presented concerns to the Commissioners regarding the asphalt inspection done by the Highway Department on the roads within Hawthorn Subdivision, Turkey Creek Township. Newcomer stated they are aware of some repairs needed on the roadway but feel the Highway Department’s inspection and suggestion of other repairs is not justified.

**IN THE MATTER OF HAWTHORNE SUBDIVISION – TURKEY CREEK TOWNSHIP  
CONTINUED:**

Highway Superintendent, Dennis Pletcher, provided the subdivision ordinance to the Commissioners as well as to Newcomer, Miller and Brooks. President Bob Conley questioned whether the subdivision control ordinance was provided to Newcomer prior to the meeting. Pletcher responded every developer is given the subdivision control ordinance before beginning the development of a subdivision. Pletcher noted the subdivision control ordinance states the KCHD is to inspect the subdivision roadways and make recommendations to the Commissioners of repairs to be completed regarding the subdivision roadways. Pletcher further stated it is the Highway Department's obligation to protect the taxpayers of the County regarding county road maintenance.

Commissioner Brad Jackson questioned the issue that Newcomer has with the Highway Department's inspection. Newcomer stated they disagree with tearing out asphalt in certain areas outlined by KCHD. Newcomer acknowledged issues with drainage and stated those problems will be fixed. Newcomer also stated KCHD noted there are issues with the sub-base under the asphalt; as well as other problems with the asphalt however Newcomer does not feel those issues are justified.

Jackson suggested Newcomer obtain a five (5) year bond for a pre-agreed amount, that way any repairs needed are covered if the roadway fails within that timeframe. Pletcher noted the subdivision control ordinance states the work is inspected by KCHD one (1) year after the final surface is installed before acceptance into the highway maintenance program. Truex clarified that if there is a failure in the areas noted by the KCHD inspection, the bond will cover the repairs. Jackson recommended Pletcher and Brooks come up with a reasonable amount for the bond.

Both Commissioners Truex and Jackson noted their support and respect for Pletcher's judgment.

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

Commissioner Ron Truex announced the Lakeland Regional Sewer District will meet on Thursday, September 3, 2009 to discuss the option of a county-wide sewer district. Truex also noted he and Council Member Bob Sanders will meet with the Indiana Department of Environmental Management to obtain information and guidance on forming a county-wide sewer district. Truex further noted he will attend the 9<sup>th</sup> Annual Conference of Indiana Regional Sewer District Association meeting on November 2, 2009. Truex reiterated his motion from August 18, 2009 where the petitions from the Lake Tippecanoe group and Chapman Lake group were not forwarded to LRSD and noted the meetings he will attend are to gather information on the forming of a county-wide sewer district.

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

**KOSCIUSKO COUNTY COMMISSIONERS  
September 15, 2009**

The Kosciusko County Commissioners met for their regular meeting on September 15, 2009 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

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 2010 COUNTY EMPLOYEE SALARY REDUCTION:**

Steve Hearn, Prosecuting Attorney, stated he was representing his employees who just received notice through the press of a seven percent (7%) salary decrease for 2010. Hearn noted county employees are disappointed since most have their own budgets to adhere to and disappointed with the manner in which they received notice, i.e. through the press, no formal notice from the County.

**IN THE MATTER OF 2010 COUNTY EMPLOYEE SALARY REDUCTION**

**CONTINUED:**

Hearn referenced the notice advertised in the newspaper of a joint executive session to take place prior to the Council meeting on September 10, 2009 therefore the Commissioners would be aware of what was happening. Hearn believed there were other alternatives if he and other department heads had been notified of the shortfall and cuts were needed in the department budgets.

Commissioner Ron Truex responded he and the Commissioners will look into options other than a pay reduction. Truex noted that Council was given a timetable within which to balance and pass a budget and those were the items discussed in the executive session held prior to the Council meeting. Truex further noted the shortfall amount of approximately \$3 million dollars is due to reduced revenue from income and sales tax as well as low interest rates. Truex added even if money is available in other funds, it may not necessarily be used for the deficit. Hearn then stated the salary reduction has affected morale in his office and will continue to create problems. Hearn encouraged the County to seek legal counsel to deal with the legalities involved with the executive session.

President Bob Conley reiterated his pledge of support to the employees of the County.

Commissioner Brad Jackson concurred with Conley stating the Commissioners will look into other options with Council to avoid the salary reductions. Jackson added however Council is the fiscal body of government.

Sheriff Rocky Goshert addressed the Commissioners and thanked them for their promise in addressing the issue with Council. Goshert stated his department's complaint was how they were notified of the salary decreases. Goshert noted they were told there would not be any salary increases but were never advised salary cuts were being considered. Goshert reiterated Hearn's statement saying if prior notice were given of the shortfall, the department heads and elected officials could have worked out a different solution.

Captain Aaron Rovenstine stated he realized the Commissioners were the wrong group to discuss the matter with but this was the first opportunity the employees have had to speak to the elected government heads. Rovenstine noted that employees are accountable to County government but also the Commissioners, as elected officials, are accountable to the employees as taxpayers. Rovenstine understood in the past Kosciusko County has always been proud of its good fiscal status however Rovenstine could not find any other county in the state looking into such drastic cuts. Rovenstine noted other counties were not increasing employee salaries but none were employing drastic salary cuts. Rovenstine then questioned if the County had a Rainy Day Fund and if so how much was in that fund. County Auditor, Marsha McSherry then responded there was \$2.6 million in the Rainy Day Fund. Rovenstine then expressed concern with the amount of funding being given to the not-for-profit organizations and the amount of money those organizations have in the bank. Rovenstine stated the County should take care of its own employees before allocating monies to the not-for-profit organizations. Truex responded there could be financial consequences to the County if Not-for-Profit organizations go away. Truex then stated the salary reductions may be just the beginning not the end of tough economic times. Truex concurred with Hearn, Rovenstine and Goshert stating the manner in which the employees found out about the salary reductions was wrong and should have been handled differently. Conley noted the Commissioners are dedicated to working with department heads to assist Council in any way to discuss the budget further. Rovenstine stated he understands budgets and that some monies cannot be used for salaries but believes certain building projects should be put on hold if the budget constraints are that strict. Rovenstine concurred that the manner in which employees were notified was inappropriate. Rovenstine stated the Council and Commissioners should allow the departments to work with them to find a solution to the budget shortfall.

Conley reiterated the Commissioners' position to work with department heads toward a solution to the budget shortfall. Conley noted he was under the impression the budget was going in a different direction.

Jackson further reiterated it is the decision of the Council regarding budgets even with the input of the Commissioners and/or department heads.

**IN THE MATTER OF VACANCY IN VETERAN AFFAIRS OFFICER POSITION:**

County Administrator, Ron Robinson, noted he received a letter from the Veteran Affairs Officer, Mike Barnett, stating he is stepping down as Veteran Service Officer as of November 9, 2009. Robinson went on to say he has received some applications and noted some of the qualifications are the applicant must be a County resident and have military background.

**IN THE MATTER OF VACANCY IN VETERAN AFFAIRS OFFICER POSITION  
CONTINUED:**

Commissioner Brad Jackson questioned whether the position be filled. Robinson responded it is mandated by the State that the position must be filled. President Bob Conley requested Robinson collect the applications for the position and bring them before the Commissioners for review before a final hiring decision is made.

Robinson then stated Barnett expressed a desire to find his replacement before the Veteran Affairs seminar on October 29 and 30, 2009.

Commissioner Ron Truex noted the State and Federal governments do not consider County government when mandating the County fund a position, and referenced the hiring freeze recently enacted.

Robinson also stated Barnett has done an outstanding job in the position and has been an asset to the County and to its veteran residents. Commissioners Truex and Conley stated the veteran residents of Kosciusko County deserve a Veteran Service Officer such as Barnett.

**IN THE MATTER OF HISTORICAL SOCIETY REQUEST:**

County Administrator, Ron Robinson, presented a letter, from GIS Director, Bill Holder, requesting approval to work with the Historical Society to map cemeteries in Kosciusko County. Robinson stated there is no cost to the County just the use of the GIS software to create a layer in the mapping in GIS.

Commissioners Brad Jackson and Ron Truex both stipulated as long as the project did not create any overtime for Holder or interfere with Holder's County GIS duties, they were in favor of allowing Holder to work on the Historical Society project.

MOTION: Ron Truex TO: Allow Holder to work with Historical  
SECOND: Brad Jackson Society to map cemeteries in County.

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF TERMINAL SERVICES DATA INTER-LOCAL  
AGREEMENTS:**

Marsha McSherry, County Auditor, presented an Inter-local Agreement between the County and the Town of Silver Lake and the City of Warsaw, respectively. McSherry explained these agreements would allow other law enforcement municipalities to access the County and State data with mobile air cards.

MOTION: Brad Jackson TO: Approve the Inter-local Agreement  
SECOND: Ron Truex between the County and Silver Lake and the  
AYES: 3 NAYS: 0 City of Warsaw, respectively as presented.

UNANIMOUS

**IN THE MATTER OF LAW ENFORCEMENT DATA ACCESS FUND ORDINANCE:**

County Auditor, Marsha McSherry, presented an Ordinance to establish a fund for annual fees collected for terminal services to County law enforcement data, as outlined in the Inter-local Agreement.

MOTION: Ron Truex TO: Establish a fund for annual fees collected  
SECOND: Brad Jackson for terminal services to County law  
AYES: 3 NAYS: 0 enforcement data as presented.

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**ORDINANCE 09-09-15-001 Law Enforcement Data Access Fund  
As recorded in the office of the Kosciusko County Recorder**

**IN THE MATTER OF 2010 NOT-FOR-PROFIT AGREEMENTS:**

County Auditor, Marsha McSherry, presented the 2010 Not-for-Profit Agreements for signature. Commissioner Brad Jackson expressed concern with signing the agreements in light of recent budget cuts noting possible Not-for-Profit reductions may be made to avoid employee salary cuts.

MOTION: Brad Jackson TO: Table the 2010 Not-for-Profit  
SECOND: Ron Truex Agreements for further review and discussion.

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF SPEED LIMIT REDUCTION ON LaPOINT DRIVE –  
VANBUREN TOWNSHIP:**

Highway Superintendent, Dennis Pletcher, presented an Ordinance to repeal the 30mph speed limit on LaPoint Drive from County Road 250E to Camelot Trail. Pletcher recommended making the speed limit a more uniform 35mph and posting it the full length of LaPoint Drive from County Road 250E to 300E to avoid confusion.

Commissioner Ron Truex questioned the sheriff's deputies in the audience whether the Commissioner's 35-45-55 speed limit policy has helped or hindered their patrol of the roads. Deputies noted it was helpful.

MOTION: Ron Truex

TO: Allow Ordinance repealing 30mph speed limit and change to 35mph on LaPoint Drive from CR 250E to CR 350E.

SECOND: Bob Conley

AYES: 2 NAYS: 1

MOTION CARRIED

**ORDINANCE NO. 09-09-15-003 Speed**

**ORDINANCE NO. 09-09-15-004 Speed**

**As recorded in of the office of the Kosciusko County Recorder**

**IN THE MATTER OF WEED CONTROL MANAGEMENT ISSUE:**

Highway Superintendent, Dennis Pletcher, drafted language for a "no spray" ordinance per the Commissioners' request. Pletcher recommended due to recent budget constraints suspending spraying for weeds along County right-of-ways for a year. Pletcher noted the cost for spraying is approximately \$40,000 per year.

Commissioner Ron Truex suggested suspending spraying for weeds until such time that the Highway Superintendent deems necessary.

MOTION: Ron Truex

TO: Suspend roadside spraying for weeds until Highway Superintendent deems necessary and allow Superintendent to spray on an as-needed basis at his discretion.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF HAWTHORNE SUBDIVISION UPDATE:**

Highway Superintendent, Dennis Pletcher, noted Hawthorne Subdivision is progressing with paving the right-of-way within the subdivision.

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

Highway Superintendent, Dennis Pletcher, presented the following updates:

- ❖ County Farm Road just north of County Road 600S – is scheduled to receive asphalt next week weather permitting.
- ❖ Cornelius Road in Syracuse – should reopen next week weather permitting.
- ❖ Packerton Road just south of County Road 600S– will reopen soon as repairs were made due to water damage from the excessive rain.
- ❖ Introduced Ben Beer from USI Consultants – noting they perform the bridge inspections for Kosciusko County.

**IN THE MATTER OF LIMBERLOST GIRL SCOUT COUNCIL INC REZONING  
REQUEST – TURKEY CREEK TOWNSHIP:**

Dan Richard, Area Plan Director, presented a rezoning request from the Limberlost Girl Scout Council Inc to rezone a 20 acre tract from Public Use to Agricultural in Turkey Creek Township. Richard explained the property is on the northwest corner of the intersection of County Roads 500E and 950N by Dewart Lake. Richard noted the property surrounding the tract is both agricultural and residential. Richard further stated it was the unanimous recommendation of the APC to approve the rezoning from public use to agricultural.

Don Cross and Chris Meyers from the Girl Scout Council spoke in favor of the rezoning. The Girl Scout Council was advised to sell some properties to generate revenue. Meyers then stated the parcel is not currently used for camp programs whereas the money from selling same would be used for areas within the camp being used now.

No one appeared in opposition to the rezoning.

MOTION: Brad Jackson

TO: Accept the recommendation of the APC to allow the rezoning request of the 20 acre tract from public use to agricultural in Turkey Creek Township as presented.

SECOND: Bob Conley

AYES: 2 NAYS: 0

UNANIMOUS

**ORDINANCE NO. 09-09-15-001Z**

**As recorded in of the office of the Kosciusko County Recorder**

**IN THE MATTER OF MAURICE AND DORIS DORSEY REZONING REQUEST – TIPPECANOE TOWNSHIP:**

Dan Richard, Area Plan Director, presented a rezoning request from Maurice and Doris Dorsey to rezone a 4 acre tract from Agricultural to Commercial in Tippecanoe Township. Richard explained the property is on the northeast corner of the intersection of State Road 13 and Armstrong Road. Richard noted the property surrounding the tract is commercial, residential and agricultural with sewer available to the site from the Town of North Webster. Richard further stated it was the unanimous recommendation of the APC to approve the rezoning from agricultural to commercial.

Steve Snyder, Attorney for Maurice and Doris Dorsey, stated he agreed with the recommendation of APC. Snyder noted the proposed use is for a funeral home to be constructed in the late fall, early spring.

Richard noted important consideration was given to access to the property, limiting the amount of entrances especially off State Road 13.

No one appeared in opposition to the rezoning.

MOTION: Ron Truex

TO: Accept the recommendation of the APC

SECOND: Brad Jackson

to allow the rezoning request of the 4 acre

AYES: 3 NAYS: 0

tract from agricultural to commercial in

UNANIMOUS

Tippecanoe Township as presented.

**ORDINANCE NO. 09-09-15-002Z**

**As recorded in of the office of the Kosciusko County Recorder**

**IN THE MATTER OF 2010 COUNTY BUDGET COMMENTS:**

- ❖ Highway Superintendent, Dennis Pletcher, noted the Motor Vehicle Account (MVH) is different from County General but it has also suffered with the struggling economy as it is supported by gasoline tax. Pletcher echoed the previous comments of Steven Hearn, Rocky Goshert and Aaron Rovenstine saying how surprised he felt at the news of the salary reductions. Pletcher noted he attended the Council meeting and believed each department head should have been in attendance.
- ❖ Commissioner Bob Conley reiterated the previous intentions of the Commissioners to look into different cuts that could be made to the budgets to make up the shortfall without salary reductions.
- ❖ Resident, James Beeler, spoke to the Commissioners regarding the salary reductions noting employees are the greatest asset of any business. Beeler stated he serves as the Chaplain for the Sheriff's department noting how outstanding the Kosciusko County Sheriff's department is. Beeler also noted he can differentiate while traveling when he leaves Kosciusko County due to the conditions of the roads especially during winter. He commended both departments and added the employees need to be protected. Beeler then suggested the County form an ad-hoc committee comprised of non-county government employees. Beeler explained the committee would interview the non-supervisory employees to obtain their ideas on ways the County could save money, without fear of retribution as it is anonymous. Beeler noted through his experience with an ad-hoc committee, salary cuts were not made due to the ideas found through interviewing the employees. Beeler stated he believes government should not function as a profit business and now is the time to use the Rainy Day Fund. Beeler referenced the final decision for the salary reduction being made in a closed executive session stating the rationale for making such a decision without public input seems secretive and not following the law.
- ❖ Commissioner Brad Jackson questioned the size of a proposed ad-hoc committee. Beeler noted there are usually three (3) residents in each group to interview at least five (5) employees. Jackson then asked if Beeler would consider sitting on that committee. Beeler responded he would or he could recommend another clergyman who is more well-known.
- ❖ Commissioner Ron Truex supported Beeler's appreciation of Sheriff and Highway Departments but recognized other county offices as just as important.
- ❖ Conley then thanked Beeler for feeling he could come to the Commissioners and openly discuss the matter with them.

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

Commissioner Ron Truex noted he and Council Member Bob Sanders met with the Indiana Department of Environmental Management to obtain information and guidance on forming a county-wide sewer district. Truex noted he will continue to attend the meetings regarding the sewer district and he will continue to keep the public informed.

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

## **KOSCIUSKO COUNTY COMMISSIONERS**

### **September 29, 2009**

The Kosciusko County Commissioners met for their regular meeting on September 29, 2009 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 KABS GENERAL MANAGER:**

Randy Hall from Cardinal Services stated he offered the position of KABS General Manager to Matt Boren; noting through INDOT regulations, the County technically owns KABS, making the County responsible for hiring the General Manager. Hall relayed Boren's qualifications to the Commissioners requesting their approval to hire Boren as General Manager for KABS. Discussion ensued regarding the hiring freeze currently in place in the County. Hall noted the funds for KABS come from both the Federal and State Department of Transportation. Commissioner Brad Jackson expressed concern whether hiring Boren requires Council's approval. Commissioner Ron Truex stated Boren will be an employee of Cardinal Services not a County employee therefore the Commissioners are approving a Cardinal Center hire. County Attorney, Mike Miner, concurred Boren would not be an employee of the County but of Cardinal Center and the County has responsibility for approving the hiring of the General Manager.

MOTION: Ron Truex

TO: Approve Hall's recommendation to hire

SECOND: Brad Jackson

Matt Boren as General Manager for Cardinal

AYES: 3      NAYS: 0

Center KABS.

UNANIMOUS

#### **IN THE MATTER OF DEWART LAKE PROTECTIVE ASSOCIATION REQUEST:**

Ken Brehob of the Dewart Lake Protective Association (DLPA) presented a request to build a DNR funded bioengineered seawall at the end of EMS D24d Lane right-of-way. Brehob explained the DLPA received a grant from the DNR to build a bioengineered seawall as a demonstration project to protect against eroding the shoreline of Dewart Lake. Brehob noted the DNR stipulates the seawall be built on public land allowing access for the public to view the demo project.

President Bob Conley expressed concern with opening up that right-of-way to public use.

County Attorney, Mike Miner, responded the installation of the seawall does not change the public use aspect.

Conley questioned what material the bioengineered seawall is made of. Brehob explained the seawall is made of natural, mostly plant material with seeds imbedded into the material; whereby, when the seeds grow into plants it will help with erosion along the shoreline. Brehob further explained the project is to demonstrate options other than concrete seawalls to residents. Commissioner Ron Truex questioned Highway Superintendent Dennis Pletcher whether the public R-O-W extends to the water's edge. Pletcher confirmed according to GIS, it appears the R-O-W extends to the water's edge.

MOTION: Brad Jackson

TO: Allow the seawall to be built at the end

SECOND: Ron Truex

of EMS D24d Lane provided the R-O-W

AYES: 3      NAYS: 0

extends to the water's edge.

UNANIMOUS

#### **IN THE MATTER OF BUY AMERICAN RESOLUTION:**

Rachel Bennett-Steury and Mike Kelly presented the Buy American Resolution and supporting documentation to the Commissioners for their review and signature. Bennett-Steury noted the State Senate and House of Representatives passed the same resolution to buy American.



**IN THE MATTER OF BUY AMERICAN RESOLUTION CONTINUED:**

Bennett-Steury stated the Resolution encourages each entity to purchase American manufactured goods with any Federal stimulus monies. Bennett-Steury then noted it is a non-binding resolution but is also a pledge of support for American workers. Bennett-Steury further noted one (1) goal is to keep manufacturing jobs in the US avoiding job lay-offs. Kelly also stated it is in the best interests of the Country to keep jobs and income tax monies in the US and the local community.

MOTION: Brad Jackson

TO: Approve the signing of the Buy American Resolution.

SECOND: Ron Truex

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF 2010 NOT-FOR-PROFIT AGREEMENTS:**

County Auditor, Marsha McSherry, presented the 2010 Not-for-Profit Agreements for the Commissioners' signatures. McSherry noted the Agreements reflect the ten percent (10%) reduction from the 2009 budget amounts as previously approved by Council.

**IN THE MATTER OF ABANDONED MOBILE HOME:**

Bob Weaver, County Health Administrator, noted there is an abandoned mobile home on real estate located at the intersection of County Roads 300E and 100 N. County Attorney, Mike Miner, noted the taxpayer's relatives are not interested in the property and then questioned Weaver about the condition of the property. Weaver noted the property is not an immediate hazard but the mobile home does need removed and the property cleaned up. Miner stated the County Health Department has the authority to remove the mobile home and if it creates a health hazard.

Miner recommended the Health Department determine the health risk, remove the hazard by going through the normal process to clean up the property and place a lien on the property for the clean-up costs. Miner noted if the property goes to tax sale, the lien can be paid through the tax sale process.

MOTION: Brad Jackson

TO: Allow Weaver to clean-up property, and place a lien on the property for the cost of clean-up.

SECOND: Ron Truex

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF COUNTY UPDATES/INFORMATION:**

Ron Robinson, County Administrator, updated the Commissioners on the following:

- ❖ Sacred Heart Church requested the use of the Courthouse lawn on October 10, 2009 for a one (1) hour vigil.
- ❖ WCDC requested the use of the Courthouse lawn on October 30, 2009 for their annual Spooktacular event.
- ❖ The office of the Coroner has moved from the Justice Building to the County Annex.
- ❖ The Systems Administrator's office has moved into the Coroner's office in the Justice Building.
- ❖ Flu shots will be offered to County employees on October 1, 2009 from 2:30 to 4:30p in the Rotunda area on the third floor.

**IN THE MATTER OF INDIGITAL AND VERIZON AGREEMENT:**

County Administrator, Ron Robinson, requested permission from the Commissioners to allow Tom Brindle, Emergency Communications Director, to sign an Agreement with INdigital and Verizon regarding the 911 Center. Robinson explained this Agreement will save the County approximately \$4,000 per year.

MOTION: Ron Truex

TO: Allow Brindle to sign the Agreement with INdigital and Verizon as requested.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF 911 COMMUNICATIONS CENTER UPGRADES:**

Tom Brindle, Emergency Communications Director, explained the 911 Center currently has keyboards that enable dispatchers to communicate with the hearing impaired. Brindle further explained the keyboards are no longer available; however according to the American Disabilities Act, the 911 Center is required to be equipped to communicate with the hearing impaired. Brindle requested \$3,750 for the software upgrade to enable dispatchers to continue to communicate with the hearing impaired.

**IN THE MATTER OF 911 COMMUNICATIONS CENTER UPGRADES CONTINUED:**

Brindle also presented a request for an upgrade of the Samsung landline telephone system. Brindle explained the six (6) landlines are on one (1) system; therefore, if the system fails, calls cannot go in or out. Brindle clarified the 911 lines are still operational during that time but if the system fails, the landlines are down until the system reboots. Brindle noted the cost for the upgrade would be approximately \$14,020; also adding the upgrade would allow only three (3) of the six (6) lines to go down at a time. Commissioner Ron Truex asked how often those landlines go down. Brindle responded the lines have gone down six (6) to eight (8) times so far in 2009. Brindle explained landlines are used by the dispatchers to call tow trucks, etc. when needed. Brindle then stated when the landlines are inoperable the dispatchers must use the IP (internet) phones to call out but calls cannot be received on those IP phones.

President Bob Conley noted the budget constraints and recommended taking the Samsung upgrade under advisement. Commissioner Ron Truex recommended utilizing the savings of the agreement with INdigital and Verizon and allow the purchase of the software upgrade in order to communicate with the hearing impaired.

MOTION:	Brad Jackson	TO:	Allow Brindle to purchase software
SECOND:	Ron Truex		upgrade to communicate with the hearing
AYES:	3	NAYS:	0
UNANIMOUS			

**IN THE MATTER OF 2010 HOLIDAY AND MEETING SCHEDULE:**

Marsha McSherry, County Auditor, presented a revised 2010 County calendar; noting Veteran's Day falls on Thursday, November 11, 2010 which is a Council meeting date. McSherry requested the Council meeting be moved to November 4, 2010.

MOTION:	Brad Jackson	TO:	Approve moving the Council meeting to
SECOND:	Ron Truex		November 4, 2010 due to a holiday conflict.
AYES:	3	NAYS:	0
UNANIMOUS			

**IN THE MATTER OF MILEAGE REIMBURSEMENT RATE ORDINANCE:**

County Auditor, Marsha McSherry, noted the State is changing the mileage rate from 44 cents to 40 cents per mile as of October 1, 2009. McSherry noted this Ordinance will mirror the State's mileage rate, as is County policy.

MOTION:	Ron Truex	TO:	Approve Ordinance changing the
SECOND:	Brad Jackson		mileage rate from 44 cents to 40 cents
AYES:	3	NAYS:	0
UNANIMOUS			

**ORDINANCE 09-09-29-001 Mileage Reimbursement Rate  
As recorded in the office of the Kosciusko County Recorder**

**IN THE MATTER OF TERMINAL SERVICES DATA INTER-LOCAL AGREEMENT:**

County Auditor, Marsha McSherry, presented an Inter-local Agreement between the County and the Town of North Webster for the Commissioners signature. McSherry noted the Agreement was previously approved by the Commissioners.

**IN THE MATTER OF DUST CONTROL:**

Highway Superintendent, Dennis Pletcher, recommended suspending dust control on gravel roads for 2010 for a savings of approximately \$40,000. Pletcher noted due to budget constraints, neighboring counties have suspended dust control; however if a taxpayer wanted dust control, they would pay the County to spray by their residence. Pletcher further noted the \$40,000 for dust control is appropriated in the 2010 budget but if it is not needed, the money will not be spent. Commissioner Ron Truex supported suspending dust control. President Bob Conley expressed concern with suspending dust control at intersections. Conley believed the option should be made available to residents near their residence on a cost sharing basis. Pletcher responded the current policy states dust control be applied within 200 feet of intersections and residences on gravel roads. Pletcher added residual calcium to control dust is still present from the previous spraying and then recommended not spraying next year and resume spraying in 2011. Commissioner Jackson recommended Pletcher wait and see what is needed next year and proceed accordingly.

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

Highway Superintendent, Dennis Pletcher, presented the following updates:

- ❖ Valley Springs drainage issue is almost resolved. Pletcher stated next year the Highway Department will re-seed the lawns and pave the bottoms of the driveways allowing those areas to settle over the winter.
- ❖ Packerton Road remains closed – the area continues to move and needs more fill.
- ❖ Pavement crack filling – will soon begin to help with the preservation of county roads.

**IN THE MATTER OF COUNTY HIGHWAY TRUCK PURCHASE:**

Dennis Pletcher, Highway Superintendent, stated in the past the County has purchased two (2) dump trucks each year in an effort to keep the fleet of trucks running smoothly. Pletcher noted due to budget constraints, the Highway Department has been unable to keep up with purchasing new trucks. Pletcher further noted some of the current trucks have 400,000+ miles on them with a new truck costing approximately \$130,000. Pletcher stated he had located a 1998 International Dump Truck with 27,000 miles that included a plow and spreader for \$20,000 that the Highway Department is purchasing in lieu of a new truck.

**IN THE MATTER OF SEWER DISTRICT UPDATE:**

Commissioner Ron Truex noted he met with Ken Jones of Whiteman-Petrie to obtain a cost for his firm to take the Petitions from Lake Tippecanoe and Chapman Lake groups and convert the LRSD to a County-wide sewer district. Truex noted through speaking with IDEM, the information will be accepted if it is presented in the correct form.

**IN THE MATTER OF AD-HOC COMMITTEE SUGGESTION:**

Commissioner Brad Jackson noted in a previous meeting, Jim Buehler approached the Commissioners suggesting an ad-hoc committee to explore possible cost savings ideas submitted by County employees. Jackson then noted he would like the County to pursue the idea and form a committee to interview all levels of County employees to obtain their input on budget cuts or cost savings ideas. Jackson stated he will take the initiative and follow-through on this project.

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

## **KOSCIUSKO COUNTY COMMISSIONERS October 13, 2009**

The Kosciusko County Commissioners met for their regular meeting on October 13, 2009 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 - *Absent*

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 CSI CONTRACT:**

County Clerk, Jason McSherry, presented a contract between the County and CSI. McSherry explained CSI is the new case management software for the Clerk's office that was previously approved by Council on October 8, 2009. McSherry stated after researching and reviewing numerous software systems, CSI was chosen as CSI is compliant with State standards and appears to best meet the needs of the Clerk's office. McSherry noted the total cost of the software is \$124,188 which includes the first year of support. McSherry explained 50% of the cost can be covered with incentive monies with two-thirds of that 50% to be recouped from the State, which amounts to approximately \$40,982. McSherry then noted the cost of a new server and installing the new software onto the server would be \$10,048.60 and \$3,793.86, respectively. McSherry remarked he can also cover 50% of those costs with incentive monies with two-thirds of that amount reimbursed by the State also.

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

Commissioner Brad Jackson questioned whether the entire cost could be covered with the Federal stimulus money. McSherry responded the stimulus money is available through the child support division and since the software is not 100% for child support purposes, 100% cannot be recovered through the stimulus monies.

McSherry expressed concern with the current antiquated Gavel software and it not recognizing the year 2010, causing problems with scheduling 2010 court dates, etc. Jackson recognized the problem and noted waiting until next year was not an option.

McSherry added that his staff, Judges and their staff, Prosecutor and Probation departments, and Systems Administrators all were involved in the demo process and all were in favor of the new software. In response to President Bob Conley's question regarding Council approval, McSherry reiterated that Council voted unanimously to approve the new software.

MOTION: Brad Jackson TO: Approve Contract between County and

SECOND: Bob Conley CSI as presented.

AYES: 2 NAYES: 0

MOTION CARRIED

**IN THE MATTER OF LILLY ENDOWMENT GRANT/ORTHO INITIATIVE:**

Commissioner Brad Jackson requested the Commissioners provide some input into possible uses for the Lilly Endowment Grant monies being designated through OrthoWorx.

President Bob Conley questioned what the endowment entailed. Jackson responded the grant monies are being held by the Kosciusko County Community Foundation in the amount of \$7 million. Jackson explained OrthoWorx is set up through the Lilly Endowment Foundation and is designed to make our community a more desirable place to live for the employees of the orthopedic industry. Jackson further explained the theory is to bring more culture and amenities to our community to attract and keep the orthopedic industry employees.

Jackson suggested teaming up with Kosciusko Community Hospital to become known as not only the orthopedic manufacturing capital but also for the surgical implementation of those products.

Jackson stated he will work on a proposal to present at the next Commissioners meeting.

**IN THE MATTER OF FEDERAL STIMULUS MONIES:**

County Attorney, Mike Miner, stated the Federal Government has authorized the issuance of an economic development bond through monies allocated to the State and then to the County in the amount of \$3.648 million in recovery zone bonds and \$5.471 million in facility bonds. Miner explained that the Federal government will subsidize the interest rate on the issuance of the bonds. Miner further explained for bonds issued under this project, the Federal government will reimburse 45% of the interest for the facility bond and 35% for the recovery zone bonds.

Miner noted the facility bond allows the County to subsidize a loan for expansion for a private industry; whereby the company would receive a partial reimbursement of the interest on the loan.

Miner further noted the County could use all or part of the money through the recovery zone bond to finance a project.

Commissioner Brad Jackson questioned whether there is a reimbursement of the principal of the loan. Miner responded the reimbursement is solely on the interest paid on the loan.

Miner stated the bonds are available until December 31, 2010. Miner noted in order to use the bond money, the County must pass the Home Rule Ordinance authorizing the County to offer the loans through the respective bonds. Miner then stated the County is not required to use any of the money.

Jackson expressed concern that enacting the Ordinance would obligate the County in any way to the Federal government under the two available bonds. Miner explained that enacting the Ordinance does not obligate the County to use or not use the bond money but simply establishes the procedures for loaning the money under the two (2) respective bonds.

President Bob Conley questioned whether the business had to be a new or existing business.

Miner responded the applying business can be either a new or existing business.

Miner suggested this meeting be designated for the first public notice of the Ordinance with approval of the Ordinance at the next Commissioners meeting.

MOTION: Brad Jackson TO: Allow for first reading of Home Rule

SECOND: Bob Conley Ordinance.

AYES: 2 NAYS: 0

UNANIMOUS

**IN THE MATTER OF HVAC CONTRACT:**

Ron Robinson, County Administrator, stated he received two (2) quotes from HVAC vendors for annual maintenance and recommended using the existing vendor, Johnson Controls, as their quote was the same as the previous year in the amount of \$34,986.

MOTION: Brad Jackson

TO: Approve HVAC Contract with Johnson

SECOND: Bob Conley

Controls for 2010 HVAC maintenance as

AYES: 2 NAYS: 0

presented.

UNANIMOUS

**IN THE MATTER OF JUSTICE BUILDING BOILER REPAIR:**

Ron Robinson, County Administrator, stated he received two (2) quotes from HVAC vendors for the repair of the boilers in the Justice Building. Robinson recommended going with the lowest quote from Climate Control in the amount of \$12,270.32. Robinson noted these repairs are outside the regular HVAC Contract.

MOTION: Brad Jackson

TO: Accept bid from Climate Control for

SECOND: Bob Conley

boiler repair in Justice Building in the amount

AYES: 2 NAYS: 0

of \$12,270.32 as presented.

UNANIMOUS

**IN THE MATTER OF COUNTY UPDATES:**

Ron Robinson, County Administrator, updated the Commissioners on the repair work being done on the Courthouse dome. Robinson explained the leaks have been repaired, the dome was sealed and a primer has also been applied before the final painting.

President Bob Conley clarified by saying the dome color was initially to be gold but the paint sample was not a true gold so silver was chosen for the color of the dome.

**IN THE MATTER OF TERMINAL SERVICES DATA INTER-LOCAL AGREEMENT:**

County Auditor, Marsha McSherry, presented an Inter-local Agreement between the County and the Town of Pierceton for the Commissioners signature. McSherry noted the Agreement was previously approved by the Commissioners.

**IN THE MATTER OF HIGHWAY DEPARTMENT ISSUES/UPDATES:**

Highway Superintendent, Dennis Pletcher, noted the following issues and/or updates:

- ❖ Presented a packet of “emergency snow routes” that is somewhat outdated and requested the Commissioners review the list and provide any comments at the next Commissioners meeting. Pletcher noted he would like to change the name to “extreme event routes” and update the list with new routes and remove others no longer deemed emergency routes.
- ❖ Noted the owner of a deer farm east on Old Road 30 has issue with the road repair work being done in front of his farm. Pletcher further noted the contractor has agreed to cease work in front of his farm allowing him time to move the herd away from the road. President Bob Conley requested if the taxpayer has any other problems or questions to direct those calls to him.
- ❖ County Highway trucks are being prepared for winter as these trucks are sent home with drivers in the eight (8) emergency response districts in the County.
- ❖ Old 30 project is on target with the paving contractor beginning repairs and patching areas starting on the east side then moving to the west side. Pletcher noted the project should take approximately 4 – 6 weeks to complete.

**IN THE MATTER OF JUST ENERGY PRESENTATION:**

Michael Bobeck and Bradley Christner from Just Energy made a presentation to the Commissioners regarding energy usage for County offices/buildings stating Just Energy provides natural gas to its customers at the lowest rate available. Bobeck stated Just Energy purchases natural gas and stores the gas allowing the customer to lock in a low price. Bobeck went on to say there are no hidden costs to the County but the fixed rate is offered only for a three (3) or five (5) year contract.

President Bob Conley requested a list of other Counties and businesses that use the Just Energy fixed rate contract option. Conley stated once the Commissioners have had an opportunity to review and discuss the issue, they will have County Administrator, Ron Robinson, contact them.

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

## **KOSCIUSKO COUNTY COMMISSIONERS**

### **October 27, 2009**

The Kosciusko County Commissioners met for their regular meeting on October 27, 2009 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 AME GROUP CONTRACT:**

County Treasurer, Sue Ann Mitchell, presented a contract between the County and AME Group. Mitchell explained AME Group is the company that handles tax payments paid by credit card either on-line or over the telephone. Mitchell further explained AME Group charges a 2.95% fee that is paid by the taxpayer since the County by law cannot pay those fees for the taxpayer. Mitchell also noted as there was a previous issue regarding the sale of taxpayer information, there is a portion written into the contract prohibiting sale of information to third-party vendors. Mitchell noted that County Attorney, Mike Miner, previously reviewed the contract. President Bob Conley questioned the amount of the fee charged to the taxpayer. Mitchell responded the only way the County can provide the credit card payment option is for the taxpayer to pay the 2.95% fee that AME Group charges.

MOTION:	Ron Truex	TO: Approve contract between County and
SECOND:	Brad Jackson	AME Group as presented.
AYES: 3	NAYES: 0	
MOTION CARRIED		

#### **IN THE MATTER OF CONFLICT OF INTEREST STATEMENT:**

County Treasurer, Sue Ann Mitchell presented a Conflict of Interest Statement for herself as a previous employee of LOW Associates, tax software provider to the County. Mitchell stated she worked for LOW in 2008 while she was not employed by the County and also stated she has no financial interest in LOW in presenting the request to begin using Cash Sheet as a cash book software through LOW.

#### **IN THE MATTER OF LOW ASSOCIATES CONTRACT:**

County Treasurer, Sue Ann Mitchell, presented a contract between the County and LOW Associates explaining LOW provides the tax and financial software to the Auditor and Treasurer's offices. Mitchell further explained an Excel spreadsheet was previously used by the County for the cashbook as required by law. Mitchell stated the Cash Sheet program is simpler and allows for reports to be generated. Mitchell also stated she took the initiative to have the Cash Sheet program approved by the State Board of Accounts. Mitchell noted the original price for the software was \$2,500 but a "test site discount" of \$1,000 was given making the cost \$1,500 with an annual maintenance fee of \$744.

MOTION:	Brad Jackson	TO: Approve Contract between County and
SECOND:	Ron Truex	LOW Associates for Cash Sheet software as
AYES: 3	NAYES: 0	presented.
MOTION CARRIED		

#### **IN THE MATTER OF TREASURER UPDATES:**

Sue Ann Mitchell, County Treasurer, provided the following updates:

- ❖ When tax bills were sent in spring, 2009, there was an option for taxpayers to sign-up to receive an electronic reminder of the fall tax due date. Mitchell noted she sent approximately seventy-five (75) reminder emails and also received positive feedback from taxpayers regarding that service.
- ❖ Mitchell explained she is in the process of writing an RFP for banking to look at all local banks in an attempt to earn better interest on the County's money as well as to see what other services may be available to the County.

**IN THE MATTER OF KABS 2010 OPERATIONAL GRANT AGREEMENT:**

Matt Boren, KABS Director, presented the 2010 KABS operational grant agreement for the Commissioner's signature. Boren explained the Grant application was previously approved by the Commissioners in August, 2009.

**IN THE MATTER OF KABS 2009 QUARTERLY REPORT:**

KABS Director, Matt Boren, presented the Quarterly Operating Financial Statement and the Indiana Department of Transportation Contract Invoice-Voucher for signature.

**IN THE MATTER OF FEDERAL STIMULUS MONIES:**

County Attorney, Mike Miner, provided background on Federal stimulus funding stating the Federal Government authorized the issuance of economic development bonds for both the County infrastructure and assisting private industry. Miner explained for bonds issued under this project, the Federal government will reimburse 45% of the interest for the facility bond for private industry and 35% of the interest for the recovery zone bonds for County infrastructure. Miner noted the first public reading of the Ordinance was on October 13, 2009 with approval of the Ordinance to follow at the next Commissioners meeting.

Upon the request of Commissioner Ron Truex, Miner reiterated the terms of the economic development bonds by saying there is no obligation to the County when offering the bonds to new or existing businesses. Miner went on to say the only obligation the County would have is if the County borrowed money for a project. Miner noted any bonds under this project must be in place by January 1, 2011.

President Bob Conley questioned how the bond process is handled on the County level. Miner responded the business would fill-out and turn in the necessary paperwork to the Commissioners requesting endorsement into the program.

MOTION: Ron Truex

TO: Approve second reading of Home Rule Ordinance.

SECOND: Brad Jackson

AYES: 3            NAYS: 0

UNANIMOUS

Miner then stated a Resolution is required to institute the bond program and requested the Commissioners approval of said resolution.

MOTION: Brad Jackson

TO: Approve Resolution offering bond program with Federal stimulus monies.

SECOND: Ron Truex

AYES: 3            NAYS: 0

UNANIMOUS

**ORDINANCE NO. 09-10-27-001 Home Rule**

**As recorded in of the office of the Kosciusko County Recorder**

**IN THE MATTER OF COURTHOUSE DOME UPDATE:**

Ron Robinson, County Administrator, stated the repair work has been completed on the Courthouse dome. Robinson explained there were unforeseen repairs that had to be completed causing an overage on the original contract amount. Robinson then stated even with the extra cost of \$11,900, the price was still considerably lower than the next highest bid.

MOTION: Ron Truex

TO: Approve additional expenditure of

SECOND: Brad Jackson

\$11,900 for completion of dome work for a

AYES: 3            NAYS: 0

total cost of \$32,835.

UNANIMOUS

**IN THE MATTER OF TERMINAL SERVICES DATA INTER-LOCAL AGREEMENTS:**

County Auditor, Marsha McSherry, presented Inter-local Agreements between the County and the Town of Winona Lake, Town of Milford and the Town of Syracuse for the Commissioners signature. McSherry noted the Agreements were previously approved by the Commissioners.

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

Highway Superintendent, Dennis Pletcher, presented an update on the Old Road 30 resurfacing project stating the repair work has begun on both the east and west ends of Old Road 30.

Pletcher explained the federal stimulus monies would only allow for preventative maintenance on the project instead of a full tear-down and rebuild of the road surface.

**IN THE MATTER OF NAPPANEE PUBLIC LIBRARY APPOINTMENTS:**

President Bob Conley noted the Nappanee Public Library requested two (2) appointments to the library board. Conley further noted he received letters from the Library recommending Gavin Miller and Angela Stillson be appointed to the Library Board.

MOTION:	Brad Jackson	TO: Approve appointments of Gavin Miller
SECOND:	Ron Truex	and Angela Stillson to Nappanee Public
AYES: 3	NAYES: 0	Library Board each for a four (4) year term.
MOTION CARRIED		

**IN THE MATTER OF 2010 CENSUS:**

President Bob Conley stated the County has been working with Cynthia Krump from the 2010 U.S. Census Bureau. Conley noted Krump contacted the surrounding communities requesting their representatives be present for a Media Day on November 17, 2009 at 9:00a.m. in the Multi-Purpose Room in the Justice Building.

**IN THE MATTER OF VACANCY IN VETERAN AFFAIRS OFFICER POSITION:**

President Bob Conley noted a committee had met regarding hiring a replacement for retiring Veteran Affairs Officer, Mike Barnett. Conley then noted six (6) applicants were interviewed with the committee recommending Richard Maron be approved as the new Veteran Affairs Officer. Conley referenced Maron's qualifications as well as his service in the United States Air Force.

MOTION:	Brad Jackson	TO: Approve hiring of Richard Maron as
SECOND:	Ron Truex	Veteran Affairs Officer.
AYES: 3	NAYES: 0	
MOTION CARRIED		

**IN THE MATTER OF JUST ENERGY PRESENTATION:**

President Bob Conley stated County Administrator, Ron Robinson, has researched the information previously given to the Commissioners by Just Energy. Conley noted further research is needed into the matter of purchasing the County's natural gas from Just Energy before a decision is made. Robert Bobeck from Just Energy stated Just Energy provides natural gas to its customers at the lowest rate available. Bobeck stated Just Energy purchases natural gas and stores the gas allowing the customer to lock in a low price. Bobeck went on to say there are no hidden costs to the County but the fixed rate is offered for up to five (5) years.

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

Commissioner Ron Truex noted he and Council Member Bob Sanders previously met with the Indiana Department of Environmental Management to obtain information and guidance on forming a county-wide sewer district. Truex found from discussions with engineers on the sewer district issues, additional engineering will be needed to complete the petitions to be submitted for IDEM's approval to submit to the LRSD. Truex requested up to \$10,000 for engineering fees over the next several months to draft a petition for IDEM's approval to submit the petition to LRSD.

Commissioner Brad Jackson requested clarification on the request for funds. Truex responded the funds are for the engineering to prepare the petition to present to IDEM and then LRSD, moving toward a County-wide sewer district. Truex again clarified no taxpayer will pay for sewers they do not want or need. Sewers will be paid for with user fees, not taxes. Truex noted a County-wide sewer district will allow for an elected board instead of an appointed board.

MOTION:	Ron Truex	TO: Approve up to \$10,000 for engineering
SECOND:	Brad Jackson	fees for Wightman Petrie to prepare a petition
AYES: 3	NAYS: 0	to submit to IDEM.
UNANIMOUS		

**IN THE MATTER OF SEMI TRUCK TRAFFIC ISSUE:**

Resident Tom Metzger stated he unofficially represents the homeowners on Ferguson Road and expressed concern regarding a traffic problem on Ferguson Road between State Road 25 and County Road 200S. Metzger noted traffic has increased in the morning and evening with work traffic as well as pedestrian and bicycle traffic. Metzger further noted increased traffic has now included semi-truck traffic going to and from the Dreyfus plant in Claypool. Metzger also noted he spoke directly to the Dreyfus plant requesting their drivers not take county roads. Metzger than requested no truck traffic signs be posted.



**IN THE MATTER OF SEMI TRUCK TRAFFIC ISSUE CONTINUED:**

Highway Superintendent, Dennis Pletcher, stated he received a call from Metzger last week and immediately began the sign protocol requesting an engineering and traffic study for that area. Commissioner Ron Truex stated an attempt was previously made with the Indiana Department of Transportation to improve the truck routes so the trucks would stay off of the county roads. Truex noted the attempt failed except for the corners of State Road 25 and State Road 15. Truex cautioned closing roads paid for with taxpayer dollars.

Truex then requested Rozella Road (County Road 100S) be added to the traffic study previously initiated for Ferguson Road. Pletcher noted he will speak to the City of Warsaw as part of Rozella Road is maintained by the City.

MOTION: Brad Jackson

TO: Approve traffic study for Ferguson Road and Rozella Road for the purpose of “no semi truck” signs.

SECOND: Ron Truex

AYES: 3 NAYES: 0

MOTION CARRIED

**IN THE MATTER OF ENCHANTED HILLS WATERSHED ISSUE-TURKEY CREEK TOWNSHIP:**

Steve Dixon, Enchanted Hills Board President, requested help from the County offices with the watershed issue in the Enchanted Hills Subdivision area in Turkey Creek Township. Dixon stated Noble County requested Kosciusko County pay for the majority of a drain tile that exists mostly in Nobel County but drains into Kosciusko County. Dixon requested help to redevelop this area and/or get help to obtain grants for the redevelopment of this area. Dixon further noted the K21 Foundation is receptive to supplying a matching portion of any grants received. Dixon expressed concern with the water run-off that floods the area as well as the Turkey Creek Sewer District.

Highway Superintendent, Dennis Pletcher, suggested contacting MaCog for help with obtaining funding through grants, etc.

Commissioner Brad Jackson asked County Auditor, Marsha McSherry, if it is acceptable for the County to act as a pass through for the grant funds. McSherry indicated approval as long as there is no obligation to the County. Jackson reiterated to Dixon it would be acceptable to present a grant or other option to the Commissioners as long as there is no obligation to the County.

Discussion ensued regarding the input of the surveyor in a road or drainage tile project as well as the highway department’s work on the asphalt installation.

Dixon then requested help with ideas in redeveloping the Enchanted Hills area.

The Commissioners were in agreement to support a redevelopment project if it were processed correctly.

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

## **KOSCIUSKO COUNTY COMMISSIONERS November 10, 2009**

The Kosciusko County Commissioners met for their regular meeting on November 10, 2009 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

Marsha McSherry – County Auditor

Brad Jackson

Ron Robinson - County Administrator

Ron Truex

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 SYRACUSE PUBLIC LIBRARY GRANT REQUEST:**

John Castleman, Syracuse Public Library Director, presented a brochure of the history of the Library noting the Library is just over 100 years old with the existing Library built in 1920 and renovated in 1991. Castleman stated the Library has an opportunity to apply for an energy conservation grant to replace the HVAC system. Castleman introduced Harry Mohler as the architect the Board retained to help with the project.

**IN THE MATTER OF SYRACUSE PUBLIC LIBRARY GRANT REQUEST**  
**CONTINUED:**

Mohler explained there is Federal stimulus money available through grants from the Indiana Department of Energy with applications due on December 7, 2009. Mohler further explained one (1) requirement of the grant is for the money to be used on a government-owned building and the Library meets that requirement. Mohler noted the grant must be sponsored by the County or City where the building is located. Mohler requested the County sponsor the Library's grant request and therefore become the holder of the grant monies at no cost to the County or Library. Mohler questioned whether the County is applying for any funds under the same grant. County Administrator, Ron Robinson, replied that the County is not applying for any of those same grant funds.

Mohler requested the grant application be added to the agenda for the November 24, 2009 Commissioners meeting.

Truex questioned why the County was chosen as the sponsor of the grant and not the Town of Syracuse. Mohler responded the Town is currently applying for grants and did not want to interfere with the Town's grants.

Commissioner Ron Truex requested the application be sent to the County Auditor prior to the November 24, 2009 meeting to be forwarded to County Attorney, Mike Miner, for review prior to the meeting.

MOTION:	Ron Truex	TO: Hear proposal for energy grant at
SECOND:	Brad Jackson	November 24, 2009 Commissioners meeting.
AYES: 3	NAYES: 0	

MOTION CARRIED

**IN THE MATTER OF TERMINAL SERVICES DATA INTER-LOCAL**  
**AGREEMENTS:**

County Auditor, Marsha McSherry, presented Inter-local Agreements between the County and the Town of Mentone and the Town of Claypool for the Commissioners signature. McSherry noted the Agreements were previously approved by the Commissioners.

**IN THE MATTER OF HIGHWAY DEPARTMENT RADIO REPEATER**  
**REPLACEMENT:**

Highway Superintendent, Dennis Pletcher, requested authorization to purchase a new repeater for the radios used to communicate with the KCHD truck drivers. Pletcher noted the cost of the repeater is \$11,500 and he would like to purchase the item this year since the line item was removed from the 2010 budget due to budget constraints. Pletcher further noted this repeater will work with both analog and digital signals therefore it will be compatible once the analog signal is no longer used after January 1, 2013. Pletcher stated he will continue to research grant opportunities with regard to the switch to a digital signal.

President Bob Conley questioned whether the switch to digital radios can be done a little at a time or must be done all at once. Pletcher answered the Highway Department has purchased ten (10) radios this year and ten (10) last year to reduce the cost of the final switch to a digital signal from an analog signal. Pletcher noted the new radios have both analog and digital capabilities. Commissioner Brad Jackson questioned whether radios are still used more than cell phones to communicate between trucks and the KCHD garage. Pletcher responded the radios are still the best form of communication since there are over 100 radios used in the KCHD.

MOTION:	Ron Truex	TO: Approve purchase of radio repeater.
SECOND:	Brad Jackson	
AYES: 3	NAYES: 0	

MOTION CARRIED

**IN THE MATTER OF HIGHWAY EQUIPMENT REQUEST:**

Dennis Pletcher, Highway Superintendent, stated a long-time vendor in Ft Wayne is closing due to the owner's death and there will be an auction to sell the company's equipment. Pletcher requested permission to attend the auction and spend up to the balance (\$14,000) appropriated for Other Equipment in the KCHD budget.

MOTION:	Brad Jackson	TO: Allow Pletcher to attend equipment
SECOND:	Ron Truex	auction and spend up to \$14,000 at his
AYES: 3	NAYES: 0	discretion.

MOTION CARRIED

**IN THE MATTER OF EXCESS HIGHWAY EQUIPMENT:**

Highway Superintendent, Dennis Pletcher, noted the KCHD has some miscellaneous equipment they would like to dispose of and the Commissioners' permission is needed to either sell or junk the equipment. Pletcher stated he researched the State purchasing laws and noted other options are available for disposing of equipment in lieu of an auction. Pletcher stated legal notice could be published and items sold on a first come basis or sealed bids could be taken for the items. Commissioner Ron Truex recommended advertising the items and taking sealed bids to cover the County's liability.

MOTION: Ron Truex

TO: Allow Pletcher to advertise and take sealed bids to sell miscellaneous equipment.

SECOND: Brad Jackson

AYES: 3 NAYES: 0

MOTION CARRIED

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

Dennis Pletcher, Highway Superintendent, stated the work on Packerton Road is complete. Pletcher noted after backfilling with more than eight (8) yards of gravel fill the KCHD chose to hard surface that area with asphalt. Pletcher further noted the KCHD was attempting to provide safe travel through winter for taxpayers.

**IN THE MATTER OF BYRD VACATION – TURKEY CREEK TOWNSHIP:**

Matt Sandy, Area Plan Assistant Director, presented a vacation request from Donald G Byrd Revocable Living Trust to vacate a section of Constitution Drive in County Club Acres Phase II in Turkey Creek Township. Sandy stated there is an undeveloped right-of-way that goes to thirty (30) acres and the property owner would like to vacate the ROW and rededicate an easement allowing access to the thirty (30) acres.

Sandy stated it was the unanimous recommendation of the APC to approve the vacation with the rededication of the easement to the thirty (30) acres so the land does not remain landlocked.

Sandy then stated no negative response was received from any service providers and/or neighboring property owners.

No one appeared in opposition to the vacation.

Tom Hardy from John Kimpel & Associates spoke in favor of the vacation noting he worked on the vacation drawings and descriptions.

MOTION: Brad Jackson

TO: Accept the recommendation of APC to approve the vacation of a section of Constitution Drive in Country Club Acres Phase II with the conditions and easements noted.

SECOND: Ron Truex

AYES: 3 NAYS: 0

UNANIMOUS

**ORDINANCE NO. 09-11-10-001V**

As recorded in of the office of the Kosciusko County Recorder

**IN THE MATTER OF LILLY ENDOWMENT GRANT/ORTHO INITIATIVE:**

Commissioner Brad Jackson presented a letter drafted to the OrthoWorx Board of Directors who will be responsible for the grant money received from the Lilly Endowment. Jackson explained OrthoWorx is set up through the Lilly Endowment Foundation and is designed to promote the orthopedic industry as well as develop the community as a socially and culturally attractive environment. Jackson further explained the theory is to bring more culture and amenities to our community to attract and keep the orthopedic industry employees. Jackson noted in the letter, the Commissioners encourage the implementation of an orthopedic hospital in partnership with Kosciusko Community Hospital.

MOTION: Ron Truex

TO: Approve sending the letter to OrthoWorx as presented.

SECOND: Bob Conley

AYES: 3 NAYS: 0

UNANIMOUS

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

Commissioner Ron Truex noted he attended a meeting with the Lakeland Regional Sewer District and IDEM. Truex updated the Commissioners by stating IDEM is working with Ken Jones, the Engineer hired to prepare the petition to be presented to the LRSD for the creation of a County-wide sewer district. Truex noted the petition should be ready to present to LRSD within the next couple months.

**IN THE MATTER OF 2010 CENSUS:**

President Bob Conley stated the 2010 U.S. Census Bureau is holding a Media Day gathering on November 17, 2009 at 9:00a.m. in the Multi-Purpose Room in the Justice Building.

**IN THE MATTER OF LEAF BURNING ORDINANCE ISSUE:**

President Bob Conley requested the publication of the County's leaf burning ordinance. Conley read the Ordinance as it is filed noting the burning of leaves or other materials will cause irreparable damage to the road's surface. The consequences of violating the Ordinance were also discussed.

Highway Superintendent, Dennis Pletcher, noted the burning of leaves or materials on or along roadways is an issue each year and concurred that burning causes damage to the roadways. It was the consensus of the Commissioners to publish the Ordinance again to inform and remind the public not to burn on or along county roads.

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

## **KOSCIUSKO COUNTY COMMISSIONERS November 24, 2009**

The Kosciusko County Commissioners met for their regular meeting on November 24, 2009 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 EMERGENCY MANAGEMENT 2009 INDIANA DEPARTMENT OF HOMELAND SECURITY GRANT UPDATE:**

Ed Rock, Emergency Management Director, informed the Commissioners that District II received a \$680,000 grant from the Indiana Department of Homeland Security for 2009. Rock explained the grant is a continuation of the 2008 grant to enable all dispatch centers in the district to receive and transmit at 800 MHz. Rock further explained he will present the grant for signature once the grant requests are prioritized.

**IN THE MATTER OF POOR HEARING RELIEF FOR KELLY NEWSOME – SEWARD TOWNSHIP:**

Kathleen Newsome and her sister Pearl Maish stated Kathleen's son, Kelly, was being treated for swine flu and passed away recently. Maish requested help with the funeral expenses from the Seward Township Trustee. Maish explained the Trustee denied the request due to the funeral already being held with Titus Funeral Home handling the arrangements.

Commissioner Ron Truex questioned whether Titus was aware Newsome would be requesting aid from the Township. Maish noted Titus knew about the request for assistance from the Township. Maish stated the full cost of the funeral and burial was \$1,350 noting the balance of \$600 would be paid by the family since they were told the most the Township would pay was \$750.

Aime Hoffman, Seward Township Trustee, stated she received a call from an unknown caller asking what the procedure was to obtain assistance for funeral expenses. Hoffman stated she needed a completed application to verify residency in Seward Township. Hoffman noted the unknown caller requested the application be mailed. Hoffman heard nothing until Maish called and asked to turn in the application noting the funeral had taken place. Hoffman reiterated residency in Seward Township must be verified before an application can be approved and Hoffman was unable to accomplish that verification since an application was not turned in. Hoffman then stated Maish called to request a denial form so an appeal could be brought before the Commissioners. Hoffman explained a denial form was given as she never received an application and the funeral had already taken place.

**IN THE MATTER OF POOR HEARING RELIEF FOR KELLY NEWSOME –  
SEWARD TOWNSHIP CONTINUED:**

Commissioner Truex expressed concern with the funeral directors having knowledge of a request for assistance and not contacting the Township Trustee before planning the funeral. Hoffman concurred with Truex regarding the funeral directors' lack of communication with Township Trustees.

Truex then questioned Hoffman how the \$750 was determined. Hoffman explained a township resident can receive up to \$1,000 for funeral expenses but since the funeral directors apply to Social Security for \$250 death benefit and the funeral home keeps that benefit, Hoffman subtracts the \$250 benefit from any funds received from the Trustee.

Commissioners Ron Truex and Brad Jackson questioned Hoffman if all qualifications were met, would Hoffman approve the application. Hoffman responded if the qualifications were met, assistance could be given to the family.

Commissioner Truex noted the funeral director should not proceed with the arrangements without first contacting the Township Trustee. Truex stated he will contact the funeral directors in the County and discuss the procedure to be followed when a request for assistance is recognized.

Maish stated the application was available to be presented to Hoffman. Maish noted how difficult it is to ask for help.

**IN THE MATTER OF HIGHWAY HIRING REQUEST:**

Dennis Pletcher, Highway Superintendent, stated his awareness of the County-wide hiring freeze adopted by the Commissioners but would like to request permission to approach Council to hire one (1) employee for snow removal purposes. Pletcher stated KCHD is down two (2) employees but is only requesting one (1) full-time employee.

Commissioner Brad Jackson and President Bob Conley suggested using an existing contract service for snow removal to get through the winter snow season. Commissioner Ron Truex then suggested looking at hiring an employee in spring, 2010 if the need still exists.

**IN THE MATTER OF AD HOC COMMITTEE:**

Commissioner Brad Jackson stated an ad hoc committee is being formed to meet with employees to discuss ways to improve efficiency throughout County offices. Jackson stated his appointment to the committee would be Greg Rau. President Bob Conley stated his appointment would be Jerry Black with Commissioner Ron Truex's appointment of John Davis. Conley noted Jim Beeler would be the director of the ad hoc committee adding Beeler is the chaplain for the Sheriff's department. Jackson stated he will contact Beeler with the three (3) appointees' contact information.

**IN THE MATTER OF SYRACUSE PUBLIC LIBRARY GRANT REQUEST:**

John Castleman, Syracuse Public Library Director, noted as he had presented at the October 27, 2009 meeting that the Library has an opportunity to apply for an energy conservation grant to replace the Library's HVAC system. Castleman noted Harry Mohler as the architect on the project, is diligently working on the multi-page application due on December 7, 2009.

Castleman requested one (1) Commissioner sign the application once completed prior to the next Commissioners meeting since the grant due date is prior to that meeting.

MOTION:	Brad Jackson	TO: Approve President Bob Conley sign the
SECOND:	Ron Truex	grant application once completed.
AYES: 3	NAYES: 0	
MOTION CARRIED		

**IN THE MATTER OF COUNTY HIGHWAY ANNUAL BIDS:**

County Attorney Mike Miner and Highway Superintendent Dennis Pletcher opened the annual bids for the Highway department for 2010. Bids were received from the following vendors:

- ❖ Bailey Trucking – Aggregates
- ❖ Elkhart County Gravel – Aggregates
- ❖ G&G Excavating – Aggregates
- ❖ Hanson Aggregates – Aggregates
- ❖ IMI – Aggregates
- ❖ LDP Excavating – Aggregates
- ❖ Robert McCullough – Aggregates
- ❖ Phend & Brown – Aggregates
- ❖ Rock Industries – Aggregates
- ❖ Shively Trucking – Aggregates

**IN THE MATTER OF COUNTY HIGHWAY ANNUAL BIDS CONTINUED:**

- ❖ Speedway Sand & Gravel – Aggregates
- ❖ West Plains Mining – Aggregates
- ❖ Zimmerman-Newcomer Gravel Co. – Aggregates
- ❖ Asphalt Materials - Bituminous Materials
- ❖ Pierceton Trucking – Bituminous Materials
- ❖ Terry Asphalt Materials – Bituminous Materials
- ❖ Brooks Construction – HMA (FOB, Contractor Placed)
- ❖ Niblock Excavating – HMA (FOB, Contractor Placed)
- ❖ Phend & Brown – HMA (FOB, Contractor Placed)
- ❖ Niblock Excavating – HMA (Plant Rent)
- ❖ Phend & Brown – HMA (Plant Rent)
- ❖ Bellman Oil - Diesel Fuels
- ❖ North Central Co-op – Diesel Fuels
- ❖ Petroleum Traders – Diesel Fuels
- ❖ Great Lakes Chloride – Dust Control
- ❖ Primco – Bridge Package
- ❖ R.L. McCoy – Bridge Package
- ❖ CPI Supply – Structural Arches

It was noted these bids are open ended for the year and the County can choose to use any, all or none of the bids and they will be available for inspection at the Highway Department. Pletcher will make a recommendation at the Commissioner's meeting on December 22, 2009.

**IN THE MATTER OF 2010 CENSUS:**

President Bob Conley stated the 2010 U.S. Census Bureau is rescheduling the Media Day that was previously on November 17, 2009 at 9:00a.m. in the Multi-Purpose Room in the Justice Building.

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

Commissioner Ron Truex updated the Commissioners by stating IDEM is working with Ken Jones, the Engineer hired to prepare the petition to be presented to the LRSD for the creation of a County-wide sewer district. Truex noted the petition should be ready to present to LRSD within the next couple months.

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

## **KOSCIUSKO COUNTY COMMISSIONERS December 8, 2009**

The Kosciusko County Commissioners met for their regular meeting on December 8, 2009 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 PROPERTY TAX ASSESSMENT BOARD OF APPEALS  
APPOINTMENT:**

County Assessor, Laurie Renier, requested the Commissioners make a determination on whether the PTABOA board should be three (3) or five (5) member board. Renier recommended a five (5) member board citing quorum issues in the past. Renier then submitted Gerald "Jake" Bitner, Richard Shipley and Gary Salyer to serve on the board for the 2010 year. Renier added she will recommend Susan Myrick and Brock Ostrom as Council appointments to the board.

**IN THE MATTER OF PROPERTY TAX ASSESSMENT BOARD OF APPEALS**  
**APPOINTMENT CONTINUED:**

Renier then requested the Commissioners waive the requirement of a third Level II appraiser on the board. Commissioner Ron Truex questioned who the Level II appraisers were on the board. Renier responded Brock Ostrom and Renier are both Level II appraisers. Renier noted all members have agreed to serve.

Renier noted the legislation changed in mid-2009 however, Commissioner Tim Rusenberg recommended waiting until 2010 to make a change to the board structure.

MOTION:	Ron Truex	TO: Approve a five (5) member PTABOA
SECOND:	Brad Jackson	board with Gerald "Jake" Bitner, Richard
AYES: 3	NAYES: 0	Shipley and Gary Salyer to serve on the board
MOTION CARRIED		for the 2010 year.

**IN THE MATTER OF ENCHANTED HILLS WATERSHED ISSUE-TURKEY CREEK TOWNSHIP:**

Bob Murphy of RP Murphy & Associates spoke to the Commissioners in regards to the Enchanted Hills Subdivision. Murphy noted Steve Dixon previously presented a storm drainage issue in the Enchanted Hills Subdivision area to the Commissioners. Murphy then stated the subdivision has a one-time opportunity to apply for a no match grant through the Disaster Relief Fund from 2008 flood damage. Murphy added there can only be one (1) grant request made through this Fund and reiterated there would be no cost to the County if the grant was approved. Murphy then requested the County apply for the grant on behalf of the Enchanted Hills Subdivision.

MOTION:	Brad Jackson	TO: Approve the County apply on behalf of
SECOND:	Ron Truex	Enchanted Hills for no match grant through
AYES: 3	NAYES: 0	the Disaster Relief Funds.
MOTION CARRIED		

Murphy stated he will work with County Auditor Marsha McSherry on the legal notices for the public hearings and publication thereof.

**IN THE MATTER OF INDOT COMPLIANCE FORM:**

Ron Robinson, County Administrator, presented a compliance form to be signed by the Commissioners regarding the intersection and road improvements on Old U.S. 30 from Zimmer Road to Fox Farm Road. Robinson explained with the completion of this form, the County will be in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as a first step toward the road improvements.

MOTION:	Ron Truex	TO: Approve signing Uniform Relocation
SECOND:	Brad Jackson	Assistance and Real Property Acquisition
AYES: 3	NAYES: 0	Policies Act of 1970 as presented.
MOTION CARRIED		

**IN THE MATTER OF 2010 COUNTY ATTORNEY CONTRACT:**

County Auditor, Marsha McSherry, presented the 2010 County Attorney Contract to the Commissioners for signature. Mike Miner, County Attorney, noted the Contract is identical to the 2009 Contract.

MOTION:	Ron Truex	TO: Approve 2010 County Attorney Contract
SECOND:	Brad Jackson	as presented.
AYES: 3	NAYS: 0	
UNANIMOUS		

**IN THE MATTER OF 2010 INTER-LOCAL AGREEMENT WITH SOLID WASTE DISTRICT:**

Marsha McSherry, County Auditor, presented an Inter-local Agreement between the County and Solid Waste District. McSherry explained the Agreement allows the County Auditor to serve as Controller of the Solid Waste District for 2010.

MOTION:	Brad Jackson	TO: Approve the Inter-local Agreement
SECOND:	Ron Truex	between the County and Solid Waste District
AYES: 3	NAYS: 0	for County Auditor to serve as Controller as
UNANIMOUS		presented.

**IN THE MATTER OF KOSCIUSKO COUNTY CONVENTION, RECREATION AND VISITOR COMMISSION INTER-LOCAL AGREEMENT:**

Marsha McSherry, County Auditor, presented the Inter-Local Agreement between the County and KCCRVC. McSherry explained the Agreement allows the County Auditor to serve as Controller for the KCCRVC.

MOTION:	Brad Jackson	TO: Approve the Inter-local Agreement
SECOND:	Ron Truex	between the County and KCCRVC for the
AYES: 3	NAYES: 0	County Auditor to serve as Controller as
UNANIMOUS		presented.

**IN THE MATTER OF NORTH WEBSTER COMMUNITY LIBRARY BOARD APPOINTMENT:**

Marsha McSherry, County Auditor, presented a request from the North Webster Community Library to reappoint Linda Stookey to the North Webster Community Library Board.

MOTION:	Brad Jackson	TO: Approve appointment of Linda Stookey
SECOND:	Ron Truex	to North Webster Community Library Board
AYES: 3	NAYS: 0	as presented.
UNANIMOUS		

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

President Bob Conley thanked Highway Superintendent, Dennis Pletcher, for his diligence to the safety and maintenance of county roads.

**IN THE MATTER OF 911 EMERGENCY DISPATCH CENTER ISSUES:**

Gordon Baker, a representative of emergency service providers throughout the County, expressed concern with the large turnover rate for dispatchers in a state of the art, renowned 911 dispatch center. Baker stated management of the 911 center is the issue.

President Bob Conley interjected that management of the 911 center is controlled by a board of directors. Conley noted there are representatives from each agency that has dealings with the 911 center on that Board. Conley explained there is a protocol to follow with any personnel or other issues within the 911 center. Conley further explained that any and all employment and/or personnel issues are to be dealt with by the 911 board. Baker noted issues have been brought before the Board many times including on September 28, 2009 and those issues have yet to receive a response.

Commissioner Ron Truex reiterated all issues within the 911 center should be brought before the 911 Board. Truex noted the Commissioners would be glad to listen to concerns but will not discuss personnel issues in this forum.

Conley agreed the Commissioners would meet with any member of the 911 center but the Commissioners do not have the authority to circumvent the authority of the 911 Board.

Truex stated the Commissioners would talk with the 911 Board and find out what issues are being dealt with and what action is being taken.

Conley questioned how concerns have been presented to the Board. Baker stated the complaints and issues have been brought before the 911 Board in writing and in person. Truex reiterated the offer of the Commissioners to speak to the 911 Board regarding the issues brought before the Board. Conley presented an offer of a Commissioner attending the 911 Board meetings. Baker noted their intention was not to circumvent the 911 Board by speaking to the Commissioners but felt the issues that were brought before the 911 Board have not reached a resolution. Baker then questioned what recourse the dispatchers have if they do not receive a response, or there is no action taken by the 911 Board.

County Attorney Mike Miner stated the 911 Center is not a County program but a conglomeration between the County, the City of Warsaw and several towns within the County. Miner further stated the County does not have authority over the 911 Center or the 911 Board as the Center is controlled by the 911 Board.

Baker questioned again what the next process is for an unresolved complaint or issue. Miner explained the 911 Board exists to take care of issues within the 911 Center and he does not believe there is an appeal process available.

Commissioner Brad Jackson stated the 911 Board exists as a "check and balance" system where no one person can control the Board. Jackson suggested first addressing the 911 Board in person and in writing with a copy to the Commissioners noting the Board is made up of fair-minded individuals and if addressed correctly people may be surprised at the outcome.



**IN THE MATTER OF 911 EMERGENCY DISPATCH CENTER ISSUES CONTINUED:**

Dispatcher Jodi Hand addressed the Commissioners by stating she has personally appeared before the 911 Board with no resolution. Hand questioned whether the Commissioners' representative, Ron Robinson, should be relaying the results of the 911 Board meetings to the Commissioners. Hand stated a complaint was made to the 911 Board on September 28, 2009 and there has been no resolution to that complaint.

Dispatcher Heather Zentz stated September 28, 2009 was not the first time a complaint was made to the 911 Board. There were complaints made in 2003, 2004, and 2005. Zentz felt there has been no resolution to the past or present complaints.

Reporter Stacey Page stated there were complaints made to the 911 Board in 2002 also with no resolution to any of the complaints.

Roger Gelbaugh questioned whether the 911 Board meetings were open to the public. County Administrator, Ron Robinson, stated if the 911 Board meets to discuss personnel issues then those meetings cannot be public otherwise the meetings are open to the public. Robinson noted the Board met on September 28, 2009 to discuss a personnel issue and the Board thought it prudent to interview all of the dispatchers. Robinson noted that process took approximately three (3) weeks. Robinson then explained since the interview process, there have not been enough board members present for a quorum therefore no action could be taken. Gelbaugh questioned if the 911 Board meetings would be advertised in the paper. Robinson responded the meetings will be advertised if they are not about personnel issues.

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

Commissioner Ron Truex updated the Commissioners on the countywide sewer petition by stating the engineering firm is meeting with IDEM. Truex noted the engineer informed him the petition should be ready to present to LRSD soon.

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

## **KOSCIUSKO COUNTY COMMISSIONERS December 22, 2009**

The Kosciusko County Commissioners met for their regular meeting on December 22, 2009 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 EXTENSION CONTRACTUAL SERVICES AGREEMENT:**

Joan Younce, Extension Office Director, presented the Extension Contractual Services Agreement to the Commissioners for signature. Younce explained the Contract fee is a line item in the Extension Office budget.

MOTION: Brad Jackson  
SECOND: Ron Truex  
AYES: 3 NAYES: 0  
MOTION CARRIED

TO: Approve Extension Contractual Services Agreement as presented.

**IN THE MATTER OF ANNUAL APPOINTMENTS:**

The Commissioners considered the following appointments:

Area Plan Director	Dan Richard
Area Plan Board	Bob Conley
Board of Health	Larry Coplen
	Dr Michael Williams
Board of Health – Med Director	Dr William Remington
Board of Zoning Appeals	Vic Virgil
	Charlie Haffner
County Administrator	Ron Robinson
County Attorney	Mike Miner
County Highway Superintendent	Dennis Pletcher
Drainage Board	Ron Truex
	Don Goon (4 yr appt)
Economic Development (Feb)	Wes Stouder
GIS	Bill Holder
Homeland Security/LEP	Ed Rock
KDI	Ron Truex
Public Defenders Board	John Hall
	Alan Alderfer
	Steve Harris
St Joe River Basin	John Roberts
System Administrator	Bob Momeyer
Veteran Affairs Officer	Rich Maron
Wage Committee	Brad Jackson
Weights & Measures	Larry Marner
Alcohol Beverage Commission	Gordon Vanator
Arrowhead RC & D	Stanley Moore (4 yr appt)
Redevelopment Commission	Max Courtney
	Bruce Woodward
	Henry DeJulia

MOTION: Brad Jackson  
SECOND: Ron Truex  
AYES: 3 NAYS: 0  
UNANIMOUS

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

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

County Attorney, Mike Miner, stated he attended the Indiana Economic Development Conference wherein economic development processes statewide were discussed. Miner noted the information will be helpful in the economic development of the County.

**IN THE MATTER OF SURPLUS EQUIPMENT REQUEST:**

Ron Robinson, County Administrator, stated the County has accumulated a surplus of office equipment, furniture, etc. and is requesting permission to dispose of and/or sell those items with any monies collected to be deposited into County General. Robinson noted serial numbers from all equipment will be noted for the Commissioners’ records.

County Attorney, Mike Miner, questioned if all personal and confidential information will be removed from the computer hard drives. Robinson confirmed the systems administration department cleared all computers of any pertinent information.

The Commissioners consented to allow Robinson to dispose of the surplus items as requested.

**IN THE MATTER OF SYRACUSE-TURKEY CREEK TOWNSHIP PUBLIC LIBRARY BOARD APPOINTMENT:**

Marsha McSherry, County Auditor, presented a request from the Syracuse-Turkey Creek Township Public Library to reappoint Cynthia Thornburg to the Syracuse-Turkey Creek Township Public Library Board for a four (4) year term.

MOTION: Brad Jackson  
SECOND: Ron Truex  
AYES: 3 NAYS: 0  
UNANIMOUS

TO: Approve appointment of Cynthia Thornburg to Syracuse-Turkey Creek Township Public Library Board for a four (4) year term as presented.

**IN THE MATTER OF HIGHWAY DEPARTMENT SURPLUS EQUIPMENT:**

Highway Superintendent, Dennis Pletcher, recommended accepting the highest bid on the surplus equipment and items advertised through the Highway Department.

Commissioner Ron Truex questioned if the funds collected from the sale of the items would remain in the KCHD budget. Pletcher responded any funds collected would stay in the KCHD budget.

MOTION: Ron Truex

TO: Approve recommendation of KCHD to accept the highest bid for all items advertised.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF COUNTY HIGHWAY 2010 ANNUAL BID RECOMMENDATION:**

Highway Superintendent, Dennis Pletcher, presented the 2010 annual bid recommendation for bids opened at the November 24, 2009 meeting. Pletcher recommended accepting all bids with the exception of Primco, explaining Primco did not follow the specific criteria requested in the bid request for bridge structures. Discussion ensued regarding the specifications outlined in the bid packet.

MOTION: Ron Truex

TO: Accept Highway Department bid recommendations and exceptions for 2010 as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF AREA PLAN COMMISSION AMENDMENTS TO ZONING ORDINANCE:**

Matt Sandy, Area Plan Assistant Director, presented Amendments to the Zoning Ordinance explaining Area Plan reviewed their Ordinance and attempted to streamline items that are typically approved. Sandy noted garage sale signs will continue to be monitored under the sign ordinance.

President Bob Conley questioned the section regarding tent structures. Sandy responded changes were made to the definition of a tent and also to address temporary event "tents".

Commissioner Brad Jackson questioned the reasoning for defining the setbacks in Section 3.6.3. Sandy responded Area Plan discussed the setbacks and thought it wise to include protecting neighboring properties from an obtrusive structure being in place for an extended period of time. President Conley then questioned the addition of adding the "sheltering of persons" to the tent definition. Commissioner Ron Truex suggested adding "sheltering of persons or property" to the tent definition.

Commissioners Jackson and Truex gave accolades to Area Plan Commission for their effort in simplifying the Ordinances.

MOTION: Ron Truex

TO: Accept Area Plan Commission recommendations on Zoning Ordinance amendments with wording change as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

Truex then questioned the Ordinance as it pertains to a "permanent tent structure" as a farm building. Sandy noted the "permanent tent structure" would fall under the "permanent structure" Ordinance, not as an exemption under the tent Ordinance.

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

Commissioner Ron Truex updated the Commissioners on the countywide sewer petition by stating no new information has been received from the engineering firm or IDEM regarding the petition to be presented to LRSD.

**IN THE MATTER OF COUNCIL MEETING INVITATION:**

Council Member, Robert Sanders, invited the Commissioners to attend the County Council meeting on Thursday, January 14, 2010 at 7:00 p.m. in the Courtroom of the Courthouse and then the second Thursday of each month thereafter.

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