

**KOSCIUSKO COUNTY COMMISSIONERS
TUESDAY, JANUARY 2, 2001 - 10:00 A.M.**

The Kosciusko County Commissioners met at 10 AM on January 2, 2001 for their first meeting of the year in the Courtroom of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

BRAD JACKSON, PRESIDENT	MIKE MINER, COUNTY ATTORNEY
AVIS GUNTER	SUE ANN MITCHELL, COUNTY AUDITOR
RON TRUEX	

The meeting was called to order and opened with a prayer and the pledge to the flag. Minutes from the December 5, 2000 meeting were approved. Claims were approved as presented. Claim #9 for the Justice Building was approved.

IN THE MATTER OF SWEARING IN:

Preceding the opening of the Commissioner's meeting a swearing in ceremony was held. Those who were sworn in included:

Rex L. Reed, Circuit Court Judge
Sharon Christner, Clerk of the Circuit Court
Bradford L. Jackson, Northern District Commissioner
Ronald D. Truex, Middle District Commissioner
Maurice Beer, Councilman at Large
Larry Teghtmeyer, Councilman at Large
Stephanie Esenwein, Treasurer
Richard Kemper, Surveyor
Larry Ladd, Coroner.

IN THE MATTER OF ELECTION OF OFFICERS FOR 2001:

Brad Jackson was nominated as President.

MOTION: AVIS GUNTER	TO: ELECT BRAD JACKSON AS PRESIDENT.
SECOND: RON TRUEX	
AYES: 3 NAYS: 0	
UNANIMOUS	

Avis Gunter was nominated as Vice President.

MOTION: BRAD JACKSON	TO: ELECT AVIS GUNTER AS VICE
SECOND: RON TRUEX	PRESIDENT
AYES: 3 NAYS: 0	
UNANIMOUS	

IN THE MATTER OF APPOINTMENT TO KOSCIUSKO DEVELOPMENT, INC. FOR 2001:

Ron Truex was nominated to serve as the Commissioner on KDI.

MOTION: AVIS GUNTER	TO: APPOINT RON TRUEX TO THE
SECOND: BRAD JACKSON	KOSCIUSKO DEVELOPMENT, INC. FOR
AYES: 3 NAYS: 0	2001.
UNANIMOUS	

KOSCIUSKO COUNTY COMMISSIONERS 1/2/2001

IN THE MATTER OF APPOINTMENT TO THE DRAINAGE BOARD:

Brad Jackson as President will serve on the Drainage Board.

IN THE MATTER OF SOLID WASTE DISTRICT:

All three Commissioners will serve on the Solid Waste Board.

IN THE MATTER OF APPOINTMENT TO THE WAGE COMMITTEE FOR 2001:

Brad Jackson was nominated to the Wage Committee.

MOTION: AVIS GUNTER	TO: APPOINT BRAD JACKSON AS THE
SECOND: RON TRUEX	COMMISSIONERS' REPRESENTATIVE TO
AYES: 3 NAYS: 0	THE WAGE COMMITTEE FOR 2001
UNANIMOUS	

IN THE MATTER OF 350 W. PROJECT UPDATE:

Approximately 50 people were in attendance to hear about the 350 W. Project. Rob Ladson, County Highway Superintendent/Engineer encourage everyone in attendance to verify their name and address in the book he created for contacting people impacted by the project. Ladson distributed a handout with pertinent information. Ladson covered some of the history of the project. He indicated the County has federal dollars for the project. In 1996 the County Commissioners approved Phase I, II and III. The money has been set aside for the project. The County needs to either proceed with the project or return the funds. Ladson assured those in attendance that public meetings and public hearings would be mandatory in advance of spending federal monies. Ladson indicated no final decision has been made. Information is still being gathered. Ladson indicated the 3 stages of the project include:

Phase I - New 30 to Old 30 improvement.
 Phase II - Tippe River Bridge to 100 N.
 Phase III - 100 N. to Crystal Lake Road - upgrade 400 W. to SR25.

Additional right of way along 350 W. would be required in Phase I. There are no plans to remove any ones home. Ladson indicated an additional 10-15' would be needed. Two lanes would remain 2 lanes in the proposed plan. Condemnation would be used only as a last resort. A study of County transportation was done several years ago and 350 W. was identified as road to be improved to facilitate moving traffic around the west side of Warsaw.

Property owners in attendance shared their concerns about uprooting river oters, well and septic relocations, funding, tax increases because of the project, speed limit on 350 W. reducing farm ground, time frame of study, other routes that would be better, conflict of interest, etc.

At this point Ladson advised he has contacted the state and engineers. Ladson stated he was hopeful the end product would be in the best interest of the County and the individual property owners. Brad Jackson indicated he believed something must be done for the future with the least negative impact to the public. He encouraged those in attendance to bring alternatives to Ladson.

Ron Truex advised the public in attendance they would have opportunities to address the issues at hearings to be held in the evening. He thanked those present for their input.

KOSCIUSKO COUNTY COMMISSIONERS 1/2/2001

IN THE MATTER OF 2001 SERVICE AGREEMENTS:


Service Agreements were received from the following:

KOSCIUSKO COUNTY HISTORICAL SOCIETY	\$ 23,000.00
KOSCIUSKO COUNTY 4-H COUNCL	42,638.96

MOTION: AVIS GUNTER	TO: APPROVE 2001 SERVICE AGREEMENTS
SECOND: RON TRUEX	AS PRESENTED.
AYES: 3 NAYS: 0	
UNANIMOUS	

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

KOSCIUSKO COUNTY COMMISSIONERS


BRADFORD JACKSON, PRESIDENT


AVIS B. GUNTER


RON TRUEX

ATTEST: 
SUE ANN MITCHELL, AUDITOR

**KOSCIUSKO COUNTY COMMISSIONERS
TUESDAY, JANUARY 16, 2001 - 9:00 A.M.**

The Kosciusko County Commissioners met for their regular meeting on January 16, 2001 at 9 AM in the Courtroom of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

AVIS B. GUNTER	MIKE MINER, COUNTY ATTORNEY
RON TRUEX	RON ROBINSON, COUNTY ADMINISTRATOR
BRAD JACKSON, PRESIDENT	SUE ANN MITCHELL, COUNTY AUDITOR

Rev. Ron Roetman opened the meeting with a word of prayer. Brad Jackson, President, called the meeting to order and led the pledge. Regular claims and Justice Building Claim Form # 10 was signed and approved for payment.

**IN THE MATTER OF RECEIPT OF FINANCE COMMITTEE REPORT FOR 2000 AND
CREATION OF FINANCE COMMITTEE FOR 2001:**

Stephanie Esenwein, County Treasurer, presented THE 2000 Finance Committee report. Officers for the Board of Finance were discussed. Esenwein will be the Treasurer for the Board of Finance.

MOTION: AVIS GUNTER	TO: ELECT RON TRUEX PRESIDENT OF THE
SECOND: BRAD JACKSON	OF THE KOSCIUSKO COUNTY BOARD OF
AYES: 3 NAYS: 0	FINANCE FOR 2001
UNANIMOUS	

**IN THE MATTER OF ORDINANCE FOR "NO PARKING" ON TRUSDELL AVENUE AND
LAKEVIEW DRIVE:**

Rob Lador, County Highway Superintendent/Engineer, presented an ordinance prohibiting parking on Lakeview Drive and Trusdell Avenue in Turkey Creek Township. This is in the area of Wawasee Yacht Club. The highway will install the signs and will be reimbursed by the Yacht Club.

MOTION: RON TRUEX	TO: APPROVE ORDINANCE FOR NO PARKING AS
SECOND: AVIS GUNTER	PRESENTED
AYES: 3 NAYS: 0	
UNANIMOUS	

Ordinance 01-001NP *CR 2001010589*

An Ordinance establishing "No Parking" signs be installed on Lakeview Drive and Trusdell Avenue all within Kosciusko County, Indiana; and

WHEREAS, THE BOARD OF COMMISSIONERS of the County of Kosciusko has the power to regulate the use of the public ways and rights-of-ways; and

WHEREAS, THE BOARD OF COMMISSIONERS has the authority to establish "No Parking" on County Highways; and

WHEREAS, THE COUNTY HIGHWAY Engineering Department has performed a traffic study on the following roads all in accordance to the State of Indiana Uniform Traffic Control Manual and hereby recommend the following signs be installed:

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of the County of Kosciusko as follows:

1. Install "No Parking" sign on Lakeview Drive; west side from a point 295 ft +/- north of SR 13 to the intersection of Trusdell Avenue.

KOSCIUSKO COUNTY COMMISSIONERS 01-16-2001

2. Install "No Parking" sign on Trusdell Avenue; east side from a point 170 ft +/- north of SR 13 to the intersection of Lakeview Drive.

This Ordinance shall be in full force and effect on January 16th, 2001. Passed and adopted by the Board of Commissioners of the County of Kosciusko this 16th day of January, 2001.

BOARD OF COMMISSIONERS, Kosciusko County

Bradford Jackson, President

Avis Gunter, Member

Ron Truex, Member

ATTEST: Sue Ann Mitchell

IN THE MATTER OF APPROVAL OF WILLIE'S EAST RIDGE 5TH ADDITION SNOW REMOVAL FOR 2000-2001:

Rob Ladson, County Highway Engineer, Ladson, County Highway Superintendent/Engineer presented information on Willie's East Ridge 5th addition. Ladson indicated a letter of reauthorization is needed to approve snow plowing for ONLY the remainder of the 2000-2001 snow season. The Commissioners instructed Ladson to conduct a final inspection in the Spring of 2001. They agreed to waive the bond renewal since it has expired. Ladson is to notify Willie's Construction that they are to complete the remaining items needed within the subdivision so the county can authorize maintenance.

MOTION: RON TRUEX TO: APPROVE SNOW REMOVAL FOR WILLIE'S
SECOND: AVIS GUNTER EAST RIDGE 5TH ADDITION FOR THE
AYES: 3 NAYS: 0 REMAINDER OF THE 2000-2001 SNOW SEASON
UNANIMOUS AND WAIVE THE BOND RENEWAL. IT IS
UNDERSTOOD THAT LADSON WILL INSPECT
THE SUB DIVISION IN THE SPRING OF 2001
FOR COMPLIANCE

IN THE MATTER OF MATTER OF STATE INVENTORY OF COUNTY MAINTAINED ROADS:

Rob Ladson, County Highway Engineer, Ladson, County Highway Superintendent/Engineer, requested the Commissioner's guidance on updating the county maintained roads inventory. Ladson explained the information is sent to the state. The miles maintained by the county determine the funding the county receives. Ladson was instructed to bring back written criteria for the Commissioner's consideration.

IN THE MATTER OF MATTER OF OPENING OF TRUCK BIDS:

Mike Miner, Commissioner's Attorney, opened the three bids received for single axle cab and chassis with bed, hydraulics, sander and under body and one tandem axle cab and chassis with bed, hydraulics, sander and under body. Bids were received from Selking, Norris and Whiteford as follows:

KOSCIUSKO COUNTY COMMISSIONERS 01-16-2001

	SINGLE AXLE DUMP TRUCK	
	COMPLETE TRUCK 2 UNITS WITH A/C	COMPLETE TRUCK 2UNITS NO A/C
NORRIS TRUCK SERVICE-OPTIONAL BID	\$ 169,174.00	\$ 168,102.00
WHITEFORD FORD-OPTIONAL BID	\$ 172,672.00	\$ 171,206.00
SELKING INTERNATIONAL-BASE BID	\$ 189,498.42	\$ 189,498.42
NORRIS TRUCK SERVICE-BASE BID	\$ 187,006.00	\$ 187,006.00
WHITEFORD FORD – BASE BID	\$ 191,688.00	\$ 191,688.00

	TANDEM AXLE DUMP TRUCK
NORRIS TRUCK SERVICE-BASE BID	\$ 108,489.00
SELKING INTERNATIONAL – BASE BID	\$ 109,645.27
WHITEFORD FORD – BASE BID	\$ 112,450.00

Ladson was instructed to come back to the Commissioners in two weeks with a recommendation for bid acceptance.

IN THE MATTER OF 350 W SHERIFF'S PATROL:

Aaron Rovenshine, County Sheriff, presented the Commissioners with information concerning the patrolling of County Road 350 West which came into question at a previous Commissioner's meeting. Rovenshine wanted to set the record straight. He presented information indicating that 350W is close to the most patrolled road in the county because of complaints.

IN THE MATTER OF THE AUDITOR'S OFFICE ACCOMPLISHMENTS FOR THE YEAR 2000:

Brad Jackson recognized the accomplishments of the Auditor's Office in the year 2000. Numerous changes have been implemented including upgrading the vault area to accommodate historic transfer books, implementation of GIS on public terminals, as well as work being brought to a current status.

IN THE MATTER OF KEY BENEFITS ADMINISTRATION OF SECTION 125 INCLUDING THE FLEX PLAN:

Ron Robinson, County Administrator, presented the Key Benefits Section 125 administration agreement for the Commissioner's approval. Key Benefits administers the Section 125 deductions for the county which allows employees to defer taxes on insurance premiums, flex plans, etc.

MOTION: AVIS GUNTER TO: APPROVE AGREEMENT WITH KEY BENEFITS
SECOND: RON TRUEX FOR ADMINISTRATION OF SECTION 125.
AYES: 3 NAYS: 0
UNANIMOUS

IN THE MATTER OF MATTER OF SPOT GRANT FOR SHERIFF'S DEPARTMENT:

Aaron Rovenshine, Sheriff, presented a request for approval of SPOT grant application. The Commissioner's approval is required before the application can be submitted.

MOTION: AVIS GUNTER TO: APPROVE SPOT GRANT APPLICATION AS SECOND: RON
TRUEX PRESENTED
AYES: 3 NAYS: 0
UNANIMOUS

KOSCIUSKO COUNTY COMMISSIONERS 01-16-2001

IN THE MATTER OF MATTER OF JUSTICE BUILDING PROJECT:

Ron Robinson, County Administrator, indicated Bambi Roofing has the East ½ of the Justice Building roof complete. The project is back on schedule.

IN THE MATTER OF MATTER OF JUSTICE BUILDING CLAIMS APPROVAL:

The Commissioners discussed turn around time for payment of claims on the Justice Building Construction. In order to expedite payment of claims, the Commissioners felt Ron Robinson should be authorized to approve claims. All claims will be presented to the Commissioners before approval when timing is appropriate or Ron Robinson will approve and the Auditor will present each bill at the Commissioners meeting immediately following Robinson's approval.

MOTION: AVIS GUNTER TO: AUTHORIZE RON ROBINSON, COUNTY
SECOND: RON TRUEX ADMINISTRATOR TO APPROVE JUSTICE
AYES: 3 NAYS: 0 BUILDING CLAIMS TO EXPEDITE PAYMENT.
UNANIMOUS AUDITOR IS TO PRESENT ALL CLAIMS

APPROVED BY ROBINSON AT THE
COMMISSIONER'S MEETING IMMEDIATELY FOLLOWING
APPROVAL.

IN THE MATTER OF INTEREST RATE OF JUSTICE BUILDING BONDS:

Mike Miner, Commissioners Attorney, shared information received from Roger Umbaugh, Financial Consultant for the Justice Building. Umbaugh believes with the interest rate dropping the county might be interested in refinancing the bond issue. This can be done only one time in the life of the bond. The process would take six to eight weeks. If rates elevate before bonds are sold, the process could be stopped. The county would not be locked in until the bonds are sold.

MOTION: RON TRUEX TO: MOVE FORWARD IN REFINANCING THE BOND
SECOND: AVIS GUNTER IF THE INTEREST RATE REACHES A LOW OF
AYES: 3 NAYS: 0 4.75%.
UNANIMOUS

**IN THE MATTER OF REZONING FOR JEHOVAH WITNESS CHURCH - TRACT OF LAND
IN NE QUARTER OF SECTION 26, TOWNSHIP 32 NORTH, RANGE 5 EAST, WAYNE
TOWNSHIP:**

Rick Helm, Attorney representing the Jehovah's Witness Church, submitted a request to withdraw their request to rezone land.

MOTION: AVIS GUNTER TO: APPROVE REQUEST TO WITHDRAW PETITION
SECOND: RON TRUEX FOR REZONING.
AYES: 3 NAYS: 0
UNANIMOUS

**IN THE MATTER OF MATTER OF CONTINUATION OF REZONING HEARING FOR
STANLEY & MELODY RENSBERGER - NORTH HALF OF THE SE QUARTER OF THE NE
QUARTER OF SEC 14, TWP 34N, RANGE 6E, TURKEY CREEK:**


Melody and Stanley Rensberger had been granted a continuation of their rezoning petition. The petition for rezoning was withdrawn by the Rensberger's prior to the start of the hearing.

KOSCIUSKO COUNTY COMMISSIONERS 01-16-2001


MOTION: AVIS GUNTER TO: APPROVE REQUEST TO WITHDRAW PETITION
SECOND: RON TRUEX FOR REZONING.
AYES: 3 NAYS: 0
UNANIMOUS

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

KOSCIUSKO COUNTY COMMISSIONERS


BRADFORD JACKSON, PRESIDENT


AVIS B. GUNTER


RON TRUEX

ATTEST: 
SUE ANN MITCHELL, AUDITOR

KOSCIUSKO COUNTY COMMISSIONERS
TUESDAY, JANUARY 30, 2001 9 A.M.

The Kosciusko County Commissioners met for their regular meeting on January 30, 2001 at 9AM in the Courtroom of the Courthouse, 100 W Center St., Warsaw, IN.

Those present were:

BRAD JACKSON, PRESIDENT
AVIS GUNTER
RON TRUEX

RON ROBINSON, COUNTY ADMINISTRATOR
MIKE MINER, COUNTY ATTORNEY
SUE ANN MITCHELL, COUNTY AUDITOR

The meeting was opened with a word of prayer and pledge to the flag. President Brad Jackson called the meeting to order. Claims were signed and approved for payment.

IN THE MATTER OF THE SNOW EMERGENCY GRANT:

Rob Ladson, County Highway Superintendent Engineer presented information on a snow emergency Grant. Kosciusko County is one of the snow emergency areas declared by President Bush. In a given two week period, Kosciusko county is to designate forty eight hours in which to calculate for cost incurred during the snow storm for sand, salt, overtime and equipment. There will be an informational meeting held during the week of February 12, 2001. FEMA proposed twenty-four counties out of which sixteen were chosen. All county government entities in the county must use the same date range. The county must have a minimum of \$1000.00 to be reimbursed. The Commissioners approved Rob Ladson to be the contact person for FEMA and SEMA and authorized to sign request for public assistance form.

IN THE MATTER OF THE MOTOR VEHICLE HIGHWAY BUDGET:

Ladson informed the Commissioners that the Motor Vehicle Highway Budget was not approved by the State Board of Tax Commissioners because it was not split into two separate budgets. At budget time the local State Tax Board representative said this was acceptable. Rob has prepared the new budgets and they will be presented to the Council at their March meeting.

IN THE MATTER OF BRIDGE 267:

Bridge 267 is now open but not completed due to a late start. R.L McCoy waited two weeks on NIPSCO to move lines and they also had a problem with a retaining wall. The bridge will not be closed again except to apply the final pavement. R.L. McCoy has asked for an extension of time and their contract. Rob Ladson proposed to give them until May 18, 2001 and waive penalties until that date.

MOTION: AVIS GUNTER
SECOND: RON TRUEX
AYES: 3 NAYES: 0

TO: ALLOW R.L. MCCOY UNTIL
MAY 18, 2001 TO COMPLETE
THE BRIDGE

IN THE MATTER OF THE COUNTY HIGHWAY ANNUAL REPORT:

The County Highway Annual Report was submitted by Rob Ladson for approval by the Commissioners. The Signage report was added to the annual report but was not required.

MOTION: AVIS GUNTER
SECOND: RON TRUEX
AYES: 3 NAYES: 0

TO: APPROVE THE ANNUAL REPORT
FOR 2000

IN THE MATTER OF HOUSE BILL 1811:

Rob Ladson presented information on House Bill 1811. The bill is to restructure MVH funds. The bill as presented would remove the Indiana State Police and the License Branch from receiving MVH funds. A determination on endorsement of House Bill 1811 was tabled for two weeks. The proposal included a one-cent increase in gasoline tax. The Commissioners believed the users should pay. Ladson pointed out that the Sales Tax is a percent of the cost of gas versus the Gasoline Tax which is a flat amount.

IN THE MATTER OF ONE TANDEM AXLE TRUCK:

Ladson recommended the contract for one Tandem Axle truck be awarded to Norris Truck Service. The budget was \$110,000.00 and Norris had the low bid of \$108,489.00.

Norris met all the specs with the low bid. The truck will be fully equipped except for no front snowplow.

MOTION: AVIS GUNTER
SECOND: RON TRUEX
AYES: 3 NAYES: 0

TO: PURCHASE ONE TANDEM AXLE
TRUCK AT \$108,489.00 FROM
NORRIS TRUCK SERVICE

IN THE MATTER OF TWO SINGLE AXLE DUMP TRUCKS:

Ladson recommended the contract for two fully equipped single axle dump trucks be awarded to Norris Truck Service. The budget was for \$90,000.00 each and Norris had the low bid of \$84,587.00 each. The trucks will have larger engines and horsepower and a world-class transmission. The trucks will have all the equipment not just chassis. Ladson pointed out that after all the bids were open, Whiteford Ford submitted a price deduction for the proper transmission (they quoted a more expensive transmission). Since the price deduction was submitted after all the bids were open, Ladson could not consider it in his recommendation.

MOTION: AVIS GUNTER
SECOND: RON TRUEX
AYES: 3 NAYES: 0

TO: PURCHASE TWO SINGLE
AXLE TRUCKS
@\$84,587.00 FROM
NORRIS TRUCK SERVICE

IN THE MATTER OF STATUS OF CENTRAL DISPATCH:

Ron Robinson gave a status report to the Commissioners for Central Dispatch which was combined August 1, 2000. There were 13,000 plus 911 calls and 40,000 plus calls for service for the year 2000. This does not include calls the officers took on the road. In house instructors will be training other people in dispatch.

IN THE MATTER OF HOUSE BILL 2019:

Robinson reported that House Bill 2019 states that \$20,000.00 will be reimbursed to the county by the state for County Administrator's. This bill is now being considered by the legislature. A resolution is to be prepared by Mike Miner, County Attorney. A letter will be sent to all legislators representing Kosciusko County indicating that the Commissioners support of House Bill 2019.

MOTION: RON TRUEX
SECOND: AVIS GUNTER
AYES: 3 NAYES: 0

TO: SUPPORT HOUSE BILL 2019

IN THE MATTER OF PAY FOR SHARON CHRISTNER:

Sue Ann Mitchell, County Auditor, ask the Commissioners to have entered in the minutes that Sharon Christner was paid on January 16, 2001 for compensatory, vacation and sick time while being a deputy in the clerks office. Sharon's husband, Ed Christner, is employed by the State Board of Accounts does not feel that the counties personnel policy provides for this to be paid to Sharon. He felt she would have to pay the money back to the county.

MOTION: RON TRUEX
SECOND: AVIS GUNTER
AYES: 3 NAYES: 0

TO: APPROVE PAY FOR SHARON
CHRISTNER INCLUDING
COMPENSATORY TIME,
VACATION TIME AND SICK
TIME ACCRUED WHILE SHE
WAS A DEPUTY IN THE
CLERK'S OFFICE

IN THE MATTER OF TURKEY CREEK REGIONAL SEWER:

Brad Jackson, President of the Commissioners, signed the continuation grant of the Turkey Creek Regional Sewer District.

MOTION: AVIS GUNTER

TO: SIGN GRANT CONTINUATION

SECOND: RON TRUEX

FOR TURKEY CREEK SEWER

IN THE MATTER OF THE VETERANS SERVICE OFFICER:

Brad Jackson, President of the Commissioners, signed the approval for the Veterans Service Officer for another year.

MOTION: AVIS GUNTER
SECOND: RON TRUEX
AYES: 3 NAYES: 0

TO: SIGN APPROVAL FOR
VETERANS OFFICER

IN THE MATTER OF ORDINANCE 2001-01-01

The Sheriff's Department will be giving a truck to the City of Warsaw. The City of Warsaw will be paying \$6500.00 to the county. The money that is received will be deposited into county general.

ORDINANCE 2001-01-01 *CR 2001020004*
AN ORDINANCE AUTHORIZING EXCHANGE OF PROPERTY

WHEREAS, the Kosciusko County commissioners are the owner of a 1999 Chevrolet VIN1GCEK19TBXE112495 held by the Kosciusko County Sheriff, and

WHEREAS, the Warsaw Police Department desires to purchase said vehicle 1999 Chevrolet VIN#1GCEK19TBXE112495 from the Kosciusko County Commissioners and the Kosciusko County Commissioners desires to accept.

WHEREAS, the Kosciusko County Commissioners desire to sell said vehicle 1999 Chevrolet VIN#1GCEK19TBXE112495 to the Warsaw Police Department, and the Warsaw Police Department desires to accept.

THEREFORE, be it resolved by the Kosciusko County Commissioners that a certain 1999 Chevrolet Vehicle Identification #1GCEK19TBXE112495 to be sold to Warsaw Police Department for \$6500.00 and that this transfer be made pursuant to the provisions of I.C. 36-1-11-8.

WHEREAS, Money that is receipted is to be deposited into County General.

RESOLVED this 30th day of January, 2001

KOSCIUSKO COUNTY COMMISSIONERS

BRAD JACKSON
AVIS GUNTER
RON TRUEX


ATTEST: SUE ANN MITCHELL, AUDITOR

IN THE MATTER OF RFP FOR 350 WEST PROJECT:


Rob Ladson presented information to the Commissioners concerning the 350W project. Rob indicated he sent RFP's to eight or nine consultants. The deadline to return RFP's is February 23rd, 2001. Option's and alternatives will be considered. Rob is unsure if the state will allow changes in the project if it meets the same goal. Ron Truex indicated he wanted the public to know there will be an evening meeting when something more is known about the project.

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


KOSCIUSKO COUNTY COMMISSIONERS



BRAD JACKSON, PRESIDENT



AVIS GUNTER



RON TRUEX

Attest:

*Dee Ann Mitchell
Kosciusko County Auditor*

**KOSCIUSKO COUNTY COMMISSIONERS
TUESDAY, FEBRUARY 13, 2001 9 A.M.**

The Kosciusko County Commissioners met for their regular meeting on February 13, 2001 at 9AM in the Courtroom of the Courthouse, 100 W Center St., Warsaw, IN.

Those present were:

BRAD JACKSON, PRESIDENT	RON ROBINSON, COUNTY ADMINISTRATOR
AVIS GUNTER	MIKE MINER, COUNTY ATTORNEY
RON TRUEX	SUE ANN MITCHELL, COUNTY AUDITOR

The meeting was opened with the pledge to the flag. President Brad Jackson called the meeting to order. Minutes of the January 30th, 2001 meeting were approved as presented. Claims were signed and approved for payment. Justice building claim #11 was approved.

**IN THE MATTER OF KABS QUARTERLY OPERATING FINANCIAL STATUS
REPORT FOR 2000:**

Tom Sherron (KABS) presented the quarterly operating financial status report for the fourth quarter of 2000 to the Commissioners for Brad Jackson's signature. Sherron gave information about the Interurban that started in November of 2000. The Interurban is available Monday thru Friday from 8:00 a.m. to 5:00 p.m. for all Kosciusko County residents. The fare is \$5.00 within a four mile radius of Warsaw and \$8.00 within the remaining areas of Kosciusko County for round trip. Children accompanied with an adult, under the age of fifteen are free.

MOTION: AVIS	TO: APPROVE SIGNING OF QUARTERLY OPERATING
SECOND: RON	FINANCIAL STATUS REPORT FOR 2000.
AYES: 3 NAYES: 0	
UNANIMOUS	

IN THE MATTER OF EMERGENCY SHELTER GRANT FOR BEAMAN HOME:

Sue Ann Mitchell, Auditor, presented the Certification of Local Approval For Nonprofit Organizations for the Beaman Home for the year 2002 for the Commissioner's approval.

MOTION: AVIS	TO: COMMISSIONERS APPROVE CERTIFICATION OF
SECOND: RON	LOCAL APPROVAL FOR NONPROFIT
AYES: 3 NAYES: 0	ORGANIZATIONS FOR THE BEAMAN HOME.
UNANIMOUS	

IN THE MATTER OF THE KOSCIUSKO COUNTY HIGHWAY ANNUAL REPORT:

Rob Ladson, Kosciusko County Highway Engineer, submitted a signed copy of the County Highway Annual Report that was approved by the Commissioners at the January 30, 2001 meeting.

KOSCIUSKO COUNTY COMMISSIONERS 2/13/2001

IN THE MATTER OF THE GRANT FOR STOP SIGNS AT RAILROAD CROSSING:

The Kosciusko County Highway received a Grant from the State of Indiana in the amount of \$34,000.00 for stop signs at railroad crossings. The highway received a check from the state for \$18,000.00 that was used to put up stop signs at railroad crossings. The State contacted Ladson and asked if the Highway wanted to do something with the remaining \$16000.00. Ladson suggested using white thermal plastic on the pavement before the railroad tracks. The highway can apply two per day and the money would cover the material but not the labor for the person doing the work. Ladson will gather figures on the cost and bring back to the Commissioners at a later date. Ladson would need to ask the Council for an additional appropriation before the project could begin.

MOTION: RON TO: APPROVE LADSON GATHERING INFORMATION
SECOND: AVIS ON COSTS FOR WHITE THERMAL PLASTIC
AYES: 3 NAYES: 0 PLACEMENT ON ROADS AT RAILROAD
UNANIMCUS APPROACHES.

IN THE MATTER OF STOP SIGNS AT LEVI LEE ROAD:

The State has installed gates and lights at the railroad crossing at Levi Lee Road near Old 15. Rob asked permission to remove the stop signs at the railroad crossing at Levi Lee Road and retain the stop sign at Old 15 where it T's into Levi Lee Road.

MOTION: RON TO: TO REMOVE STOP SIGN AT RR CROSSING
SECOND: AVIS AT LEVI LEE ROAD AND RETAIN STOP
AYES: 3 NAYES: 0 SIGN AT T ON OLD 15
UNANIMCUS

ORDINANCE 01-001-S Record # CR 200102 0559

An Ordinance establishing "Stop" signs at various County Road intersections within Kosciusko County, Indiana; and

WHEREAS, THE BOARD OF COMMISSIONERS OF THE County of Kosciusko has the power to regulate the use of the public ways and rights-of ways; and

WHEREAS, THE BOARD OF COMMISSIONERS has the authority to establish Stop signs on County Highways; and

WHEREAS, THE COUNTY HIGHWAY Engineering Department has performed a traffic study at the aforementioned road intersection in accordance to the State of Indiana Uniform Traffic Control Manual and hereby recommend "Stop" signs be repealed.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the County of Kosciusko as follows:

Repeal "Stop" signs on Levi Lee Road and Old 15 on the southwest corner and northeast corner of railroad tracks because of the installation of new lights and gates. Ordinance No. 98-5S.

THIS ORDINANCE shall be in full force and effect on February 13, 2001. Passed and adopted by the Board of Commissioners of the County of Kosciusko this 13th day of February 2001.

KOSCIUSKO COUNTY COMMISSIONERS 2/13/2001

BOARD OF COMMISSIONERS, Kosciusko County

Bradford Jackson, President
Avis B Gunter, Member
Ron Truex, Member

Attest: Sue Ann Mitchell
Kosciusko County Auditor

IN THE MATTER OF SMALL STRUCTURE BRIDGE C-S5 AT RAILROAD AVE:

Rob Ladson reported steel beams and metal pans paved with asphalt were to be used originally for the small structure bridge R.L. McCoy proposed using a one piece concrete structure which would last longer and be approximately \$6000.00 less than the original bid. Ladson has asked for an engineer's opinion on the change. He requested permission to proceed if the engineer's report was favorable. Mike Miner said the change order-added proposal could be accepted.

MOTION: RON TO: GIVE LADSON AUTHORITY TO APPROVE
SECOND: AVIS CHANGE ORDER TO CONCRETE STRUCTURE IF
AYES: 3 NAYES: 0 REPORT FROM ENGINEER IS FAVORABLE.
UNANIMOUS

IN THE MATTER OF 350W PROJECT:

Ladson will have all proposals back by the 23rd of February, 2001 for ways to approach a roadway around the west side of the County. Ladson expects the proposals to be presented in a wide scope. He will report back to the Commissioners on information received.

IN THE MATTER OF SNOW EMERGENCY:

Ladson will sign request for public assistance form with FEMA at 2:00 p.m. today in Plymouth. Ladson has the authority to act for the whole county. The State will reimburse the county for a 48 hour period during the time declared an emergency.

IN THE MATTER OF THE PERSONNEL POLICY:

The personnel policies are being passed out to employees today. Employees are required to sign a receipt and return to Human Resource Department acknowledging they received the policy.

IN THE MATTER OF THE HISTORICAL SOCIETY:

Sally Hogan of the Historical Society has requested to use the Old Courtroom in the Courthouse for a play. Practices are to be May 4th, 5th, and 6th, 2001 and the play will be May 11th and 12th, 2001.

MOTION: AVIS GUNTER TO: PERMISSION FOR HISTORICAL SOCIETY TO USE
SECOND: RON TRUEX THE COURTROOM FOR PRACTICE MAY 4, 5, 6th
AYES: 3 NAYES: 0 AND PRESENTATION OF PLAY MAY 11 & 12TH.
UNANIMOUS

KOSCIUSKO COUNTY COMMISSIONERS 2/13/2001

IN THE MATTER OF KBA INSURANCE:

Ron Robinson, County Administrator presented a six month breakdown of claims for KBA. Maternity claims have increased. Further evaluation and study of the data will be done by Ron Robinson, County Administrator.

IN THE MATTER OF DAMAGE TO THE VETERANS MONUMENT:

Ron Robinson reported a runaway vehicle hit the Veterans monument on the southwest corner of the Courthouse and knocked the monument off the foundation. The city police worked the accident. Estimates are being taken for the repair of the monument. The runaway vehicle owner's insurance will be responsible for financing the repair.

IN THE MATTER OF THE 911 ANNUAL REPORT:

Ron Robinson handed out the 911 monthly report for January, 2001.

IN THE MATTER OF CHANGE ORDERS FOR THE JUSTICE BUILDING CONSTRUCTION:

Ron Robinson presented the change orders for the new construction of the Justice Building. The Commissioners discussed setting a cap of \$5000.00 for Robinson to approve change orders to keep the work on schedule. All change orders approved by Robinson will come back to the Commissioners.

MOTION: RON TRUEX	TO: APPROVED A CAP OF \$5000.00 FOR
SECOND: AVIS GUNTER	ROBINSON TO APPROVE CHANGE ORDERS TO
AYES: 3 NAYES: 0	KEEP THE WORK ON SCHEDULE.
UNANIMOUS	

IN THE MATTER OF COUNTY ATTORNEY DISQUALIFYING HIMSELF FROM REPRESENTING THE COUNTY IN A CASE:

Mike Miner, County Attorney, advised the Commissioners he is representing William Rayburn in a civil matter. The Health Department has a lien against a party in the matter. Miner stated he would need to disqualify himself from representing the county in this matter. He will make contact with another attorney to represent the county.

MOTION: RON TRUEX	TO: ALLOW MINER TO DISQUALITY HIMSELF
SECOND: AVIS GUNTER	FROM REPRESENTING THE COUNTY BECAUSE
AYES: 3 NAYES: 0	OF POSSIBLE CONFLICT OF INTEREST.
UNANIMOUS	

IN THE MATTER OF THE REASSESSMENT COORDINATOR:

The Commissioners approved a letter authorizing Laurie Renier, Chief Deputy, in the County Assessors office, as Reassessment Coordinator for Kosciusko County. The letter encourages communication with Laurie on all matters concerning the counties reassessment land evaluation contract with Indiana Assessment Services.

MOTION: AVIS GUNTER	TO: SIGN LETTER TO INDIANA ASSESSMENT
SECOND: RON TRUEX	SERVICE AUTHORIZING LAURIE RENIER
AYES: 3 NAYES: 0	AS REASSESSMENT COORDINATOR.
UNANIMOUS	

KOSCIUSKO COUNTY COMMISSIONERS 2/13/2001

IN THE MATTER OF DIRECT DEPOSIT:

Sue Ann Mitchell, County Auditor, Ron Robinson, County Administrator, and Bob Momeyer, Systems Administrator met with a representative from Lake City Bank in regards to direct deposit. A target date of April 1, 2001 has been set for the direct deposit.

IN THE MATTER OF THE COUNTY TAX RATE FOR 2001 PAY 2002:

The County tax rate for 2001 pay 2002 has increased by .0025. The tax rate for 2000 pay 2001 was .8235. This year the county rate alone is .8260.

IN THE MATTER OF BF&S:

Ken Minett, P.E. of Butler Fairman & Seufert, consulting engineers, came before the Commissioners in regards to keeping in contact with our county. BF&S inspect roads, bridges, airports and sewer and water treatment plants.

IN THE MATTER OF ALAN & TERRY MAWHORTER AND TIMOTHY & ROSITA KILTY CUL DE SAC VACATION:

Matt Sandy, Area Plan Commission, indicated the hearing for Vacation of Cul De Sac in Johnsons Bay, Kanyata Manayunk #1 Sec, Hiawatha Dr. in Turkey Creek had a problem with the legal advertisement. Mike Milner researched the statute, which indicates that two in county papers must be used and the advertising must appear ten days in advance of the hearing. The hearing was advertised in one Kosciusko County newspaper and a Goshen newspaper. Since the Goshen newspaper is not an in county paper the hearing was tabled to March 13, 2001.

MOTION: AVIS	TO: TABLE HEARING UNTIL MARCH 13 TH , 2001
SECOND: RON	ON MAWHORTER KILTY VACATION BECAUSE
AYES: 3 NAYES: 0	HEARING WAS NOT ADVERTISED PROPERLY IN
UNANIMOUS	TWO IN COUNTY NEWSPAPERS.

Being no further business to come before the Commissioners the meeting was adjourned at 10:15 A.M.


BRAD JACKSON, PRESIDENT


AVIS B. GUNTER


RON TRUEX

ATTEST: 
SUE ANN MITCHELL, AUDITOR

**KOSCIUSKO COUNTY COMMISSIONERS
TUESDAY, FEBRUARY 27, 2001 9 A.M.**

The Kosciusko County Commissioners met for their regular meeting on February 27, 2001 at 9AM in the Courtroom of the Courthouse, 100 W Center St., Warsaw, IN.

Those present were:

BRAD JACKSON, PRESIDENT	RON ROBINSON, COUNTY ADMINISTRATOR
AVIS GUNTER	MIKE MINER, COUNTY ATTORNEY
RON TRUEX	SUE ANN MITCHELL, COUNTY AUDITOR

The meeting was opened with a word of prayer and pledge to the flag. President Brad Jackson called the meeting to order. Minutes of the February 13, 2001 meeting were approved as presented. Claims were signed and approved for payment.

**IN THE MATTER OF CLOSING OUT THE GRANT FOR INDIANA HOUSING
FINANCE AUTHORITY:**

Brad Jackson, President of the Commissioners, signed the final release for the Indiana Housing Finance Authority.

MOTION: AVIS GUNTER	TO: APPROVE SIGNING OF RELEASE FOR
SECOND: RON TRUEX	INDIANA HOUSING FINANCE AUTHORITY.
AYES: 3 NAYS: 0	
UNANIMOUS	

**IN THE MATTER OF THE SERVICE AGREEMENT WITH SPRINT FOR PAY
TELEPHONE:**

Brad Jackson signed the service agreement contract with Sprint for the pay telephone in the Justice Building (219-269-9018). The county receives fifteen per cent of the total revenue monthly.

MOTION: AVIS GUNTER	TO: APPROVE SIGNING OF SERVICE AGREEMENT
SECOND: RON TRUEX	CONTRACT WITH SPRINT FOR PAY PHONE IN
AYES: 3 NAYS: 0	JUSTICE BUILDING.
UNANIMOUS	

IN THE MATTER OF THE 350 WEST PROJECT:

Rob Ladson, County Highway Engineer distributed seven proposals to the Commissioners for their consideration. Proposals were received from American Consulting, GAI Consulting, Troyer Group, Borar, USI Consultant, Lawson Fisher Associates and Hecceg. Ladson indicated one company missed the deadline due to a flat tire. A representative was at the County Highway prior to the deadline, but did not have the RFP. The RFP was delivered after 4:00 o'clock p.m., which was the deadline. Mike Miner, County Attorney, said the proposal could be accepted because it was a RFP and not a bid. Ladson distributed a six step Consultant Selection Procedure, which is quality based.

KOSCIUSKO COUNTY COMMISSIONERS 2/27/2001

Those points include:

1. Develop of short list of 3 Consultants.
2. Interview and rank the firms.
3. Invite the highest ranking firm to develop a specific project scope.
4. Establish contract terms.
5. Ask for fee proposal.
6. Retain the firm or proceed to the next highest ranking firm.

Ron Truex, County Commissioner, requested a copy of the RFP. Ladson said that selecting a firm is not selecting a route. Each Commissioner and Ladson are to prepare a short list for next meeting on how to proceed. Ladson is to put together dates in a time frame for the project.

**IN THE MATTER OF SMALL STRUCTURE BRIDGE C-S5 AT RAILROAD AVE
SYRACUSE:**

The engineer's review of the change for C-S5 bridge at RR Ave in the Town of Syracuse referenced in the minutes of February 13, 2001 came back approved. March, 2001 is the target date for construction to begin. No action was required, as it was approved at the meeting of February 13, 2001 contingent on the engineer's report being favorable.

IN THE MATTER OF COUNTY HIGHWAY MEDSTAT CONTRACT:

Ladson presented the contract for alcohol and drug testing for Approval by the Commissioners. The contract will be for drug testing of new hires, random drug testing of existing employees and drug testing of employees after an accident. There was no change in the fee.

MOTION: AVIS B GUNTER	TO: APPROVE THE CONTRACT WITH MEDSTAT
SECOND: RON TRUEX	FOR ALCOHOL AND DRUG TESTING.
AYES: 3 NAYS: 0	
UNANIMOUS	

IN THE MATTER OF GRANT MONEY FOR RAILROAD CROSSING:

Ladson was instructed by the Commissioners at the February 13, 2001 meeting to investigate cost estimates for installing thermal plastic railroad markings at various railroad crossings. Ladson brought costs for the railroad crossings. The Commissioner's signed a letter to the State requesting the grant money be used for installing the markings.

MOTION: AVIS GUNTER	TO: SIGNED A LETTER TO STATE REQUESTING
SECOND: RON TRUEX	GRANT MONEY BE USED FOR INSTALLING
AYES: 3 NAYS: 0	THERMAL PLASTIC ROAD MARKINGS AT RR
UNANIMOUS	CROSSINGS.

KOSCIUSKO COUNTY COMMISSIONERS 2/27/2001

IN THE MATTER OF COUNTY HIGHWAY TRUCK PURCHASE:

Ladson reported on facts gathered concerning purchase of two new pick up trucks.

2001 TRUCK COMPARISONS				
	GMC Sierra 2500 4 X 4	Ford XLT F-250 Super Duty 4 x 4 (Dealer #1)	Ford XLT F-250 Super Duty 4 x 4 (Dealer #2)	Dodge Magnum 4 x 4 (Dealer #1)
Gross Vehicle Weight	9200	8800	8800	8800
Curb Vehicle Weight	5492	5442	5442	
Hauling Capacity	3708	3358	3358	3320
Engine Horse Power	300 @ 4400	260	260	245 @ 4000
Engine Torque	360 @ 4000	425	425	345 @ 3200
Automatic Transmission	yes	Yes	yes	yes
Vinyl Seat	yes	No	no	yes
Rubber Floor Mats	yes	Yes	yes	yes
A/C	yes	Yes	yes	yes
Cruise Control	yes	Yes	yes	yes
Power Door Locks	yes	Yes	yes	no
Snow Plow Prep. Package	yes	Yes	yes	yes
4 wheel anti-lock brakes	yes	Yes	yes	yes
Trailer Suspension Package	yes	Yes	yes	yes
Tilt Steering	yes	Yes	yes	yes
Hubs	Electronic	Electronic	Electronic	Automatic
Quote	\$24,500.00	\$25,394.25	\$25,865.00	\$24,326.00

MOTION: AVIS GUNTER
SECOND: RON TRUEX
AYES: 3 NAYS: 0
UNANIMOUS

TO: PURCHASE TWO GMC TRUCKS FROM
MEYER GMC. THE GMC WAS CHOSEN
OVER THE DODGE BECAUSE THE GMC
HAD A LARGER HAULING CAPACITY
AND A LARGER HORSEPOWER ENGINE.

IN THE MATTER OF LADSON ACCEPTING A NEW POSITION:

Ladson announced that he and his wife, Joanna, are expecting their first child in October.

IN THE MATTER OF WORD SYSTEMS INC:

Ron Robinson, County Administrator, presented a service contract to the Commissioners for the recording equipment in the dispatch center. The contract covers all parts and labor on a twenty four hour basis at a cost of \$2822.40 a year. This is the first contract as the equipment was previously under warranty.

MOTION: RON TO: SIGN SERVICE CONTRACT WITH
SECOND: AVIS WORD SYSTEMS INC. FOR RECORDING
AYES: 3 NAYS: 0 EQUIPMENT IN CENTRAL DISPATCH CENTER.

IN THE MATTER OF THE JUSTICE BUILDING CONSTRUCTION:

Ron Robinson, County Administrator, reported the building construction is on schedule. On Sunday, February 25, 2001 high winds caused the temporary frame and plastic covering to blow away. Streets on the north and south side of the Courthouse were closed. Trustees from the Sheriff's Department cleaned up the debris. Weigand Construction was on the scene and the building was secured within an hour and a half after the damage.

IN THE MATTER OF THE JOHN CAMPBELL VACATION:

Matt Sandy representing the Area Plan Commission presented information on property in the name of John Campbell. The property is located in Seward Township in the NW ¼ of Section 33 Township 31N Range 5E. The physical location of the property is south of 900S on the north side of Beaver Dam Lake adjacent to lots 17 and 18 in Northcrest Addition. Sandy indicated verbal contact with the EMS, Fire Department and Sheriff's Department indicating no problem with water access and turnaround. John Campbell had signatures of all the neighbors indicating their consent to the vacation. Dan Richard, Area Plan Commission, spoke in opposition on behalf of a property owner in the area who had contacted him. Richard was presenting two points:

1. The area to be vacated was put there for a purpose and still exist. John Campbell indicated the parking area has never been used.
2. The property owner was concerned about Mr. Campbell building to the east, which would block peoples view to the north. Richard indicated it might be appropriate for the petitioner to write a statement that he would not build to the east.
- 3.

In Mr. Campbell's rebuttal, he indicated he has maintained the property for many years and has no intentions of building. He thought he might need the ground for a leach bed some day.

MOTION: RON TRUEX TO: VACATE PROPERTY IN SEWARD TOWNSHIP IN
SECOND: AVIS GUNTER THE NW ¼ OF SECTION 33 TOWNSHIP 31N
AYES: 3 NAYS: 0 RANGE 5E, SOUTH OF 900S ON THE NORTH
UNANIMOUS SIDE OF BEAVER DAM LAKE IN NORTHCREST
ADDITION ADJACENT TO LOTS 17 AND 18.

KOSCIUSKO COUNTY COMMISSIONERS 2/27/2001

ORDINANCE NO. 01-001V *CR 2001021278*
AN ORDINANCE OF THE KOSCIUSKO COMMISSIONERS
VACATING A PUBLIC WAY

WHEREAS, John W. Campbell and Juanita L. Campbell, Husband and Wife, filed a Petition to Vacate a Public Way with the Kosciusko County commissioners, and

WHEREAS, notice was published as required by law in the Warsaw Times-Union and The Mail-Journal, both newspapers in general circulation and published in the English language in Kosciusko County, Indiana, giving notice of the filing of the verified Petition to Vacate a Public Way and giving notice that said Petition would be heard by the Kosciusko County Commissioners on the 27th day of February, 2001, at 9:00a.m. in the Commissioners' Room in the Old Court Room located on the third floor of the Kosciusko County Courthouse at the corner of North Buffalo Street and West Center Street, Warsaw, Indiana, which notice in the Warsaw Times-Union was published on the 1st day of February, 2001, and which notice in the The Mail Journal was published on the 31st day of January, 2001, both of which notices were published more than ten (10) days prior to the Hearing, and

WHEREAS, all of the adjacent property owners have given their consent to the public way to be vacated herein, and

WHEREAS, the Kosciusko County Commissioners have determined, after hearing, that the vacation requested herein should be granted, that the public way for which vacation is sought is not located within any corporate boundaries, and that the vacation sought will not hinder the growth or development of the neighborhood in which it is located or to which it is contiguous, nor will it result in the creation of any difficulty or inconvenience to the access of any lands by means of a public way, will not hinder the public's access to a church, school, or other public building place, will not hinder the use of a public way by the neighborhood in which it is located or to which it is contiguous, and there does not appear to be any Public utilities located within the public way for which the vacation is sought.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSIONERS OF KOSCIUSKO COUNTY, INDIANA, AS FOLLOWS:

Section 1: That the following public way site in Kosciusko County, State of Indiana, and more particularly described as follows to-wit:

Beginning at the Southeast corner of Lot Number Eighteen (18) in Northcrest Addition to Beaver Dam Lake thence West along the South line of said lake a Distance of twenty (20) feet; thence South along the East line of Lot Number Seventeen (17) in Northcrest Addition to Beaver Dam Lake a distance of Sixty (60) Feet thence East and parallel with the South line of Lot Number Eighteen (18) a distance of twenty (20) Feet thence North a distance of sixty (60) feet to the Place of beginning.

KOSCIUSKO COUNTY COMMISSIONERS 2/27/2001

And which public way is also identified as an unimproved tract of land lying adjacent to and east of real estate commonly known as 9165 South Don Way, Claypool, Indiana 46510, and which public way lies east of those lots identified by Key Number 025-082-018.

IS NOW HEREBY VACATED

Section 2: This Ordinance shall be in full force and effect upon its adoption

Upon unanimous vote of all Commissioners present, the same being more than three-fourths (3/4) of the duly elected Commissioners of Kosciusko County, Indiana, this ordinance was considered for final passage upon its first presentation)

Upon motion duly made, seconded, and passed by vote of 3 ayes and 0 nays the foregoing Ordinance was adopted by the Kosciusko County Commissioners at its regular meeting this 27th day of February, 2001.

KOSCIUSKO COUNTY COMMISSIONERS

BRAD JACKSON

Avis Gunter

RON TRUEX

ATTEST:

SUE ANN MITCHELL, AUDITOR

IN THE MATTER OF THE CAREY PROPERTY REZONING FROM AGRICULTURAL TO RESIDENTIAL:

Dan Richard, Area Plan Commission, presented information on a rezoning for Carey Excavation, Inc., Dave Carey Agent, in Tippecanoe Township, Section 16 Township 33N Range 7E. The rezoning request is from agricultural to residential. Richard indicated soils, contours and GIS mapping were favorable to rezone to residential. Steve Harris, Attorney for Carey Excavation, ask the Commissioners to approve the rezoning. In rebuttal, Marilyn Castle spoke in opposition of the rezoning of agricultural to residential. Castle is concerned about drainage as the farmland sets higher than Meads Park. Castle is also concerned about shallow wells. Mary Adams, Meads Park property owner spoke against the rezoning. She indicated concern about the types of homes to be constructed. She stated Mead Park Lane is maintained by Mead Park Property owners. She felt it would be very hard on the road if construction traffic was allowed to use the road. She questioned who would pay for damages. She also stated several people were not notified in Mead Park. It was determined they were not actually adjacent property owners to the tract in question. Robert Phillippe spoke to clarify his position of the rezoning. He is the owner of 52 acres adjacent to the tract in question. He indicated he had reached an agreement with Carey along with Roger Coldren, owner of Roger's Auto Center. Carey has agreed to include in the restrictive covenants that no objections to adjoining acreage would be allowed. Carey agreed to provide Phillippe and Coldren with a tree buffer area. Roger Coldren spoke echoing Phillippe's comments concerning the agreement with Carey.

Dave Carey told the Commissioners the lots would be three-quarter to two acres and would not be high density. Carey said he planned to have two access roads into the subdivision off of 500N and no driveways coming off of Mead Park Dr.

MOTION: AVIS GUNTER
SECOND: RON TRUEX
AYES: 3 NAYS: 0
UNANIMOUS

TO: REZONE TRACT FROM AGRICULTURAL TO
RESIDENTIAL IN TTIPECANOE TOWNSHIP
IN SECTION 16 TOWNSHIP 33 NORTH
RANGE 7 EAST.

KOSCIUSKO COUNTY COMMISSIONERS 2/27/2001

ORDINANCE NO. 01-001 RZ *OK* 2001021279

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF Kosciusko
COUNTY, INDIANA:

ARTICLE 1.

Section 1. That the Kosciusko County Zoning Ordinance heretofore passed and adopted by the Board of Commissioners of Kosciusko County, Indiana, be and the same is hereby amended in the particulars hereinafter set forth.

Section 2. That certain tract of land situate in Kosciusko County, Indiana, now lying without the corporate limits of any City or Town and under the jurisdiction of the Kosciusko County Area Plan Commission, as a part of the Comprehensive Plan for Kosciusko County, Indiana; to-wit: be and the same is hereby, removed from classification as a Agricultural District and subject real estate shall be reclassified and rezoned as an Residential District within the limitations, definitions and description of the Kosciusko County Zoning Ordinance.

Section 3. That the Ordinance Administrator, pursuant to said Zoning Ordinance be, and he is hereby authorized to issue Location Improvement Permits and Certificates of Occupancy with reference to the construction and improvements upon said upon said described real estate so long as applications therefor comply with the Kosciusko County Zoning Ordinance and upon compliance with all applicable rules and regulations of the state of Indiana and local authorities, as the same may be applicable to the construction of streets, parking facilities, storm sewers, drains, sidewalks and sewer and water facilities.

ARTICLE 2.

Section . This ordinance shall be in full force and effect from and after its passage.

Passed and adopted at a regular and duly constituted meeting of the Board of Commissioners of Kosciusko County, Indiana, on 27th day of February 2001.

BOARD OF COMMISSIONERS KOSCIUSKO COUNTY, INDIANA
RON TRUEX
BRAD JACKSON
AVIS GUNTER

Attest:
SUE ANN MITCHELL, AUDITOR

KOSCIUSKO COUNTY COMMISSIONERS 2/27/2001

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

KOSCIUSKO COUNTY COMMISSIONERS


BRAD JACKSON, PRESIDENT


AVIS GUNTER


RON TRUEX

ATTEST:


SUE ANN MITCHELL, AUDITOR

KOSCIUSKO COUNTY COMMISSIONERS

TUESDAY, MARCH 13, 2001 9 AM

The Kosciusko County Commissioners met for their regular meeting on March 13, 2001 at 9 A.M. in the Courtroom of the Courthouse, 100 W Center St., Warsaw, Indiana.

Those present were:

BRAD JACKSON, PRESIDENT	RON ROBINSON, COUNTY ADMINISTRATOR
AVIS CUNTER	MIKE MINER, COUNTY ATTORNEY
RON TRUEX	SUE ANN MITCHELL, COUNTY AUDITOR

Pastor Leon Roetman opened the meeting with a word of prayer. The pledge to the flag was recited. President Brad Jackson called the meeting to order. Minutes of the February 27, 2001 meeting were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF DIRECT DEPOSIT:

The Commissioners signed the agreement with Lake City Bank for Direct Deposit. The charge will be \$15.00 a month. There will be no charge when 300 employees have signed up for direct deposit.

DIRECT DEPOSIT AGREEMENT

This Agreement is made this 6th day of March, 2001 by and between Kosciusko County Commissioner (the "Company"), and Lake City Bank, a financial institution (the "Bank").

Whereas the Company has requested that the Bank permit it to initiate electronic signals for paperless entries through the Bank to accounts maintained at the Bank and in other banks and financial institutions, be means of the Automated Clearing House (the "ACH") operated by the Federal Reserve Bank of Chicago, for the National Automated Clearing House ("NACHA").

Now, therefore, in consideration of the mutual covenants contained herein, it is agreed as follows:

1. The Bank will transmit credit/debit entries initiated by the Company to the ACH Operator as provided in the Operating Rules and Procedures of NACHA, as in effect from time to time (the "Rules") and this Agreement. Amendments to the Rules hereafter are hereby incorporated herein and made a part hereof.
2. The Company agrees to be bound by and to comply with the Rules and with applicable U.S. Law. The specific duties of the Company provided in the following paragraphs of this Agreement in no way limit the foregoing undertaking.
3. The Company will not initiate an entry with respect to any person until it has obtained the written authorization of such person to do so. The Bank may, from time to time, verify the accuracy of such authorizations by independent means. The Company will retain the original or a copy of each authorization received by the Company for two(2)years after revocation or termination of such authorization. The Company's file shall be available for inspection by the Bank's representatives during Company's regular business hours.

KOSCIUSKO COUNTY COMMISSIONERS 3/13/2001

4. The company will send Pre-notification to the Bank that it intends to initiate an entry or entries to a particular account within the time limits prescribed or such notice in accordance with Section II (B) of the Rules. The Company shall give the Bank the following information with respect to each pre-notification as specified in item number five(5)below; and if or after the Company has received notice that any such pre-notification has been rejected by a receiving bank, or that a receiving bank will not receive entries without having first received a copy of the authorization signed by its customer, the Company will not initiate any entry to such customer, except the Company may initiate entries after providing the receiving bank with such authorization, and a new pre-notification within the time limits provided by the Rules.
5. The Company will provide computer readable entry information on the mutually agreed upon medium and in the format specified in Appendix two(2) of the Rules. The Company agrees to maintain the maximum level of security with regards to password protection on the Company level as defined in the Rules.
6. Each entry of file shall be delivered to the Bank's Data Input Section of the banking house not later than 48 hours prior to Settlement Date for Credit entries and 24 hours prior to Settlement Date for Debit entries. For the purpose of this Agreement, the "Settlement Date" with respect to any entry shall be the date when entry is posted to the account of the Bank by the Federal Reserve Bank of Chicago in accordance with Section VI of the Rules.
7. Where the information delivered to the Bank is for the purpose of paying all or a portion of the Company's payroll, the Company will provide positive notice of an initiation of a credit entry to each person for whom a transfer is initiated, on or prior to the Settlement Date.
8. The Company will provide immediately available funds, as the Bank at its sole discretion shall determine, to cover any credit entry initiated by it not later than the Settlement Date applicable thereto. The Company will comply with the maximum exposure limits, as set by the Bank, listed in attached Schedule E.
9. The Company will receive immediately available funds, subject to final payment, for any debit entry initiated by it on the Settlement Date applicable thereto.
10. If the Company discovers that an entry it has initiated was in error, it may notify the Bank of such error. If such error is received prior to the time provided in paragraph six (6) of the Agreement for the delivery of the erroneous entry, the Bank will utilize its best efforts to initiate an adjusting entry or stop payment of any "On Us" credit entry within the time limits provided by the Rules. If such notice from the Company is received after the time provided in paragraph six (6) of the Agreement, the Bank will utilize its best efforts on behalf of the Company, consistent with paragraph II (E) of the Rules.

KOSCIUSKO COUNTY COMMISSIONERS 3/13/2001

11. In the event any entries are rejected by the ACH Operator for any reason whatsoever, it shall be the responsibility of the Company to remake such entries: provided, however, that the Bank shall remake such entries in any case where such rejection by the ACH Operator was due to mishandling of such entries by the Bank and sufficient data is available to the Bank to permit it to remake such entries. The Company shall retain and provide the Bank, on request, all information necessary to remake any file of entries for three (3) banking days after midnight of the Settlement Date.
12. The Company will promptly provide immediately available funds to indemnify the Bank if any debit entry is rejected after the Bank has permitted the Company to withdraw immediately available funds in the amount thereof or if any adjustment memorandum that relates to any such entry is received by the Bank.
13. The Company will indemnify the Bank if the Bank incurs any loss or liability on account of the breach, with respect to any entries initiated by the Company, of any of the warranties of an Originating Bank, contained in the Rules, except due to the Bank's own negligence. This provision for indemnification in no way limits the indemnification provisions contained in the Rules.
14. The Company will compensate the Bank for providing the services referred to herein at the prices set forth in the price schedule attached hereto, which schedule may be amended by the Bank at any time upon thirty (30) days written notice to the Company.
15. In the event the Company incurs any loss due to mishandling of a particular entry or entries, the Bank's liability to the Company shall be limited to (1) liability for losses caused directly by its own gross negligence or willful misconduct; and (ii) the amounts actually recovered by the Bank pursuant to acts taken at its sole discretion against the ACH, NACHA, or any third party pursuant to the Operating Rules or any indemnity agreement.

16. This agreement is terminable on thirty (30) calendar day's written notice by either party, provided that applicable portions of this Agreement shall remain in effect with respect to any entries initiated by the Company prior to such termination.

SCHEDULES ATTACHED HERETO: (C) Processing schedule and Fee Schedule and (E) Exposure Limits.

IN WITNESS WHEREOF, the undersigned have duly executed the Agreement by their duly authorized officers.

LAKE CITY BANK

**KOSCIUSKO COUNTY COMMISSIONERS
BRAD JACKSON, PRESIDENT
RON TRUEX
AVIS CUNTER**

KOSCIUSKO COUNTY COMMISSIONERS 3/13/2001

FEE SCHEDULE SCHEDULE (C)

ITEMS	FEE
Up to 100 employees	\$30.00 a month
101 – 150 employees	\$20.00 a month
151 – 200 employees	\$15.00 a month
251 – 300 employees	\$10.00 a month
300 – plus	No Charge
Correction/reversal of debit/credit	\$3.00 per item Items Originated

This schedule may be amended at any time, provided that the Bank has given the company thirty (30) days written notice prior to such amendments.

IN THE MATTER OF PAYMENT OF REINSURANCE BILLS:

The Reinsurance (Stop Loss) market has tightened up significantly over the past year or so. Sue Ann Mitchell, County Auditor, received reminders from some of these carriers/reinsurers/MGUs indicating that premiums are due and payable on the first day of each month. If premiums are not received by the end of the month, a lapse/termination notice must be sent to the Plan Administrator. The Commissioners authorized the Auditor to pay any bills received for reinsurance upon receipt. The bills will be itemized on the first claims listing following their payment and they will be advertised with the first claims advertised following the payment of the bills.

MOTION: AVIS GUNTER TO: AUTHORIZE THE AUDITOR TO PAY
SECOND: RON TRUEX REINSURANCE BILLS UPON RECEIPT.
AYES: 3 NAYES: 0
UNANIMOUS

IN THE MATTER OF COUNTY GOVERNMENT WEEK APRIL 22 TO 28, 2001:

Sue Ann Mitchell, Auditor, spoke of a possible open house at the Court House to be held the week of April 22 to 28, 2001.

IN THE MATTER OF THERMAL PLASTIC AT RR CROSSINGS:

Rob Ladson, County Highway Engineer, received a letter approved by the State to transfer grant money from the original project to apply Thermal Plastic at passive Rail Road crossings. Ladson stated he will ask the County Council for an additional appropriation.

IN THE MATTER OF SNOW EMERGENCY FUNDS FROM FEMA:

Rob Ladson, County Highway Engineer, stated the County Highway and the Sheriff's Department will receive 75% of \$39,390.39 from FEMA for the snow emergency. Permission was given by the Commissioners for Ladson to proceed.

IN THE MATTER OF THE COUNTY HIGHWAY EMERGENCY LIST:

Rob Ladson, County Highway Engineer, stated a new person has been added to the Emergency List at the County Highway. Ladson handed out new list to the Commissioners.

KOSCIUSKO COUNTY COMMISSIONERS 3/13/2001

IN THE MATTER OF PRIVATE ROADWAYS IN MEAD PARK:

Rob Ladson, Kosciusko County Highway Engineer, stated the County Highway and the Auditor's office established that the roads in Mead Park are in fact private road ways based on plats, replats, deeds and documents. (This means that the County does not maintain the road nor have the roads' easements been dedicated for general public use. I.E. It is not a dedicated public right-of-way.) Those document numbers include:

Meads Park Section A, Plat Book 6, Page 42.
 Meads Park Section B revised, Plat Book 6, Page 43.
 Meads Park Section A, Plat Book 6, Page 25.
 Meads Park Section A, Plat Book 6, Page 31.
 Meads Park Section B, Plat Book 6, Page 7.
 Meads Park Section 3, Plat Book 6, Page 83.
 David Mead Property, Book 6, Page 25.
 Successor Trustee's Deed Record 296, Page 330.
 Restrictions and Conditions upon use of Land Section B, Record 47, Page 42.
 Meads Park Section C, Record 50, page 314.

The Commissioners clarified that it is not the Counties obligation to police the lane so the public doesn't use it. Mike Miner, County Attorney, stated the Courts would have to change dedication if it were contested. Ladson was instructed by the Commissioners to write a letter to Dave Carey in reference to the status of the road.

IN THE MATTER OF 350W PROJECT:

Based on the consulting procedure from the meeting of February 27, 2001, each Commissioner selected three consulting firms. The final three firms selected by the Commissioners for the short list were USI, GAI and Troyer Group. Rob Ladson, County Highway Engineer, indicated his selections were from an engineer's standpoint.

Brad Jackson, President, County Commissioners, indicated the Commissioners new little about the Consultants background or the people involved. Ladson indicated each Commissioner selected their top three Consultants independently. Ladson will send a letter to all Consultants informing them of the Commissioners decision and future meeting dates.

Ron Truex, County Commissioner, questioned when it would be appropriate to have a meeting informing the public of the 350W project. Ladson indicated that an appropriate time would be after a firm is selected, but before development of project scope.

Ladson clarified that under Federal Guidelines, the Commissioners cannot define one route. Environmental studies must be done on several routes, then the best route would be selected.

On April 10, 2001 the three firms will be interviewed by the Commissioners and ranked. April 24, 2001 a committee will be established to develop the project's scope with the chosen consultant. A draft of the project's scope will be presented May 8, 2001 and on May 22, 2001 the final draft will be presented. On June 5, 2001 a draft copy of the contract terms and fees will be established with the Commissioners approving the final draft contract terms and fees on June 19, 2001. July 5, 2001 the terms and fee will be reviewed at a joint meeting of the County Commissioners and Council. The terms and fee will be approved by both bodies on August 2, 2001.

KOSCIUSKO COUNTY COMMISSIONERS 3/13/2001

IN THE MATTER OF AMENDING SUBDIVISION CONTROL ORDINANCE:

Matt Sandy, representing the Area Plan Commission, presented an amendment to the Subdivision Control Ordinance. Brad Jackson, President, County Commissioners, indicated this is not to turn a profit, but to cover expenses.

MOTION: AVIS GUNTER	TO: ADOPT ORDINANCE AS PRESENTED
SECOND: RON TRUEX	WITH EFFECTIVE DATE OF
AYES: 3 NAYS: 0	APRIL 1, 2001.
UNANIMOUS	

ORDINANCE NO. 01-001SD

AN ORDINANCE AMENDING, AND TO AMEND THE SUBDIVISION
CONTROL ORDINANCE OF KOSCIUSKO COUNTY, INDIANA

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF KOSCIUSKO
COUNTY, INDIANA:

Article 1

That Section 305.1.b of the Kosciusko County Subdivision Control Ordinance, be changed and amended to read as follows:

For all Minor Subdivisions as defined in this ordinance the fee shall be \$75.00 per plat, for all Major Subdivisions the fee shall be \$150.00 per plat. For all re-plats the cost for filing shall be \$50.00 + \$5.00 for every lot included in the re-plat over three (3) lots with a maximum payment of \$150.00. All other requirements for submittals of any kind shall be the same as spelled out in this ordinance.

Article 2

That Section 202 of the Kosciusko County Subdivision Control Ordinance, be changed and amended to read as follows:

Minor Subdivision: Any subdivision consisting of 1,2, or 3 lots. For this definition only, lot shall include out lots or common areas.

Major Subdivision: Any subdivision plat containing 4 or more lots. For this definition only, lot shall include out lots or common areas.

Article 3

This ordinance shall be in full force and effect from and after its passage and is not intended to void or nullify prior property conveyances or exchanges made under prior versions of the same ordinances.

Passed and adopted at a regular and duly constituted meeting of the Board of Commissioners of Kosciusko County, Indiana on the 13th day of March, 2001.
Effective as of the 1st day of April, 2001.

Kosciusko County Board of Commissioners	
Brad Jackson	
Avis B. Gunter	Attest: Sue Ann Mitchell
Ronald Truex	Kosciusko County Auditor

KOSCIUSKO COUNTY COMMISSIONERS 3/13/2001

IN THE MATTER OF MAHORTER VACATION

The attorney for Mahorter's requested the hearing be continued to a later date to be announced.

IN THE MATTER OF EDIT TAX:

The Commissioners signed a letter to the Council indicating edit funds would be used for payment on the Justice Building.

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

KOSCIUSKO COUNTY COMMISSIONERS


BRAD JACKSON, PRESIDENT


AVIS GUNTER


RON TRUEX

ATTEST:


SUE ANN MITCHELL, AUDITOR

KOSCIUSKO COUNTY COMMISSIONERS

MARCH 27, 2001

The Kosciusko County Commissioners met for their regular meeting on March 27, 2001 at 9AM. in the Courtroom of the Courthouse, 100 W Center St., Warsaw, IN.

Those present were:

BRAD JACKSON, PRESIDENT	RON ROBINSON, COUNTY ADMINISTRATOR
AVIS GUNTER	MIKE MINER, COUNTY ATTORNEY
RON TRUEX	SUE ANN MITCHELL, COUNTY AUDITOR

Pastor Ron Roetman opened the meeting with a word of prayer. The pledge to the flag was recited. President Brad Jackson called the meeting to order. Minutes of the March 13, 2001 meeting were approved as presented. Claims were signed and approved for payment. Justice building claim #12 was approved.

IN THE MATTER OF "COPS MORE 2001 FEDERAL GRANT APPLICATION":

Aaron Roventine, Sheriff of Kosciusko County, requested approval to apply for Cops More 2001 Federal Grant Application. The grant is a 75%-25% matching grant. The Counties portion would be \$7,000.00 with funding to be provided by the 911 fund or dispatch budget. The money would be used to upgrade technology on the lap top computers already being used by the Sheriff's Department and to provide connectivity for the officer's while in their commissions.

MOTION: AVIS GUNTER	TO: APPROVE APPLICATION FOR "COPS MORE
SECOND: RON TRUEX	2001 FEDERAL GRANT"
AYES: 3 NAYES: 0	
UNANIMOUS	

IN THE MATTER OF THE BEAMAN HOME GRANT:

Sue Ann Mitchell, Kosciusko County Auditor, presented the grant for the Beaman Home to the Commissioners for their approval.

MOTION: RON TRUEX	TO: APPROVE THE GRANT FOR THE BEAMAN
SECOND: AVIS GUNTER	HOME.
AYES: 3 NAYES: 0	
UNANIMOUS	

IN THE MATTER OF TRAFFIC DETOUR FOR SILVER LAKE DAYS:

Rob Ladson, Kosciusko County Highway Engineer, received a letter from Rex Clinker requesting permission to detour traffic onto county roads for a one mile section of St. Rd. 14 between St. Rd. 15 and County Road 200 W., during Silver Lake days on June 16, 2001 from 9:30 a.m. to 12:30 p.m. The detour south will be from 200 W to 1200 S. The detour north will be from 200 W to 900 S.

MOTION: RON TRUEX	TO: GRANT PERMISSION FOR DETOUR
SECOND: AVIS GUNTER	OF TRAFFIC FOR ONE MILE
AYES: 3 NAYES: 0	SECTION OF ST. RD. 14 BETWEEN
UNANIMOUS	15 AND CO. RD. 200 W. ONTO COUNTY
	ROADS FOR SILVER LAKE DAYS
	JUNE 16, 2001.

KOSCIUSKO COUNTY COMMISSIONERS - MARCH 27, 2001

IN THE MATTER OF ORDINANCE OF NO PARKING SIGNS ON
RUMPELSTILTZKEN DRIVE:

Rob Ladson, Kosciusko County Highway Engineer, presented an Ordinance to establish "No Parking". Ladson stated the Wawasee School buses are having trouble turning the buses around on Rumpe stiltzkin Drive when cars are parked in the cul-de-sac. Ladson suggested installing "No Parking" signs with the hours of no parking from 7 to 8:00 a.m. and 3 to 4:00 p.m. Aaron Rovenstin, Kosciusko County Sheriff, agreed with Ladson and supported the placement of the signs with posted hours.

MOTION: RON TRUEX TO: APPROVE NO PARKING SIGNS ON
SECOND: AVIS GUNTER RUMPELSTILTZKEN DRIVE CUL-DE-SAC FROM
AYES: 3 NAYS: 0 7-8AM AND 3-4PM
UNANIMOUS

ORDINANCE 01-002 NP OR 2001 03/692

An Ordinance establishing "No Parking" signs be installed on Rumplestiltzken Drive all within Kosciusko County, Indiana; and

WHEREAS, THE BOARD OF COMMISSIONERS of the County of Kosciusko has the power to regulate the use of the public ways and rights-of-ways; and

WHEREAS, THE BOARD OF COMMISSIONERS has the authority to establish "No Parking" on County Highways; and

WHEREAS, THE COUNTY HIGHWAY Engineering Department has performed a traffic study on the following roads all in accordance to the State of Indiana Uniform Traffic Control Manual and hereby recommend the following signs be installed:

NCW THEREFORE, BE IT ORDAINED by the Board of Commissioners of the County of Kosciusko as follows:

- 1. Install "No Parking" signs on Rumplestiltzken Drive. To be in effect between 7:00 a.m. to 8:00 a.m. and 3:00 p.m. to 4:00 p.m.

This Ordinance shall be in full force and effect on March 27th, 2001. Passed and adopted by the Board of Commissioners of the County of Kosciusko this 27th day of March, 2001.

BOARD OF COMMISSIONERS, Kosciusko
County
Bradford Jackson, President
Avis Gunter, Member
Ron Truex, Member

Attest: Sue Ann Mitchell
Kosciusko County Auditor

IN THE MATTER OF THE WESTERN ROUTE SHORT LIST LETTER:

Rob Ladson, Kosciusko County Highway Engineer, stated time will be set aside in the Commissioners regular meeting to be held on April 10, 2001 for the consultants on the Western Route project. The Commissioners will allow a fifteen minute presentation by each of the three firms on their short list.

KOSCIUSKO COUNTY COMMISSIONERS - MARCH 27, 2001

**IN THE MATTER OF LETTER TO DAVE CAREY REFERENCE MEAD PARK ROAD
BEING A PRIVATE ROADWAY:**

Rob Ladson, Kosciusko County Highway Engineer, stated he sent a letter to Dave Carey concerning Mead Park's Roads being privately owned as instructed by the Commissioners at their last meeting.

IN THE MATTER OF CASA USING COURTHOUSE FACILITIES:

Ron Robinson, County Administrator, stated Ann Dorgan, CASA representative, requested to use the Courthouse lawn on April 20, 2001. In case of inclement weather, they would move inside to the old courtroom.

MOTION: AVIS GUNTER	TO: APPROVE CASA TO USE COURTHOUSE
SECOND: RON TRUEX	LAWN ON APRIL 20, 2001.
AYES: 3 NAYES: 0	
UNANIMOUS	

**IN THE MATTER OF THE WARSAW HIGH SCHOOL DRAMA CLUB USING THE
COURTHOUSE FACILITIES:**

Ron Robinson, County Administrator, clarified that the Warsaw High School Drama Club will be using the Old Courtroom for a play on May 4, 5, 6, 11 & 12, 2001. The Commissioners had given prior approval for the Historical Society to use the facilities. They are working in conjunction with Warsaw High School Drama Club.

IN THE MATTER OF THE ST JOE RIVER BASIN FINANCIAL ASSISTANCE:

Ron Robinson, County Administrator, requested a transfer of \$500.00 to support the St Joe River Basin.

MOTION: RON TRUEX	TO: APPROACH COUNTY COUNCIL TO
SECOND: AVIS GUNTER	ESTABLISH AN ACCOUNT # FOR THE
AYES: 3 NAYES: 0	ST JOE RIVER BASIN AND TO TRANSFER
UNANIMOUS	\$500 TO THE ACCOUNT.

IN THE MATTER OF THE REPAIR OF CLOCK:

Ron Robinson, County Administrator, stated the clock in the old Courtroom and the Commissioner's Room were repaired by Don Lockridge of Olympia Repair in Warsaw.

IN THE MATTER OF WORKERS COMPENSATION:

Ron Robinson, County Administrator, recommended the County stay with the same Workmens Compensation provider. Robinson indicated there is a difference of \$12,000.00 in quotes.

MOTION: RON TRUEX	TO: RETAIN THE WORKMENS COMPENSATION
SECOND: AVIS GUNTER	COVERAGE WITH THE CURRENT CARRIER
AYES: 3 NAYES: 0	
UNANIMOUS	

IN THE MATTER OF THE JUSTICE BUILDING PROJECT:

Ron Robinson, County Administrator, stated the work on the Justice Building is ahead of schedule. There will be a construction meeting Thursday, March 29, 2001 at 1:30 p.m. Separate Requests For Proposals will be taken for the sound system and the computer wiring.

KOSCIUSKO COUNTY COMMISSIONERS - MARCH 27, 2001

IN THE MATTER OF GENERAL FEE SCHEDULE FOR WORK RELEASE:

Mike Miner, County Attorney, presented an Ordinance establishing the general fee schedule for Work Release. In prior minutes the rates were approved but an Ordinance was not in place. The Sheriff or the Director of Work Release are authorized to deviate from the schedule if they believes it to be appropriate. Any and all deviations should be recorded and included in the annual report to the Commissioners. The work release program is nearly self-supporting reducing taxpayers expense.

MOTION: AVIS GUNTER	TO: APPROVE ORDINANCE TO ESTABLISH
SECOND: RON TRUEX	GENERAL FEE SCHEDULE FOR WORK
AYES: 3 NAYES: 0	RELEASE
UNANIMOUS	

IN THE MATTER OF THE COUNTY ATTORNEY CONTRACT:

Mike Miner, County Attorney, presented the County Attorney contract for 2001. Miner will be representing all departments except the Area Plan Commission and Surveyor's office.

MOTION: RON TRUEX	TO: APPROVE COUNTY ATTORNEY CONTRACT
SECOND: AVIS GUNTER	AS PRESENTED
AYES: 3 NAYES: 0	
UNANIMOUS	

CONTRACT

THIS ATTORNEY-CLIENT FEE CONTRACT made and entered into as of the 1st day of January, 2001, by and between **THE BOARD OF COMMISSIONERS OF KOSCIUSKO COUNTY**, hereinafter referred to as "Client", and **MICHAEL L. MINER**, hereinafter referred to as "Attorney", WITNESSETH:

That Client has retained the services of and hereby employs Attorney, and Attorney hereby accepts said employment for the Client as County Attorney for the County of Kosciusko for a period commencing on the 1st day of January, 2001, and terminating on the 31st day of December, 2001, for the sum of Nineteen Thousand Six Hundred Five Dollars (\$19,605.00), payable in twenty-six (26) bi-weekly installments to the law firm of Valentine & Miner for basic services (described Hereinafter), and at an hourly rate for additional services (also described hereinafter)

Basic Services

The Attorney shall attend all meetings of the Board when requested to do so by the Client, and shall, except as hereinafter provided, render and perform the legal services required by the Board of Commissioners of Kosciusko County, and shall render and give counsel to any and all of them.

It is understood that the "Basic Services" hereunder shall not be deemed to include employment as attorney for the Kosciusko County Police Department, Kosciusko County Sheriff, Kosciusko County Council, Kosciusko County Area Plan Commission, Kosciusko County Drainage Board or Board of Zoning Appeals, or other county offices, departments or agencies.

In prosecuting any actions for said County or officers in the event any attorney's fees are provided for in any note or contract and the same are included as a part of a judgment recovered, when the judgment is actually paid, with attorney's fees included, the Attorney shall be entitled to the fees thus paid. In traveling to points outside Kosciusko County, the reasonable traveling expenses shall be paid by the Client. In the event of the absence or inability of the Attorney at any time to perform the services herein contemplated, he shall procure at his own expense a competent substitute.

KOSCIUSKO COUNTY COMMISSIONERS - MARCH 27, 2001

It is agreed and understood in a general way that the Attorney shall do and perform any and all such services as are generally and usually understood as being performed for the Board of Commissioners by similar officers and as have heretofore been done.

The services hereunder include entering an appearance in all litigated matters, the preparing of any and all necessary contracts and instruments for the Board, attending any and all meeting, and any and all other manner and form of services usually pertaining to such employment; however, it is understood and agreed that the "Basic Services" does not cover services in litigated matters beyond a formal appearance nor services performed for the County Auditor, county Recorder, County Assessor, County Treasurer, or any other county department agency or officer.

Additional Services

In addition to the "Basic Services" defined above, Attorney shall render and perform the legal services required by the Kosciusko County Council, and any county office, department or agency at the request of the county office, department or agency, subject to the approval of the Board of Commissioners, or at the request of the Board of Commissioners.

Attorney shall be paid for such "Additional Services" at the rate of One Hundred Fifty Dollars (\$150.00) per hour.

IN WITNESS WHEREOF, the parties hereto have hereunto subscribed their names as of the date and year first written above.

THE BOARD OF COMMISSIONERS OF THE COUNTY OF KOSCIUSKO

Brad Jackson	Michael L. Miner
Avis B. Gunter	"Attorney"
Ron Truex	
"Client"	

IN THE MATTER OF THE RESOLUTION OF EDIT PLAN FOR THE JUSTICE BUILDING PROJECT: CR 2001050041

Mike Miner, County Attorney, presented a resolution for the Commissioner's consideration for their EDIT plan. The plan indicated EDIT funds were to be used only for the Justice Building project. Miner prepared the document including provisions for the Council to sign.

MOTION: RON TRUEX	TO: ADOPT EDIT PLAN TO INCLUDE ONLY THE
SECOND: AVIS GUNTER	JUSTICE BUILDING PROJECT.
AYES: 3 NAYS: 0	
UNANIMOUS	

IN THE MATTER OF AGREEMENT WITH FIRST CHRISTIAN CHURCH FOR FIRST RIGHT OF REFUSAL PURCHASE OPTION:

Mike Miner, County Attorney, presented an Option to Purchase Real Estate as Right of First Refusal from the First Christian Church. The property is located at 202 W. Main St., Warsaw, Indiana. This will allow the County to have the first option to purchase should the First Christian Church decide to sell the property.

MOTION: RON TRUEX	TO: APPROVE RIGHT OF FIRST REFUSAL OPTION
SECOND: AVIS GUNTER	WITH FIRST CHRISTIAN CHURCH FOR THEIR
AYES: 3 NAYS: 0	PROPERTY LOCATED AT 202 W MAIN ST,
UNANIMOUS	WARSAW

KOSCIUSKO COUNTY COMMISSIONERS - MARCH 27, 2001

IN THE MATTER OF REZONING OF SYCAMORE FIELDS LLC PROPERTY FROM AGRICULTURE TO AGRICULTURE II: CR 2001031690

Dan Richard, Area Plan Commission, presented information on the rezoning of Sycamore Fields LLC property located in Tippecanoe Township, Section 21 Township 33N, Range 7E. The rezoning request is to change the property from Agriculture to Agriculture II. The Area Plan Commission voted unanimously to approve the rezoning. Richard said some concerns are surface water drainage and development of interior roads within the sub division. This will limit additional entrances from county roads.

Jack Birch, attorney representing Sycamore Fields LLC, stated this is an appropriate area with with transition to residential. Concerns mentioned by Richard will be addressed when the plat is presented for approval. There was no opposition to the rezoning.

MOTION: AVIS GUNTER	TO: APPROVE REZONING OF SYCAMORE
SECOND: RON TRUEX	FIELDS LLC PROPERTY FROM
AYES: 3 NAYS: 0	AGRICULTURE TO AGRICULTURE II
UNANIMOUS	

IN THE MATTER OF THE REZONING OF PROPERTY OWNED BY GREG SMITH FROM AGRICULTURE TO INDUSTRIAL II: CR 2001031691

Dan Richard, Area Plan Commission, presented information for the rezoning of property owned by Greg Smith from Agriculture to Industrial II. The property is located in Plain Township, Section 17 Township 33N Range 6E. Richard stated concerns with drainage, compatibility and development of interior roads not county roads. The Area Plan Commission voted unanimously to allow the rezoning.

Jack Birch, attorney for Greg Smith, stated this type and size areas are needed for industrial development in the county. He indicated this area on SR 15 would be ideal when the Warsaw City sewer project is completed.


MOTION: RON TRUEX	TO: APPROVE REZONING OF PROPERTY
SECOND: AVIS GUNTER	OF GREG SMITH FROM AGRICULTURE
AYES: 3 NAYS: 0	TO INDUSTRIAL II.
UNANIMOUS	

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

KOSCIUSKO COUNTY COMMISSIONERS


BRAD JACKSON, PRESIDENT


AVIS GUNTER


RON TRUEX

ATTEST:


SUE ANN MITCHELL, AUDITOR

KOSCIUSKO COUNTY COMMISSIONERS

APRIL 10, 2001

The Kosciusko County Commissioners met for their regular meeting on April 10, 2001 at 9AM in the Courtroom of the Courthouse, 100 W Center St., Warsaw, IN.

Those present were:

BRAD JACKSON, PRESIDENT	RON ROBINSON, COUNTY ADMINISTRATOR
AVIS GUNTER	MIKE MINER, COUNTY ATTORNEY
RON TRUEX	SUE ANN MITCHELL, COUNTY AUDITOR

Pastor Ron Roetman opened the meeting with a word of prayer. The pledge to the flag was recied. President Brad Jackson called the meeting to order. Minutes of the March 27, 2001 meeting were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF VICTIMS OF VIOLENT CRIMES GRANT APPLICATION:

Chuck Waggoner, Kosciusko County Prosecuting Attorney, requested approval to apply for the Victims of Violent Crimes Grant. This is a continuation of an existing grant.

MOTION: AVIS GUNTER	TO: APPROVE APPLICATION FOR VICTIMS OF
SECOND: RON TRUEX	VIOLENT CRIMES GRANT
AYES: 3	NAYS: 0
UNANIMOUS	

IN THE MATTER OF THE BIKE TRAIL PROPOSAL IN NORTH WEBSTER:

Helen Hoy, Tippecanoe Township resident, introduced Carol Gilbert, Project Coordinator for the North Webster Greenway Project. Gilbert presented information regarding a proposal for a bike trail in North Webster. Phase I of the project would include one-half mile on Backwater Road and would encompass Dixie Drive, Effie Mae Street and a route to the new school area. Phase II would be around Webster Lake and would connect with Tri County Game Preserve owned by the Department of Natural Resources. Phase III would require widening of a county road. Rob Ladson, County Highway Engineer/Superintendent, has seen the proposed routes. Ladson stated the project would be funded by grants without any county funds. Gilbert stressed that this can be considered a health issue for children because it would improve the safety of their travel by bicycle to places in the Town of North Webster. Gilbert received preliminary affirmation from the Commissioners for the project.

IN THE MATTER OF LAKELAND LANDFILL:

Rob Ladson, County Highway Engineer/Superintendent, presented a draft copy of the proposed agreement with the Lakeland Landfill. A draft copy of the agreement was presented to Mike Miner, County Attorney, for his review.

IN THE MATTER OF THE SELECTION OF CONSULTANT FOR THE WESTERN ROUTE PROJECT:

Ground rules were established for the presentations. Presentations were limited to twenty minutes. Questions and answers were allowed beyond the time limit as long as they did not further the presentation. Names were drawn for the order of presentations. All competitors were asked to leave the room when not presenting themselves.

KOSCIUSKO COUNTY COMMISSIONERS – APRIL 10, 2001

Rob Ladson, County Highway Engineer/Superintendent, indicated the presentations were to concentrate on skills, abilities and prior accomplishments of the companies. At this point fees are not a consideration. Ladson reminded the Commissioners that this is not a route selection process. After the selection of the first preferred consultant, fees will be negotiated. If an appropriate agreement can not be reached, the second consultant choice will be contacted.

The first presentation was given by Kirk McCutcheon, Project Manager with GAI Consultants, Inc. McCutcheon stated GAI has a local vested interest because he resides in Winona Lake. McCutcheon indicated projects the company has done in other communities. The Winona Lake office has only McCutcheon, but would add staff if the project was awarded to them. He emphasized that GAI would provide community involvement, service and a positive client relationship.

The second presentation was given by Phil Beer, Project Manager with USI Consultants. Beer stated he had an interest in the community having grown up here. He indicated engineering would be done in house at their facility, but that environmental would not be done in house. It would be contracted with another firm. Beer cited USI's qualifications and accomplishments in other areas of the state.

The third presentation was given by Steve Benzik, Project Manager, The Troyer Group. Benzik noted several projects The Troyer Group has completed. The Troyer Group's qualifications and skills were also presented. They shared information concerning their staff.

Brad Jackson, County Commissioner's President, thanked each of the consultants for their time and costs invested in their presentations. The Commissioners requested Ladson's recommendation. Ladson indicated Troyer Group and USI were his first two choices. Ron Truex suggested only the first choice be selected today. If fees can not be negotiated to satisfy everyone, the second choice will be made.

MOTION: RON TRUEX	TO: APPROVE THE TROYER GROUP AS THE
SECOND: AVIS GUNTER	CONSULTANT FOR THE WESTERN.
AYES: 3 NAYS: 0	ROUTE PROJECT.
UNANIMOUS	

IN THE MATTER OF THE COMMITTEE FOR THE WESTERN ROUTE PROJECT:

A committee will be established to determine the scope of the project and negotiate the costs with The Troyer Group. The committee will consist of Ron Truex, County Commissioner of the district where the project is located; Rob Ladson, County Highway Engineer/Superintendent; and a resident of the western route proposed area. Ron Truex had a suggestion for the additional member, but wanted to verify the person's willingness to serve. Truex was instructed to contact his choice and report back to the other Commissioners and Ladson his findings.

IN THE MATTER OF APPROVAL OF FLEX PLAN FOR EMPLOYEES:

Sue Ann Mitchell, County Auditor, presented information received from Key Benefits reference the Flex Plan in place for the employees. The Commissioners approved the revisions of the Flex Plan. The signed pages of the agreement will be sent to Key Benefits for their signatures and will be returned to the county upon completion by Key Benefits.

MOTION: RON TRUEX	TO: APPROVE THE REVISIONS OF THE FLEX
SECOND: AVIS GUNTER	PLAN FOR COUNTY EMPLOYEES.
AYES: 3 NAYS: 0	
UNANIMOUS	

KOSCIUSKO COUNTY COMMISSIONERS – APRIL 10, 2001

IN THE MATTER OF THE SERVICE AGREEMENT FOR KDI:

Sue Ann Mitchell, County Auditor, presented the service agreement for KDI to be approved by the Commissioners. The agreement indicated KDI will receive \$35,000 for the year 2001. Funds will be released to KDI when a dollar for dollar contribution is received by KDI from outside funding sources. All dollars must be actually received and can not be in the form of pledges.

MOTION: AVIS GUNTER	TO: APPROVE THE SERVICE AGREEMENT FOR KDI
SECOND: RON TRUEX	FOR KDI IN THE AMOUNT OF \$35,000 FOR
AYES: 3 NAYS: 0	2001.
UNANIMOUS	

AGREEMENT FOR SERVICES

THIS AGREEMENT made and entered into this 10th day of April, 2001 by and between THE BOARD OF COMMISSIONERS OF THE COUNTY OF KOSCIUSKO, and Kosciusko (County) Development, Inc. hereinafter referred to as “The Agency”, WITNESSETH:

By way of background, The Agency has requested The Board provide funds to The Agency in order that the Agency may provide certain services to the citizens of Kosciusko County, Indiana; and

By way of further background, The Board, has caused the request for funding of The Agency to be transmitted to and considered by the Kosciusko County Council and the Kosciusko County Council has appropriated Thirty Five Thousand Dollars (\$ 35,000) for the use of The Agency for the year 2001; and

By way of further background, The Board and The Agency wish to set forth their agreements with regard to the services to be rendered and the payment to be made therefore.

NOW, THEREFORE, the parties hereto agree with each other as follows:

1. The agency hereby agrees to provide services to the citizens of Kosciusko County, Indiana, in accordance with the presentations and representations made by The Agency to The Board in The Agency’s request for funding. The agency agrees to provide services set forth in “Exhibit A” attached hereto and made a part hereof.
2. The Board hereby agrees to match any funds up to a maximum of \$35,000 received by the Agency. (Example: The Board will provide \$1 funding for every \$1 the Agency receives from any other source.) The Agency agrees to submit a claim with proof of actual receipt of funds. A pledge of funding does not constitute a receipt of funds. Upon submission of claim form, funds will be disbursed to The Agency.
3. The Agency and The Board both understand and agree that should the Board in its sole judgment determine that any funds appropriated and set aside for The Agency hereunder are not in fact being utilized in accordance with The Agency’s representations or agreements with the Board, The Board may, without notice, terminate further disbursement of County funds to The Agency without regard to the fact that there remain appropriated funds that have not yet been disbursed to The Agency.

KOSCIUSKO COUNTY COMMISSIONERS – APRIL 10, 2001

4. That this agreement shall be deemed to have commenced on January 1, 2001 and shall terminate December 31, 2001.

KOSCIUSKO DEVELOPMENT, INC.

THE BOARD OF COMMISSIONERS
OF KOSCIUSKO COUNTY

IN THE MATTER OF DIRECT DEPOSIT:

Sue Ann Mitchell, County Auditor, stated direct deposit was in effect as of today. There were approximately 180 employees included in the initial deposit process.

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

KOSCIUSKO COUNTY COMMISSIONERS


BRAD JACKSON, PRESIDENT


AVIS GUNTER


RON TRUEX

ATTEST:


SUE ANN MITCHELL, AUDITOR

KOSCIUSKO COUNTY COMMISSIONERS

APRIL 24, 2001

The Kosciusko County Commissioners met for their regular meeting on April 24, 2001 at 9AM in the Courtroom of the Courthouse, 100 W Center St., Warsaw, IN.

Those present were:

BRAD JACKSON, PRESIDENT	RON ROBINSON, COUNTY ADMINISTRATOR
AVIS GUNTER	MIKE MINER, COUNTY ATTORNEY
RON TRUEX	SUE ANN MITCHELL, COUNTY AUDITOR

Pastor Ron Roetman opened the meeting with a word of prayer. The pledge to the flag was recited. Brad Jackson called the meeting to order. Minutes of the April 10, 2001 meeting were approved as presented. Claims were signed and approved for payment. Justice Building claim #13 was approved.

The Honorable Ernie Wiggins, Mayor of the City of Warsaw, was welcomed to the Commissioner's meeting by Brad Jackson, President.

IN THE MATTER OF THE GIS ORTHO PHOTOS PRESENTATION:

Bill Holder, GIS Director, presented a demonstration of the different scale Ortho photos to be taken in 2002. Holder stated if towns and dense areas were done on a 50 scale, the pictures would be more detailed for the Assessors. Letters have been sent to the towns to find their level of support in obtaining photos. The choices for ortho photo resolutions are as follows: 1. 100 scale in towns and dense areas and 200 scale in the county with an approximate cost of \$350,000.00 2. 50 scale in towns and dense areas and 100 scale in the county with an estimated cost of \$425,000. 3. Detailed contour lines with option number one at an approximate cost of \$750,000.00. A committee to research costs involved has been working, consisting of Sue Ann Mitchell, Auditor; Richard Kemper, Surveyor; and Bill Holder, GIS Director. Holder stated he would prefer to use the RFO process instead of the RFP. This will give the County the ability to look at a companies qualifications as well consider the price. The Commissioners will be requested to address funding in their 2002 budget. Holder was given permission to proceed with the project.

IN THE MATTER OF THE LAKELAND LANDFILL AGREEMENT:

Mike Miner, County Attorney, presented an agreement to the Commissioners for the Lakeland Landfill expansion. Miner stated the agreement will clarify the Counties possible liability. The County will provide a place for the landfill to get dirt, but will not be responsible for the delivery of the dirt to the landfill. The County will be responsible for any damage done to the roads from the trucks hauling dirt and will provide mowing at the landfill a few times a year. The landfill is preparing an alternative wetland and after five years the County will help maintain the wetland.

Miner distributed the agreement. The Commissioners will consider the agreement and discuss at the May 8, 2001 meeting. Rob Ladson, County Highway Engineer, stated an ordinance would be signed. Ladson proposed to hire a nearby farmer to provide mowing for the landfill as the County Highway has four mowers to mow the roadsides and time may not allow mowing at the landfill. The property is located at 450W and 700S.

KOSCIUSKO COUNTY COMMISSIONERS 4/24/2001

IN THE MATTER OF THE PAVING OF PACKERTON ROAD:

As a point of information for the Commissioners, Rob Ladson, County Highway Engineer, stated Packerton Road from CR 400S to Piercetown Road will be repaved this summer.

IN THE MATTER OF THE STOP SIGN AT CR 300S AND PACKERTON ROAD:

Rob Ladson, County Highway Engineer, presented an Ordinance to establish a "Stop Sign" on the northwest corner of Packerton Road and CR 300S and to remove a "Stop Sign" on the southwest corner of Packerton Road and CR 300S.

MOTION: RON TRUEX
SECOND: AVIS GUNTER
AYES: 3 NAYS: 0
UNANIMOUS

TO: APPROVE ESTABLISHING A "STOP
SIGN" ON THE NORTHWEST CORNER
OF PACKERTON ROAD AND CR 300S
AND REMOVE A "STOP SIGN" ON THE
SOUTHWEST CORNER OF PACKERTON
ROAD AND CR 300S.

ORDINANCE 01 - 0025 *CR 2001050044*

An Ordinance establishing "Stop" signs at various County Road intersections within Kosciusko County, Indiana; and

WHEREAS, THE BOARD OF COMMISSIONERS of the County of Kosciusko has the power to regulate the use of the public ways and rights-of ways; and

WHEREAS, THE BOARD OF COMMISSIONERS has the authority to establish Stop signs on County Highways; and

WHEREAS, THE COUNTY HIGHWAY Engineering Department has performed a traffic study at the aforementioned road intersection in accordance to the State of Indiana Uniform Traffic Control Manual and hereby recommend "Stop" signs be installed.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioner of the County of Kosciusko as follows:

1. Install "Stop" sign on the northwest corner of Packerton Road and CR 300S.
2. Remove "Stop" sign on the southwest corner of Packerton Road and CR 300S.

THIS ORDINANCE shall be in full force and effect on April 24, 2001. Passed and adopted by the Board of Commissioners of the County of Kosciusko this 24th day of April 2001.

BOARD OF COMMISSIONERS, Kosciusko County

Brad Jackson, President
Avis Gunter, Member
Ron Truex, Member

Attest: Sue Ann Mitchell
Kosciusko County Auditor

KOSCIUSKO COUNTY COMMISSIONERS 4/24/2001

IN THE MATTER OF SMALL STRUCTURE BRIDGE ON 650N (CRYSTAL FLASH RD) IN THE TOWN OF NORTH WEBSTER:

The Commissioners previously approved funding for repair of small structures on county regulated drains from the Cumulative Bridge Fund. The small structure culvert on 650N (Crystal Flash Rd) is on a county regulated drain and will be replaced this summer in accordance with the Cumulative Bridge Ordinance.

IN THE MATTER OF THE WESTERN ROUTE PROJECT SCHEDULE:

Rob Ladson, County Highway Engineer presented a tentative schedule to the Commissioners for the Western Route Project. The committee for the Western Route project will meet the week of May 14, 2001. The committee will consist of a member of the Troyer Group; Ron Truex, Commissioner; Rob Ladson, County Highway Engineer; Chris Garza, a resident of 350W; and a County Council member. The week of June 5, 2001 will be the target date for a rough draft. A public meeting will be held the week of June 11, 2001. On June 19, 2001 the Commissioners will have the final draft. There will be a joint meeting between the Commissioners and the Council on July 5, 2001 to discuss the funding.

MOTION: RON TRUEX	TO: APPROVE THE APPOINTMENT OF
SECOND: AVIS GUNTER	THE COMMITTEE FOR THE
AYES: 3 NAYS: 0	WESTERN ROUTE PROJECT AS
UNANIMOUS	LISTED ABOVE.

IN THE MATTER OF THE 911 CONTRACT WITH THE CITY OF WARSAW:

Ron Robinson, County Administrator, presented a contract for the 911 Dispatch between the County and the City of Warsaw. The County will pay for three of the dispatchers.

MOTION: AVIS GUNTER	TO: APPROVE 911 DISPATCH CONTRACT
SECOND: RON TRUEX	WITH THE CITY OF WARSAW AT
AYES: 3 NAYS: 0	\$90,000.00 FOR THREE DISPATCHERS.
UNANIMOUS	

AGREEMENT

THIS AGREEMENT made this 6th day of April, 2001 between the **COUNTY OF KOSCIUSKO, INDIANA** ("County") and the **CITY OF WARSAW, INDIANA** ("City").

SECTION 1

RECITALS

- 1.1 The following recitals are a material part of this Agreement.
- 1.2 County is a municipal corporation and in such capacity has made arrangements for the provision of 911 services to the County
- 1.3 City is a municipal corporation located within Kosciusko County and, as part of the operation of the City Police Department, maintains dispatchers which are an integral part of the County's 911 service.

KOSCIUSKO COUNTY COMMISSIONERS 4/24/2001

1.3 County receives funds to be utilized for the hiring of dispatchers providing 911 service and City and County desire to properly distribute the funds received by County to City for payment of expenses incurred by City in providing dispatchers for 911 use.

1.5 The parties desire to enter into an agreement pursuant to I.C.36-1-7-1, et seq. describing the responsibilities of the parties and other legal requirements.

SECTION 2

CONSIDERATION

2.1 The consideration for the Agreement is the mutual covenants contained herein.

SECTION 3

TERMS

3.1 City shall provide in 2001, for benefit of County in its operation of a 911 system, sum of three (3) City dispatchers as an integral part of the 911 system.

3.2 County, in its administration of the 911 system, shall determine the extent to which services of the City dispatcher shall be utilized.

3.3 The intent of the Agreement is to provide maximal benefits to the citizens of Kosciusko County and the City of Warsaw from the usage of the 911 system.

3.4 From the proceeds received by County for the implementation and operation of the 911 systems, County shall pay City in January of 2001 the sum of \$90,000.00.

3.5 A joint board composed of the Commissioners of Kosciusko County, Indiana and the Board of Public Works and Safety of the City of Warsaw, Indiana shall administer this Agreement. Meetings of such joint board shall occur on an as-needed basis.

3.6 The joint board shall not acquire any property nor shall the joint board make any payments, the only payment required being that of the County of the City described herein.

SECTION 4

MISCELLANEOUS

4.1 This Agreement shall remain in effect until December 31, 2001.

4.2 By this Agreement, neither party shall in any way assume responsibility for payment of employment nor other taxes incurred by the other party to this Agreement resulting from the employment of personnel necessary for the implementation of the provisions of this Agreement.

4.3 Both parties to this Agreement have been authorized to enter into the Agreement by adoption of proper resolution in accordance with I.C.36-1-7-2.

KOSCIUSKO COUNTY COMMISSIONERS 4/24/2001

IN WITNESS WHERE OF the parties have executed this Agreement the day above written.

KOSCIUSKO COUNTY, INDIANA
BY IT'S BOARD OF COMMISSIONERS

CITY OF WARSAW, INDIANA
BY ITS BOARD OF PUBLIC
WORKS AND SAFETY

By: Ron Truex
By: Brad Jackson
By: Avis B. Gunter

By: Ernest B. Wiggins
By: Charles D. Smith
By: Jerry Patterson, ABSENT

SHERIFF OF KOSCIUSKO COUNTY,
INDIANA
By: C. Aaron Rovenstine

By: Elaine Call, Clerk-Treasurer
City of Warsaw

ATTEST:
By: Sue Ann Mitchell
Kosciusko County Auditor

IN THE MATTER OF THE RATE CHANGE RELEASE FORM FROM NIPSCO:

Ron Robinson, County Administrator, received a rate change release form from NIPSCO. Robinson stated the buildings and meters need to be reviewed. Ron Robinson, County Administrator and Ron Truex, Commissioner, will contact NipSCO for the rate study.

MOTION: AVIS GUNTER
SECOND: BRAD JACKSON
AYES: 3 NAYS: 0
UNANIMOUS

TO: AUTHORIZE RESEARCH ON
METERS FOR RATE CHANGE
REVIEW FROM NIPSCO

IN THE MATTER OF THE CHANGE ORDERS FOR THE JUSTICE BUILDING PROJECT:

Ron Robinson, County Administrator, presented change orders for the Justice Building Project. An estimate of \$19,910.00 was given for wiring specifications for computer line wiring and the sound system wiring for the Courts. The support satellite for the jail is estimated at \$18,356.00. Robinson stated an estimate of \$11,643.00 was given to change the area for the Judge's. The City of Warsaw Fire Inspector did an inspection of the building and the fire protection on the second floor had been omitted. The fire protection will be installed. Robinson stated snowmelt sensors would be in the sidewalk.

IN THE MATTER OF EXCESSIVE VEHICLE NOISE ORDINANCE:

Mike Miner, County Attorney, presented an ordinance to the Commissioners prohibiting excessive vehicle noise. Discussion was held on noise in general vs the engine brakes used by trucks. It was determined to include only engine brakes in the Ordinance. Each area affected must be addressed by the Commissioners.

ORDINANCE NO 01-04-24 CR 2002031135
AN ORDINANCE PROHIBITING EXCESSIVE VEHICLE NOISE
IN KOSCIUSKO COUNTY, INDIANA

KOSCIUSKO COUNTY COMMISSIONERS 4/24/2001

WHEREAS, it is the public policy of Kosciusko County to prevent exposure of its citizen to the harmful physiological and psychological effects of excessive vehicle noise; and

WHEREAS, other municipalities in Kosciusko County have adopted ordinances controlling excessive vehicle noise; and

WHEREAS, the Kosciusko County Board of Commissioners desires to prohibit excessive vehicle noise in "quiet areas" of Kosciusko County, Indiana.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Kosciusko County, Indiana, as follows:

Section 1. Quiet Areas. this ordinance shall apply only to "quiet areas" which may from time to time be designated by the Kosciusko County Board of Commissioners.

Section 2. Prohibited Acts. The following acts, if committed within designated "quiet areas", are declared to be unlawful and per se public nuisances, and no person shall cause to be made, or continue, any of such noises which are declared to be loud, raucous; or disturbing noises in violation of this ordinance:

A. No use of engine brakes.

Section 3. Penalties. Whoever violates any provisions of this ordinance, upon conviction thereof, shall be fined not less than \$50 for the first offense, and not less than \$75 for the second offense, and not less than \$150 for the third and subsequent offense, not more than \$2500 for any violation thereof.

ORDAINED and **PASSED** by the Board of Commissioners of Kosciusko County, Indiana, this 24th day of April, 2001, by a vote of three ayes and no nays.

BOARD OF COMMISSIONERS,
KOSCIUSKO COUNTY, INDIANA

Brad Jackson, President
Ron Truex, Commissioner
Avis B. Gunter, Commissioner

ATTEST: Sue Ann Mitchell
Kosciusko County Auditor

MOTION: BRAD JACKSON TO: ADOPT ORDINANCE PROHIBITING
SECOND: RON TRUEX EXCESSIVE VEHICLE NOISE IN
AYES: 3 NAYS: 0 KOSCIUSKO COUNTY, INDIANA.
UNANIMOUS

**IN THE MATTER OF DESIGNATING 350W BETWEEN OLD AND NEW 30 AS
"QUIET ZONE:"**

The Commissioners designated 350W between Old 30 and New 30 as a "quiet zone".

MOTION: RON TRUEX TO: DESIGNATE 350W BETWEEN OLD 30
SECOND: AVIS GUNTER AND NEW 30 AS A "QUIET ZONE".
AYES: 3 NAYS: 0
UNANIMOUS

KOSCIUSKO COUNTY COMMISSIONERS 4/24/2001

**IN THE MATTER OF THE APPOINTMENT OF RUTH E. JONES TO THE
WARSAW COMMUNITY PUBLIC LIBRARY BOARD:**

Ruth E. Jones was reappointed to the Warsaw Library Board for a term of four years. Jones term will expire on July 1st, 2005.

MOTION: AVIS GUNTER
SECOND: RON TRUEX
AYES: 3 NAYS: 0
UNANIMOUS

TO: REAPPOINT RUTH E. JONES TO THE
WARSAW COMMUNITY PUBLIC
LIBRARY BOARD.

IN THE MATTER OF THE REZONING OF DWYER PROPERTY FROM AGRICULTURAL TO RESIDENTIAL: *CR 2001050045*

Dan Richard, Area Plan Commission, presented information on a rezoning for Kevin Dwyer in Van Buren Township. The rezoning request is from agricultural to residential. The tract of land is in the Southwest Quarter of the Northwest Quarter of Section 8, Township 34 North, Range 6 East, Van Buren Township, Kosciusko County, Indiana. John Kimple, PES, spoke on behalf of the Dwyer's. Kimple indicated the area was appropriate for rezoning to residential.

MOTION: AVIS GUNTER
SECOND: RON TRUEX
AYES: 3 NAYS: 0
UNANIMOUS

TO: REZONE DWYER TRACT FROM
AGRICULTURAL TO RESIDENTIAL
IN VAN BUREN TOWNSHIP IN
SECTION 8 TOWNSHIP 34 NORTH
RANGE 6 EAST.

IN THE MATTER OF THE REZONING OF SPONSELLER TRACT FROM
AGRICULTURAL TO RESIDENTIAL: CR 2001050046

Dan Richard, Area Plan Commission, presented information on a rezoning for Sponseller Brothers' in Harrison Township. The rezoning request is from agricultural to residential. The tract of land is located in the South half of the Northwest Quarter of Section 5, Township 32 North, Range 5 East. John Kimple, PES, stated the land is appropriate for residential. Richard Cripe, a resident of Gault Street, stated he is concerned about the drainage.

MOTION: RON TRUEX
SECOND: AVIS GUNTER
AYES: 3 NAYES: 0
UNANIMOUS

TO: REZONE SPONSSELLER TRACT FROM
AGRICULTURAL TO RESIDENTIAL
IN HARRISON TOWNSHIP IN
SECTION 5, TOWNSHIP 32 NORTH

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

KOSCIUSKO COUNTY COMMISSIONERS

BRAD JACKSON, PRESIDENT

Doris Hunter
AVIS GUNTER

Carol Truex
RON TRUEX

ATTEST: Sue Ann Mitchell
SUE ANN MITCHELL, AUDITOR

1

10

11

KOSCIUSKO COUNTY COMMISSIONERS MAY 8, 2001

The Kosciusko County Commissioners met for their regular meeting on May 8, 2001 at 9AM in the Courtroom of the Courthouse, 100 W Center St., Warsaw, IN.

Those present were:

BRAD JACKSON, PRESIDENT	RON ROBINSON, COUNTY ADMINISTRATOR
AVIS GUNTER	MIKE MINER, COUNTY ATTORNEY
RON TRUEX	SUE ANN MITCHELL, COUNTY AUDITOR

Pastor Ron Roetman opened the meeting with a word of prayer. The pledge to the flag was recited. Brad Jackson called the meeting to order. Minutes of the April 24, 2001 meeting were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF USE OF COUNTY HIGHWAY TRUCKS FOR COMMUNITY SERVICE PROGRAM:

Judge James Jarrette, Kosciusko Superior Court II, requested approval for the County Highway to provide trucks for Community Service Program this summer.

MOTION: AVIS GUNTER	TO: APPROVAL FOR THE COUNTY
SECOND: RON TRUEX	HIGHWAY TO PROVIDE TRUCKS
AYES: 3 NAYS: 0	FOR COMMUNITY SERVICE
UNANIMOUS	PROGRAM.

IN THE MATTER OF RETAINING THE JUSTICE'S BENCH AND JURY BOX FROM JUSTICE BUILDING:

Judge James Jarrette, Kosciusko Superior Court II, requested the Justice's Bench and Jury Box from Kosciusko Superior Court III be salvaged at the time of demolition of the older part of the Justice Building. Judge Jarrette requested some of the paneling be saved for possible future use. No action was taken on the matter.

IN THE MATTER OF THE APPOINTMENT OF KABS GENERAL MANAGER:

Randy Hall, Vice President of Cardinal Center, stated that Tom Sherron has resigned as the Kosciusko Area Bus Service general manager, effective May 18, 2001. Hall recommended Rita Baker to replace Sherron.

MOTION: AVIS GUNTER	TO: APPOINT RITA BAKER AS
SECOND: RON TRUEX	KABS GENERAL MANAGER.
AYES: 3 NAYS: 0	
UNANIMOUS	

IN THE MATTER OF RECEIPT OF THE ANNUAL REPORT FOR ARROWHEAD RC&D:

Randy Moore, Arrowhead RC&D, presented the annual report for the Arrowhead RC&D to the Commissioners. The report was accepted as presented.

IN THE MATTER OF RENEWAL OF KBA INSURANCE:

Bob Baker, Group Alternative insurance consultant, presented information on the counties insurance renewal. Baker stated that in our policy now, only hospitals are PPO's. The doctor's networks have expanded and booklets are available that will list doctors. Baker stated if local doctors are in the network, thirty-five percent in cost could be saved. Baker recommended the renewal of the current reinsurance policy with American National. He will return with the final cost and agreement for the Commissioner's to sign at a later date.

MOTION: RON TRUEX
SECOND: AVIS GUNTER
AYES: 3 NAYS: 0
UNANIMOUS

TO: APPROVE BOB BAKER MAKING
CONTACT WITH AMERICAN
NATIONAL FOR REINSURANCE.

IN THE MATTER OF THE LAKE LAND LANDFILL AGREEMENT:

Mike Miner, County Attorney, presented the Settlement Agreement for the Lakeland Landfill. The agreement is between Dana Corporation, General Motors Corporation, and United Technologies Automotive, Inc. (collectively “the Organizing PRP Group”), and Kosciusko County (“Settling Party”).

MOTION: AVIS GUNTER
SECOND: RON TRUEX
AYES: 3 NAYS: 0
UNANIMOUS
TO: APPROVE THE LAKE LAND LANDFILL
SETTLEMENT AGREEMENT AS
PRESENTED.

**IN THE MATTER OF PARKING ON PACKERTON ROAD FOR THE OLD
ORDER GERMAN BAPTIST CHURCH CONFERENCE:**

Ron Robinson, County Administrator, stated the Old Order German Baptist Church requested permission to park on the shoulder of Packerton Road in case of rain during their conference from June 2nd thru 6th, 2001. Aaron Rovenshine, County Sheriff, stated the Sheriff's Department will provide a uniformed officer for traffic control. Permission was granted by the Commissioners for parking on the shoulder of Packerton Road during the event by consent.

FUND 5:
IN THE MATTER OF THE DISTRIBUTION OF CONGRESSIONAL SCHOOL

The Commissioner's signed the official Congressional School Funds Report. This is a trust fund given for congressional townships the county years ago. The interest received at a rate of 4% per year, must be distributed two times a year to the school corporations within the county based on the last enumeration of children that was made in 1932. A report must be filed annually with the State Auditor.

MOTION: AVIS GUNTER
SECOND: RON TRUEX
AYES: 3 NAYS: 0
UNANIMOUS

TO: APPROVE THE CONGRESSIONAL
SCHOOL FUNDS REPORT TO THE
STATE AUDITOR INDICATING THE
BALANCE IN THE FUND WAS \$28,129.47.

KOSCIUSKO COUNTY COMMISSIONERS 5/8/2001

**IN THE MATTER OF AMENDING ORDINANCE FOR MILEAGE, LODGING
AND MEALS FOR ATTENDING CONFERENCE AND OTHER APPROVED
FUNCTIONS:**

An ordinance providing for the payment of mileage, lodging and meals for attending conference and other approved functions was amended adopted by the Commissioners. due to a problem with the wording in the prior amendment. the rate for mileage was approved in the original ordinance at what the state pays, however, the commissioner's motion was to adopt \$.325 per mile. The mileage is to be at the rate of \$.325 per mile and is to be retroactive.

MOTION: AVIS GUNTER
SECOND: RON TRUEX
AYES: 3 NAYS: 0
UNANIMOUS

TO: AMEND ORDINANCE FOR
PAYMENT OF MILEAGE IN THE
AMOUNT OF \$.325 PER MILE.

Revised #
2001050552 ORDINANCE NO. *01-1111102* *CR#200070876*
AN ORDINANCE PROVIDING FOR THE PAYMENT OF
MILEAGE, LODGING AND MEALS FOR
ATTENDING CONFERENCE AND OTHER APPROVED FUNCTIONS

BE IT ORDAINED By the Board of Commissioners of the County of Kosciusko as follows:

Section 1. That County officers, their Deputies or assistants who with prior approval of this or her Department Head shall attend any conference or other function thought necessary and appropriated by the Board of Commissioners shall be entitled to a sum for mileage of \$.325 per mile effective July 1, 2001 and retroactive to this date.

Section 2. That in addition to mileage, an allowance for lodging for the meeting or conference including one night preceeding such meeting or conference, shall be allowed in an amount equal to the single room rate including tax but not exceeding the amount of One Hundred Twenty-Five Dollars (\$125.00) , per day. In the event a room is shared with another County Official, Deputy or Assistant, one-half (1/2) of the actual room rate only may be claimed per County Official, Deputy or Assistant. Receipts or documentation for room allowance out of pocket expense shall be submitted by the employee for reimbursement under this Ordinance.

Section 3. That in addition to mileage and room allowance, each Official, Deputy or Assistant shall be entitled to an allowance per day for food equal to the actual cost thereof not to exceed however Twenty-Six Dollars (\$26.00) per day. Receipts or documentation for food allowance out of pocket expense shall be submitted by the employee for reimbursement under this Ordinance.

Section 4. All claims for mileage, lodging or meals shall be charged to the budget of the respective department of government for which such Official, Deputy or Assistant is employed and shall be payable only upon the approval of the Department Head and the presentation and allowance of a proper claim therefore by the Board of Commissioners of Kosciusko county.

Section 5. This Ordinance shall be in full force and effect retroactive back to date of original Ordinance signed July 18, 2000.

DATED THIS 8TH DAY OF MAY, 2001 BRADFORD JACKSON, PRESIDENT
AVIS B. GUNTER
RON TRUEX

KOSCIUSKO COUNTY COMMISSIONERS 5/8/2001

**IN THE MATTER OF NON-PROFITS ORGANIZATIONS WISHING FUNDING
FOR 2002 COMMISSIONER'S BUDGET:**

The Commissioners will begin the 2002 budget process for Non-Profits in June, 2001. The Auditor will schedule the non profit agencies that are funded in the Commissioner's budget at the June 19th meeting.

**IN THE MATTER OF THE VACATION FOR THE NORTH INDIANA
CONFERENCE UNITED METHODIST CHURCH - EPWORTH FOREST:**

Matt Sandy, Area Plan Commission, presented information on a vacation for the North Indiana Conference United Methodist Church Epworth Forest. Sandy stated the Sheriff, County Highway, EMS and Wawasee School have been contacted. Sandy indicated there was some question on the part of the County Highway, EMS and Fire Departments. There was no response from the Wawasee School Corporation.

Steve Link, Barnes & Thornburg Attorney, representing the North Indiana Conference United Methodist Church, stated they are concerned with the intersection at Ninth and Asbury and Ninth and Wesley. They want to make the intersection better, but not intrude on private property.

The following remonstrators were recognized:

Dick Mitchell, Tippecanoe Township Trustee, stated there is a concern for the Fire Department and EMS. If the Fire Department would be coming in from the West, the fire truck would be unable to make the turn at Ninth and Wesley. Mitchell suggested widening the corner at Ninth and Wesley would help address Fire and EMS concerns. George Estate spoke in opposition for his Mother who lives at Lot 25 on Asbury. Estate was concerned with EMS access, traffic at a high rate of speed and snowplowing. Sharon Watson, who owns lots 23 and 24, was concerned with the safety issues for children in the neighborhood and access to reach wells located at the rear of the property.

Brad Jackson, Commissioner, suggested a cul-de-sac be done to solve some of the problem Jackson requested all parties to meet and work out something that would be agreeable to everyone

MOTION: AVIS GUNTER
SECOND: RON TRUEX
AYES 3 NAYS: 0
UNANIMOUS


TO: CONTINUE HEARING ON VACATION
FOR NORTH INDIANA CONFERENCE
UNITED METHODIST CHURCH
EPWORTH FOREST TO JUNE 5, 2001.

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

KOSCIUSKO COUNTY COMMISSIONERS


BRAD JACKSON


AVIS GUNTER


RON TRUEX

ATTEST: 
SUE ANN MITCHELL

KOSCIUSKO COUNTY COMMISSIONERS

MAY 22, 2001

The Kosciusko County Commissioners met for their regular meeting on May 22, 2001 at 9AM in the Courtroom of the Courthouse, 100 W Center St., Warsaw, IN.

Those present were:

BRAD JACKSON, PRESIDENT	RON ROBINSON, COUNTY ADMINISTRATOR
AVIS GUNTER	MIKE MINER, COUNTY ATTORNEY
RON TRUEX	SUE ANN MITCHELL, COUNTY AUDITOR

Pastor Ron Roetman opened the meeting with a word of prayer. The pledge to the flag was recited. Brad Jackson called the meeting to order. Minutes of the May 8, 2001 meeting were approved as presented. Claims were signed and approved for payment. Justice Building claim #14 was approved.

IN THE MATTER OF BROKEN WATER LINE AT THE COUNTY HIGHWAY:

Rob Ladson, County Highway Engineer, stated the County Highway has a water leak in the office. Ladson stated from the shop to the office, the water feed is under concrete. Ladson stated the Highway needs a larger water feed. Ladson checked tapping into city water but it is three-quarter mile down the road and the County would have to run the lines. Brad Jackson asked Ladson to get two estimates of costs to repair. The estimates are to include time, materials and the possibility of starting with a new system. Ladson is to proceed when he has chosen the best estimate.

IN THE MATTER OF THE COMMITTEE FOR CARDINAL CENTER:

Ron Robinson, County Administrator, presented a letter from Jane Greene, President of the Cardinal Center board. She requested a committee of a Council member, Commissioner, Ron Robinson and Jane Greene meet to discuss possible solutions to their growth and maintenance problems. The letter stated Larry Teghtmeyer, County Councilman, has agreed to serve on the committee. Ron Truex, Commissioner, volunteered to be on the committee. Robinson will contact Jane Greene to establish a meeting date.

IN THE MATTER OF THE LAKELAND LANDFILL:

Mike Miner, County Attorney, stated there is nothing to report at this time in regards to the Lakeland Landfill.

IN THE MATTER OF THE ASSOCIATION OF INDIANA COUNTIES:

Sue Ann Mitchell, County Auditor, stated Kosciusko County is a member of the Association of Indiana Counties.

IN THE MATTER OF SPECIAL COIT DISTRIBUTION:

Sue Ann Mitchell, County Auditor, stated Kosciusko County received a one-time distribution of COIT revenues in the amount of \$5,159,532.00. This is a balance in excess of three months of collections that has accrued to Kosciusko County. A deposit in the amount of \$1,967,298. will be made for Kosciusko County. The County Council voted to deposit the money in the Cumulative Capital Development Fund to help with expenses related to the construction of the Justice Building.

**IN THE MATTER OF THE PETITION OF TRACY BEER TO VACATE
STREETS:**

Matt Sandy, Area Plan Commission, presented a petition to vacate a portion of Gravelton Road south from the CSX Railroad tracks to a point 1550 feet north of the north right-of-way line of CR 1350N. Sandy stated the EMS, Fire Department, School and Sheriff's Department have been notified and they have no objection to vacating the road. The City of Nappanee is conveying the parcel to the Beer family. Tracy Beer stated the railroad tracks are closed and requests the road be vacated. Rob Ladson, County Highway Engineer, stated the highway is supportive of vacating the aforementioned portion of Gravelton Road. The responsibility of the turn around will be Tracy Beer's. There were no demonstrators.

MOTION: AVIS GUNTER
SECOND: RON TRUEX
AYES: 3 NAYS: 0
UNANIMOUS

TO: VACATE A PORTION OF
GRAVELTON ROAD SOUTH
FROM THE CSX RAILROAD
TRACKS TO A POINT 1550 FEET
NORTH OF THE NORTH RIGHT-
OF-WAY LINE OF CR 1350N.

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

KOSCIUSKO COUNTY COMMISSIONERS


BRAD JACKSON


AVIS GUNTER


RON TRUEX

ATTEST: 
SUE ANN MITCHELL, AUDITOR

KOSCIUSKO COUNTY COMMISSIONERS

JUNE 5, 2001

The Kosciusko County Commissioners met for their regular meeting on June 5, 2001 at 9AM in the Courtroom of the Courthouse, 100 W Center St., Warsaw, IN.

Those present were:

BRAD JACKSON, PRESIDENT	RON ROBINSON, COUNTY ADMINISTRATOR
AVIS GUNTER	MIKE MINER, COUNTY ATTORNEY
RON TRUEX	SUE ANN MITCHELL, COUNTY AUDITOR

The pledge to the flag was recited. Brad Jackson called the meeting to order. Minutes of the May 22, 2001 meeting were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF RENEWAL OF KBA INSURANCE:

Bob Baker, Group Alternative insurance consultant, presented information on reinsurance for the County. The \$25,000.00 limit placed on the counties liability may need to be raised to \$75,000.00 on 3-4 select employees pending the return of doctor's statements. An application for excess loss reinsurance with American National Life Insurance Company of Texas was presented for the Commissioner's approval.

MOTION: RON TRUEX	TO: APPROVE SIGNING OF APPLICATION
SECOND: AVIS GUNTER	AND PLAN SPONSER DISCLOSURER
AYES: 3 NAYS: 0	STATEMENT FOR EXCESS LOSS
UNANIMOUS	REINSURANCE.

IN THE MATTER OF RELOCATION OF ELI LILLY ROAD:

Dick Green, Attorney, presented 221 petitions against the relocation of Eli Lilly Road to the Commissioners. Green stated the petitions were only from homeowners in the Ogden Point area and did not include vacant lot owners and other Syracuse residents opposed to the relocation. There is nothing pending before the Commissioners at this time. Dick Green requested the petition remain on file in the Auditor's office.

IN THE MATTER OF KABS REQUEST FOR 2002 GRANT:

Rita Baker, KABS Director, requested permission to apply for 5311 Rural and Small Urban Public Transit and Intercity grant for assistance. Brad Jackson, President of the Commissioners, signed the request for "Intent to Apply for Funding Form".

MOTION: AVIS GUNTER	TO: GIVE PERMISSION TO APPLY FOR
SECOND: RON TRUEX	5311 RURAL AND SMALL URBAN
AYES: 3 NAYS: 0	PUBLIC TRANSIT AND INTERCITY
UNANIMOUS	GRANT FOR ASSISTANCE.

**IN THE MATTER OF CDBG GRANT APPLICATION FOR WARSAW
HOUSING AUTHORITY:**

Laura Kauffman, Warsaw Housing Authority Executive Director, requested the Commissioners approval for Housing Opportunities of Warsaw Inc. to apply for an Indiana Housing Finance Authority grant for approximately \$145,000.00. Kauffman stated the grant will be used to fund a countywide program. The program will be called Home Remedies. The program will improve accessibility for disabled homeowners. The money can be administered as a loan which can help additional applicants as monies are repaid. The interest charged can be set by the County. The money can also be awarded with no payback required should the county chose to do so. Kauffman emphasized this program is not only for low income but also those who are working and disabled or the elderly. WHA would over see contractor's work. There will be no cost to the county as the Kosciusko 21st Century Foundation has committed to the local match requirement of \$14,500.00. Brad Jackson abstained because of conflict of interest.

MOTION: AVIS GUNTER
SECOND: RON TRUEX
AYES: 2 NAYS: 0
ABSTAIN: 1

TO: APPROVE APPLICATION ON
BEHALF OF COUNTY FOR BLOCK
GRANT IN THE AMOUNT OF
\$145,000.00 WITH MATCHING
FUNDS TO COME FROM K21
FOUNDATION.

**IN THE MATTER OF KOSCIUSKO COUNTY HIGHWAY ROAD
SPECIFICATIONS:**

Rob Ladson, Kosciusko County Highway Engineer, presented proposed changes in road specifications. Ladson presented proposed guidelines for concrete roads since none exist in the current road specifications plan. Ladson proposed increasing the hot mix base 2"-3" and eliminating the prime coat which added no future strength to the road. Ladson requested comments be back to him within a month.

IN THE MATTER OF ADDITIONALS FOR JUSTICE BUILDING PROJECT:

Ron Robinson, County Administrator, requested \$3200.00 for changes of colors of doors and woodwork to match the existing colors in the old portion of the Justice Building. Robinson requested \$14,922.00 to put snowmelt in front walkways and ramps to eliminate salt and sanding. This would be better on the concrete and save on labor.

MOTION: RON TRUEX
SECOND: AVIS GUNTER
AYES: 3 NAYS: 0
UNANIMOUS

TO: APPROVE ADDITIONALS FOR
CHANGING OF COLORS AND
INSTALL SNOWMELT IN RAMPS
AND WALKWAYS.

IN THE MATTER OF SUS AMIGO MENTORING PROGRAM:

Ron Robinson, County Administrator, stated the county received a certificate of appreciation for their participation in the Sus Amigos Mentoring Program. Robinson stated two Hispanic students from Warsaw Community High School worked for the County this year. One student worked in the Sheriff's Department and one in the Health Department and Administrator's Office.

**IN THE MATTER OF CONTRACTS FOR BOVINE BRUCELLOSIS AND
TUBERCULOSIS ERADICATION PROGRAMS:**

Sue Ann Mitchell, County Auditor, presented the contract with the State Board of Animal Health for Bovine Brucellosis and Tuberculosis eradication program. The contract is in the amount of \$1,000.00.

MOTION: AVIS GUNTER	TO: SIGN THE CONTRACT FOR
SECOND: RON TRUEX	BOVINE BRUCELLOSIS AND
AYES: 3 NAYS: 0	TUBERCULOSIS ERADICATION
UNANIMOUS	PROGRAM.

**IN THE MATTER OF THE VACATION FOR THE NORTH INDIANA
CONFERENCE UNITED METHODIST CHURCH-EPWORTH FOREST:**

Steve Fink, Barnes & Thornburg Attorney, representing the North Indiana Conference United Methodist Church, requested a two-week extension for the hearing on the vacation for the North Indiana Conference United Methodist Church in Epworth Forest.

MOTION: AVIS GUNTER	TO: CONTINUE HEARING ON VACATION
SECOND: RON TRUEX	FOR NORTH INDIANA CONFERENCE
AYES: 3 NAYS: 0	UNITED METHODIST CHURCH
UNANIMOUS	EPWORTH FOREST TO JUNE 19, 2001.

IN THE MATTER OF ALL AMERICA CITY AWARD:


Stephanie Noffsinger, Leadership Academy Participant, presented an invitation to one of the Commissioners to attend the All America City awards celebration to be held in Atlanta, Georgia June 21-23, 2001. Warsaw was one of thirty cities chosen from a field of ninety-three applicants. They requested a county representative accompany the city delegation. The Commissioners agreed to select one person to represent the County.

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

KOSCIUSKO COUNTY COMMISSIONERS


BRAD JACKSON


AVIS GUNTER


RON TRUEX

ATTEST: 
SUE ANN MITCHELL, AUDITOR

KOSCIUSKO COUNTY COMMISSIONERS

JUNE 19, 2001

The Kosciusko County Commissioners met for their regular meeting on June 19, 2001 at 9 AM in the Courtroom of the Courthouse, 100 W Center St., Warsaw, IN.

Those present were:

BRAD JACKSON, PRESIDENT	RON ROBINSON, COUNTY ADMINISTRATOR
AVIS GUNTER	MIKE MINER, COUNTY ATTORNEY
RONALD TRUEX	SUE ANN MITCHELL, COUNTY AUDITOR

Pastor Ron Roetman opened the meeting with a word of prayer. The pledge to the flag was recited. Brad Jackson called the meeting to order. Minutes of the June 5, 2001 meeting were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF LIGHTENING PROTECTION FOR COURTHOUSE:

Bob Momeyer, Systems Administrator, presented quotes from Schenk Lightning Rod, Inc. and Tri-State Lightning Protection to have lightning rods installed on the Courthouse. Contact was made with four companies, but only two responded. He noted the Courthouse has been struck two times within the last five years causing damage estimated at \$24,000 plus the wages for repair in addition to the loss of service during the down time. Momeyer stated the lightning rods would be installed on the high points of the Courthouse and connected with copper cable then a down drop to the ground creating an umbrella effect. The Commissioners questioned whether lightning rods would solve the problem. Ronald Truex requested additional information from Momeyer before a decision is made.

IN THE MATTER OF WIRING FOR THE JUSTICE BUILDING:

Bob Momeyer, Systems Administrator, presented quotes for wiring for the Justice Building. The quotes consisted of Derry Electric at \$57,500.00, Sprint at \$50,090.00 and Rick's Electronics at \$49,964.45. This is for cabling for computers and telephones that was not included in the base price of the Justice Building Project. Rick's Electronics was selected as the lowest proposal for the cabling project.

MOTION: AVIS GUNTER	TO: APPROVE RICK'S ELECTRONICS
SECOND: RONALD TRUEX	TO INSTALL CABLING IN JUSTICE
AYES: 3	NAYS: 0
UNANIMOUS	BUILDING FOR COMPUTER AND
	TELEPHONE

IN THE MATTER OF THE PETITION FROM THE 350 W AREA RESIDENTS:

Chris Jarza, resident of 350W, presented a petition supporting the Western Route Project. The petition stated the area residents support the Western Route Project, but oppose the proposal that would improve County Road 350W for the Western Route Project. The petition stated other sites have been proposed that would disrupt fewer residents and cost no more than using 350W. The petition consisted of ninety-nine signatures. The Commissioners accepted the petition.

IN THE MATTER OF THE BUDGET REQUEST FOR HOME HEALTH CARE:

Gary Lyons, President of Home Health Care, presented the budget for 2002. Lyons requested \$75,000.00 from the County. Lyons stated that 44% of their cases are care of the indigent. Area II provides service for people who don't qualify for Medicare or Medicaid. They reimburse at less than 50% of the cost to provide the service. Without the Home Health Care, those patients trying to stay in their own home would be required to move to a nursing home to receive care. Lyons stated the source of funding for Home Health Care is the County, United Way and K21.

**IN THE MATTER OF THE BUDGET REQUEST FOR JUVENILE JUSTICE
YOUTH SHELTER:**

Kurt Carlson, Bowen Center, manages the operation of the Youth Center. Carlson stated it would be premature to give costs at this time but the need for funding has decreased. Currently \$100,500 is budgeted for 2001. Currently the Bowen Center operates a 10 bed facility for juveniles in need of housing. Currently, the facility is not a secure facility. Carlson will talk with Judge Duane Huffer, Peg Shively, Family and Children and Ron Babcock, Probation Department. Carlson will report back to the Commissioners at their July 3, 2001 meeting on the intent of the Bowen Center and a funding request.

**IN THE MATTER OF THE BUDGET REQUEST FOR LAKELAND ART
ASSOCIATION:**

Linda Dilling, Lakeland Art Association, requested \$1200.00 to pay for an Administrators Salary in the amount of \$100.00 a month. She stated the county had provided a home for the Art Association from 1993 until the demolition of the building for the Justice Building Project. Dilling stated the Lakeland Art Association has received a \$20,000.00 grant to conduct a building capacity study of the property located at 117 E. Center St. The study was completed June 14, 2001.

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

Jean Jones, Historical Society, requested \$23,000.00, the same amount as last year. Jones stated they will be installing storm windows. She stated plans are in the works to power wash the Old Jail Museum and do mortar repair. A grant has been requested to complete the work. Jones indicated there may be a need to return to the Commissioners with an additional funding request if the grant is not received or if the project exceeds anticipated costs.

**IN THE MATTER OF THE BUDGET REQUEST FOR THE CARDINAL
CENTER:**

Jane Green, Cardinal Center, requested \$95,000.00. This is an increase of \$15,000.00 over the usual amount budgeted. Research is being done as to how the property housing KABBS is held. The building is in need of repairs which is the request for the additional funding. She stated it would take \$150,000 to bring the building up to standard. Green indicated insurance increases are the biggest concern with their budget. The Cardinal Center employees 450 employees of which 300 are insured.

IN THE MATTER OF THE BUDGET REQUEST FOR THE ST JOE RIVER BASIN:

Sandy Seanor, St Joe River Basin, requested \$500.00 from Kosciusko County. Seanor stated the St Joe River Basin will receive \$6,000.00 from cities and counties and \$2500.00 from Elkhart County.

IN THE MATTER OF THE BUDGET REQUEST FOR THE COUNCIL ON AGING AND AGED:

Jack Felger, Executive Director, requested \$38,000.00 for 2002. This is an increase of \$10,500.00 over last year's funding. Felger stated \$4,000.00 of the increase is for transportation cost and \$6,500.00 for mobile meals. There are fourteen people on the waiting list for mobile meals. The cost is \$1300.00 per person per year for one meal a day each week for fifty-two weeks. He stated that employees have no fringe benefits and have had wage increases in three of the past seven years. He indicated that they barely pay minimum wage to most employees. Felger stated the council would receive \$10,000.00 additional funding from United Way this year.

IN THE MATTER OF THE BUDGET REQUEST FOR THE BEAMAN HOME:

Jeanne Campbell, Director of the Beaman Home, requested \$34,000.00 for the Beaman Home. The 2001 budgeted amount is \$27,500. Campbell stated the Beaman Home housed 203 families last year. The Outreach Program helped 625 people. Campbell has applied for four grants, but has received no replies to date. She indicated she had heard that state grants would be reducing by 15%. Campbell stated the home needs a new fire escape. The requested increase of \$6500.00 would be applied to direct services.

IN THE MATTER OF THE BUDGET REQUEST FOR KOSCIUSKO DEVELOPMENT INC.:

Jim Tinke, Treasurer of Kosciusko Development Inc., requested \$46,750.00 for KDI. Donations received by KDI are matched by the county up to \$35,000. KDI must have received the funds before the county matches the funding.

IN THE MATTER OF THE COMMUNITY DEVELOPMENT BLOCK GRANT:

The Commissioners signed the Indiana Housing Finance Authority Community Development Block Grant for Warsaw Housing Authority. This grant is being matched with K21 funds in the amount of \$14,500.

MOTION: AVIS GUNTER	TO: APPROVE SIGNING THE COMMUNITY
SECOND: RONALD TRUEX	DEVELOPMENT BLOCK GRANT BEING
AYES: 3	APPLIED FOR BY THE WARSAW
NAYS: 0	HOUSING AUTHORITY
UNANIMOUS	

**IN THE MATTER OF THE BUDGET REQUEST FOR THE ANIMAL
WELFARE LEAGUE:**

Frank Scaliet of the Animal Welfare League, requested \$66,000.00 for 2002. This is an increase of \$6,000.00 from last year. Scaliet asked if the employees of the Animal Welfare League could join the counties insurance program. The request was taken under advisement for consideration at a later date.

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


BRAD JACKSON


AVIS GUNTER


RONALD TRUEX

ATTEST:


SUE ANN MITCHELL, AUDITOR

KOSCIUSKO COUNTY COMMISSIONERS

JULY 3, 2001

The Kosciusko County Commissioners met for their regular meeting on July 3, 2001 at 9 AM in the Courtroom of the Courthouse, 100 W Center St., Warsaw, IN.

Those present were:

BRAD JACKSON, PRESIDENT	RON ROBINSON, COUNTY ADMINISTRATOR
AVIS GUNTER	MIKE MINER, COUNTY ATTORNEY
RONALD TRUEX	SUE ANN MITCHELL, COUNTY AUDITOR

Pastor Ron Roetman opened the meeting with a word of prayer. The pledge to the flag was recited. Brad Jackson called the meeting to order. Minutes of the June 19, 2001 meeting were approved as presented. Claims were signed and approved for payment. Justice Building claim # 15 was approved.

IN THE MATTER OF COUNTY APPOINTMENT TO WARSAW CITY COMMON WAGE BOARD:

A request was received from Warsaw Mayor Ernie Wiggins for the County Commissioners to make an appointment to the Common Wage Board. Donald Searce has served as a representative in the past for the Commissioners.

MOTION: RONALD TRUEX	TO: APPOINT DONALD SCEARCE AS
SECOND: AVIS GUNTER	THE COMMISSIONER'S REPRESENTATIVE
AYES: 3 NAYS: 0	TO THE COMMON WAGE BOARD PER THE
UNANIMOUS	REQUEST OF WARSAW CITY.

IN THE MATTER OF COUNTY NEEDS ANALYSIS REPORT:

Jim Tranter, County Council President, presented the Commissioners with a copy of the needs analysis information collected from department heads and elected officials. Tranter emphasized that this report is not law, but merely a guideline. He indicated that he felt long range planning has some advantages and disadvantages. He cited this was just a beginning step in the process. Tranter outlined the steps of the analysis indicating the first two have been completed. The analysis was completed by department heads and office holders and the information has been compiled. The next step will be to interview each person submitting a report to discuss in detail the data recorded. Following further data collection, a meeting will be scheduled with the Council and Commissioners to develop direction based on the data formulated. The last step will be a final draft given to each department head and elected official so future direction of the county follows the long range plan. This will not be an end result but the beginning of plan implementation. This will be an ongoing process. Brad Jackson thanked Tranter for his time in preparing the analysis and taking the initiative.

KOSCIUSKO COUNTY COMMISSIONERS 7/3/2001**Page 2 of 8****IN THE MATTER OF REDISTRICTING COMMISSIONER AND COUNCIL DISTRICTS:**

Sharon Christner, County Clerk, presented information concerning redistricting. She advised the Commissioners that it is their responsibility to draw the new districts for the Council and Commissioner Districts. She offered her help so the process can be completed as soon as possible. She cited the need to notify voters of their new precincts where changes have been made to conform to precinct sizes as required by law.

IN THE MATTER OF THE ALL AMERICAN CITY AWARD PRESENTATION:

Stephanie Noffsinger and Katie Howe appeared before the Commissioners to present a plaque and medal received at the competition held in Atlanta, Georgia. They indicated it was an honor for the community to have been one of 30 finalists. Thanks were extended to Avis Gunter for attending with the delegation from Warsaw to represent Kosciusko County. Everyone who attended agreed it was a learning experience. Brad Jackson expressed appreciation for the time given by Stephanie and Katie in making the application and following through with attending the contest on behalf of the community.

IN THE MATTER OF COMMISSIONER'S JUVENILE JUSTICE BUDGET:

Kurt Carlson, Bowen Center Representative, presented additional information gathered concerning the operation of the Juvenile Shelter program through the Bowen Center. Carlson indicated serious consideration is being given to developing a secure facility instead of an un-secure juvenile shelter because of reduced numbers of juveniles in need of the un-secure service. Carlson indicated he had no final figures but would continue to develop facts and figures related to the funding request.

IN THE MATTER OF APPRECIATION FROM WINONA LAKE:

Kirk McCutcheon, Publicity Committee Chairman for the Winona Lake Great Fourth of July Celebration, thanked the Sheriff's Department for their participation in the event. McCutcheon cited a K-9 unit and DARE officer specifically for their exhibits.

IN THE MATTER OF WESTERN ROUTE PROPOSAL FOR CORRIDOR STUDY AND ENGINEERING SERVICES BY TROYER GROUP:

Rob Ladson, County Highway Superintendent/Engineer, presented information concerning the proposal for the Western Route Project. Ladson indicated that Chris Garza, Larry Teghtmeyer, Ronald Truex and himself had been working as a committee with the Troyer Group to negotiate the proposal. Ladson stated the final draft is ready for the Commissioner's approval. Mike Miner, County Attorney, approved the document. The contract is to be sent to the County Council. A joint meeting has been scheduled for July 26th, 7 PM at the Munson Building to discuss the project as proposed.

Ladson indicated the cost estimates are between \$16 to \$23 million depending on the length of the route chosen. Eighty percent of the costs will be paid by the State and 20% by the County. The state will be contacted along with numerous other entities to determine the scope of the project.

KOSCIUSKO COUNTY COMMISSIONERS 7/3/2001

Page 3 of 8

Ladson requested the Commissioners sign a letter approving the proposal to be included with a copy of the proposal being provided the County Council.

MOTION: RONALD TRUEX TO: APPROVE THE SIGNING OF THE LETTER
SECOND: AVIS GUNTER TO BE SENT TO THE COUNTY COUNCIL
AYES: 3 NAYS: 0
UNANIMOUS
CONSIDERATION.

IN THE MATTER OF STOP SIGN ORDINANCES:

Rob Ladson, County Highway Superintendent/Engineer, presented information concerning stop signs that needed to be addressed. Ladson requested the following stop signs be added:

1. Northeast corner of Burkhardt Drive and County Road 20 East. *ce 2002 031143*
2. Southwest corner of Burkhardt Drive and Runkle Drive.
3. Northwest corner of Terrace Drive and County Road 750 S *ce 2002 031145*
4. Southwest corner of County Road 300 S and Packerton Road which will stop eastbound traffic on County Road 300S at its intersection with Packerton Road.

MOTION: RONALD TRUEX TO: APPROVE THE ABOVE LISTED STOP SIGN
SECOND: AVIS GUNTER PLACEMENTS.
AYES: 3 NAYS: 0
UNANIMOUS

IN THE MATTER OF MORTON SALT QUOTE ACCEPTANCE:

Rob Ladson, County Highway Superintendent/Engineer, requested quotes from four vendors for winter salt. Ladson indicated the price was up \$5 per ton over last years price. Morton was the lowest quote at \$39.65 per ton.

MOTION: RONALD TRUEX TO: ACCEPT THE MORTON SALT QUOTE IN
SECOND: AVIS GUNTER THE AMOUNT OF \$39.65 PER TON FOR
AYES: 3 NAYS: 0
UNANIMOUS
THE 2001-2002 WINTER SEASON.

IN THE MATTER OF NO DUMPING SIGN REQUESTS:

Rob Ladson, County Highway Superintendent/Engineer, requested guidance from the Commissioners for the requests he receives to post "no dumping" signs. Ladson cited Ordinance 1986-4 states no dumping is allowed. From time to time he has had requests for the placement of no dumping signs. Discussion was held by the Commissioners. They believed the ordinance is sufficient and that individual signs should not be required.

IN THE MATTER OF NO PARKING RESTRICTIONS:

Rob Ladson, County Highway Superintendent/Engineer, requested guidance from the Commissioners for the requests he receives to post no parking signs. The Commissioners discussed the issue and advised Ladson that if there is a recommendation from the County Sheriff for no parking signs to be placed, Ladson and the Sheriff should determine the need and bring that to the Commissioners for their final approval.

**IN THE MATTER OF REVISED MINIMUM REQUIREMENTS FOR THE
ACCEPTANCE OF ROAD AND STREETS INTO THE COUNTY HIGHWAY
SYSTEM:**

Rob Ladson, County Highway Superintendent/Engineer, presented the Commissioners with a revised resolution concerning the minimum requirements or acceptance of roads and streets into the county highway system. Ladson indicated the changes would help clear up some questions that continue to arise concerning the acceptance of a roadway into the county highway system.

MOTION: RONALD TRUEX TO: APPROVE THE REVISED RESOLUTION
SECOND: AVIS GUNTER CONCERNING MINIMUM REQUIREMENTS
AYES 3 NAYS: 0 FOR ACCEPTANCE OF ROADS AND
UNANIMOUS STREETS INTO THE COUNTY HIGHWAY
SYSTEM.

REVISED RESOLUTION CONCERNING MINIMUM REQUIREMENTS FOR
ACCEPTANCE OF ROADS AND STREETS INTO THE COUNTY HIGHWAY SYSTEM
RESOLUTION CR 2002031142

WHEREAS, an increasing number of persons and firms are requesting that this Board accept and maintain roads and streets in various states of repair, improvement, and construction as a part of the County Highway Maintenance System, and

WHEREAS, the Board has only limited funds for the improvement, repair and maintenance of all streets and roads, and

WHEREAS, it is the desire of this Board to establish uniform policy and regulations for the acceptance of all such streets and roads, particularly those streets in platted areas and subdivisions outside the corporate limits of cities, and towns, and

WHEREAS, terminology and weight conditions for road construction have changed,

NOW, THEREFORE BE IT RESOLVED, that before any road or street will be accepted by the Board of Commissioners of this county for inclusion in the County Highway Maintenance System of Kosciusko County, such road or street shall meet the following revised minimum requirements:

- I. Gravel roads will not be accepted into County Highway Maintenance System.
- II. The County Highway Department is to maintain all hard surface roads that have been accepted into the County Highway Maintenance System as hard surface roads.
- III. Right-of-Ways:
 - A. Roads shall have a right-of-way of at least fifty (50) feet.
 - B. Cul-de-sacs in Residential, Agricultural II, and Commercial subdivisions shall have a right-of-way radius of at least fifty (50) feet. Cul-de-sacs in Industrial I, II, and III subdivisions shall have a right-of-way radius of at least eighty five (85) feet.
 - C. If the road was platted prior to November 1, 1959, the road shall have a right-of-way of at least forty (40) feet and cul-de-sacs with a radius of at least forty (40) feet.

KOSCIUSKO COUNTY COMMISSIONERS 7/3/2001

Page 5 of 8

IV.

Driveways:

All driveway approaches shall have a radius of twenty-five (25) feet from the center of the ditch to the edge of the riding surface. Concrete or asphalt drive approaches may extend to the edge of the county road provided that the following stipulations are met to the satisfaction of the Kosciusko County Engineer:

- A. Concrete or asphalt material is level with or below the road pavement. (This includes both new drives and existing drives that have been upgraded.)
 - B. Any damage to the drive, either concrete or otherwise, caused by the County snowplow is the sole responsibility of the property owner.
 - C. Any damage to a county snowplow caused by a raised driveway will be the responsibility of the property owner.
 - D. If work needs to be performed in the road right-of-way that disturbs a driveway, said work and the subsequent repair of the drive will be between the entity involved and the property owner.
 - E. The property owner is solely responsible for the purchase, installation, and maintenance of the culvert pipe as sized by the Kosciusko County Engineer. However, the property owner is at liberty to install any pipe material for the driveway culvert provided that the flow is not impeded.
- Failure to adhere to the above specifications will result in a written notice allowing the property owner 30 calendar days to rectify the situation to the satisfaction of the Kosciusko County Engineer. If the violation exists after the 30 calendar day notice, the Kosciusko County Highway Department reserves the right to remove the driveway at the property owner's expense.

V.

Drainage:

Cuts & gutters, side ditches and other drainage structures shall provide drainage for the road. The road shall be filled to a grade at least two (2) feet above water level.

A. Side Ditches:

1. The center of the side ditches shall be at least seven and one-half (7 1/2) feet from the edge of the riding surface on each side.
2. The center of the side ditch shall be at least ten (10) inches lower than the edge of the pavement.
3. Side ditch and embankment slopes shall not be steeper than 2 feet horizontal to 1 foot vertical. (I.e. Maximum 2:1 slopes)
4. All side ditch banks must be protected against erosion in accordance with the County's Erosion Control Ordinance.

B. Curb and Gutters:

The following applies when curbs and gutters are used in lieu of side ditches:

1. The gutter shall be at least two (2) feet wide, six (6) inches thick and placed twenty-six (26) feet back-to-back.
2. The back of the curb shall be at least four (4) inches above the gutter.
3. Concrete for the curb and gutter shall be 4000 psi with limestone aggregate and 5% to 7% air content.
4. Under the curb & gutter, the subbase shall have at least four (4) inches of compacted Number 53 aggregate.
5. Contraction joints may be sawed or tooled with a ten (10) foot minimum spacing.
6. Performed expansion joints shall be placed at the beginning and end of all curb returns and castings.
7. The finished grade of the riding surface between the gutters shall have a crown of at least two (2) percent from the center of the road to the inside edge of the curb.
8. The entire surface from gutter to gutter shall be hard surfaced.
9. Catch basins must be concrete and properly grouted.
10. The catch basin or inlet castings shall be curb box inlets with grates that are safe for bicycles such as Neenah R-3501-L1A or equal. The casting and basins shall be shunned with concrete rings and sealed with grout.

KOSCIUSKO COUNTY COMMISSIONERS 7/3/2001

Page 6 of 8

C. Culverts and Pipes:

1. All drainage pipes through the road and approaches to the road shall be with reinforced concrete pipe, corrugated metal pipe, or dual walled plastic pipe such as N-12 or equal. (All pipes must be installed according to the manufacturer's specifications.)
2. All culverts shall be at least the size and weight of the specifications provided for by the Kosciusko County Engineer.
3. Culverts at intersections must be at least forty (40) feet in length and at driveway approaches thirty (30) feet in length.
4. Unless specially approved by the Kosciusko County Engineer, no culvert under ten (10) inches in diameter may be used and all culverts must be of sufficient size to carry the estimated volume of water.

VI. Pavement in Residential and Agricultural II Subdivisions:

The riding surface of the road shall be at least twenty-two feet wide – that is twenty-two (22) feet of pavement plus the width of the curb and gutter. The finished grade shall have a cross slope of two (2) percent from the centerline of the road to the edge of the pavement or gutter.

A. Curbs & Gutters:

- All roads in Residential and Agricultural II Subdivisions must have curbs & gutters. However, when both of the following circumstances in an Agricultural II or Residential Subdivisions occur, curb & gutter may be installed, but are not required:
1. When all the lots in the subdivision each have an individual road frontage that exceeds two-hundred fifty (250) feet continuously along the same road and
 2. When all the lots in the subdivision each have an individual lot size that is three (3) acres or larger.

B. Asphalt Pavement:

1. Both the subgrade and subbase shall be uniform and fully compacted to the satisfaction of the Kosciusko County Engineer. (If the Kosciusko County Engineer determines that the sub-grade or the subbase is inappropriate, the existing material must be excavated or remedied to the satisfaction of the Kosciusko County Engineer.)
2. The subbase shall have at least six (6) inches of Number 53 aggregate.
3. The asphalt base shall consist of at least three (3) inches of a hot mix bituminous base mix that meet the 1995 INDOT specifications. However, the County Engineer may specify a specific asphalt base mix based upon site conditions.
4. The asphalt surface shall consist of at least one (1) inch of hot mix bituminous surface that meet the 1995 INDOT specifications. However, the County Engineer may specify a specific asphalt surface mix based upon site conditions.
5. The bituminous mixes shall conform to INDOT specifications with the exception of crush content. All mixes are subject to the County Engineer's discretion.

C. Concrete Pavement:

1. Both the subgrade and subbase shall be uniform and fully compacted to the satisfaction of the Kosciusko County Engineer. (If the Kosciusko County Engineer determines that the subgrade or the subbase is inappropriate, the existing material must be excavated or remedied to the satisfaction of the Kosciusko County Engineer.)
2. The subbase shall have at least six (6) inches of Number 53 aggregate. (If the subgrade consists of uniform granular material, the Kosciusko County Engineer may reduce or eliminate the subbase requirement.)
3. Place plain concrete in accordance with the American Concrete Pavement Association's standards for concrete paving.
4. The minimum concrete thickness for residential roads is six (6) inches. (The Kosciusko County Engineer may require an increase in thickness depending on the conditions of the subbase, the strength of the concrete mix, and the volume of traffic determined for the road.)
5. Concrete mix shall consist of 4,000 psi limestone with 5% to 7% air content. Concrete is to be placed at a four (4) inch slump plus or minus one (1) inch.
6. Concrete must be placed from outside the curb. (I.e. Concrete trucks must not run down the prepared subbase.)

KOSCIUSKO COUNTY COMMISSIONERS 7/3/2001

Page 7 of 8

7. Install longitudinal joints down the center of the pavement and at each intersection with the curb.
8. Install transverse joints every 11 feet.
9. Prohibit traffic on concrete pavement for 10 days.
10. Install liquid membrane sealer (i.e. cure & seal) uniformly on the pavement per manufacturer's specifications.
- D. All Residential, Agricultural II, Commercial, or Industrial Subdivisions designed with interior roads must have all the lots in the subdivision enter and exit off the interior subdivision road.
- E. For both asphalt and concrete pavements, cul-de-sacs must have a paved driving surface eighty (80) feet in diameter plus the width of the curb & gutter.
- F. The Kosciusko County Engineer may require borings of the road material.
- G. The Kosciusko County Engineer must be contacted during each phase of work so that a representative may inspect the subgrade, subbase, and pavement base prior to proceeding to the next phase.
- VI. Pavements in Industrial I, II, III and Commercial Developments:
Roads and streets in Industrial I, II, III and Commercial Developments shall meet all the above criteria with the exception of the following.
 - A. Pavement shall be minimum of twenty-four (24) feet wide and shall have a minimum of twelve (12) inches of Number 53 compacted base, four and one-half (4.5) inches bituminous base course with one and one-half (1.5) inches bituminous surface.
 - B. For concrete roads, place plain concrete in accordance with the American Concrete Pavement Association's standards for concrete paving. The subbase shall have a minimum of six (6) inches of Number 53 aggregate. The pavement shall be minimum of twenty-four (24) feet wide and shall have a minimum concrete thickness requirement of eight (8) inches thick. (The Kosciusko County Engineer may require an increase in thickness depending on the conditions of the subbase, the strength of the concrete mix, and the volume of traffic determined for the road.)
 - C. For both asphalt and concrete pavements, cul-de-sacs in Industrial I, II, and III Developments must have a paved driving surface of at least one hundred fifty (150) feet in diameter plus the width of the curb & gutter.
 - D. All roads in Industrial I, II, III and Commercial Developments must have a detailed drainage plan and curb & gutters. The gutter shall be at least two (2) feet wide, six (6) inches thick and placed twenty-eight (28) feet back-to-back.
- VII. All Roads in any subdivision shall be maintained in the improved condition as outlined above for a period of one year from the date of the Final Plat Approval or the date of the road installation, whichever was completed last, before they may be accepted into the County Highway Maintenance System.

IN THE MATTER OF ROAD MAINTENANCE INVENTORY MAPS:

Rob Ladson, County Highway Superintendent/Engineer, presented the Commissioners with changes to the Road Maintenance Inventory. Ladson indicated there were some roads that the county did not maintain that had been carried on the list given to the state. He also indicated there were some roads that the county did maintain that were not included on the list. This process is used to correct the inventory of maintained roadways.

MOTION: AVIS GUNTER TO: APPROVE THE CHANGES PROPOSED TO
SECOND: RONALD TRUEX THE COUNTY MAINTAINED ROAD MAP
AYES: 3 NAYS: 0
UNANIMOUS INVENTORY.

IN THE MATTER OF THE VACATION FOR THE NORTH INDIANA
CONFERENCE UNITED METHODIST CHURCH-EPWORTH FOREST:

CR 2012030168 CR 200030162

Matt Sandy, Area Plan Assistant Director, appeared before the Commissioners on the Epworth Forest Vacation that had been tabled several times. Two representatives from the Epworth Forest staff were present to present the final papers agreed to by all parties involved with the vacation of the property in Epworth Forest. Steve Fink, Barnes & Thornburg Attorney, who had been representing the North Indiana Conference United Methodist Church, was not present. Three documents were presented.

A dedication from the North Indiana Annual Conference of the United Methodist Church, Inc. to the Kosciusko County Commissioners for parts of Lot 33 and 34 of Block A in Epworth Forest for the maintenance of Susanna Road.

Agreement to maintain part of right of way and to provide access to real estate. Epworth Forest will be responsible for snow removal on Ninth Trail between Wesley and Asbury and Asbury from Ninth Trail to the end of Ninth Trail. The agreement includes that the conference at its own expense widen the intersection of Ninth and Asbury at the Southeast corner of Lot 33, Block I. Ingress and egress was granted to the owners of lots 23, 24, 25, 26, and 27 in Block J. Further Epworth Forest agreed to purchase two no outlet signs to be erected along Coke and Asbury.

Ordinance vacating public way.

MOTION: AVIS GUNTER TO: APPROVE ALL THREE DOCUMENTS
 SECOND: RONALD TRUEX PRESENTED INCLUDING APPROVAL OF
 AYES: 3 NAYS: 0 VACATION, DEDICATION, AND
 UNANIMOUS MAINTENANCE AGREEMENT.

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


 BRAD JACKSON


 AVIS GUNTER


 RONALD TRUEX

ATTEST:


 SUE ANN MITCHELL, AUDITOR

KOSCIUSKO COUNTY COMMISSIONERS

JULY 17, 2001

The Kosciusko County Commissioners met for their regular meeting on July 17, 2001 at 9AM in the Courtroom of the Courthouse, 100 W Center St., Warsaw, IN.

Those present were:

BRAD JACKSON, PRESIDENT	RON ROBINSON, COUNTY ADMINISTRATOR
AVIS GUNTER	MIKE MINER, COUNTY ATTORNEY
RON TRUEX	SUE ANN MITCHELL, COUNTY AUDITOR

Pastor Ron Roetman opened the meeting with a word of prayer. the pledge to the flag was recited. Brad Jackson called the meeting to order. Minutes of the July 3, 2001 meeting were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF HELEN HOY'S TITLE OF OUR LADY OF KOSCIUSKO 2001:

Brad Jackson, President of the Commissioners recognized Helen Hoy as Our Lady of Kosciusko 2001. Helen stated she plans to be an ambassador for Kosciusko County for 2001. Hoy was given this honor at the Kosciusko County Fair.

IN THE MATTER OF HISTORICAL SOCIETY REQUEST FOR SPECIAL FUNDING:

Jean Jones, Historical Society, requested a one- time sum of \$18,000.00 for repairs to the Old Jail Museum. The building is owned by the county and leased to the Historical Society on an annual basis for \$1. Jones stated power washing and truck pointing needs to be done to the brick. The Historical Society received a bid of \$26,279.00 in October of 2000 from Atlas. Ron Truex, Commissioner, agreed the Old Jail Museum should be maintained, but felt another bid should be obtained. He requested Jones to seek another bid and return with the information. Jones stated \$7500.00 in grant money has been received to use toward the project. Jones was instructed to return with an additional quote.

MOTION: RON TRUEX	TO: PRELIMINARILY APPROVE A ONE-TIME
SECOND: BRAD JACKSON	GRANT OF FUNDS FOR THE REPAIR OF
AYES: 2 NAYES: 0	THE OLD JAIL PENDING THE RECEIPT OF A
UNANIMOUS	SECOND QUOTE FOR THE LESSER OF
ABSTAIN: AVIS	\$18,000.00 OR THE QUOTE LESS \$7500.00
	ALREADY RECEIVED BY THE HISTORICAL
	SOCIETY.

KOSCIUSKO COUNTY COMMISSIONERS 7/17/2001

PAGE 2 OF 4

IN THE MATTER OF SPECIAL DRIVEWAY PERMIT:

Rob Ladson, County Highway Engineer, requested a special driveway permit at 1051 Chapman Lake Dr., Warsaw, Indiana. Ladson stated the driveway has restricted visibility and cannot be moved due to the septic system. Ron Truex is the Commissioner for this district.

MOTION: AVIS GUNTER	TO: APPROVE RON TRUEX SIGNING
SECOND: BRAD JACKSON	AUTHORIZATION FOR LADSON TO
AYES: 3 NAYES: 0	ISSUE DRIVEWAY PERMIT FOR 1051
UNANIMOUS	CHAPMAN LAKE DRIVE WITH LESS
	THAN DESIRABLE PLACEMENT.

IN THE MATTER OF THE BACKWATER ROAD SPEED LIMIT FROM SR 13 EAST:

Rob Ladson, County Highway Engineer, stated the speed limit on Backwater Road changes as you travel east from 45 mph, to 30 mph, to 35 mph. Ladson stated he would like to set the speed limit at 35 mph. Backwater Road West of 825 E was annexed by the Town of North Webster. Backwater Road East of 825 E is the counties responsibility. The speed limit on CR 825 E is 35 mph. Aaron Rovenstine, Kosciusko County Sheriff, suggested addressing all of the county roads as a group. The Commissioners encouraged the County Highway to work with the Sheriff's Department and address the speed limit on all county roads as a group. The matter was tabled for further recommendations from Ladson and Rovenstine.

IN THE MATTER OF THE TROYER GROUP FINAL CONTRACT:

Rob Ladson, County Highway Engineer, requested comments from the Commissioners on the contract from the Troyer Group. Ladson stated a joint meeting will be held with the Commissioners and the County Council July 26, 2001. Ladson will provide copies of the print at the meeting. Warsaw City officials have also been invited.

IN THE MATTER OF THE BIDS FOR BRIDGE #78 AT CR 1000W NORTH OF INDIANA 19:

Rob Ladson, County Highway Engineer, presented four bids to the Commissioners for bridge #78 project. The bids consisted of John Camden Construction Co. \$81,000.00 with bid bond, Beer & Slabaugh \$75,916.10 with bid bond, RL McCoy, Inc. \$113,440.00 with bid bond and Pioneer Associates \$80,741.57 with bid bond. The Highway Engineer's estimate was \$88,013.45. Ladson was instructed to make a recommendation. The Bid will be awarded July 31, 2001.

KOSCIUSKO COUNTY COMMISSIONERS 7/17/2001
PAGE 3 OF 4

IN THE MATTER OF THE SOUND AND RECORDING SYSTEM FOR THE
COURTROOMS IN NEW JUSTICE BUILDING:

Ron Robinson, County Administrator, presented three quotes for the sound and recording system equipment in the courtrooms in the new Justice Building. The quotes were \$66,000.00, \$49,000.00 and \$46,030.10. Robinson recommended using Word Systems of Fort Wayne with a quote of \$46,030.10. The sound and recording system in the existing courtroom may be changed at a later date.

MOTION: RON TRUEX	TO: APPROVE ROBINSON'S
SECOND: AVIS GUNTER	RECOMMENDATION OF WORD
AYES: 3 NAYES: 0	SYSTEMS QUOTE OF \$46,030.10
UNANIMOUS	FOR THE SOUND AND RECORDING
	SYSTEM IN THE NEW COURTROOMS.

IN THE MATTER OF AN ORDINANCE FOR MONEY TO BE DISBURSED FOR
LAWFUL COUNTY PURPOSES IN ADVANCE OF BOARD APPROVAL:

Sue Ann Mitchell, Kosciusko County Auditor, requested permission to draft an ordinance to allow money to be disbursed for lawful county purposed in advance of board approval since the passage of B1505 effective July 1, 2001 now allows this. The Commissioners agreed with the concept. Mitchell was instructed to present the ordinance at a future meeting.

IN THE MATTER OF THE PETITION TO VACATE A PLATTED WALKWAY AT
BEAVER DAM LAKE BY ERIC AND MELODY HODSON: CR 2002030164

Matt Sandy, Area Plan Commission, presented information on a vacation of a platted walkway along the southwest side of Lot 24 in Grace E. Smith's First Addition to Beaver Dam Lake. That walkway constitutes a strip of land 14.2 feet at the northwest end and 14.1 feet at the southeast end, and extended by parallel lines approximately 155 feet in length northwest to southeast along the southwest portion of Lot 24. Sandy stated the Sheriff and County Highway have been contacted and did not object. There was no response from the EMS or Fire.

Rick Helm, Attorney, representing Erick and Melody Hodson, stated the walkway is a left over strip that goes nowhere and Hodson's need the land for building and to conform to APC requirements. Helm stated the walkway is not used by the public.

Terrance Kenard, Legal Services, spoke in opposition to the vacation. Kenard stated the walkway provides public access to the lake for the residents. The residents have improved the area by hauling sand in for a beach area and maintaining the area. When the land was purchased it was with the intention it would be open to the residents. Duane Shields, property owner, spoke in opposition. Shields stated he and Hodson shared a pier for one year and was required to remove it because of set back from the lake. Shield stated if the walkway were eliminated he would have to use the public access boat ramp. Emma Butler spoke in opposition. Butler is the original owner of the property. Butler purchased the property in 1958. Butler stated there are ten cottages across the road that use the walkway for access to swimming and boat ramp.

KOSCIUSKO COUNTY COMMISSIONERS 7/17/2001

PAGE 4 OF 4

Brad Jackson, Commissioner, stated he is reluctant to vacate. Jackson suggested dedicating another walkway on the same land that could be used with no disturbance to the property owners that would have the same rights as the current walkway. The vacation was tabled to July 31, 2001 at 10:00 A.M.

MOTION: AVIS GUNTER
SECOND: RON TRUEX
AYES: 3 NAYES: 0
UNANIMOUS

TO: CONTINUE HEARING ON VACATION
FOR ERIC AND MELODY HODSON
AT BEAVER DAM LAKE TO
JULY 31, 2001.

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


BRAD JACKSON


AVIS GUNTER


RON TRUEX

ATTEST: 
SUE ANN MITCHELL, AUDITOR

KOSCIUSKO COUNTY COMMISSIONER KOSCIUSKO COUNTY COUNCIL

JOINT MEETING July 26, 2001

The Kosciusko County Commissioners and Council met for a special meeting on Thursday, July 26, 2001 at 7 PM in the Munson Building located at 116 S Lake Street, Warsaw, IN. Those present were:

COUNCIL:

TOM ANGLIN	BRAD TANDY		
MAURICE BEER	LARRY TEGHTMEYER	BRAD JACKSON	RON ROBINSON, CO ADMIN
HAROLD JONES	JIM TRANTER	RON TRUEX	
JOHN KINSEY			

COMMISSIONERS:

AVIS GUNTER

SUE ANN MITCHELL, AUDITOR

The meeting was opened by Rob Ladson, County Highway Superintendent/Engineer, first asked each person at the head table to state their name and position. The Council and Commissioners introduced themselves. Mayor of Warsaw, Ernie Wiggins was recognized. Ladson introduced Steve Benzik, Troyer Group.

GOALS OF MEETING:

Ladson covered the meeting goals which included 1.) Review and discussion of the merits of the Western Route Project 2.) Transfer of funds for the corridor study and 3.) Signing of the contract for the study with Troyer Group.

PROJECT OVERVIEW AND PURPOSE:

Ladson cited the need for a roadway to connect US 30 to SR 15 on the west side of Warsaw. He indicated the estimated costs range from \$16 to \$23 million with an inflation factor included. Figures represent both short and long route costs. It also includes funding for a two or four lane option. If a two lane solution is implemented, the funding is included to acquire four-lane road right of way. The ultimate goal would be a safe route to the West side of Warsaw that could relieve congestion in the City of Warsaw.

Steve Benzik, Troyer Group, was then introduced to discuss the specifics of the contract. Benzik thanked the Commissioners and Council for giving his company the opportunity to work on the project. He cited the first stage is to consider the impact on the area of the county considered for the project. The second stage will include working with the numerous governmental agencies and other entities to insure that there will be no adverse affects to the environment. With the effort to join US 30 with State Road 15 and State Road 25 it is hoped that the State of Indiana will be willing to accept the project so they can maintain the road when completed.

The Scope Committee of Ron Truex, Commissioner; Larry Teghtmeyer, Council member; Chris Garza, property owner on 350 W and Rob Ladson, County Highway Engineer/Superintendent along with Steve Benzik, Troyer Group worked on the contract negotiations.

FUNDING:

Sue Ann Mitchell, Auditor, presented information on the Cumulative Capital Development Fund status. Because the special COIT money was appropriated when received, there is ample balance already appropriated to support this contract and finance the Justice Building construction. A transfer of \$146,000 would be required from 236 41001 Land and Improvements to 236 31001 Contractual. The meeting was then turned over to Council President Jim Tranter who called for the motion.

MOTION: TOM ANGLIN TO: APPROVE CCD FUND TRANSFER OF \$146,000 SECOND:
HAROLD JONES FROM: 236 41001 LAND AND IMPROVEMENTS
AYES: 7 NAYS: 0 TO: 236 31001 CONTRACTUAL.
UNANIMOUS

KOSCIUSKO COUNTY COMMISSIONERS AND COUNCIL JOINT MEETING
7/26/2001

PUBLIC COMMENT:

At this point Ladson opened the floor for comments from the public. Ladson reminded the audience that comments should pertain to the contract and not the route specific since no specific route has been selected yet.

Grant McGuire, RR Donnelley, spoke in strong support of the project. He cited the fact that thousands of trucks go in and out of their facilities on a yearly basis. He stated the improved route would be a positive factor for their business citing increased safety for everyone in the community.

Mayor Ernie Wiggins stated the City of Warsaw appreciated the counties' efforts and the fact that the City is being allowed to participate in the project. The City Planner and Assistant Planner have worked with the county on preliminary information for the project. Wiggins indicated he was pleased with the County and the City working together to accomplish something to improve the quality of life for all.

It was noted that no one from the public spoke against the project.

Ron Truex, Commissioner, addressed the fact that this was one of many important decisions to address in moving this project forward. Brad Jackson inquired about the time line of the project. Steve Benzik addressed the question. He estimated the study would take at least eight months. The project can be done in as many or as few phases as the county chooses depending on available funds and cooperation of other government entities including the State Highway. Doing the project in one shot will require less time than doing in phases. Benzik estimated that if the county did the project in one phase it would take five years. If done in several phases, it could as long as the county wanted it to take.

Ron Truex mentioned that one of the very first goals would be to get INDOT on board with the project. By contract one of the first meetings to be scheduled will be with INDOT reference their acceptance of the newly created road into their maintenance system in exchange for the county and city receiving SR 15 and SR 25. The contract is written so the Troyer Group will not proceed with anything else on the contract until the meeting has been held with INDOT, county, and city officials.

John Kinsey indicated he lives south of Warsaw and believes the project is really needed. He wanted it to be done tomorrow because of traffic congestion coming into Warsaw in his daily trips.

VOTE ON CONTRACT:

The meeting was turned over to Brad Jackson, President of the Commissioners. Jackson indicated that if we wait until the project is needed, it's too late. Comments from the Commissioners were requested.

Avis Gunter indicated she was ready to accept the contract and make the motion.

MOTION: AVIS GUNTER TO: APPROVE THE CONTRACT WITH TROYER GROUP FOR THE
 SECOND: RONALD TRUEX WESTERN ROUTE PROJECT AS PRESENTED.
 AYES: 3 NAYS: 0
 UNANIMOUS

IN THE MATTER OF DEATH OF COUNTY ASSESSOR AND CLOSING OF OFFICE:

Ron Robinson, County Administrator, advised both the Council and the Commissioners that the County Assessor's Office would be closed Friday due to the death of County Assessor Sharon R. Thompson. Thompson was in the third year of her first term as County Assessor having worked in the County Assessor's Office for over twenty years. Thompson served under Avis Gunter and Sue Ann Mitchell as their Chief Deputy in their terms as County Assessor.

KOSCIUSKO COUNTY COMMISSIONERS AND COUNCIL JOINT MEETING
7/26/2001

IN THE MATTER OF OPERATION PULL OVER LETTER OF AUTHORIZATION:

Kosciusko County Auditor Sue Ann Mitchell presented information concerning a request from Sheriff Deputy Chad Hill in connection with Operation Pull Over. Hill indicated he needed a letter of authorization from the Council showing support for Operation Pull Over before grant monies would be authorized by the state for the department. Council President Tranter called for the motion.

MOTION: BRAD TANDY TO: PROVIDE A LETTER OF ENDORSEMENT FOR
SECOND: HAROLD JONES OPERATION PULL OVER FOR THE SHERIFF'S
AYES: 7 NAYS: 0 DEPARTMENT.
UNANIMOUS

IN THE MATTER OF THE CREATION OF JOINT GIS POSITION WITH THE CITY OF WARSAW:

Ron Robinson, County Administrator, requested the creation of a position to be shared through an inter-local agreement with the City of Warsaw. The City is willing to contract with the County for this joint employee. The Auditor currently has money in her budget to fund the position to the end of the year. The position if approved would be included in the Commissioner's Budget in 2002.

An application was received from an individual with strong GIS abilities within the last month. This person was originally from Warsaw, moved out of state and has now moved back to Kosciusko County. She worked actively in the GIS field while living out of state. Robinson stated the county did not feel like we were at the stage to need another full time person dedicated to the GIS Department, but do have a number of items that would benefit the county if they were accomplished. County GIS Director Bill Holder and City Planner Jeff Noffsinger believe a joint position would benefit both the City of Warsaw and the county. Warsaw City is willing to participate and fund the position.

MOTION: TOM ANGLIN TO: APPROVE THE POSITION TO BE SHARED BY THE COUNTY
SECOND: JOHN KINSEY AND THE CITY THROUGH AN INTER-LOCAL AGREEMENT.
AYES: 7 NAYS: 0 WITH THE FUNDING TO COME FROM THE AUDITOR'S
UNANIMOUS BUDGET FOR THE REMAINDER OF 2001.

IN THE MATTER OF SCHEDULED 2002 BUDGET HEARINGS:

Council President Tranter reminded the Council of the upcoming budget hearing scheduled as follows:

July 30 th & 31 st	6 PM Preliminary Budget Hearings
August 2 nd	6 PM Budget Hearing
September 6 th	7 PM Final Adoption of Budget

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

KOSCIUSKO COUNTY COMMISSIONERS


BRAD JACKSON, PRESIDENT


AVIS GUNTER


RONALD TRUEX

KOSCIUSKO COUNTY COUNCIL

JIM TRANTER, PRESIDENT

BRAD TANDY, VICE PRESIDENT

TOM ANGLIN

KOSCIUSKO COUNTY COMMISSIONERS AND COUNCIL JOINT MEETING
7/26/2001

MAURICE BEER

HAROLD JONES

JOHN KINSEY

LARRY TEGHTMEYER

ATTEST:

Sue Ann Mitchell
SUE ANN MITCHELL, AUDITOR

KOSCIUSKO COUNTY COMMISSIONERS

JULY 31, 2001

The Kosciusko County Commissioners met for their regular meeting on July 31, 2001 at 9AM in the Courtroom of the Courthouse, 100 W Center St., Warsaw, IN.

Those present were:

BRAD JACKSON, PRESIDENT
AVIS GUNTER
RON TRUEX

RON ROBINSON, ADMINISTRATOR
SUE ANN MITCHELL, COUNTY AUDITOR

The pledge to the flag was recited. Brad Jackson called the meeting to order. Minutes of the July 17, 2001 meeting were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF HISTORICAL SOCIETY REQUEST FOR SPECIAL FUNDING:

Jeanne Jones and Carl Diehl, Historical Society, returned with their request of a one-time sum of \$18,000.00 for repairs to the Old Jail Museum. Jones received bids from Atlas at \$26,279.00, Deck Magic at \$7,450.00 for just power washing and Masonry Contractors at \$50,600.00. The Historical Society chose the bid from Atlas. Ron Truex stated he looked at the building and called four local contractors. The local contractors could not provide tuck pointing. Truex stated the work must not be critical at this point and is not comfortable with giving the money at this time. Later in the meeting after a reevaluation the one-time request of \$18,000.00 was approved. Ron Truex, Commissioner, stated the Historical Society has a total commitment for the \$18,000.00 from the County but the balance is their responsibility.

MOTION: RON TRUEX
SECOND: BRAD JACKSON
AYES: 2 NAYS: 0
ABSTAIN: 1 (AVIS GUNTER)

TO: APPROVE ONE TIME REQUEST
FOR \$18,000.00 TO THE HISTORICAL
SOCIETY FOR TUCK POINTING
AND POWERWASHING THE OLD
JAIL FACILITY OWNED BY THE
COUNTY.

IN THE MATTER OF KABS GRANT:

Rita Baker, KABS, requested approval of the grant for KABS. Mike Miner, County Attorney, had reviewed the grant and approved.

MOTION: RON TRUEX
SECOND: AVIS GUNTER
AYES: 3 NAYS: 0
UNANIMOUS

TO: APPROVE GRANT APPLICATION
FOR KABS.

IN THE MATTER OF THE TURKEY CREEK REGIONAL SEWER APPOINTMENT:

Joe Todd was reappointed to the Turkey Creek Regional Sewer District. Todd is the oldest continuing Trustee of the district and stated in his letter he would like to serve until the sewer is completed around the lake.

MOTION: AVIS GUNTER TO: REAPPOINT JOE TODD TO THE
SECOND: RON TRUEX TURKEY CREEK REGIONAL
AYES 3 NAYS: 0 SEWER DISTRICT.
UNANIMOUS

IN THE MATTER OF SUB RECIPIENT SEMI ANNUAL REPORT FOR TURKEY CREEK REGIONAL SEWER DISTRICT:

The Sub Recipient Annual Report for the Turkey Creek Regional Sewer District was approved as presented.

MOTION: AVIS GUNTER TO: APPROVE SUB RECIPIENT SEMI
SECOND: RON TRUEX ANNUAL REPORT FOR TURKEY
AYES 3 NAYS: 0 CREEK REGIONAL SEWER DISTRICT.
UNANIMOUS

IN THE MATTER OF THE AWARD OF THE BID FOR BRIDGE 78:

Rob Ladson, County Highway Engineer, recommended the bid be awarded to Beer and Slabaugh. The bid is for \$75,916.10 and was the lowest bid. Ladson stated the engineers estimate was \$88,013.45.

MOTION: AVIS GUNTER TO: ACCEPT BEER & SLABAUGH
SECOND: RON TRUEX CONTRACT IN THE AMOUNT OF
AYES 3 NAYS: 0 \$75,916.10 FOR BRIDGE 78.
UNANIMOUS

IN THE MATTER OF APPOINTMENT OF ROB LADSON, COUNTY HIGHWAYENGINEER, TO LOCAL TECHNICAL ASSISTANCE PROGRAM:

Rob Ladson, County Highway Engineer, has been selected to serve on the Road Signs and Standards Committee for the Local Technical Assistance Program. The Commissioners agreed Rob could serve in this capacity to represent the County.

IN THE MATTER OF THE PROXY FOR DEFERRED COMP:

The proxy vote for Deferred Comp was approved for Brad Jackson to sign.

MOTION: AVIS GUNTER TO: APPROVE PROXY VOTE TO BE
SECOND: RON TRUEX SIGNED BY BRAD JACKSON.
AYES 3 NAYS: 0
UNANIMOUS

KOSCIUSKO COUNTY COMMISSIONERS JULY 31, 2001

PAGE 3 of 4

IN THE MATTER OF THE CHANGE ORDERS FOR JUSTICE BUILDING PROJECT:

Ron Robinson, County Administrator, presented the change orders for the Justice Building. PR's 26,27,28,35,33,36,43 and 20 were approved.

MOTION: RON TRUEX	TO: APPROVE THE CHANGE ORDERS
SECOND: AVIS GUNTER	FOR THE JUSTICE BUILDING
AYES: 3 NAYS: 0	PROJECT.
UNANIMOUS	

IN THE MATTER OF THE PROGRESS ON THE JUSTICE BUILDING PROJECT:

Ron Robinson, County Administrator, stated the front of the Justice Building is on hold until the delivery of lime stone and granite. A piece of equipment broke a hydraulic line releasing hydraulic fluid on eleven pieces of limestone. The limestone absorbed the chemical. A passing motorist ran over two pieces of granite causing another problem with the finishing the front of the building. Robinson stated the Courtroom ceilings have been sprayed and the County may have occupancy in November of 2001.

IN THE MATTER OF THE OF THE PETITION TO VACATE A PLATTED WALKWAY AT BEAVER DAM LAKE BY ERIC AND MELODY HODSON CONTINUED FROM JULY 17, 2001: CE 2002 030164

Matt Sandy, Area Plan Commission, stated the EMS and Fire Department had been contacted and did not object to the relocation of the walkway. The vacation of the walkway was approved conditioned upon the relocation of it to the southwest edge of Lot 25. The relocated walkway is to be 8.5 feet in width and will avoid regulatory problems with removal of an outhouse. Hodson agreed to move a mobile home in exchange for not having to move the outhouse.

Terrance Kenard, Legal Services, representing the opposition stated his clients were in favor of moving the walkway 8.5 feet to the southwest property line of Lot 25 with the same rights as currently exist and the moving of the mobile home.

Rick Helm, Attorney for Eric and Melody Hodson will prepare the ordinance for the Commissioners to sign.

MOTION: RON TRUEX	TO: APPROVE THE RELOCATION OF
SECOND: AVIS GUNTER	A WALKWAY 8.5 FEET TO THE
AYES: 3 NAYS: 0	SOUTHWEST PROPERTY LINE OF
UNANIMOUS	LOT 25 ON BEAVER DAM LAKE
	WITH THE SAME RIGHTS AS
	CURRENTLY EXIST, WHATEVER THEY
	ARE, BEING IN PLACE ON THE MOVED
	WALKWAY.

KOSCIUSKO COUNTY COMMISSIONERS JULY 31, 2001

PAGE 4 of 4

IN THE MATTER OF THE REZONING FOR ROBERT SMITS FROM AG TO AG II IN TIPPECANOE TOWNSHIP: *CR 2002 031147*

Dan Richard, Area Plan Commission, presented information on the rezoning of ten acres from Ag to Ag II. Richard stated the land is physically suited for rezoning and other properties in this area are zoned Ag II. Robert Smits stated he wanted to sell off a five acre tract for a building site. The recommendation from the Area Plan Commission was eight to one to approve. There was no opposition.

MOTION: RON TRUEX TO: APPROVE REZONING OF TEN ACRES
SECOND: AVIS GUNTER FOR ROBERT SMITS FROM AG TO
AYES: 3 NAYS: 0 AG II.
UNANIMOUS

IN THE MATTER OF THE REZONING OF CORNELIUS NEWSOME PROPERTY FROM AG TO COMMERCIAL IN PLAIN TOWNSHIP: *CR 2002 031146*

Dan Richard, Area Plan Commission, presented information on the rezoning of 7.48 acres for Cornelius Newsome from Ag to Commercial. Richard stated Mr. Newsome is in need of more space for his janitorial service. The recommendation from the Area Plan Commission was unanimous to approve. There was no opposition.

MOTION: AVIS GUNTER TO: APPROVE REZONING OF 7.48 ACRES
SECOND: RON TRUEX FOR CORNELIUS NEWSOME FROM
AYES 3 NAYS: 0 AG TO COMMERCIAL IN PLAIN
UNANIMOUS TOWNSHIP.

IN THE MATTER OF THE CHALLENGE CUP EVENT:

Dan Richard, Area Plan Commission, presented information in regards to the Challenge Cup Event. Richard stated Avis Gunter, Commissioner, has donated every year and any other donations would be greatly appreciated.

Their being no further business to come before the board the meeting was adjourned.


BRAD JACKSON


AVIS GUNTER


RONALD TRUEX

ATTEST: 
SUE ANN MITCHELL, AUDITOR

KOSCIUSKO COUNTY COMMISSIONERS

AUGUST 14, 2001

The Kosciusko County Commissioners met for their regular meeting on August 14, 2001 at 9AM in the Courtroom of the Courthouse, 100 W Center St., Warsaw, IN.

Those present were:

BRAD JACKSON, PRESIDENT
AVIS GUNTER
RON TRUEX

RON ROBINSON, ADMINISTRATOR
MIKE MINER, COUNTY ATTORNEY
SUE ANN MITCHELL, AUDITOR

The pledge to the flag was recited. Brad Jackson called the meeting to order. Minutes of the July 31, 2001 meeting were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF MOVING THE OCTOBER 2001 COMMISSIONERS MEETING TO OCTOBER 8, 2001:

Commissioner Avis Gunter requested the Commissioners meeting be moved to October 8, 2001 due to the Association of Indiana Counties Conference.

MOTION: AVIS GUNTER	TO: APPROVE MOVING THE OCTOBER 9,
SECOND: RON TRUEX	2001 COMMISSIONERS MEETING TO
AYES: 3 NAYS: 0	OCTOBER 8, 2001 DUE TO THE
UNANIMOUS	ASSOCIATION OF INDIANA
	COUNTIES CONFERENCE.

IN THE MATTER OF INSURANCE PROXY APPROVAL:

Ron Robinson, County Administrator, presented an insurance proxy for Deferred Compensation. Robinson stated the county would be receiving several insurance proxies. Robinson requested authority to sign the insurance proxies on behalf of the county.

MOTION: RON TRUEX	TO: APPROVE GIVING RON ROBINSON,
SECOND: AVIS GUNTER	COUNTY ADMINISTRATOR,
AYES: 3 NAYS: 0	AUTHORITY TO SIGN INSURANCE
UNANIMOUS	PROXIES.

IN THE MATTER OF 911 STATS:

Ron Robinson, County Administrator, presented the 911 stats he received from Tom Brindle, Chief Dispatcher. Robinson stated the stats showed an increase in calls.

IN THE MATTER OF THE ANIMAL SHELTER FURNACE:

Ron Robinson, County Administrator, stated the heat exchanger on the furnace at the Anima Shelter broke and the furnace needs to be replaced. Robinson presented quotes from Howie Heating and Cooling in the amount of \$1941.52 and Collier's Heating and Air Conditioning in the amount of \$2567.00. Robinson stated the ductwork will not have to be replaced. Brad Jackson, Commissioner, asked if an air cleaner had been considered. Because of the life of the existing furnace he thought it would be an unnecessary expense. Robinson stated the heat exchanger will have a twenty year warranty.

MOTION: AVIS GUNTER	TO: APPROVE QUOTE OF HOWIE
SECOND: RON TRUEX	HEATING FOR FURNACE FOR
AYES 3 NAYS: 0	THE ANIMAL SHELTER.
UNANIMOUS	

IN THE MATTER OF CHANGE ORDERS FOR JUSTICE BUILDING:

Ron Robinson, County Administrator, presented three change orders for the Justice Building expansion. The change orders include electrical work on a locking system for the jail at a cost of \$14,878 but the counties cost will be \$409.00; electrical work on another portion of the locking system of the jail for \$26,404.00 but the counties cost will be \$12,085.00; and no cost to the county to finish a closet for computer equipment. Robinson discussed moving offices when the new part is completed so the remodeling of the old part of the Justice Building could be started.

IN THE MATTER OF SHRUB REMOVAL AND REPAIR OF LAKE STREET BETWEEN COURTHOUSE AND JUSTICE BUILDING:

Ron Robinson, County Administrator, requested permission to remove a shrub from the North West corner of the Courthouse lawn to open up the corner. Light posts, signals, fire hydrant cause congestion. The consensus of the Commissioners was to work with the City when they are ready to improve the street. Robinson stated the tunnel has a leak. While the city has the street open he would like to take a look at the tunnel and possibly do new underground roofing. Robinson was instructed to contact vendors. Robinson stated he will research who did the work originally as the tunnel has been in for over twenty years. The tunnel is made of concrete and wrapped in rubber.

IN THE MATTER OF THE ASSESSOR'S CERTIFICATION OF ASSESSED VALUES:

Sue Ann Mitchell, County Auditor, gave credit to Laurie Renier, Chief Deputy, and the employees in the Assessor's office for getting the assessed values to the Auditor earlier than ever before. Mitchell stated the county will have real, actual assessed values by the time the Council is ready to adopt the 2002 budget. This will be the first time the county has had values by budget approval time. Mitchell stated the values tell the council what the tax rate will be. The ladies in the County Assessors Office were commended for their efforts.

3 OF 7

IN THE MATTER OF THE SPECIAL DRIVEWAY PERMIT AT 474 W 700 S:

Rob Ladson, County Highway Engineer, requested a special driveway permit at 474 W CR 700 S, East of Claypool, Indiana. Ladson stated the location of the existing driveway is poor and has restricted visibility. Ladson stated the highway recommended approving the permit. The property is located in Avis Gunter's district.

MOTION: AVIS GUNTER	TO: APPROVE A SPECIAL DRIVEWAY
SECOND: RON TRUEX	PERMIT AT 474 W 700 S, CLAYPOOL,
AYES: 3 NAYS: 0	INDIANA.
UNANIMOUS	

IN THE MATTER OF THE WESTERN ROUTE PROJECT:

Rob Ladson, County Highway Engineer, presented a letter for the Commissioners approval inviting the City of Warsaw to send a representative to a meeting scheduled for August 23, 2001 at 10:00AM in Indianapolis between local officials and INDOT. He also requested input from the Warsaw City Council in the form of a liaison between the City and County for the project.

MOTION: RON TRUEX	TO: APPROVE INVITING THE CITY
SECOND: AVIS GUNTER	OF WARSAW TO SEND A
AYES: 3 NAYS: 0	A REPRESENTATIVE TO A
UNANIMOUS	MEETING IN INDIANAPOLIS ON
	AUGUST 23, 2001 AT 10:00 AM
	BETWEEN LOCAL OFFICIALS
	AND INDOT.

**IN THE MATTER OF AN ORDINANCE VACATING A PLATTED WALKWAY
AT BEAVER DAM LAKE FOR ERIC AND MELODY HODSON:**

Order Res: 2002030164

Rick Helm, attorney for Eric and Melody Hodson, presented the Ordinance for vacation of a walkway at Beaver Dam Lake as approved at the July 31, 2001 Commissioners meeting. Mike Miner, County Attorney, reviewed the document.

AN ORDINANCE VACATING A WALKWAY ALONG THE SOUTHWEST SIDE OF LOT 24 IN GRACE E. SMITH'S FIRST ADDITION TO BEAVER DAM LAKE, INDIANA PLAT BOOK 5 PAGE 13 AND BY AGREEMENT OF PETITIONER, RELOCATING THE WALKWAY ALONG THE SOUTHWEST SIDE OF LOT 25 IN GRACE E. SMITH'S FIRST ADDITION TO BEAVER DAM LAKE, INDIANA.

ORDINANCE NUMBER 01-08-14-02V

WHEREAS, Eric Hodson and Melody Hodson have a Petition to vacate and Notice of the Hearing to be held on July 17, 2001 more properly published in the Warsaw Times-Union and the Milford Mail Journal where as on July 17, 2001 the vacation appeared. WHEREAS, on July 17, 2001, the Petitioners have appeared, presented their Petition to vacate the Walkway and presented exhibits and factual information regarding same; and,

WHEREAS, there were remonstrance's and objections by persons believing themselves to be aggrieved by the propose vacation; and,

WHEREAS, by presentation of the parties at a continuance of the Hearing on July 31, 2001, the Petitioners agreed to relocate the Walkway to the southwest edge of Lot 25, under the same terms and conditions that presently exists, and eight and one-half feet in width, and;

WHEREAS, counsel for the Remonstrators represented that there was no objection to the proposed relocation, and that all parties agreed that a determination of the scope and extent of the use and purpose of the "Walkway" is a matter to be determined by the courts and not to be determined by the County Commissioners; the parties further agreed that the existing mobile home would be moved within 30 days of the recording of the Ordinance, in order to eliminate it as a possible obstacle upon the relocated Walkway; and,

WHEREAS, it is therefore proper and appropriate that the Walkway should be vacated, with relocation to the southwest side of Lot 25;

NOW, THEREFORE, be it ordained by the Board of Commissioners of Kosciusko County, Indiana that:

1. The Board of Commissioners now finds that there is no statutory reason, nor other valid reason, why said undeveloped Walkway should not be vacated and it is further found that said Walkway should, THEREFORE, be vacated.
2. The following described real estate situated in Kosciusko County in the State of Indiana, namely 14.2 feet by parallel along the southwest line of Lot 24 in Grace E. Smith's First Addition to Beaver Dam Lake, as recorded in Plat Book 5, page 13 in the Office of the Recorder of Kosciusko County, Indiana should be and it is now hereby vacated.
3. By agreement of the Petitioners, and by their execution of this Ordinance, the Walkway vacated by this Ordinance is now relocated to the following described location: commencing at the southwest corner of Lot 25 in Grace E. Smith's First Addition, thence easterly along the south line of Lot 25 a distance of 8.5 feet; thence northwest parallel to the southwest line of Lot 25 a distance of approximately 146 feet to the northwest Lot line of Lot 25; thence southwesterly 8.5 feet to the northwest corner of Lot 25; thence southeast to the place of beginning. The tract described herein consists of 8.5, by parallels, along the southwest edge of Lot 25 in Grace E. Smith's First Addition to Beaver Dam lake, Indiana, Plat book 5, page 13 and is further described and depicted by Exhibit A, attached to this Ordinance.
4. The Petitioners by endorsing this Ordinance also agree that the mobile home presently existing on Lot 25 will be removed from the relocated Walkway within 30 days of the recording of this Ordinance.
5. By enacting this Ordinance the County commissioners are vacating one Walkway and relocating it to a different nearby location and neither the County Commissioners, Petitioners nor Remonstrators are relying upon, or believe, that this Ordinance changes any of the legal obligations or rights of any party. The rights of Petitioners, Remonstrators, or others with regard to the Walkway are matters to be determined by the law of Indiana and the Judicial System of Indiana. No party intends to endorse any interpretation regarding the rights of the parties by enactment of this Ordinance. Further, it is the intent that the rights and obligations of any person with regard to the Walkway created by this Ordinance in its new location, but with those rights to be determined by the appropriate jurisdiction.

Done this 14th day of August, 2001

Ronald Truex

Avis Gunter

Brad Jackson

Attest: Sue Ann Mitchell, Auditor

**IN THE MATTER OF VACATION FOR MENTONE CHRISTIAN
FELLOWSHIP INC:**

Matt Sandy, Area Plan Commission, presented information on the vacation of an alley between lots 31,32 and 33 to the railroad right of way in the Original Plat in the Town of Atwood. The adjacent real estate owners are Verna Montel and Mentone Christian Fellowship, Inc. Sandy stated the County Highway and Sheriff had been contacted and had no objection. The recommendation from the Area Plan Commission was unanimous to approve.

Tom Earhart, Attorney at Law, representing the Mentone Christian Fellowship, Inc. had prepared an ordinance for the vacation. There were no remonstrators.

MOTION: RON TRUEX
SECOND: AVIS GUNTER
AYES: 3 NAYS: 0
UNANIMOUS

TO: APPROVE THE VACATION OF AN
ALLEY BETWEEN LOTS 31,32 AND
33 TO THE RAILROAD RIGHT OF
WAY IN THE OP IN THE TOWN OF
ATWOOD.

ORDINANCE NO. _____
AN ORDINANCE TO VACATE
A PUBLIC WAY IN
KOSCIUSKO COUNTY, INDIANA

WHEREAS, the Board of Commissioners of Kosciusko County, Indiana, has been petitioned in accordance with the provisions of I.C. 36-7-3-12 to vacate a public way in the County of Kosciusko, Indiana; and,

WHEREAS, the Board of Commissioners of Kosciusko County, Indiana, has held a public hearing on August 14th, 2001, pursuant to I.C. 36-7-3-12 (c) after giving due notice as required by I.C. 5-3-1; and, has determined that said Petition should be granted and said portions of said public way should be vacated;

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of Kosciusko County, Indiana, as follows:

KOSCIUSKO COUNTY COMMISSIONERS 8/14/2001

5 OF 7

Done this 14th day of August, 2001

Ronald Truex

Avis Gunter

Brad Jackson

Attest: Sue Ann Mitchell, Auditor

**IN THE MATTER OF VACATION FOR MENTONE CHRISTIAN
FELLOWSHIP INC:** *Ref 2002030160*

Matt Sandy, Area Plan Commission, presented information on the vacation of an alley between lots 31,32 and 33 to the railroad right of way in the Original Plat in the Town of Atwood. The adjacent real estate owners are Verna Montel and Mentone Christian Fellowship, Inc. Sandy stated the County Highway and Sheriff had been contacted and had no objection. The recommendation from the Area Plan Commission was unanimous to approve.

Tom Earhart, Attorney at Law, representing the Mentone Christian Fellowship, Inc. had prepared an ordinance for the vacation. There were no remonstrators.

MOTION: RON TRUEX
SECOND: AVIS GUNTER
AYES 3 NAYS: 0
UNANIMOUS

TO: APPROVE THE VACATION OF AN
ALLEY BETWEEN LOTS 31,32 AND
33 TO THE RAILROAD RIGHT OF
WAY IN THE OP IN THE TOWN OF
ATWOOD.

ORDINANCE NO. 01-08-14-01V
AN ORDINANCE TO VACATE
A PUBLIC WAY IN
KOSCIUSKO COUNTY, INDIANA

WHEREAS, the Board of Commissioners of Kosciusko County, Indiana, has been petitioned in accordance with the provisions of I.C. 36-7-3-12 to vacate a public way in the County of Kosciusko, Indiana; and,

WHEREAS, the Board of Commissioners of Kosciusko County, Indiana, has held a public hearing on August 14th, 2001, pursuant to I.C. 36-7-3-12 (c) after giving due notice as required by I.C. 5-3-1; and, has determined that said Petition should be granted and said portions of said public way should be vacated;

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of Kosciusko County, Indiana, as follows:

SECTION 1

That the following described portions of public ways in the county of Kosciusko Indiana, being reflected the Town Plat of Mount Ruska, as recorded in Old Book Page 40, Plat Book 1, Page 33, with name changed to Atwood at Commissioner's Record Volume 1, Page 290 and 291 (Ref.- Commissioner's Record Volume 6, Page 290-291) in the Office of the Recorder of Kosciusko County, Indiana, are now vacated, to-wit:

AN EXTENSION OF THE SOUTH LOT LINE OF LOT THIRTY TWO (32) IN THE ORIGINAL PLAT IN THE TOWN OF ATWOOD TO THE SOUTHEAST CORNER OF LOT NUMBER THIRTY ONE (31) IN THE ORIGINAL PLAT OF THE TOWN OF ATWOOD; THENCE NORTHERLY ALONG THE EASTERLY LINE OF LOT THIRTY ONE (31) TO ITS NORTHEAST CORNER; THENCE WESTERLY TO THE NORTHWEST CORNER OF LOT NUMBER THIRTY TWO (32); THENCE SOUTHERLY TO THE SOUTHWEST CORNER OF LOT NUMBER THIRTY TWO (32).

and title to said real estate shall be and is hereby vested in the abutting landowners Mentone Christian Fellowship, Inc. and Verna Montel.

Also:

BEGINNING AT THE NORTHEAST CORNER OF LOT THIRTY ONE (31) AN EXTENSION OF SAID LOT LINE NORTHERLY TO THE SOUTHERN BOUNDARY OF THE PITTSBURGH/FT. WAYNE RAILROAD RIGHT OF WAY; THENCE EASTERLY ALONG SAID RIGHT OF WAY TO A POINT WHERE THE EASTERLY BOUNDARY LINE OF LOT NUMBER THIRTY THREE (33) IN THE ORIGINAL PLAT IN THE TOWN OF ATWOOD EXTENDED INTERSECTS THAT RAILROAD RIGHT OF WAY; THENCE SOUTH TO THE NORTHEAST CORNER OF LOT THIRTY THREE (33) THENCE WESTERLY ALONG THE NORTHERN BOUNDARY OF LOTS THIRTY TWO (32) AND THIRTY THREE (33) TO THE NORTHEAST CORNER OF LOT THIRTY ONE (31).

Title to said real estate be and it hereby is vested in Mentone Christian Fellowship, Inc.

SECTION 2

That the Auditor of Kosciusko County, Indiana shall furnish a certified copy of this vacation to the Recorder of Kosciusko County, Indiana for recording and to the Office of the Auditor, as required by I.C. 36-7-3-12(e).

SECTION 3

That this Ordinance shall be in full force and effect from and after its passage by the Board of Commissioners of Kosciusko County, Indiana, as provided by law.

PASSID AND ADOPTED BY THE board of Commissioners of Kosciusko County, Indiana, this 14th day of August, 2001.

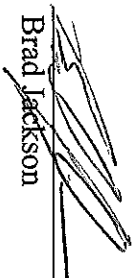
Brad Jackson
Avis Gunter
Ronald Truex


ATTEST: Sue Ann Mitchell, Auditor
of Kosciusko County, Indiana

IN THE MATTER OF THE AMENDMENT ORDINANCE FOR AREA PLAN:

The Ordinance Amendment for the Area Plan was tabled for two weeks so Brad Jackson could review the Ordinance Amendment.

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


Brad Jackson


Avis Gunter


Ronald Truex

Attest: 
Sue Ann Mitchell, Auditor

KOSCIUSKO COUNTY COMMISSIONERS

AUGUST 28, 2001

The Kosciusko County Commissioners met for their regular meeting on August 28, 2001 at 9AM in the Courtroom of the Courthouse, 100 W Center St., Warsaw, IN.

Those present were:

BRAD JACKSON, PRESIDENT	RON ROBINSON, ADMINISTRATOR
AVIS GUNTER	SUE ANN MITCHELL, COUNTY AUDITOR
RON TRUEX	MIKE MINER, COUNTY ATTORNEY

The pledge to the flag was recited. Brad Jackson called the meeting to order. Minutes of the August 14, 2001 meeting were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF JUVENILE JUSTICE CENTER AGREEMENT:

The Juvenile Justice Center agreement has been cancelled due to a decline in the need for shelter care. The budget for the Juvenile Justice Center is \$100,500.00 of which \$67,000.00 has been paid to date. The balance of \$33,500.00 will stay in the account for juveniles who need to be taken to another facility.

IN THE MATTER OF THE RAINY DAY FUND:

Avis Gunter, Commissioner, suggested the County research the merits of a Rainy Day Fund. The pros and cons were discussed by the Commissioners.

IN THE MATTER OF ASSESSORS PROVALCONFERENCE:

Mary Gervasi, Turkey Creek Township Assessor, and Gail Chapman, Chief Deputy, Wayne Township Assessor's Office, updated the Commissioners with information on the Proval Conference. Gervasi stated the registration for the conference in Virginia Beach has been cancelled. Randy Zellers, Proval, informed Gervasi of continuing education to be held in Indiana this year. The classes will be for two to five days and will be in Indianapolis.

IN THE MATTER OF A RESOLUTION FOR WARSAW HOUSING AUTHORITY TO REAPPLY FOR GRANT:

Laura Kauffman, Executive Director of Warsaw Housing Authority, requested the Commissioners to approve a resolution for the Warsaw Housing Authority to reapply for a grant in the amount of \$145,000.00. Kauffman stated the grant was applied for earlier this year but due to an error in the public notice in the newspaper the application for the grant was denied.

MOTION: AVIS GUNTER	TO: APPROVE RESOLUTION FOR
SECOND: RON TRUEX	WARSAW HOUSING AUTHORITY
AYES: 3	TO REAPPLY FOR GRANT.
NAYS: 0	
UNANIMOUS	

IN THE MATTER OF TOWNSHIP POOR RELIEF REPORTS:

Sue Ann Mitchell, County Auditor, presented the Poor Relief reports from the Township Trustees. The Monroe Township Trustee has not given the Poor Relief report to the Auditor at this time.

IN THE MATTER OF A RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO PAY SPECIFIC CLAIMS IN A TIMELY MANNER:
CR 2002031749

Sue Ann Mitchell, County Auditor, presented a resolution to the Commissioners for their approval. The resolution will allow the County Auditor to pay claims by the late bills are due so a penalty is not charged. The claims paid will be utility bills and service agreements. The claims paid will be presented to the Commissioners in the next bi-weekly cycle. Brad Jackson, President of the Commissioners, stated his concerns about other vendors taking advantage of the resolution and expecting to be paid early. Ron Truex, Commissioner, stated the claims should be paid in a timely manner.

RESOLUTION 01-08-28 Claims

WHEREAS, the Kosciusko County Commissioners have determined a need exists to authorize the County Auditor to pay claims earlier than the current cycle of claim payments.

WHEREAS, IC 36-2-6-4.5 as amended in 2001 by the Indiana General Assembly does allow the early payment of specific claims when an resolution is adopted by the County Commissioners.

THEREFORE BE IT RESOLVED, certain specified bills may be paid by the County Auditor upon receipt. Said bills must be advertised in the next advertising cycle and approved by the Commissioners at their next regular meeting pursuant to existing laws.

BE IT FURTHER RESOLVED, those bills that may be paid early include the following:

- a. Property or services purchased or leased from the United States Government, its agencies or its political subdivisions.
- b. License or permit fees.
- c. Insurance premiums.
- d. Utility payment or connection charges.
- e. Maintenance or service agreements.
- f. Leases or rental agreements.
- g. Bond or coupon payments.
- h. Payroll.
- i. State or federal taxes.
- j. Expenses that must be paid because of emergency circumstances.
- k. Bills that accrue penalties or interest if not paid before the claim cycle.

Adopted this 28th day of August, 2001.

KOSCIUSKO COUNTY COMMISSIONERS

BRAD JACKSON, PRESIDENT
AVIS GUNTER
RONALD TRUEX

ATTEST: SUE ANN MITCHELL, AUDITOR

IN THE MATTER OF THE GRANT FOR RAILROAD CROSSING MARKINGS:

Rob Ladson, County Highway Engineer, stated \$16,112.00 is remaining from a grant for stop signs at railroad crossings. Ladson presented an invoice for the State to request payment back to the County for materials. This money was used for the materials to mark the pavement at railroad approaches. The County was responsible for labor to mark twenty crossings.

MOTION: AVIS GUNTER TO: APPROVE SIGNING OF
SECOND: RON TRUEX GRANT INVOICE.
AYES: 3 NAYS: 0
UNANIMOUS

IN THE MATTER OF THE CONTRACT FOR COUNTY HIGHWAY EMPLOYEE UNIFORMS :

Rob Ladson, County Highway Engineer, presented a five year contract with Cintas uniforms for County Highway employees. Ladson stated he had sent several request for proposals and Cintas and Wildman Cleaners were all that showed interest. Cintas charge \$2.00 less per week and has a flat fee to replace uniforms. Ladson recommended Cintas.

MOTION: RON TRUEX TO: APPROVE FIVE YEAR CONTRACT
SECOND: AVIS GUNTER WITH CINTAS FOR COUNTY HIGHWAY
AYES: 3 NAYS: 0 EMPLOYEE UNIFORMS.
UNANIMOUS

IN THE MATTER OF THE COUNTY MAINTAINING THE ROADS IN NORTH DELLS SUBDIVISION PHASE VI EXCEPT FOR KNOLLWOOD DRIVE:

Rob Ladson, County Highway Engineer, requested the Commissioners accept the roads in North Dells Subdivision Phase VI for county maintenance. Ladson stated Knollwood Drive does not have a turn-around for snowplows but if the developer adds a turn-around the county can accept the road at a later time.

**KOSCIUSKO COUNTY HIGHWAY
ACCEPTANCE FOR COUNTY MAINTENANCE**

Name of Subdivision: The North Dells-Phase VI
Road Location:
Road Length: Greenfield Court: 210 feet
Royal Oak Court: 210 feet
Hickory Court: 525 feet
Birchwood Court: 1550 feet

Person(s) Requesting Acceptance: Robert D. Ladson, P.E.
Date of Recommendation: 8-28-2001
County Engineer's Recommendation:

Robert D. Ladson, P.E.
Kosciusko County Hwy. Eng./Supt.

Kosciusko County Board of Commissioners

Ronald Truex
Avis B. Gunter
Brad Jackson

QF 2002031152

TO: APPROVE AN ORDINANCE FOR
A STOP SIGN IN SAW GRASS
SUBDIVISION.

CR2002-031154

TO: APPROVE AN ORDINANCE FOR
A STOP SIGN IN ATLANTIS
VILLAS SUBDIVISIONS.

CR 2002-031153

TO: APPROVE AN ORDINANCE FOR
A STOP SIGN IN WAUSAU
SUBDIVISION.

FEA:

TO: APPROVE A 25 MPH SPEED
LIMIT AT CLAYPOOL
SCHOOL AND 700 S.

**IN THE MATTER OF A REQUEST FOR A THREE WAY STOP AT
650 E AND 300 N:**

Rob Ladson, County Highway Engineer, stated a request had been made for a three way stop at 650 E and 300 N. Ladson stated the intersection does not meet the guidelines from the manuals for a three way stop. Ladson stated this area is a thoroughfare and has not shown a large number of accidents. Ladson has contacted the Township Trustees for their input.

IN THE MATTER OF FEDERAL BRIDGE INSPECTION:

Rob Ladson, County Highway Engineer, stated there are ninety-two bridges in Kosciusko County and an inspection have to be done every two years. Federal waterways must be twenty feet or greater which could take several culverts to meet the criteria. The county receives a Federal Grant, which provides for eighty per cent of the payment. Ladson stated the county must advertise request for qualification. Ladson drafted a letter for the Commissioners to sign request for qualification. Ladson will send to at least five for responses.

MOTION: AVIS GUNTER TO: APPROVE ROB LADSON,
SECOND: RON TRUEX COUNTY HIGHWAY ENGINEER,
AYES: 3 NAYES: 0 TO ADVERTISE REQUEST FOR
UNANIMOUS QUALIFICATION.

**IN THE MATTER OF ROB LADSON, COUNTY HIGHWAY ENGINEER,
MAKING A PRESENTATION ON BRIDGE ISSUES FOR LTAP:**

Rob Ladson, County Highway Engineer, has been requested by LTAP to give a presentation on bridge issues. Ladson asked permission from the Commissioners to do so. Permission granted.

IN THE MATTER OF THE PAVING OF 1350 N:

Rob Ladson, County Highway Engineer, stated paving is in progress on 1350 N.

IN THE MATTER OF THE PAVING OF ST RD 19 TO 400 W:

Rob Ladson, County Highway Engineer, stated from 400 W to St Rd 19 had been paved. [^] *1350 N from (Ladson)* [^] *on 1350 N (Ladson)*

IN THE MATTER OF THE PAVING OF PACKERTON RD:

Rob Ladson, County Highway Engineer, stated the Highway is in the process of paving Packerton Road.

IN THE MATTER OF THE PAVING OF PIERCETON RD TO 400 S:

Rob Ladson, County Highway Engineer, stated Pierceton Road to 400 S is in the process of being paved. [^] *Packerton Road from (Ladson)* [^] *Pierceton Road from (Ladson)*

IN THE MATTER OF THE PAVING OF SULLIVAN ROAD:

Rob Ladson, County Highway Engineer, stated Sullivan Road is scheduled to be paved.

6 of 6

IN THE MATTER OF THE PAVING OF ELI LILLY ROAD :

Rob Ladson, County Highway Engineer, clarified that the paving of Eli Lilly road is the responsibility of the Turkey Creek Regional Sewer District and not that of Kosciusko County because of the sewer project.

IN THE MATTER OF THE REPAIR OF COUNTY ROAD 200 N:

Rob Ladson, County Highway Engineer, clarified it is the contractor's responsibility to complete the repairs on County Road 200 N. Ladson notified the contractor he has thirty days to complete the repairs.

IN THE MATTER OF RAMADA INN SIGN LEASE:


Ron Robinson, County Administrator, stated the Ramada Inn has requested to renew the lease of the sign with the County. The sign is located near the Work Release Center. Robinson stated the Ramada Inn pays all expenses for the sign including maintenance and electric.

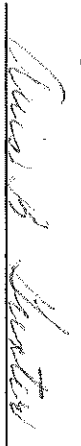
MOTION: AVIS GUNTER	TO: APPROVE THE RENEWAL OF
SECOND: RON TRUEX	THE LEASE WITH THE RAMADA
AYES 3 NAYS: 0	INN FOR THE SIGN LOCATED BY
UNANIMOUS	THE WORK RELEASE CENTER.

IN THE MATTER OF LIGHTENING STRIKES:

Ron Robinson, County Administrator, stated the Courthouse had been struck by lightning again. Robinson stated Bob Momeyer, Systems Administrator, worked two days to restore service. The cost to the County was \$2500.00 or less and the Counties deductible is \$1000.00.

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


 BRAD JACKSON, PRESIDENT


 AVIS GUNTER


 RONALD TRUEX

ATTEST: 
 SUE ANN MITCHELL, AUDITOR

KOSCIUSKO COUNTY COMMISSIONERS SEPTEMBER 11, 2001

The Kosciusko County Commissioners met for their regular meeting on September 11, 2001 at 9AM in the Courtroom of the Courthouse, 100 W. Center St., Warsaw, IN.

Those present were:

BRAD JACKSON, PRESIDENT	RON ROBINSON, ADMINISTRATOR
AVIS GUNTER	SUE ANN MITCHELL, AUDITOR
RON TRUEX	MIKE MINER, COUNTY ATTORNEY

Rob Ladson, County Highway Engineer, opened the meeting with a word of prayer. The pledge to the flag was recited. Brad Jackson called the meeting to order. Minutes of the August 28, 2001 meeting were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF LAURIE RENIER'S FINAL PAY AS SALARIED EMPLOYEE:

Sue Ann Mitchell, County Auditor, stated Laurie Renier, Chief Deputy in the County Assessor's Office, was appointed to the position of County Assessor to complete Sharon Thompson's term. Mitchell stated Laurie Renier has worked for the county for 15 years so she is entitled to two weeks sick time pay. Renier had just reached her anniversary date and is entitled to her vacation pay plus one day of vacation left from the prior year. Mitchell stated she had verified Renier's attendance records are in order and she should be compensated this pay period as follows:

SICK TIME

2 Weeks = 75 hours @ \$13.66 = \$1024.50

VACATION TIME

3 Weeks = 112.5 hours @ \$13.66 = \$1536.75
1 Day = 7.5 hours @ \$13.66 = \$ 102.45

\$ 1639.20

FINAL CHECK AS A SALARIED EMPLOYEE \$ 2663.70

The Board agreed to allow payment in the amount of \$2663.70.

IN THE MATTER OF THE GRANT FOR WARSAW HOUSING
AUTHORITY:

A public hearing was held to receive comments and take action on a Subrecipient Agreement with the Housing Opportunity of Warsaw. The floor was open to the public for comments and no comments were made. This is a reapplication of a grant in the amount of \$145,000.00 applied for earlier this year. Due to an error in the public notice in the newspaper, the application for the grant was denied.

TO: APPROVE GRANT APPLICATION
AND THE PRESIDENT SIGNING
BLOCK GRANT ASSURANCE AND
CERTIFICATION.

IN THE MATTER OF WARSAW COMMUNITY DEVELOPMENT'S
USE OF COURTHOUSE LAWN OCTOBER 26, 2001 SPOOKTAKULAR:

The Wirsaw Community Development has requested to use the Courthouse lawn and steps for their annual Halloween Spooktakular trick-or-treating. The event is scheduled Friday, October 26, 5:00 to 8:00 p.m. The Courthouse area would primarily be used for registration, judging and awards presentation. The WCDC will also need access to electrical facilities to plug-in their lights and PA system. The tent will be taken down the following day.

MOTION: RON TRUEX
SECOND: AVIS GUNTER
AYES: 3 NAYS: 0
UNANIMOUS

TO: APPROVE WARSAW
COMMUNITY DEVELOPMENT'S
USE OF THE COURTHOUSE
LAWN FOR THEIR HALLOWEEN
SPOOKTAKULAR OCTOBER 26,
5:00 TO 8:00 P.M.

IN THE MATTER OF THE SEPTEMBER 6, 2001 TAX SALE:

Sue Ann Mitchell, County Auditor, stated the Tax Sale was held September 6, 2001. Mitchell stated 169 properties were offered for sale. The total of taxes and penalties due were \$609,380.50. There were 92 properties sold for a total of \$507,013.78 including taxes and surplus. The total amount of taxes and penalties paid were \$102,235.91. There were 77 properties with no bids. The taxes on the properties not sold were \$507,144.59. There were 69 properties this year that have been through more than two tax sales and may be claimed by the Commissioners. The Commissioners agreed for the Auditor to proceed with cleaning up the properties and adding them back to the tax rolls. Mike Miner, County Attorney, stated there is no down side to cleaning up the properties that have gone through two tax sales.

**IN THE MATTER OF THE OPTION TO PURCHASE REAL ESTATE
AS RIGHT OF FIRST REFUSAL FROM THE FIRST CHRISTIAN
CHURCH OF WARSAW:**

Ron Robinson, County Administrator, presented an Option To Purchase Real Estate as Right of First Refusal from the First Christian Church of Warsaw.

MOTION: RON TRUEX
SECOND: AVIS GUNTER
AYES: 3 NAYS: 0
UNANIMOUS

TO: APPROVE THE OPTION TO PURCHASE REAL ESTATE AS RIGHT OF FIRST REFUSAL FROM THE FIRST CHRISTIAN CHURCH.

IN THE MATTER OF THE REDISTRICTING OF THE COUNTY COMMISSIONER'S DISTRICTS:

Ron Robinson, County Administrator, presented a proposal for the redistricting of the Commissioner's districts. The Commissioners adopted the redistricting as proposed for the Commissioner's districts.

COMMISSIONER TOWNSHIPS/PRECINCT		2001 CENSUS	TOWNSHIPS/PRECINCT	2002 CENSUS
GUNTER		CLAY	906	
		FRANKLIN	618	
		JACKSON	708	
		LAKE	919	
		MONROE	598	
		SEWARD	1316	
		2001	5065	
		ADD THE FOLLOWING		
		WASHINGTON		1753
		WAYNE 2		930
		WAYNE 7		831
		WAYNE 8		748
		WAYNE 9		1079
		WAYNE 5		1347
		TOTAL OF ADDITION		6688
PROPOSED ADDITION 2002	2001		5065	
PROPOSED 2002 TOTAL			6688	11753

TRUEX					
	HARRISON	1933			
	PLAIN 3	1494			
	PLAIN 4	746			
	PRAIRIE 2	610			
	WAYNE 1	989			
	WAYNE 3	491			
	WAYNE 4	496			
	WAYNE 6	760			
	WARSAW	7265			
	WINONA LAKE 10 TH	920			
	2001	15704			
2001 -- TRANSFER IN		15704	PRAIRIE 1 FROM B JACKSON		262
2002 -- ADDITIONS		958	ETNA FROM B. JACKSON		696
PROPOSED 2002 TOTAL		16662	TOTAL OF ADDITION		958
2002 TRANSFER OUT					
	TIPPY 3 TO B. JACKSON			1219	
	TIPPY 4 TO B. JACKSON			1040	
	WASHINGTON TO A. GUNTER			1753	
	WAYNE 5 TO A. GUNTER			1347	
	WAYNE 7 TO A. GUNTER			831	

WAYNE 8 TO A. GUNTER 748
WAYNE 9 TO A. GUNTER 1079
TOTAL OF TRANSFERS 8017

B. JACKSON	JEFFERSON	600
	PLAIN 1	905
	PLAIN 2	856
	SCOTT	351
	TURKEY CREEK	5520
	VAN BUREN	2393
	TIPPY 1	1047
	TIPPY 2	<u>1125</u>
		12797

ETNA TO R. TRUEX 696
PRAIRIE 1 TO R. TRUEX 262
TOTAL OF TRANSFERS OUT 2002 958

2001	12797	TIPPY 3 FROM R. TRUEX	1219
2002 ADDITIONS	2259	TIPPY 4 FROM R. TRUEX	1040
PROPOSED 2002 TOTAL	15056	TOTAL ADDITIONS	2259

MOTION: RON TRUEX TO: APPROVE AS LISTED ABOVE
SECOND: AVIS GUNTER PENDING THEY MEET WARSAW
AYES: 3 NAYS: 0 CITY APPROVAL.
UNANIMOUS


**IN THE MATTER OF REQUEST FOR A DRY HYDRANT AT
BACK WATER ROAD AND 500 N:**

Rob Lindson, County Highway Engineer, stated Richard Mitchell, Tippecanoe Township Trustee, requested a dry hydrant be installed at Backwater Road and 500 N.

MOTION: RON TRUEX	TO: APPROVE THE INSTALLATION
SECOND: AVIS GUNTER	OF A DRY HYDRANT SUBJECT
AYES: 3 NAYS: 0	TO THE COUNTY HIGHWAY'S
UNANIMOUS	FINAL APPROVAL OF ITS
	LOCATION.

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


BRAD JACKSON, PRESIDENT

AVIS GUNTER

RONALD TRUEX

ATTEST: 
SUE ANN MITCHELL, AUDITOR

KOSCIUSKO COUNTY COMMISSIONERS

SEPTEMBER 25, 2001

The Kosciusko County Commissioners met for their regular meeting on September 25, 2001 at 9AM in the Courtroom of the Courthouse, 100 W Center St., Warsaw, IN.

Those present were:

BRAD JACKSON, PRESIDENT	RON ROBINSON, ADMINISTRATOR
RON TRUEX	SUE ANN MITCHELL, COUNTY AUDITOR
	MIKE MINER, COUNTY ATTORNEY

Rob Ladson, County Highway Engineer, opened the meeting with a word of prayer. the pledge to the flag was recited. Brad Jackson called the meeting to order. Minutes of the September 11, 2001 meeting were approved as presented. Claims were signed and approved for payment.

IN THE MATTER OF THE MARY ESTHER ZOLMAN PROPERTY:

Mike Miner, County Attorney, stated the County should return the .87 acres more or less to Mary Esther Zolman. The property is located in the SE Quarter of the SW Quarter of Section 18, Township 32 North, Range 6 East. The property was deeded to the Kosciusko County Commissioners January 25, 1995 after being offered at two consecutive tax sales and the property was not purchased. Miner stated the County should deed the property to Mary Esther Zolman.

MOTION: RON TRUEX	TO: GIVE PERMISSION TO DEED
SECOND: BRAD JACKSON	.87 ACRES MORE OR LESS
AYES: 2 NAYS: 0	TO MARY ESTHER ZOLMAN.
UNANIMOUS	

IN THE MATTER OF TORT CLAIM FOR KENNEL & SUSIE WILLIAMS:

Mike Miner, County Attorney, stated the Tort Claim for Kennel & Susie Williams is set for mediation in Federal Court on October 23, 2001 at 9:30 AM. Miner stated a representative of the Commissioners is needed to attend the mediation. This date presents a conflict with the Commissioners meeting and the State Election Board meeting. Ron Robinson, County Administrator, will call the State and inquire about a different date for the State Election Board meeting. The Commissioners could designate Miner to represent the County at the mediation. The Commissioners will address this at their next meeting on October 8, 2001.

IN THE MATTER OF THE GATKE PROPERTY AND CITY OF WARSAW:

Ron Robinson, County Administrator, stated the City of Warsaw would like to have the Gatke property to the north of Winona Avenue. The City plans to apply for a Brownfield Grant to clean up the property. Robinson will write a letter to the City of Warsaw stating the County is willing to relinquish the Gatke property. The property has been through numerous tax sales with no bids at each one.

MOTION: RON TRUEX
SECOND: BRAD JACKSON
AYES: 2 NAYS: 0
UNANIMOUS

TO: APPROVE RON ROBINSON,
COUNTY ADMINISTRATOR,
TO WRITE A LETTER TO THE
CITY OF WARSAW STATING
THE COUNTY IS WILLING TO
RELINQUISH THE GATKE
PROPERTY.

IN THE MATTER OF THE REPAIR OF THE TUNNEL:

Ron Robinson, County Administrator, stated the tunnel needs to be resealed. Robins on stated Midwest Caucking will do the work at an approximate cost of \$4250.00. G & G Hauling and Excavating will be adding more gravel around the tunnel at an approximate cost of \$13,000.00.

MOTION: RON TRUEX
 SECOND: BRAD JACKSON
 AYES 2 NAYS: 0
 UNANIMOUS

TO: APPROVE APPROXIMATELY \$4250.00 FOR THE RESEALING OF THE TUNNEL AND APPROXIMATELY \$13,000.00 FOR ADDING MORE GRAVEL AROUND THE TUNNEL.

IN THE MATTER OF THE INCREASE IN FLEX PLAN NEXT YEAR:

Ron Robinson, County Administrator, stated the Flex Plan will be increasing \$.25 a month next year. This will be an increase of \$.12 per pay to employees.

IN THE MATTER OF THE SOUND SYSTEM IN THE OLD COURTROOM:

Ron Robinson, County Administrator, stated Rick Schooley of Rick's Electronic's will be sending the sound system to the company to be fixed.

**IN THE MATTER OF A NEW TRACTOR, SNOWBLOWER AND BRUSH
FOR THE COUNTY:**

Ron Robinson, County Administrator, requested approval to purchase a new tractor snow blower and brush attachment. Robinson stated the smaller tractor would be moved to Work Release. Robinson stated he has a quote in the amount of \$10,848.00 from Warsaw Farm Supply.

MOTION: RON TRUEX
SECOND: BRAD JACKSON
AYES 2 NAYS:0
UNANIMOUS

TO: APPROVE THE PURCHASE OF
A NEW TRACTOR, SNOW BLOWER
AND BRUSH ATTACHMENT FROM
FROM WARSAW FARM SUPPLY.

IN THE MATTER OF DATE OF PAYMENT OF CLAIMS:

The Commissioners agreed by consent for claims and payroll to be paid on the 9th of October. The Commissioners will meet the 8th of October because of the Indiana Association of Counties meeting.

**USE IN THE MATTER OF THE REQUEST FROM PROJECT SAFE TO
ROOM IN BASEMENT:**

The Project Safe Energy Assistance Program requested to use a room in the basement of the Courthouse for their office beginning November 5, 2001.

MOTION: RON TRUEX
SECOND: BRAD JACKSON
AYES: 2 NAYS: 0
UNANIMOUS

TO: APPROVE THE REQUEST OF
PROJECT SAFE ENERGY
ASSISTANCE PROGRAM TO
USE A ROOM IN THE BASEMENT

**IN THE MATTER OF BABY BLANKET MADE BY HELEN HOY AND
PRESENTED TO ROB LADSON:**

Helen Hoy presented a baby blanket she made to Rob Ladson, County Highway Engineer for his son Nathaniel.

IN THE MATTER OF THE WESTERN ROUTE PROJECT:

Rob Ladson, County Highway Engineer, stated Steve Benzik, Troyer Group, has requested the County to form a steering committee for the Western Route Project. The committee would consist of members from local business and the public. Ladson stated he would provide a list of candidates for the Commissioners before the next meeting and the Commissioners can select the committee.

IN THE MATTER OF A YIELD SIGN AT EMS W29 OFF BACKWATER
ROAD AND EMS W29B: 2002-03160

Rob Ladson, County Highway Engineer, stated he has had a request from property owners for a Yield sign to be installed on the SE corner of EMS W29 off of Backwater Road and EMS W29B. Ladson stated EMS W29B is not a county maintained road and did not feel the Yield sign should be installed where tax dollars are not paid. Mike Milner, County Attorney, stated the law provides for the sign to be installed on a road that is not county maintained. Ladson stated there have been no accidents at the intersection but some close calls.

MOTION: RON TRUEX
SECOND: BRAD JACKSON
AYES: 2 NAYS: 0
UNANIMOUS

TO: APPROVE A YIELD SIGN BE
INSTALLED AT THE LOCATION
RECOMMENDED BY ROB
LADSON, COUNTY HIGHWAY
ENGINEER.

ORDINANCE 01 – 09-025

An Ordinance establishing “Yield” signs at various County Road intersections within Kosciusko County, Indiana; and

WHEREAS, THE BOARD OF COMMISSIONERS of the County of Kosciusko has the power to regulate the use of the public ways and right-of-ways: and

WHEREAS, THE BOARD OF COMMISSIONERS has the authority to establish Yield signs on County Highways; and

WHEREAS, THE COUNTY HIGHWAY Engineering Department has performed a traffic study at the aforementioned road intersection in accordance to the State of Indiana; Uniform Traffic Control Manual and hereby recommend “Yield” signs be installed.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the County of Kosciusko as follows:

1. Install “Yield” sign on the southeast corner of W29 and W29B.

THIS ORDINANCE shall be in full force and effect on September 25th, 2001. Passed and adopted by the Board of Commissioners of the County of Kosciusko this 25th day of September, 2001.

BOARD OF COMMISSIONERS, KOSCIUSKO COUNTY

BRADFORD JACKSON, PRESIDENT
RONALD TRUEX, MEMBER

ATTEST: SUE ANN MITCHELL
KOSCIUSKO COUNTY AUDITOR

IN THE MATTER OF THE THREE WAY STOP SIGN AT 650E AND 300N

CR 2002031159
Rob Laidson, County Highway Engineer, stated he has a request for a Three Way Stop Sign at the intersection of 650E and 300N. A Stop sign was already in place at 300N. Adding two Stop signs on 650E will stop North and South bound traffic.

MOTION: BRAD JACKSON TO: APPROVE A THREE WAY STOP
SECOND: RON TRUEX AT THE INTERSECTION OF
AYES: 2 NAYS: 0 650E and 300N.
UNANIMOUS

ORDINANCE 01-09-015

An Ordinance establishing "Stop" signs at various County Road intersections within Kosciusko County, Indiana; and

WHEREAS, THE BOARD OF COMMISSIONERS of the County of Kosciusko has the power to regulate the use of the public ways and rights-of-ways; and

WHEREAS, THE BOARD OF COMMISSIONERS has the authority to establish Stop signs on County Highways; and

WHEREAS, THE COUNTY HIGHWAY Engineering Department has performed a traffic study at the aforementioned road intersection in accordance to the State of Indiana Uniform Traffic Control Manual and hereby recommend "Stop" signs be installed.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the County of Kosciusko as follows:

1. Install "Stop" signs on the northwest corner and southeast corner of CR 300N. and CR 650E. making it a 3-way stop.

THIS ORDINANCE shall be in full force and effect on September 25th, 2001. Passed and adopted by the Board of Commissioners of the County of Kosciusko this 25th day of September, 2001.

BOARD OF COMMISSIONERS, Kosciusko County

Bradford Jackson, President

Ronald Truex, Member

Attest: Sue Ann Mitchell
Kosciusko County Auditor

IN THE MATTER OF THE PAVING OF 1350N FROM ST RD 19 TO 400W:

Rob Ladson, County Highway Engineer, stated paving has been completed on 1350N from St Rd 19 to 400W.

IN THE MATTER OF THE PAVING OF PACKERTON ROAD:

Rob Ladson, County Highway Engineer, stated the paving of Packerton Road is in process.

IN THE MATTER OF THE SHOULDER WORK AND 1350N:

Rob Ladson, County Highway Engineer, stated the Highway is in the process of repaving the shoulder on 1350N. Ladson stated the machine used for the shoulder work broke and one had to be rented.

IN THE MATTER OF THE REPAIR OF BRIDGE 78:

Rob Laidson, County Highway Engineer, stated Bridge 78 at 1000W is being repaired.

IN THE MATTER OF COMPUTER PROGRAM AGREEMENT WITH
ROBI LADSON, COUNTY HIGHWAY ENGINEER: CR 2002031140

Ron Robinson, County Administrator, presented a Resolution of Mutual Agreement between Rob Ladson, County Highway Engineer and Kosciusko County for computer programs designed by Ladson. Robinson stated Ladson has designed programs for different county offices that speeds up the bookkeeping process. Ladson does this on his own time. Mike Milner, County Attorney, reviewed the agreement and approved.

MOTION: RON TRUEX
SECOND: BRAD JACKSON
AYES 2 NAYS: 0
UNANIMOUS

TO: APPROVE RESOLUTION OF
MUTUAL AGREEMENT
BETWEEN ROB LADSON AND
KOSCIUSKO COUNTY FOR
DESIGNING OF COMPUTER
PROGRAMS.

RESOLUTION OF MUTUAL AGREEMENT

WHEREAS, the Kosciusko County Board of Commissioners have deemed it in the best interest of Kosciusko County to update various Federal, State, and Local forms to a computer based system and;

WHEREAS, Robert D. Ladson, on his own, personal time, has created various spreadsheets, databases, and other types of intellectual property that incorporate various Federal, State, and Local forms currently used by various Departments of Kosciusko County;

WHEREAS, there is a need to continue to update various Federal, State, and Local forms to a computer based system;

NOW THEREFORE BE IT RESOLVED, that the Kosciusko County Board of Commissioners acknowledges that all spreadsheets, databases, and other types of intellectual property that Robert D. Ladson creates on his own, personal time are the expressed property of Robert D. Ladson and as such all rights include, but are not limited to copy the works, to prepare derivative works, to distribute the works, to sell the works to publicly perform the works, to copyright the works, and to put the works on public display;

That Robert D. Ladson agrees to license to Kosciusko County the right to use the various spreadsheets, databases, and other types of intellectual property that he creates on his own, personal time for a fee that is acceptable to both parties and is above and beyond the normal compensation associated with the duties as Kosciusko County Engineer/Superintendent. Said fee will be based upon the

individual spreadsheet, database, or other type of intellectual property created and will be negotiated independently from this Resolution of Mutual Agreement.

That when a Department Head or Elected Official has a need to update a Federal, State, and Local form to a computer based system, said individual must submit a request to the Kosciusko County Administrator for approval. Upon approval of the request, the Kosciusko County Administrator will negotiate the fee and other terms of the License Agreement with Robert D. Ladson. The License Agreement will include the fee and other individual details for the service being requested. The Kosciusko County Administrator on behalf of the Kosciusko County Commissioners, may accept the License Agreement or submit it to the Kosciusko County Board of Commissioners for acceptance. Both parties must agree to and sign the Request for Contractual Service for it to be binding.

Kosciusko County Board of Commissioners:

Bradford Jackson

Robert D. Ladson

Ronald Truex

Attested by: Sue Ann Mitchell
Kosciusko County Auditor

**IN THE MATTER OF THE PETITION OF DANNY AND REBECCA
CONKLING TO VACATE AN ESPLANADE NEXT TO LOT 11 IN HINER'S
SUBDIVISION ON BACKWATER LAKE:**

Matt Sandy, Area Plan Commission, presented a petition to vacate an Esplanade next to Lot 11 in Hiner's Subdivision on Backwater Lake. Sandy stated the Sheriff's Department, Fire Department and EMS have been contacted and have no objection to the vacation. Sandy stated the Area Plan Commission recommended to deny the petition as the lots across the road would not have walking rights to frontage.

Bryon Berry, Attorney, representing Danny and Rebecca Conkling, stated no one is currently using the walkway. A survey done in 1993 indicated the shoreline is receding 7 1/2 feet. Richard Hagen and Jon Maule spoke in favor of vacating the walkway.

David Kolbe, Attorney, representing Jack and Nina Jacobs, in opposition of the vacation stated the walkway benefits the whole neighborhood. Kolbe stated if the Commissioners close the walkway a domino effect could start with other property owners. Kolbe stated an effort was made to close Dogwood Lane and was litigated in Court. Kolbe stated the area could be protected with a seawall.

Mike Miner, County Attorney, advised adverse possession does not apply even through unused.

Lynn Stevens, Tippecanoe Environmental, stated the erosion can be controlled and erosion is common in all lake areas.

Murray Rhodes stated he owns property he is selling on contract. Rhodes stated this would expose to other people wanting to vacated.

In rebuttal, Dan Conkling stated lots 13 and 12 are all one lot and he has maintained the Esplanade for sixteen years and there have been no piers, fishing or walking. Conkling stated water access for a fire would not be a problem. Conkling stated he has never been approached about a property association. Conkling also stated he is trying to preserve the bank by sowing grass seed to make it look nice and would like to own the property.

Brad Jackson, Commissioner, stated when the subdivision was laid out it was with the assumption easements are there.

Rich Hayes owns lots 5 and 6. Hayes stated he is here observing and not for or against vacating the walkway.

The Commissioners advised the parties involved to discuss and try to organize and agree. The petition was tabled for 90 days. The attorneys are to contact the Auditor for scheduling.

MOTION: RON TRUEX	TO: APPROVE TO TABLE THE
SECOND: BRAD JACKSON	THE PETITION TO VACATE
AYES 2 NAYS: 0	AN ESPLANADE IN HINER'S
UNANIMOUS	SUBDIVISION NEXT TO LOT 11
	ON BACKWATER LAKE FOR
	90 DAYS.

**IN THE MATTER OF THE PETITION OF DOYLE AND ELAINE
MUNSON TO REZONE 95 ACRES FROM AG TO AG II:**

Dan Richard, Area Plan Commission, presented a petition to rezone 95 acres owned by Doyle and Elaine Munson from Ag to Ag II. The property is in Wayne Township adjacent to Clay Township. Richard stated the Area Plan Commission voted unanimous to deny the petition.

Steve Snyder, Attorney, representing Doyle and Elaine Munson stated if the property is zoned Ag II the County would have more control of the development by General Plan Objection.

Dennis Lundgren stated he is in favor of the rezoning and a property owner should be allowed to do what he chooses. Lundgren stated development drainage would be better than selling the property off at random.

Jim Gast stated he approves of the rezoning. Gast stated his wife's family owns 200 hundred acres to the North of the Munson property and the rezoning would do no basic harm to neighbors.

David McCleary and his sister are POA for Mary McCleary. Mrs. McCleary owns 241 acres to the North and West of the Munson property. McCleary stated his family approves of the rezoning.

Austin Mutchler spoke in opposition of the rezoning. Mutchler stated he owns five acres across the road and does not want to see a subdivision across the road from his property.

Dan Richard, Area Plan Commission, stated the Area Plan Commission was developed by the Commissioners and if they do not approve of their decision Richard recommended sending it back to the Area Plan Commission.

Brad Jackson, Commissioner, stated he is not prepared to reverse or send back the petition to the Area Plan Commission.

Ron Truex, Commissioner, stated he would like to talk to the Area Plan Commission. The petition will be sent back to the Area Plan Commission and the Commissioners will attend the meeting to be held on October 3, 2001.

MOTION: RON TRUEX	TO: APPROVE SENDING THE
SECOND: BRAD JACKSON	THE PETITION BACK TO
AYES: 2 NAYS: 0	THE AREA PLAN COMMISSION
UNANIMOUS	AND THE COMMISSIONERS
	WILL ATTEND THE MEETING
	OF OCTOBER 3, 2001.

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


BRAD JACKSON, PRESIDENT


AVIS GUNTER

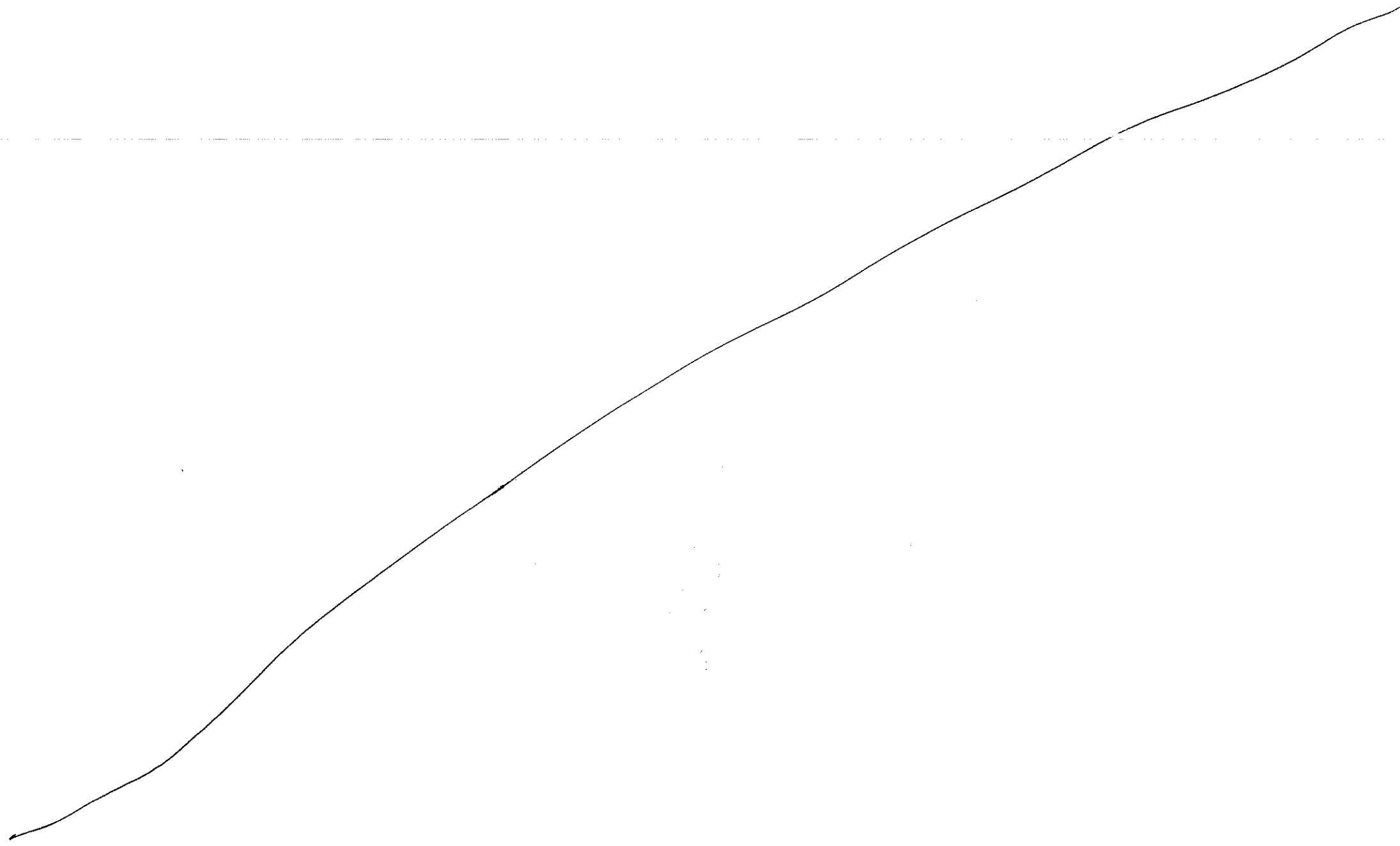

RONALD TRUEX

ATTEST: 
SUE ANN MITCHELL, AUDITOR

10

10

10



KOSCIUSKO COUNTY COMMISSIONERS

October 8, 2001

The Kosciusko County Commissioners held their regular meeting October 8, 2001 at 9 AM in the Courtroom of the Courthouse, 100 W. Center St., Warsaw IN. Those present were:

BRAD JACKSON	SUE ANN MITCHELL, AUDITOR
AVIS GUNTER	RON ROBINSON, COUNTY ADMINISTRATOR
RONALD TRUEX	

Rob Ladson, County Highway Engineer, opened the meeting with a word of prayer. The pledge to the flag was recited. Brad Jackson called the meeting to order. Minutes of the September 25, 2001 meeting were approved as presented. Claims were signed and approved for payment on October 9, 2001 as presented.

IN THE MATTER OF FURNITURE BIDS FOR JUSTICE BUILDING:

Ron Robinson, County Administrator, opened the following bids:

Infusion	\$ 235,809	Bid Bond Present
Executive Office	\$ 245,000	Bid Bond Present
Business Furnishings	\$ 235,874	Bid Bond Present
NBS Office Supply	\$ 241,449	Bid Bond Present
PBI	\$ 236,962.42	Bid Bond Present

Robinson stated that all bidders were welcome to review bids in his office. Bids will be reviewed and awarded at the next Commissioner's meeting on October 23, 2001. Brad Jackson thanked the bidders.

IN THE MATTER OF MANDATORY DIRECT DEPOSIT:

Sue Ann Mitchell, Auditor, discussed direct deposit. Mitchell stated that all new employees are automatically enrolled in the direct deposit program. She wanted to know if there was a mandatory time table for when all County employees must be on direct deposit. Brad Jackson was not in favor of making it mandatory for every employee. Ron Truex wanted to discuss it with all department heads and wanted information on the savings to the County by doing mandatory direct deposit.

IN THE MATTER OF THE GIRL SCOUT GOLDEN AWARD:

Sue Ann Mitchell, Auditor, presented the Commissioner's with certificates to sign to recognize two Senior Girl Scouts for their Girl Scout Golden Award. Danielle and Courtney Shepherd from Tippecanoe Valley High School will each receive the award. This is the highest award the girls can earn in Girl Scouting.

IN THE MATTER OF GATKE PROPERTIES:

Sue Ann Mitchell, Auditor, stated she received a new form from the state that will need to be completed to take the Gatke properties off of the tax rolls. Mitchell will work on completing this form.

IN THE MATTER OF NIPSCO CONTRACT:

Ron Robinson, County Administrator, stated he negotiated with NipSCO concerning County natural gas prices for next year. They settled on 39.5 cents per therm. This is for the gas cost only. This does not include the delivery cost.

October 8, 2001

Page 2 of 5 *Law*

IN THE MATTER OF SPEED LIMIT VARIATIONS:

Rob Ladson, County Highway, presented a color coded map indicating County speed limits. The Commissioners indicated a need to make speed limits more uniform. Ladson will continue to work to achieve uniformity.

IN THE MATTER OF BACKWATER ROAD SPEED LIMIT: CR 2002-031/55

Ladson indicated Backwater road from SR 13 to EMS W29 had speed limits varying from 30 mph to 50 mph. Ladson recommended from town limits to 950 E all be 35 mph.

ORDINANCE 01-10-08-S1

An Ordinance establishing speed limits on various County Roads, all within Kosciusko County, Indiana; and

WHEREAS, THE BOARD OF COMMISSIONERS of the County of Kosciusko has the power to regulate the use of the public ways and rights-of-ways; and

WHEREAS, THE BOARD OF COMMISSIONERS has the authority to establish speed limits on County Highways; and

WHEREAS, THE COUNTY HIGHWAY Engineering Department has performed a traffic speed study on the following roads all in accordance to the State of Indiana Uniform Traffic Control Manual and hereby recommend the following speed limit.

NCW THEREFORE, BE IT ORDAINED by the Board of Commissioners of the County of Kosciusko as follows:

1. Ordinance #96-6; Item #1 Sec. A,B & C to read speed limit on Backwater Road from W31 to CR 950E. shall be 35 mph.

*Note: Backwater Road from SR 13 to W31 controlled by the Town of North Webster.

THIS ORDINANCE shall be in full force and effect on October 8th, 2001. Passed and adopted by the Board of Commissioners of the County of Kosciusko this 8th day of October, 2001.

BOARD OF COMMISSIONERS,
Kosciusko County

Bradford Jackson, President
Avis Gunter, Member
Ron Truex, Member

Attest: Sue Ann Mitchell
Kosciusko County Auditor

October 8, 2001
Page 3 of 5 *dam*

IN THE MATTER OF SPEED LIMITS FOR 200 S FROM SR 19 TO SR 25 AND 100 S AND 25 W TO 400 W: CR 2002 031156

ROAD 200 S from SR 19 to SR 25

200 S from SR 19 to SR 25. The existing speed limit on County Road is 40 mph. It is only posted to 550 W. This is a rural stretch of road. Ladson recommended to repeal 40 mph speed limit. This would become a 55 mph zone.

ROAD 100 S from 25 W to 400 W

Ladson also presented information on 100 S from 25 W to 400 W. Ladson recommended to repeal 40 mph. This would become a 55 mph zone.

ORDINANCE 01-10-08-S2

An Ordinance establishing speed limits on various County Roads, all within Kosciusko County, Indiana; and

WHEREAS, THE BOARD OF COMMISSIONERS of the County of Kosciusko has the power to regulate the use of the public ways and rights-of-ways; and

WHEREAS, THE BOARD OF COMMISSIONERS has the authority to establish speed limits on County Highways; and

WHEREAS, THE COUNTY HIGHWAY Engineering Department has performed a traffic speed study on the following roads all in accordance to the State of Indiana Uniform Traffic Control Manual and hereby recommend the following speed limit be repealed.

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of the County of Kosciusko as follows:

1. Repeal ordinance for 40 mph speed limit on CR 200S. from SR 19 to SR 25.
Recorded date: May 1 & 7, 1973 24 Com. Rec. 424
2. Repeal ordinance for 40 mph speed limit on CR 100S. from SR 25 west 1.75 miles.
Recorded date: June 3 & 4, 1974 25 Com. Rec. 464

THIS ORDINANCE shall be in full force and effect on October 8th, 2001. Passed and adopted by the Board of Commissioners of the County of Kosciusko this 8th day of October, 2001.

BOARD OF COMMISSIONERS,
Kosciusko County

Bradford Jackson, President
Avis Gunter, Member
Ron Truex, Member

Attest: Sue Ann Mitchell
Kosciusko County Auditor

IN THE MATTER OF SPEED LIMIT FOR 500 W FROM 950 S TO 750 SOUTH OF 900 S:

CP 2002031157

Rob Ladson presented information on the speed limit on 500 W from 900 S. It was discussed that it is posted 50 mph. Ladson recommended to repeal 50 mph. This would become a 55 mph zone. The entrance to Diamond Lake Conservation Club is on this road.

ORDINANCE 01-10-08-S3

An Ordinance establishing speed limits on various County Roads, all within Kosciusko County, Indiana; and

WHEREAS, THE BOARD OF COMMISSIONERS of the County of Kosciusko has the power to regulate the use of the public ways and rights-of-ways; and

WHEREAS, THE BOARD OF COMMISSIONERS has the authority to establish speed limits on County Highways; and

WHEREAS, THE COUNTY HIGHWAY Engineering Department has performed a traffic speed study on the following roads all in accordance to the State of Indiana Uniform Traffic Control Manual and hereby recommend the following speed limit be repealed.

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of the County of Kosciusko as follows:

1. Ordinance #95-19 Item #2: Repeal 50 mph speed limit on CR 500W. from CR 950S. to a point 750 feet south of CR 900S. Repeal 50 mph speed limit on CR 500W. from CR 700S. to a point 750 feet north of Warren Avenue.

THIS ORDINANCE shall be in full force and effect on October 8th, 2001. Passed and adopted by the Board of Commissioners of the County of Kosciusko this 8th day of October, 2001.

BOARD OF COMMISSIONERS,
Kosciusko County

Bradford Jackson, President
Avis Gunter, Member
Ron Truex, Member

Attest: Sue Ann Mitchell
Kosciusko County Auditor

Ladson also encouraged Commissioners to make equal incremental changes in speed limits. He also indicated that there are certain criteria to being able to set a speed limit that was not previously used by the department.

Aaron Rovenstine, Sheriff, indicated there is always controversy on changing speed limits. Rovenstine stated current speed limits in question were set up with no criteria. These limits are old and inconsistent. The Sheriff agreed with the criteria currently being applied.

Oswego speed limit will be addressed at the next meeting on Armstrong Road. Crystal Lake Road also needs to be addressed. Currently the speed limit goes from 55 mph to 30 mph. A 45 mph sign is being requested between them. Ladson will present further information at the next Commissioners meeting.

Motion: Ronald Truex
Second: Avis Gunter
Aye: 3 Nay: 0

To: Approve all 3 ordinances as presented for speed limit changes. Approve Highway and Sheriff to continue working together to address speed limits.

KOSCIUSKO COUNTY COMMISSIONERS
October 23, 2001

The Kosciusko County Commissioners held their regular meeting October 23, 2001 at 9 AM in the Courtroom of the Courthouse, 100 W. Center St., Warsaw IN. Those present were:

BRAD JACKSON
AVIS GUNTER
RONALD TRUEX

MIKE MINER, COUNTY ATTORNEY
SUE ANN MITCHELL, AUDITOR
RON ROBINSON, COUNTY ADMINISTRATOR

Rob Ladson, County Highway Engineer, opened the meeting with a word of prayer. The pledge to the flag was recited. Brad Jackson called the meeting to order. Minutes of the October 9, 2001 meeting were approved as presented. Claims were signed and approved for payment as presented.

IN THE MATTER OF REDISTRICTING ORDINANCE:

Sharon Christner, Clerk of Kosciusko County, presented an Ordinance concerning redistricting.

SAMPLE ORDER

(Use this Order if the county commissioners have delegated the authority to make precinct changes to the county election board)

**STATE OF INDIANA)
COUNTY OF KOSCIUSKO)**

ORDER ESTABLISHING PRECINCTS

WHEREAS, Indiana Code 3-11-1.5 requires that precinct boundaries comply with the directives of said law; and

WHEREAS, pursuant to IC 3-11-1.5-36, Kosciusko County, Indiana through the Board of Commissioners has allowed Kosciusko County Election Board to research and develop precincts for said County.

NOW THEREFORE, BE IT ORDERED by the Commissioners of Kosciusko County as follows:
Kosciusko County, Indiana by and through the Board of Commissioners hereby establishes precincts for
the county.

A precinct description and map of the boundaries of each precinct established and submitted to the Indiana Election Commission is made a part hereof.

That this Order shall become effective upon approval of said precincts by the Indiana Election Commission.

ORDERED THIS 23rd DAY OF OCTOBER, 2001.

Brad Jackson
Avis Gunter
Ronald Truex

MOTION: Ronald Truex To: Approve order establishing precincts.
SECOND: Avis Gunter
AYE: 3 NAY: 0

October 23, 2001
Page 2 of 9

IN THE MATTER OF BID AWARD FOR OFFICE FURNITURE FOR JUSTICE BUILDING:

Ron Robinson, County Administrator, discussed the bids taken at the October 8, 2001 Commissioner meeting. The difference between the highest bid and the lowest bid was \$5,640. Robinson stated Infusions presented the lowest bid at \$235 under anyone else. The bids looked to be in order. Commissioner Ronald Truex questioned that the same brand was quoted and installation is included in each bid. Commissioner Brad Jackson questioned if Robinson had confidence in all the bidders. Robinson stated that all bids were for the same brand and does include installation. Robinson had been in contact with other Counties that had used all the bidders. He stated each of them came highly recommend. The difference in the bids was basically in the installation costs. Robinson also stated that this is for Phase I. Bids for other Phases will be taken at a later date.

MOTION: Ronald Truex
SECOND: Avis Gunter
AYE: 3 NAY: 0

To: Accept Infusion's lowest bid for furniture for Justice Building. \$235,809

IN THE MATTER OF 2001 CHRISTMAS PARTY:

Ron Robinson, County Administrator, suggested this years Christmas party take place on December 18, 2001 after the Commissioner's meeting from 11:00 – 2:00. It may be possible to have the Christmas party at the Justice Building if facilities are far enough along. Robinson offered tours of the new facilities. If this were not possible however, the party would take place in the Munson Building.

MOTION: Avis Gunter
SECOND: Ronald Truex
AYE: 3 NAY: 0

To: Approve Christmas Party for December 18, 2001.

IN THE MATTER OF 2002 SERVICE AGREEMENT FOR NON PROFIT AGENCIES:

Sue Ann Mitchell, Auditor of Kosciusko County, presented the board with the 2002 service agreements for non profit agencies. Mitchell stated these are the same service agreements signed each year. They have been updated to include 2002. The agencies included are Arrowhead RC & D, Kosciusko County Council on Aging/Aged, Kosciusko County Historical Society, Kosciusko County Home Health Care, The Beaman Home and The Cardinal Center.

MOTION: Avis Gunter
SECOND: Ronald Truex
AYE: 3 NAY: 0

To: Approve 2002 service agreement for non profit agencies.

IN THE MATTER OF ANIMAL WELFARE LEASE AGREEMENT:

Sue Ann Mitchell, Auditor of Kosciusko County, presented the board with the 2001 and 2002 lease agreements for Animal Welfare. Mitchell stated this is a lease renewal. One lease is for January 1, 2002 thru December 31, 2002. The only change in the leases are the amounts given to the Animal Welfare League. The amount included for 2001 is \$60,000. The amount included for 2002 is \$66,000. Both amounts were previously approved by the Commissioners and the County Council.

MOTION: Avis Gunter
SECOND: Ronald Truex
AYE: 3 NAY: 0

To: Sign 2001 and 2002 lease for Animal Welfare.

October 23, 2001
Page 3 of 9

IN THE MATTER OF CONVEYANCE OF ZOLMAN PROPERTY:

Mike Miner, Attorney for Kosciusko County, stated an 0.87 acre tract of ground went through two tax sales and there was no bid. Eventually the County took deed to this property. Miner stated this parcel was created when Zolman's legal description was drawn incorrectly making it appear there was a strip between Zolman and the next property. Miner has prepared a Commissioners' Deed with the following legal description to convey this parcel back to Mrs. Zolman.

**A tract of land in the Southeast Quarter of the Southwest Quarter of Section 18,
Township 32 North, Range 6 East, in Kosciusko County, Indiana, more particularly
as follows:**

**Beginning at a point of the Section line 400 feet West of the South Quarter of said
section; thence West on said Section line 269.5 feet; thence North 0 degrees
21 minutes West 140.5 feet to an iron pipe; thence East 269.5 feet to an iron
pipe; thence South 0 degrees 21 minutes East 140.5 feet to the place of beginning,
and containing 0.87 acre.**

MOTION: Avis Gunter
SECOND: Ronald Truex
AYE: 3 NAY: 0

To: Convey 0.87 acre parcel from County Commissioners
to Mary Esther Zolman.

IN THE MATTER OF SPEED LIMIT ORDINANCE FOR 450 W AT LANDFILL SITE:

CR 2002.03.16.1

Rob Ladson, Kosciusko County Highway Engineer, presented an ordinance temporarily changing the speed limits on 450 W by the landfill site. Currently, a project is under way on 450 W. Ladson is proposing the speed limit be reduced temporarily until this project is completed. Once the project is completed and truck traffic reduces, this will be repealed. Commissioner Brad Jackson, questioned if warning signs would be placed for motorists to realize the changes. Ladson stated he was working out how to proceed with the warning signs to signal the change.

ORDINANCE 01-10-22-S1

An Ordinance establishing speed limits on various County Roads, all within Kosciusko County, Indiana; and

WHEREAS, THE BOARD OF COMMISSIONERS of the County of Kosciusko has the power to regulate the use of the public ways and rights-of-ways; and

WHEREAS, THE BOARD OF COMMISSIONERS has the authority to establish speed limits on County Highways; and

WHEREAS, THE COUNTY HIGHWAY Engineering Department has performed a traffic speed study on the following roads all in accordance to the State of Indiana Uniform Traffic Control Manual and hereby recommend the following speed limit.

1. Speed limit on CR 450W. from SR 25 to CR 525S. shall be 45 mph.
2. Speed limit on CR 450W. from CR 525S. to CR 625S. shall be 35 mph.
3. Speed limit on CR 450W. from CR 625S. to CR 700S. shall be 45 mph.

October 23, 2001
Page 4 of 9

THIS ORDINANCE shall be in full force and effect on October 23rd, 2001. Passed and adopted by the Board of Commissioners of the County of Kosciusko this 23rd day of October, 2001.

BOARD OF COMMISSIONERS,
Kosciusko County

Bradford Jackson, President
Avis Gunter, Member
Ron Truex, Member

Attest: Sue Ann Mitchell
Kosciusko County Auditor

MOTION: Ronald Truex
SECOND: Avis Gunter
AYE: 3 NAY: 0

To: Approve temporary speed limit changes
until 450 W project completion.

IN THE MATTER OF SPEED LIMIT CHANGE ON ARMSTRONG ROAD AT OSWEGO :

Rob Ladson, Kosciusko County Highway Engineer, has worked closely with C. Aaron Rovenstine, Kosciusko County Sheriff, in establishing consistent speed limits through out the County. Ladson feels that speed limit changes should be made for a 40 mph and a 30 mph zone as a result of a traffic speed study he has performed in accordance to the State of Indiana Uniform Traffic Control Manual. The changes in question are:

- a) Armstrong Road from 1000 ft. west of CR 300E. to 1000 ft. east of CR 325E. 30 mph.
- b) Armstrong Road from 2000 ft. west of CR 300E. to 1000 ft. west of CR 300E. 40 mph.
- c) Armstrong Road from 1000 ft. east of CR 325E. to 2000 ft. east of CR 325E. 40 mph.

Ronald Truex, Commissioner, questioned the significance of 30 mph and 40 mph zones in reference to 35 mph and 45 mph zones. Ladson stated there is no significance; he was just trying to be consistent with the current speed limits. He will research State manual and bring it before the Commissioners at a later date concerning consistent principals in speed variations. If the County is consistent with these speed zones, it will reduce the sign costs. No existing signs would be changed, but this would affect all future signs.

MOTION: Avis Gunter
SECOND: Ronald Truex
AYE: 3 NAY: 0

TO: Table decision on Armstrong Road pending further
discussion on speed limit consistency.

IN THE MATTER OF ORDINANCE TO REPEAL SPEED LIMIT ON COUNTY FARM ROAD:

Rob Ladson, Kosciusko County Highway Engineer, stated there are two ordinances on record from 1950 and 1955 but speed limits have never been posted. Ladson requested to either repeal them or post them.

October 23, 2001
Page 5 of 9

ORDINANCE 01-10-23-S2

CR 2002 031162

An Ordinance establishing speed limits on various County Roads, all within Kosciusko County, Indiana; and

WHEREAS, THE BOARD OF COMMISSIONERS of the County of Kosciusko has the power to regulate the use of the public ways and rights-of-ways; and

WHEREAS, THE BOARD OF COMMISSIONERS has the authority to establish speed limits on County Highways; and

WHEREAS, THE COUNTY HIGHWAY Engineering Department has performed a traffic speed study on the following roads all in accordance to the State of Indiana Uniform Traffic Control Manual and hereby recommend the following speed limit be repealed.

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of the County of Kosciusko as follows:

1. Repeal 30 mph speed limit on County Farm Road at the curve by Guy Vanator Farm (23 Com. Rec. 505; Aug. 2 & 3, 1954)
2. Repeal 40 mph speed limit on County Farm Road for northbound traffic at its intersection with CR 700S. (25 Com. Rec. 158; Apr. 5 & 6, 1965)

THIS ORDINANCE shall be in full force and effect on October 23rd, 2001. Passed and adopted by the Board of Commissioners of the County of Kosciusko this 23rd day of October, 2001.

BOARD OF COMMISSIONERS,
Kosciusko County

Bradford Jackson, President
Avis Gunter, Member
Ron Truex, Member

Attest: Sue Ann Mitchell
Kosciusko County Auditor

MOTION: Ron Truex
SECOND: Avis Gunter
AYE: 3 NAY: 0

To: Accept ordinance 01-10-23-S2 to repeal previous
two speed limits.

IN THE MATTER OF 4 WAY STOP AT 300 S AND COUNTY FARM ROAD:

Rob Ladson, Kosciusko County Highway Engineer, discussed the issue of a 4 way stop at 300 S and County Farm Road. Ladson stated he could not reach interested parties about when this issue would be discussed at the Commissioners meeting and requested this issue be tabled till a later date when all interested parties could be reached.

October 23, 2001
Page 6 of 9

IN THE MATTER OF WESTERN ROUTE STEERING COMMITTEE:

Rob Ladson, Kosciusko County Highway Engineer, stated a list of proposed individuals and organizations has been put together to be appointed to the Western Route Project. Upon approval from the Commissioners, a letter will be drafted requesting their participation. In the interest of time, it is recommended that a member of the Board be authorized to sign the letter on behalf of the entire Board. Ronald Truex, volunteered to be the Commissioner responsible.

MOTION: Ronald Truex
SECOND: Avis Gunter
AYE: 3 NAY: 0

To: Authorize Ronald Truex to sign on behalf of the
Commissioners for the appointment of members to the
Western Route Project Steering Committee.

IN THE MATTER OF STATE INVENTORY MAP OF COUNTY MAINTAINED ROADS:

Kosciusko County Highway Engineer, Rob Ladson, presented the Commissioners information in graphic form concerning roads maintained by Kosciusko County. Ladson color coded roads for ease of identification.

IN THE MATTER OF COUNTY ACCEPTANCE OF CEDAR RIDGE DRIVE :

It is the recommendation of Rob Ladson, Kosciusko County Highway Engineer, that Cedar Ridge Park Sub Division be accepted for County maintenance commencing immediately.

MOTION: Ronald Truex
SECOND: Avis Gunter
AYE: 3 NAY: 0

To: Accept maintenance of Cedar Ridge Park Sub
Division.

IN THE MATTER OF BRIDGE INSPECTIONS PROPOSALS:

Rob Ladson, Kosciusko County Highway Engineer, requested proposals from interested parties for the 2002 bridge inspections. Since the proposal was for professional engineering services, the proposals had no prices quoted. The following is a list of Consulting Firms that submitted a proposal:

1. The Bonar Group
2. USI Consultants
3. Herceg and Associates
4. American Consulting Engineers

Lawson-Fisher & Associates was also invited to submit a proposal, but declined to do so.

Ladson stated he would review the proposals and give his recommendation in two weeks.

IN THE MATTER OF ANNUAL BIDS:

Rob Ladson, Kosciusko County Highway Engineer, presented sealed bids for various products from interested parties. Mike Miner, County Attorney, opened all the bids during the public meeting. Once opened, Ladson stated he would review the bids and give his recommendation in two weeks. The following is the list of bidders for each item bid:

October 23, 2001
Page 7 of 9

**KOSCIUSKO COUNTY HIGHWAY DEPARTMENT
2002 BIDDERS**

I. DUST CONTROL

- A. Bidders
1. Piercetron Trucking
 2. Dustkill
 3. AJP Corporation

II. ROAD SIGNS

- A. Bidders
1. 3M
 2. Vulcan Signs, Inc.
 3. Hall Signs, Inc.
 4. Rocal, Inc.

III. SIGN POSTS

- A. Bidders
1. Vulcan Signs, Inc.
 2. Hall Signs, Inc.
 3. Rocal, Inc.

IV. AGGREGATE

- A. Bidders
1. Stoneco, Inc.
 2. Rock Industries, Inc.
 3. Irving Materials, Inc. (imi)
 4. G & G Hauling & Excavating
 5. Phend & Brown
 6. Elkhart County Gravel, Inc.
 7. Hanson Aggregates Midwest
 8. W & W Gravel Company
 9. J & M Gravel Corp

V. WEED SPRAY

- A. Bidders
1. DeAngelo Brothers
 2. Daltons
 3. Chemi-trol Chemical Co.
 4. Downin's Green Grow, Inc.

VI. CORRUGATED METAL PIPE

- A. Bidders
1. St. Regis
 2. Debco Metal Culverts

VII. PRECAST CONCRETE STRUCTURES

- A, No Bidders

VIII. LIQUID BITUMINOUS MATERIAL:

- A. Bidders
1. Piercetron Trucking
 2. Koch Materials
 3. Seneca Petroleum Company

October 23, 2001

Page 8 of 9

IX. PLANT RENTAL FOR MIXING H.A.C. OR H.A.E.

(County provided materials)

A. Bidders

1. Phend & Brown
2. NiBlock
3. Ranger Materials
4. Brooks Construction

X. BITUMINOUS HOT MIX H.A.C. OR H.A.E.

(Contractor provided materials in county trucks)

A. Bidders

1. Phend & Brown
2. NiBlock
3. Reith-Riley
4. Brooks Construction
5. Ranger Materials

XI. BITUMINOUS HOT MIX H.A.C. OR H.A.E.

(Laid by Contractor)

A. Bidders

1. Phend & Brown
2. NiBlock
3. Reigh-Riley
4. Brooks Construction

IN THE MATTER OF VACATION FOR MAURICE D AND VICKI J CAMPBELL:

CR 2001101674

Dan Richard, Kosciusko County Area Plan Commission was present. Maurice D and Vicki J Campbell filed a petition to vacate a public place. Dick Green represented Mr. and Mrs. Campbell. Green stated the property to be vacated has no objections from EMS, Fire and Schools. Backwater Gardens was originally platted in 1924. The parcel in question was platted as a park for the sub division but is an unusable area at that time. The park never evolved and there is no access to it from the road. Campbells own three of four sides of this parcel and have maintained this area for some time. Green stated no public utilities are located on the site. There is an existing utility pole, but it is not functional. Green stated in the ordinance that this vacation is subject to all existing utilities. Brad Jackson, Commissioner, opened the floor for opposition to the vacation. There was no oppositions. Richard stated the Area Plan Commission was in agreement with the Vacation.

MOTION: Avis Gunter

SECOND: Ronald Truex

AYE: 3 NAY: 0

To: Approve vacation of park in Backwater Gardens
Sub Division.

IN THE MATTER OF DIRECT DEPOSIT:

Sue Ann Mitchell, Kosciusko County Auditor, presented the Commissioners with a report on the savings to the County if direct deposit was made mandatory.

October 23, 2001
Page 9 of 9

IN THE MATTER OF GRANT FOR MOBILE INFORMATION:

C. Aaron Rovenstine, Sheriff of Kosciusko County, stated that in February, 2001 he asked for permission to apply for a grant for mobile information for squad cars. Rovenstine indicated \$23,048 would be received by the grant, and \$7,682 would be the County obligation for this grant. Signatures from the Commissioners are required to proceed with the grant applications.

MOTION: Avis Gunter
SECOND: Ronald Truex
AYE: 3 NAY: 0

To: Proceed with mobile information grant application.


Being no further business the meeting was adjourned.

BOARD OF COMMISSIONERS,
Kosciusko County


Bradford Jackson, President


Avis Gunter, Member


Ronald Truex, Member


Attest: Sue Ann Mitchell
Kosciusko County Auditor

KOSCIUSKO COUNTY COMMISSIONERS

November 6, 2001

The Kosciusko County Commissioners held their regular meeting November 6, 2001 at 9 AM in the Courtroom of the Courthouse, 100 W. Center St., Warsaw IN. Those present were:

BRAD JACKSON	MIKE MINER, COUNTY ATTORNEY
AVIS GUNTER	SUE ANN MITCHELL, AUDITOR
RONALD TRUEX	RON ROBINSON, COUNTY ADMINISTRATOR

Rob Ladson, County Highway Engineer, opened the meeting with a word of prayer. The pledge to the flag was recited. Brad Jackson called the meeting to order. Minutes of the September 25, 2001 meeting were approved as presented. Claims were signed and approved for payment as presented.

IN THE MATTER OF INSURANCE PLAN CHANGES:

Bob Baker, Group Alternatives Representative, stated there would be three main changes in the counties current insurance policy.

1. Bee Sting kits will be included in the drug card coverage as of January 1, 2002.
2. Currently the plan includes fertility procedures in the drug card and medical plan. The proposal is to remove the coverage from the drug card and to put a \$10,000 limit on the medical card.
3. PPO currently has two networks. Next year employees may be required to choose one to maximize savings to the county.

MOTION: Avis Gunter	To: Approve all three changes to current medical plan
SECOND: Ronald Truex	as presented effective January 1, 2002.
AYE: 3	NAY: 0

IN THE MATTER OF KABS CONTRACT RENEWAL:

Rita Baker, KABS Director, presented INDOT 2002 KABS budget, KABS operational procedures, and KABS quarterly reports. Mike Miner, Attorney for Kosciusko County, had looked over all the information previous to the meeting.

MOTION: Ronald Truex	To: Approve KABS documents for the 2002-year as
SECOND: Avis Gunter	presented.
AYE: 3	NAY: 0

IN THE MATTER OF INTER LOCAL AGREEMENT WITH SOLID WASTE DISTRICT:

Sue Ann Mitchell, Kosciusko County Auditor, presented an inter-local agreement for the Kosciusko County Solid Waste District, defining the Counties role as Controller. Mitchell stated the County Council signed the inter-local agreement at their November 1, 2001 meeting. Mitchell stated the job of the Controller is to be the manager of their funds and to insure the district uses accounting principals as set out by the State Board of Accounts.

MOTION: Avis Gunter	To: Approve the inter local agreement between the
SECOND: Ronald Truex	County and Kosciusko County Solid Waste District.
AYE: 3	NAY: 0

IN THE MATTER OF CARDINAL CENTER ROOFING SURPLUS:

Sue Ann Mitchell, Kosciusko County Auditor, stated the Commissioners appropriated \$37,000 to Cardinal Center for roof repair at 504 N Bay Drive. Only \$34,500 was spent on the repair. This left a surplus of \$2,500. Cardinal Center is requesting this surplus be spent for roof repairs at the Alternative Learning Center building that the County will soon be deciding to Cardinal Center. County Council approved this at the November 1, 2001 regular meeting.

MOTION:	Avis Gunter	To: Approve \$2,500 surplus from 504 N Bay Drive roof
SECOND:	Ronald Truex	repair be spent on Alternative Learning Center roof
AYE: 3	NAY: 0	repair.

IN THE MATTER OF PLEDGE AND PRAYER/REFLECTION IN SCHOOLS LETTER:

Commissioner Brad Jackson, read a letter he proposed be sent to every school in Kosciusko County. This letter reflects the Commissioners encouragement to start each school day with time for prayer or reflection and the pledge, as the Commissioners have done since before the end of 2000. The letter read as follows:

We, the Kosciusko County Commissioners, began opening our meetings with a prayer and the pledge to the flag at the end of last year. We felt it was appropriate to begin our meetings seeking guidance in our decisions and paying respect to our nation.

In the wake of the cowardly and deadly terrorist actions we believe this is even more important. We support the President of the United States, as he works with our national security team to defend against additional attacks. We are confident our nation will endure and remain a beacon of freedom and liberty for the world. We believe instilling in the young people of our country the importance of reflection on their decisions and patriotism is essential.

If you are not already beginning your school day with time for a prayer or reflection and the pledge, we would strongly encourage you to begin. Our spirits must remain strong and we must continue to stand tall in the midst of adversity.

MOTION:	Avis Gunter	To:	Approve distribution of the letter to all school corporations in Kosciusko County.
SECOND:	Ronald Truex		
AYE: 3	NAY: 0		

**IN THE MATTER OF ECONOMIC DEVELOPMENT REVENUE BONDS WITH R
VISION:**

Mike Minei, Kosciusko County Attorney, stated loan ration is changing on the economic development revenue bonds between R Vision and Bank One. The old ratio was 1.1 to 1. The new ratio is 1 to 1. The Commissioners were the "middle man" in this transaction so they must consent to it is before it can be accepted. Both R Vision and Bank One have agreed. Miner stated there is no liability to the County in this transaction.

MOTION:	Ronald Truex	To: Approve new ratio between R Vision and Bank One
SECOND:	Avis Gunter	economic development revenue bonds from 1.1 to 1
AYE: 3	NAY: 0	to 1 to 1.

November
October 6, 2001
Page 3 of 11

IN THE MATTER OF JUSTICE BUILDING CHANGE ORDERS:

Ron Robinson, Kosciusko County Administrator, stated there were a few change orders that required the Commissioner's approval. One was a \$2,000 credit from the insulation materials for the boiler and water heater flues. The other changes were \$7,012 additional dollars needed for rewiring, security ceiling modifications, and relocation of ductwork.

MOTION:	Ronald Truex	To: Approve change orders PR 49, 39, 46, 47, 50 for Justice
SECOND:	Avis Gunter	Building construction as presented by Robinson.
AYE: 3	NAY: 0	

IN THE MATTER OF NEW FURNACE FOR HIGHWAY:

Rob Ladson, Kosciusko County Engineer, stated the furnace at the Highway Garage is leaking carbon dioxide. Ladson has two quotes on replacing the furnace. Purchasing a new unit would be less expensive than repairing the current one. Elliotts and Howie were the two estimates given.

MOTION: Ronald Truex To: Approve the purchase the mid option Payne furnace.
SECOND: Avis Gunter from Elliotts.
AYE: 3 NAY: 0

IN THE MATTER OF UNIFORM SPEED LIMIT POLICY:

Rob Ladson, Kosciusko County Engineer, along with C. Aaron Rovenstine, Kosciusko County Sheriff, have been working together to establish an ordinance for consistent speed limits throughout the County. The Kosciusko County Highway Department has reviewed the issue of consistent speed zones throughout the county. The Department would recommend that the Board of Commissioners establish speed zones of only 35 mph, 45 mph or 55 mph. The current plan is to leave all County Roads unposted meaning the speed limit is 55 mph.

Ladson stated in Sub Divisions, where no sign is posted, there is a state statute stating the speed limit is 30 mph. State statute does establish a 30 mph speed zone in an urban district. (I.C. 9-21-5-22) In the past, the Board of Commissioners stated that the County should not duplicate speed zones established by the State. The Kosciusko County Highway Department concurs with that statement and recommends that in platted subdivisions the speed zone should be 30 mph by state statute. This would mean the County should not establish a duplicate speed zone in subdivision nor should it be posted.

Additionally, under I.C. 9-21-3-1, all traffic control devices must conform to the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways. The Department strongly recommends that the Board of Commissioners adhere to the standards and guidelines in the Manual.

IN THE MATTER OF RESUBMITTED ORDINANCE FOR ARMSTRONG ROAD AT

OSWEGO: CR 2002 031/63

Rob Ladson, Kosciusko County Engineer, resubmitted an ordinance for Armstrong Road at Oswego. Two choices were given as follows:

1. 55 mph to 45 mph to 30 mph. (The 30 mph exists now.)
2. 55 mph to 45 mph to 35 mph.

Brad Jackson, Commissioner, asked C. Aaron Rovenstine, Kosciusko County Sheriff, for any comments or suggestions on the speed limit change. Rovenstine stated his appreciation for Ladson's work and agrees the speed limit needs reduced gradually. He supports Ladson's

standards for a uniform speed limit reduction, but has no opinion which one to use. Jackson question if existing 40 mph and 50 mph would be changed to be in compliance with new ordinance. Ladson stated existing signs would not be changed unless they were in need of replacing. This would be done on an as needed basis.

MOTION:	Ronald Truex	To:	Approve the change of speed limit from 55 mph to 45
SECOND:	Avis Gunter		mph to 35 mph for Armstrong Road at Oswego. This
AYE: 3	NAY: 0		would represent a gradual reduction and acceleration
			in speed.

IN THE MATTER OF ROAD SIGNS ON TOP OF STOP SIGNS:

Rob Ladson, Kosciusko County Engineer, stated after reviewing the new millennium manual edition it allows road marking signs to be on top of stop signs. Ladson also stated IC code 9-21-3-1 lists state statutes on placing road signs on stop signs. Ladson recommends we do this as we replace/put up new signs. Brad Jackson, Commissioner, asked if this is a safety issue? Ladson stated this is not a safety issue, this is just an option that may save the County a great deal of money by not having to buy posts for each sign but just attaching a vertical divider on each sign.

MOTION:	Ronald Truex	To:	Approve the placement of road marking signs on top
SECOND:	Avis Gunter		of road signs as signs are replaced.
AYE: 3	NAY: 0		

IN THE MATTER OF 4 WAY STOP SIGN AT COUNTY FARM ROAD AND 300 SOUTH:

Rob Ladson, Kosciusko County Engineer, stated certain criteria must be met according to the State in determining if a stop sign is necessary. The criteria consists of traffic counts, number of accidents that could have been avoided if a stop sign existed, and unique circumstances. This is a very sensitive issue with the recent fatal accident at this intersection. With the collection of data based on the manual, the road condition is very good. The traffic counts did not reach a certain level for a consistent eight hours. Some trees do limit visibility but not to the extent that it is a hazard. Ladson stated County Farm Road is a major artery connecting the North and South of the County together. Adding a 4 way stop at this intersection would be to control speed, and this is not the purpose of a stop sign. It is Ladson's recommendation that the County not put a 4 way stop at this intersection.

Monroe Howard, an individual involved in recent fatality at this intersection, spoke in favor of the 4 way stop. Howard stated he has great hesitation in driving through this intersection. He slows down considerably, but is concerned by doing this that it may cause more accidents. If the 4 way stop is not an option he inquired if there could be some other signs put up or if there are other options in helping control the speed in this area.

Brad Jackson, Commissioner, stated he would like to make an inspection of the intersection before determining whether the 4 way stop is necessary. This decision will be tabled until November 20, 2001 meeting.

IN THE MATTER OF STATE INVENTORY MAP:

Rob Ladson, Kosciusko County Engineer, stated there are several County maintained roads that are not on the State inventory map and several County roads that are on the State inventory map that the court does not or can not maintain. He has notified the State and they are aware of the condition of the State inventory map. This is not just a problem with Kosciusko County, but also a

November
October 6, 2001
Page 5 of 11

problem with every county. The state is very appreciative of the work Ladson is doing to correct this problem.

IN THE MATTER OF BRIDGE 78 ON 1000 WEST:

Rob Ladson, Kosciusko County Superintendent/Engineer, stated bridge 78 on 1000 West is now open. Ladson stated Daren Slabaugh, contractor, has done an excellent job on the bridge construction. Ladson has a few change orders to present to the Commissioners amounting to \$700 because of a cracks in the concrete foundation. The over run on this projected amounted to \$256. The total project cost was \$76,000.

MOTION: Avis Gunter To: Approve change orders totaling \$700 for bridge 78.
SECOND: Ronald Truex
AYE: 3 NAY: 0

IN THE MATTER OF EAST WAWASEE DRIVE PROJECT:

Rob Ladson, Kosciusko County Engineer, stated Phend & Brown did a project early Spring 2001 for the County at East Wawasee Drive. The County is being presented an award for the project. Ladson asked for a County Commissioner to attend a banquet with him on December 4, 2001.

IN THE MATTER OF 450 E RAIL ROAD CROSSING:

Rob Ladson, Kosciusko County Engineer, stated there is a proposal to close the CXS Rail road crossing at 450 East and also install lights and gates at another railroad crossing at Wooster. This proposal will come before the Commissioners at their December 4, 2001 meeting.

IN THE MATTER OF COUNTY WIDE INTERNET SITE:

Bill Holder, Kosciusko County GIS Director, presented preliminary information on a county owned, countywide internet site. A number of departments currently have Internet sites posted on the State of Indiana website. Bill Holder, Bob Mommeier, and Sue Ann Mitchell are coordinating efforts to get a county internet site posted locally and maintained in house. Two Schneider Engineering representatives, Mommeier, Mitchell, and Holder have discussed the implementation. Bill Holder asked for approval for further research on a county owned and maintained internet website. This would allow the county to make available on the internet the GIS maps, Property information, tax information, etc. A needs assessment is the first step. Holder stated the County currently has an existing service contract with Schneider and is seeking approval on getting started with the planning phase of this project.

Avis Gunter, Commissioner, suggested putting this proposal on hold until after the elected officials/department heads meeting so further input can be gathered from different departments. The item was tabled.

IN THE MATTER OF PREMIX CORPORATION VACATION IN GREEN'S ADDITION
IN HARRISON TOWNSHIP:

Matt Sandy, Kosciusko County Area Plan Commission, presented the vacation of two alleys and a platted right of way in the town of Atwood in Harrison Township. Sandy stated Area Plan had no objection to this vacation. No other entities contacted objected to this vacation. Steve Snyder,

Council for Premix, stated this vacation consists of vacant real estate adjacent to the current Premix property. No opposition was present. The tracts to be vacated are as follows:

Tract I:

The alley South of and adjacent to Lots 1,2,3 and 4 Green's Addition to Atwood from the West line of Lot 1 extended Southward to the East line of Lot 4 extended Southward.

Tract II:

The Alley between Lots 6 and 9 and 7 in Green's Addition to Atwood from the North line of Lot 7 extended Eastward to the North line of the railroad right-of-way.

Tract III:

The roadway lying East of and adjacent to Lots 4, 5 and 6 in Green's Addition to Atwood from the South right-of-way line of Old Road 30 to the North right-of-way line of the railroad.

MOTION: Avis Gunter To: Approve Premix vacation as listed above.

SECOND: Ronald Truex

AYE: 3 NAY: 0

**IN THE MATTER OF WILLIAM P AND TONI T JOHNSON REQUEST FOR
VACATION OF TRUSDELL AVENUE IN TURKEY CREEK TOWNSHIP:**

CR 2002030165

Matt Sandy, Kosciusko County Area Plan Commission, presented the vacation and rededicating of a right of way in Turkey Creek Township. Sandy stated the Syracuse Fire Department had concerns with a dry hydrant located adjacent to the property. Syracuse Fire Chief Larry Hunter had contacted Sandy with concerns about accessing the hydrant if this vacation was approved. Sandy stated Area Plan Commission had no objections to this vacation, but if the Fire Department would be able to have a 15-foot of paved surface to pull the fire trucks in, this would make the hydrant more accessible. Steve Snyder, Council for William P and Toni T Johnson, had prepared a deed of dedication for land being dedicated back to the county. Snyder stated the Johnson's would be financially responsible to do whatever it took including moving the dry hydrant if necessary. No county funds would be requested. Jackson asked if anyone in favor of this vacation was present, none responded.

Jackson then asked if there was any opposition. Commissioner Jackson received a letter or remonstrance from Robert Troutman. Michelle Clark, adjacent property owner, has concerns about traffic speed on this road. Clark stated there are 13 children under the age of 6th grade that live on this road. She also had concerns about the dry hydrant previously addressed. Sheryl Cleveland, a property owner in the area, sided speed in this area is of great concern. Cleveland stated that currently this is a congested area when the Wawasee Yacht Club has special events. The Yacht Club patron park in the road area even though no parking signs are posted. Cleveland was concerned it at with this vacation, more parking would make an even more congested area. Evelyn Stoffer, area resident, stated concerns about the additional ground this gives the Yacht Club. Currently there are "no parking signs" on one side of the road, but they are ignored by the Yacht Club patrons which makes this area to congested to maneuver your vehicle around. Stoffer stated the Yacht Club has no consideration for landowners surrounding them. Bill Stoffer owns the property adjacent to the Yacht Club. Stoffer has concerns about a deeded easement he currently has through the Yacht Club property and wants to make sure this vacation does not restrict his easement. Stoffer has concerns about having enough room to turn his grain truck around and concerns with the Yacht Club parking.

Ladson stated he feels this intersection will be made safer with 90 degree intersection instead of a 45 degree angle road. Ladson also stated whenever you can eliminate acute road angles it is safer for everyone involved. He sees no problems having enough room for turn around of snowplows.

Ladson stated this road will not be in compliance with the current 50 foot right of way, but this will be equal to other current 30 foot right of ways in this location.

Snyder stated they would respect any conditions set forth by the Fire Department to make the dry hydrant accessible to them. The land being vacated will be split with the Wawasee Yacht Club. Snyder indicated he had no control over who gets this vacated road. The law states when a road is vacated, the real estate is split in half, part going to each adjacent property owner. Snyder emphasized that he is Council for the Johnson's and not the Yacht Club. Ladson stated the use of speed bumps could be used to control speed, but stated using stop signs to control speed is an improper use of stop signs.

MOTION: Avis Gunter
SECOND: Ronald Truex
AYE: 3 NAY: 0

To: Approve vacation of Trusdell Avenue in Turkey Creek Township with a portion going to William P & Toni T. Johnson and a portion going to the Wawasee Yacht Club. Approved the acceptance of a deed of dedication of public right of way from the Johnson's to Kosciusko County Board of Commissioners.

**IN THE MATTER OF SMITH'S RESORT LLC VACATION REQUEST IN
TIPECANOE TOWNSHIP:**

Matt Sandy, Kosciusko County Area Plan Commission, presented information on a vacation request in Tippecanoe Township. Sandy indicated there was quiet a bit of history that goes along with this request. If this portion of right of way were vacated it would allow the current mobile home to stay on this lot. The County Zoning Board has already instructed that the mobile home must be removed because it is not in compliance with the County zoning laws. This decision was appealed but upheld by the Appellate Court. This vacation is being used to get around that decision. By vacating this right of way, an access point would be eliminated which will require several address changes. The Area Plan Commission strongly recommends against this vacation.

Steve Snyder, Council for Smith's Resort LLC, stated Smith's Resort is a seasonal mobile home park. The mobile home in question is 3 foot from an 8 foot right of way. Recently a 14x50 mobile home was replaced by a 14x60 mobile home. This put the mobile home in violation with the Board of Zoning. Snyder states EMS W14A Lane is the main road for this area. EMS W14B Lane is a very narrow road. Most other portions on the road have been vacated for some time. If this portion were vacated, it would allow the mobile home to stay in place.

In opposition to this vacation were Vernon Neal, Eurban Umber, David Jones, Joyce and Kirk Jones, Allen Yaney who were represented by Attorney Dick Green. Several letters of remonstrance were presented. Statements made in the remonstrance by Green included that EMS W14A Lane is equally narrow to W14B. Residents cannot pass other vehicles on these roads because they are so narrow. Mr. Umber indicated this vacation will eliminate access to his garage. There is a great concern for the ability of emergency vehicles to be able to access these homes if this area is vacated and the road is closed. Currently the residents use these two roads together as a one-way road going counter clockwise so traffic can move through freely. "It will be a danger for all if this vacation is approved", one landowner said. Green stated this will block access and is just an attempt to get around another existing statute. The landowners stated they are not against the mobile home being there, and their only concern is the road not be closed.

MOTION: Avis Gunter
SECOND: Ronald Truex
AYE: 3 NAY: 0

To: Table decision until December 4, 2001 meeting for further research on the matter.

IN THE MATTER OF ANNUAL BRIDGE INSPECTIONS:

Rob Ladson, Kosciusko County Engineer, stated the Kosciusko County Highway Department submitted a Request for Qualifications for the County's 2002 Bridge Inspection and the 2004 Bridge Inspection Update from the following consulting firms:

Ken Herceg & Associates
300 N. Michigan – Suite 321
South Bend, IN 46601

American Consultants, Inc.
211 W. Washington Street
South Bend, IN 46601

Lawson-Fisher Associates, P.C.
525 W. Washington Avenue
South Bend, IN 46601

USI Consultants
8415 East 56th Street
Indianapolis, IN 46216

The Bonar Group
616 S. Harrison Street
Fort Wayne, IN 46802

On October 23, 2001, the County received four Statement of Qualifications and one regret letter.

As requested by the Board of Commissioners, the Kosciusko County Engineer has reviewed the four Statement of Qualifications and recommends that the Board request a proposal from USI Consultants. The recommendation for USI Consultants is based upon the following:

1. USI Consultants has performed the bridge inspection for the county over the past four years. The reports submitted to INDOT and the KCHD have been excellent.
2. USI Consultants has developed a positive working relationship with the KCHD.
3. In the 2002 Bridge Inspection, USI will be able to deliver the report and photographs in an electronic format that can be link to the County's GIS system. (USI Consultants included an example of the final report in their submittal.)
4. Of the four Statement of Qualification submitted, USI Consultant had the lowest overhead rate.
5. USI Consultants are able to perform the entire bridge inspection without having to sublet any portion of the work.

MOTION: Ron Truex

TO: Approve proposal from USI Consultants for bridge

SECOND: Avis Gunter

inspection contract for 2002 and bridge inspection
update for 2004.

AYES: 3 Nays: 0

IN THE MATTER OF ANNUAL BIDS:

Rob Ladson, Kosciusko County Engineer, submitted Kosciusko County Highway Department 2002 Annual Bid Recommendations:

I. DUST CONTROL

A. Bidders

1. Piercetron Trucking
2. Dustkill
3. AJP Corporation

B. Recommendation

Since the KCHD has only used the 38% calcium in the past four years, recommend accepting the low bid from AJP Corporation which offers the lowest price for 38% calcium. Reject the others. (note: Since the 42%

calcium has not been used by the Department in 4 years, recommend deleting it from the specifications.)

II. ROAD SIGNS

A. Bidders

1. 3M
2. Vulcan Signs, Inc.
3. Hall Signs, Inc.
4. Rocal, Inc.

B. Recommendation

Accept the bids from Vulcan (Generally, low in high intensity signs, but unknown timeliness of delivery) and Hall Signs (Generally, low in diamond grade signs and has excellent delivery time.) Reject 3M because they provide faces only-not complete signs. Reject Rocal's bid based upon poor delivery.

III. SIGN POSTS

A. Bidders

1. Vulcan Signs, Inc.
2. Hall Signs, Inc.
3. Rocal, Inc.

B. Recommendation

Accept the bids from Hall Signs and Vulcan. Reject the others.

IV. AGGREGATE

A. Bidders

1. Stoneco, Inc.
2. Rock Industries, Inc.
3. Irving Materials, Inc. (fmi)
4. G & G Hauling & Excavating
5. Phend & Brown
6. Elkhart County Gravel, Inc.
7. Hanson Aggregates Midwest
8. W & W Gravel Company
9. J & M Gravel Corp

B. Recommendation

Given that the gravel pits and stone quarries are located in various areas throughout and around the County, it is recommended that all bids be accepted.

V. WEED SPRAY

A. Bidders

1. DeAngelo Brothers
2. Daltons
3. Chemi-trol Chemical Co
4. Downin's Green Grow, Inc.

B. Recommendation

Accept the bid from DeAngelo Brothers. Reject the others. (Note: Since Downin's Green Grow did not submit the necessary licenses and indemnification clause with the bid, the bid was considered non-responsive and therefore not considered.)

November
~~October~~ 6, 2001
Page 10 of 11

VI. CORRUGATED METAL PIPE

- A. Bidders
 - 1. St. Regis
 - 2. Decco Metal Culverts
- B. Recommendation

Given that pipe sizes and types are extremely varied, it is recommended that both bids be accepted.

VII. PRECAST CONCRETE STRUCTURES

- A. No Bidders
- B. No recommendation

VIII. LIQUID BITUMINOUS MATERIAL

- A. Bidders
 - 1. Pierceton Trucking
 - 2. Koch Materials
 - 3. Seneca Petroleum Company
- B. Recommendations

Since all bids are based upon an esclation clause, accept all bids.

**IX. PLANT RENTAL FOR MIXING H.A.C.OR H.A.E.
(County provided materials)**

- A. Bidders
 - 1. Phend & Brown
 - 2. NiBlock
 - 3. Ranger Materials
 - 4. Brooks Construction
- B. Recommendation

Accept the Phend & Brown and NiBlock bid. Reject Ranger Materials and Brooks due to not stating plant location in the bid.

**X. BITUMINOUS HOT MIX H.A.C. OR H.A.E.
(Contractor provided materials in county trucks)**

- A. Bidders
 - 1. Phend & Brown
 - 2. NiBlock
 - 3. Reith-Riley
 - 4. Brooks Construction
 - 5. Ranger Materials
- B. Recommendation

Accept Phend & Brown, Brooks Construction, and Ranger Materials based upon price and close proximity.

**XI. BITUMINOUS HOT MIX H.A.C. OR H.A.E.
(Laid by Contractor)**

- A. Bidders
 - 1. Phend & Brown
 - 2. NiBlock
 - 3. Reigh-Riley
 - 4. Brooks Construction
- B. Recommendation

Since the best value to the County is difficult to determine due to the escalation clause, accept all bids and obtain firm prices that are based upon the annual bids for each specific project.

AVIS GUNTER
RONALD TRUEX
SUE ANN MITCHELL, AUDITOR
RON ROBINSON, COUNTY ADMINISTRATOR

IN THE MATTER OF NEW KITCHEN EQUIPMENT:

IN THE MATTER OF MOBILE DEFIBRILLATORS:

IN THE MATTER OF INCREASE COST OF FLEX KBA:

MOTION: Ronald Truex To: Approve recommendation for the County to pay for
SECOND: Avis Gunter maintenance cost of Flex plan and review tax savings
AYE: 2 NAY: 0 to County in two years.

IN THE MATTER OF WCDCLIGHTS FOR JUSTICE BUILDING:

MOTION: Ronald Truex To: Approve providing electricity for the rope
SECONDS: Avis Gunter lights if a donor was found to purchase
AYE: 1 NAY: 1 the lights.

IN THE MATTER OF HEALTH INSURANCE COST INCREASE:

MOTION SECOND	Ronald Truex Avis Gunter	To: Adopt increased health cost effective January 1, 2002 at \$21.79 single and \$54.47 family.
AYE: 2	NAY: 0	

IN THE MATTER OF 911 DISPATCH CONTRACT WITH CITY OF WARSAW:

Ron Robinson, Kosciusko County Administrator, presented the 2002 contract between City of Warsaw and Kosciusko County. This will be a \$3,600 increase to County dispatchers. Kosciusko County Council previously agreed to bring County dispatchers wages equal to City dispatchers.

MOTION:	Ronald Truex	To:	Approve agreement between City of Warsaw and
SECOND:	Avis Gunter		Kosciusko County at \$93,000 for the year.
AYE:	2	NAY:	0

IN THE MATTER OF SCHULTZ REORGANIZATION:

Mike Miner, Kosciusko County Attorney, presented a consent form for Schultz reorganization. The County Commissioners approval is required because they have a pass through agreement. Miner recommended approval of the agreement.

MOTION:	Ronald Truex	To:	Sign consent for reorganization for Schultz.
SECOND:	Avis Gunter		
AYE:	2	NAY:	0

IN THE MATTER OF CARDINAL CENTER PROPERTY TRANSFER:

Mike Miner, Kosciusko County Attorney, stated Mike Reed, Cardinal Center Attorney, wanted to make sure the County was still interested in deeding part of the property back to Cardinal Center before going through the expense of a survey. Avis Gunter and Ronald Truex both reiterated the County's commitment in returning this property to the Cardinal Center.

IN THE MATTER OF KENNEL & SUSIE WILLIAMS MEDIATION SETTLEMENT:

Mike Miner, Kosciusko County Attorney, stated the mediation with Kennel and Susie Williams has been settled. A settlement of \$70,500 was agreed to for the jail injury.

IN THE MATTER OF PITNEY BOWES POSTAGE MACHINE RENTAL:

Sue Ann Mitchell, Kosciusko County Auditor, presented a new 60-month contract for the current postage machine at \$215.00 a month.

MOTION:	Ronald Truex	To:	Approve 60 month contract for Pitney Bowes
SECOND:	Avis Gunter		postage machine.
AYE:	2	NAY:	0

IN THE MATTER OF 4 WAY STOP ON COUNTY FARM ROAD & 300 S:

Rob Ladson, Kosciusko County Highway Engineer, discussed the 4 way stop at County Farm Road and 300 S. Ladson does not recommend the 4 way stop. Ladson suggested relocation of utility poles at this intersection and stop ahead signs on 300 S. These are not steps required, but may give additional warning. Ladson also suggested relocating the no passing zone as an option.

This was previously discussed at the Commissioner November 6, 2001 meeting. The Commissioners decided against the 4 way stop but wanted Ladson to continue to work with the utility companies in relocating the utility poles.

IN THE MATTER OF QUAIL RUN SUB DIVISION PHASE II ROAD MAINTENANCE:

Rob Ladson, Kosciusko County Highway Engineer, stated several things need to be completed before the County accepts the sub division roads for County maintenance. Drainage is also an issue. Ladson proposed the County accept road maintenance, which will consist of snow plowing only, for 1 year. This is a one year one time agreement. The developer and property owner have been presented a list of all issues to be resolved as soon as the weather permits.

MOTION: Ronald Truex To: Accept recommendation from Ladson to maintain
SECOND: Avis Gunter snow removal for 1 year only at Quail Run SD.
AYE: 2 NAY: 0

IN THE MATTER OF SENECA ANNUAL BID:

Rob Ladson, Kosciusko County Highway Engineer, stated he has been in contact with Seneca Petroleum Company about their bid on liquid bituminous material. Seneca stated if we commit to a certain amount, the quoted bids prices will stick. This is not a take or pay option, which means if we do not use all that we set aside, we will not have to pay for it. If we accept, the only restriction on the County will be that we not solicit any other competitor for prices. Ladson feels this is a win/win situation. The price on 80/90 is \$120 ton. The price on 81/50 is \$132.40. Both these prices are lower than this year.

MOTION:	Ronald Truex	To: Accept both proposals as presented by Seneca.
SECOND:	Avis Gunter	
AYE: 2	NAY: 0	

**IN THE MATTER OF ENGLE VACATION REQUEST IN TAMARACH HILLS SD
TIPPECANOE TOWNSHIP:**

Matt Sandt, Kosciusko County Area Plan Commission, stated this proposal is to vacate a right of way and replat a cul-de-sac. Cul-de-sac would be 1000 ft. Current zoning ordinance states cul-de-sacs must be no more than 500 ft. This sub division was platted in the 70's. A permit was obtained for Engle's pool, which was placed on an easement. An encroachment agreement was entered into last year by the Engle. A variance was allowed for the home that was built to close to the lot line. It is Area Plan's recommendation that this vacation is denied.

Denise Yocum spoke in favor of the vacation. Yocum is seeking to close the right of way and approve the cul-de-sac. She has owned the home for about a year. One reason why she purchased her home was for the nature reserve behind the home. She does not desire to have to deal with the parking, increased traffic and extra construction a road would create. Also the loss of the peace and quiet is a concern. Yocum stated she was aware of the right of way at the time she purchased her home.

Marsha Engle, petitioner for the vacation, feels she needs the vacation to be able to sell her home. Engle stated she has letters from all property owners and they agree with this vacation including Terry Bond who owns most of the lots adjacent the this right of way. Engle stated she can not sell her home because it is to close to the property line.

Gene Heidreich, owner of lot 10, stated the cul-de-sac would be directly East of his property. This would have a residual negative effect on his property value. If cul-de-sac would be developed, it would be 42 ft from his living room bay window. He feels these are problems the Engle's have created for themselves and the rest of the community should not have to pay for this.

Rob Ladso, Kosciusko County Highway Engineer, stated this is not a County maintained right of way but could be in the future. He opposes the proposal because the cul-de-sac will be 1050 ft not 500 ft currently required by ordinance. Further discussion revealed additional information was required before a decision could be made.

MOTION: Ronald Truex
SECOND: Avis Gunter
AYE: 2 NAY: 0

To: Table decision and review in 60 days on
January 15, 2001.

IN THE MATTER OF 350 N VACATION REQUEST BY DEPARTMENT OF NATURAL RESOURCES:

Matt Sandy, Kosciusko County Area Plan Commission, stated the DNR requested the vacation of 350 N from, 925 E to Whitley County Line, in Tippecanoe Township. Area Plan Commission is requesting if vacation is allowed, all land owned by DNR be combined to one tract to eliminate land lock problem. Sandy stated the Area Plan Commission has no objection to this vacation.

Jed Pearson, Biologist with Department of Natural Resources, listed several reasons why they are requesting this vacation. Environmentally, this will restore the wetland as a full and functional wetland. Currently, the roadway disturbs this. Heavy flooding and continual beaver dams create road flooding. Pearson stated from an engineering standpoint, he could see the concerns about vacating this area. This is the shortest route between SR 13 & SR 5, but with the flooding, you can't always cross on this dirt road. Alternative paved routes are available one mile north and one mile south of this road. DNR's plan is to remove this road and create two cul-de-sacs with one on both ends of this road. DNR will take responsibility of maintaining the cul-de-sacs. DNR does not want to eliminate usage of this area, but feel it will make a better environmental place for all.

Neil Lang spoke against the closing. He stated farmers would be present to protest but because of the weather, they were in the field. Eleanor Vanator owns property on both the East and West end this proposed road vacation. It's a direct route to Kuncce Brothers in Whitley County. Vanator stated she has used this road to access her properties for over 55 years. Linda Slabaugh owns property south of this road. Slabaugh stated this road has flooded very few times that she can recall. Slabaugh stated farmers use this road for machinery and trucks so they can stay off the main roads. More farmers would be present to speak against this if it wasn't harvest time.

MOTION:	Ronald Truex	To:	Table for 30 days until December 18, 2001
SECOND:	Avis Gunter		Commissioners meeting so the Community farmers
AYE: 2	NAY: 0		can come together to speak for or against this
			vacation.

IN THE MATTER OF REZONING FROM AG TO RES FOR DARRELL JOHNSON IN WAYNE TOWNSHIP:

Dan Richard, Kosciusko County Area Plan Commission, stated the Board of Zoning voted unanimously to approve this vacation to rezone this parcel from agriculture to residential. Darrell Johnson was present. No remonstrators were present.

Part of the Northeast Quarter of the Southwest Quarter of Section 13, Township 32 North, Range 6 East, Kosciusko County, Indiana, more particularly described as follows, to-wit:

Commencing at an iron pipe found at the Northwest corner of the Northeast Quarter of the Southwest Quarter of said Section 13; thence South 01 degrees 26 minutes East (deed bearing), on and along the West line of said Northeast Quarter, a distance of 473.8 feet to a P.K. nail set at the True Point of Beginning; thence continuing South 01 degrees 26 minutes East, on and along said West line, being within the right-of-way of County Road 325 East, a distance of 124.0 feet to a railroad spike found; thence North 88 degrees 00 minutes 50 seconds East, on and along the South line of a tract of land deeded as the East 18 acres of the North 36 acres of the Southwest Quarter of said Section 13, being established by an existing line fence and monuments found, a distance of 375.67 feet to an iron pin set; thence North 01 degrees 26 minutes West, parallel to said West line, a distance of 107.91 feet to an iron pin set; thence North 89 degrees 32 minutes West, a distance of 375.86 feet to the True Point of Beginning.

MOTION:	Ronald Truex	To:	Approve rezoning of Johnson property in Wayne
SECOND:	Avis Gunter		Township from agriculture to residential.
AYE: 2	NAY: 0		

November 10
October 8, 2001
Page 5 of 5

IN THE MATTER OF REZONING FROM AG TO RES FOR DOYLE & ELAINE MUNSON IN
WAYNE TOWNSHIP: CR 2002-031139

Dan Richard, Kosciusko County Area Plan Commission, stated the Board of Zoning voted 5-2 in favor of approving this rezoning from agriculture to residential.

Steve Snyder, Attorney for Doyle & Elaine Munson, stated he had presented all the information previously to the Commissioners and had nothing further to add.

The West Half of the Southwest Quarter and the West Half of the Southeast Quarter of the Southwest Quarter of Section 35 Township 32 North, Range 6 East, excepting therefrom the three following described tracts:

- (1) Beginning 1,354.25 feet North of the Southwest corner of said section, and running thence North 81 degrees 59 minutes East 230 feet along a fence line; thence South 8 degrees 1 minute East 158.2 feet to the center line of County Road Number 375 South; thence South 73 degrees 45 minutes West along the center line of said road 261 feet to a spike on the West line of said Section; thence North 198.75 feet to the place of beginning, containing .99 of an acre, more or less.
- (2) Commencing 1,354.25 feet North of the Southwest corner of said Section and running thence North 81 degrees 59 minutes East along a fence line 230 feet to the place of beginning; thence North 81 degrees 59 minutes East 230 feet to an iron pipe; thence South 8 degrees 1 minute East 124 feet to the center line of County Road Numbered 375 South; thence South 73 degrees 45 minutes West along the center line of said road 232.1 feet; thence North 8 degrees 1 minute West 158.2 feet to the place of beginning; containing .74 of an acre, more or less.

- (3) A tract in the Southwest Quarter of Section 35, Township 32 North, Range 6 East, beginning 58.1 feet West of an iron pipe marking the Southwest corner of said Section 35, of said County and State, and running thence West along the South line of said Section 245 feet; thence North 266.69 feet to a stake; thence East 245 feet; thence South 266.69 feet to the place of beginning, containing 1.5 acres more or less.

Leaving in all after said exceptions 96.77 acres, more or less and subject to all legal public highways.

MOTION:	Ronald Truex	To:	Approve Munson request for rezoning from
SECOND:	Avis Gunter		agriculture to residential in Wayne Township.
AYE:	2	NAY:	0

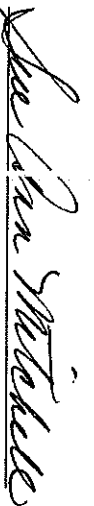
Being no further business the meeting was adjourned.

BOARD OF COMMISSIONERS,
Kosciusko County


Bradford Jackson, President


Avis Gunter, Member


Ronald Truex, Member


Attest: Sue Ann Mitchell
Kosciusko County Auditor

KOSCIUSKO COUNTY COMMISSIONERS

December 4, 2001

The Kosciusko County Commissioners held their regular meeting December 4, 2001 at 9 AM in the Courtroom of the Courthouse, 100 W. Center St., Warsaw IN. Those present were:

BRAD JACKSON	SUE ANN MITCHELL, AUDITOR
AVIS GUNTER	RON ROBINSON, COUNTY ADMINISTRATOR
RONALD TRUEX	MIKE MINER, COUNTY ATTORNEY

The meeting was opened with a word of prayer. The pledge to the flag was recited. Brad Jackson called the meeting to order. Minutes of the November 20, 2001 meeting were approved as presented. Claims were signed and approved for payment as presented. Justice Building claim #21 was signed and approved for payment.

IN THE MATTER OF COPS IN SCHOOLS GRANT INFORMATION PRESENTATION:

Aaron Rovenstine, Kosciusko County Sheriff, presented the school resource officers for Wawasee and Tippecanoe Valley School's. Don McCune, resource officer and Rod McKee, Administrator were present for Tippecanoe Valley Schools and Rocky Goshert, resource officer and Gene Miltz, Administrator were present for Wawasee Schools.

Gene Miltz, Administrator for Wawasee School Corporation, stated this program has been in effect for the past two years and has been very affective. This is a proactive program that has prevented many problems. Several things have made this program a success such as the partnership with the officers and administrators. The officer being present is a great role model for all students and is a resource for the faculty. He also assists with the athletic teams as well. This is a very positive program that is used in the Middle School as well as the High School. Just having the officer present creates a positive environment for the students. The officer is an expert in the field of law enforcement, which makes for a safe learning environment.

Rod McKee, Administrator for Tippecanoe Valley School Corporation, stated the officer deals with many difficult situations. The schools had limited resources prior to this grant. The officer is building relationships with the faculty and students. McKee feels with the officer being present, this has broken the "barrier" between the officer and students. The students realize the officer is there for them. The advice and resources the officer provides is greatly appreciated.

Aaron Rovenstine, Kosciusko County Sheriff, thanked the Commissioners for their support with this grant and stated the officers in the schools provide the department with a wealth of information.

Brad Jackson, Commissioner, thanked everyone for being present.

IN THE MATTER OF SHERIFF'S CONTRACT FOR 2002:

Revised # 2002 03/1/03

The Sheriff's contract for 2002 was considered at a 3% increase over last year. This is the same increase given all employees. The wording for Sheriff's meals was changed from last years contract to clarify the agreements.

SHERIFF'S SALARY CONTRACT

This agreement entered into as of the first day of January, 2002, by and between

C. Aaron Rovenstine, Sheriff of Kosciusko County and the County Council of Kosciusko County ("the

December 4, 2001

Page 2 of 10

Council") and the Board of Commissioners of Kosciusko County ("the Commissioners"); the Council and Commissioners being thereafter collectively referred to as "the County", **WITNESSETH:**

By way of background, the Sheriff is entitled to fees for the collection of tax warrants (as described in I.C. 6-8.1-8-3) and is entitled to fees for the providing of meals to prisoners housed in the county jail pursuant to I.C. 36-8-10-7) as well as a salary fixed annually by the council;

By way of further background, certain difficulties have arisen concerning the treatment of fees received by the Sheriff for the feeding of prisoners under I.C. 36-8-10-7, particularly with regard to whether or not those fees are to be included on the Sheriff's W-2 form, such that those uncertainties create difficulties for the Sheriff as well as the County;

By way of further background, the Legislature of the State of Indiana recognizing the above difficulties and wishing to address those difficulties and provide a solution therefore did in 1993 enact I.C. 36-2-13-2.5;

By way of further background, the Sheriff and the County believe that it would be in the best interest of the Sheriff and the County to provide for a fixed amount of compensation for the Sheriff in lieu of the Sheriff's receipt of fees provided for in I.C. 6-8.1-8-3 and I.C. 36-8-10-7 and the Sheriff is willing to assign to the County those fees; and

By way of further background the County, in consideration of the Sheriff's assignment of such fees to the County is willing to approve a fixed amount of compensation for the Sheriff; **NOW, THEREFORE**, in consideration of mutual covenants and conditions recited

1. The County hereby established a fixed amount of compensation for the Sheriff in the amount of Seventy Eight Thousand Six Hundred Ten Dollars (\$ 78,610.00) for the calendar year 2002. It is understood that the Sheriff's fixed amount of compensation under I.C. 6-8.8-8-3 and I.C. 36-8-10-7 and shall be paid from the County General Fund in the manner that salaries of other County officials are paid.
2. The Sheriff shall assign to the County and from time to time deposit in the County General Fund any and all fees he is otherwise entitled to receive as collection fees pursuant to Indiana Code Section 6-8.1-8-3.
3. The Sheriff shall pay for the feeding of prisoners from the meal allowance funds provided for under I.C. 36-8-10-7. Neither the Sheriff, the Sheriff's officers, Sheriff's deputies or Sheriff's employees may make a profit from the meal allowance funds. Checks for ¼ of the \$ 300,000 appropriation will be issued to the Sheriff on January 1, April 1, July 1 and October 1 in the amount of \$ 75,000. In addition, the Sheriff shall file an accounting of expenditures for feeding prisoners with the County Auditor on the first Monday of January and the first Monday of July per I.C. 36-2-13-2.5-b5. The amount expended by the Sheriff may not exceed those established by the State Board of Accounts as outlined in 36-8-10-(a) for the calendar year. After the expenses of feeding prisoners are paid for the year, the Sheriff shall deposit any unspent meal allowance funds in the County

December 4, 2001
Page 3 of 10

General Fund by December 31 annually. The Sheriff shall assign to the County all fees from prisoner's meal allowance funds received under I.C. 36-8-10-7 that are not actually expended for prisoner's meals. All said fees are to be the sole and absolute property of the County and not deemed as compensation for employment under I.R.C. & 31.3121(a)-2(a),(b).

4. The method and manner of assignment of fees to the County by the Sheriff shall be done and made on such terms and conditions as the Sheriff, the County and the State Board of Tax Commissioners shall agree in order to effectuate this agreement and to the full extent possible to preclude those fees described in I.C. 6-8.1-8-3 and I.C. 36-8-10-7 from being deemed compensation for employment under I.R.C.31.3 3121(a)-2(a), (b) and thus subject to W-2 reporting.

5. The Sheriff shall at all times maintain all required records and reports in such form and manner as prescribed by the County as well as the Indiana State Board of Accounts.

6. Nothing in this agreement shall be constructed in any manner to relieve the Sheriff of any of his responsibilities or duties under I.C. 6-8.1-8-3 or I.C. 36-8-10-7, nor in any other way deemed to limit the powers and duties of the Sheriff provided for under Indiana law.

7. Nothing in this agreement shall be constructed as limiting the benefits of the Sheriff to medical, retirement, disability, or longevity pay (when applicable) previously established by the County for the Sheriff and all of such benefits shall be in addition to and not considered a part of the fixed amount of compensation provided for in paragraph 1. above.

8. The term of this agreement shall be coextensive with the term of office of C. Aaron Rovenstine as Sheriff of Kosciusko County. This agreement shall terminate at the end of the term of office of the Sheriff or upon earlier termination of his term. Upon the termination of this agreement, the salary of the Sheriff's successor shall be in an amount equal to the salary prescribed for the Kosciusko County Treasurer unless and until such time as the Sheriff's successor and the County shall mutually agree otherwise.

9. This agreement shall be effective on January 1, 2002, provided the same has been previously approved by resolution of both the Council and the Commissioners.

DATED THIS 4th DAY OF DECEMBER, 2001.

KOSCIUSKO COUNTY SHERIFF
C. AARON ROVENSTINE

KOSCIUSKO COUNTY COUNCIL
BY: BRAD TANDY
PRESIDING OFFICER
BOARD OF COMMISSIONERS
OF KOSCIUSKO COUNTY
BY: BRAD JACKSON
PRESIDING OFFICER

December 4, 2001
Page 4 of 10

MOTION: Avis Gunter
SECOND: Ronald Truex
AYE: 3 NAY: 0

TO: Approve Sheriff's contract as presented
at a salary of \$78,610 for 2002.

IN THE MATTER OF INDIANA ASSESSMENT SERVICE CONTRACT:

Laurie Renier, Kosciusko County Assessor, presented the 2002 contract between the County and Indiana Assessment Service for appeal and land valuation consulting. This has been an on going contract for the past six years. IAS is providing guidance for appeals and has helped the Assessor's in the County with land values for the current reassessment.

MOTION: Ronald Truex
SECOND: Avis Gunter
AYE: 3 NAY: 0

TO: Approve 2002 contract with Indiana
Assessment Service as presented.

**IN THE MATTER OF ORTHO PHOTO STATEMENT OF QUALIFICATIONS
ACCEPTANCE:**

Bill Holder, Kosciusko County GIS Director, presented the recommendation for a Digital Ortho Photo's as follows:

TO: Kosciusko County Commissioners

FROM: Bill Holder, GIS Director
Dick Kemper, Surveyor
Mary Haberman, GIS Technician
Sue Ann Mitchell, Auditor

RE: Digital Ortho Photo Recommendation

Based on the presentation of information received from the nine companies submitting proposals, we have determined Woolpert LLP would best meet the needs of the county for the digital orthophoto project.

After studying the printed information provided by the nine companies submitting request for qualifications, we ranked the nine companies based on an objective criteria. Woolpert LLP was the highest rated. After narrowing the list to four for oral presentations, we again found Woolpert LLP to be the best prepared for the presentation. They addressed details above and beyond our requested information. We did extensive background checks on each company that was included in the short list. Woolpert LLP had no negative comments from any current or prior customers. We believe we can negotiate a price with Woolpert LLP that will provide the best quality photos in a timely fashion at a reasonable cost for the county. Bill Holder traveled to Woolpert's Dayton, Ohio office for a site inspection.

Because of these facts, we recommend Woolpert LLP be the selection of the Commissioners for the Digital Ortho Photos.

MOTION: Ronald Truex
SECOND: Avis Gunter
AYE: 3 NAY: 0

TO: Approve the GIS Committees proposal to
negotiate with Woolpert for Digital Ortho
Photo's.

IN THE MATTER OF K CODE GRANT FUNDING DISTRIBUTION:

Ruchelle Sammons, K Code Coordinator, presented the proposed funding for 2002. Sammons stated 22 grants were submitted and total funding for these grants are \$94,000. No tax dollars are used for these grants.

**Proposed Funding for 2002
Governor's Commission for a Drug-Free Indiana
Kosciusko Coalition on Drug Education**

Service Area/Sponsoring Agency	Description	Requested	Awarded
Y.M.C.A.	Lakes Area Earth Service Corp.	2,355.00	6,000.00
Y.M.C.A.	Teen Nights	9,260.00	
Warsaw Police Department	D.A.R.E.	6,000.00	5,000.00
Kosciusko County Sheriff Dept	D.A.R.E.	23,000.00	13,225.00
Whitko High School	AIDS Awareness Competition	1,000.00	0.00
Lakeland Youth Center	After School Program	10,000.00	6,480.00
Boys & Girls Club of Kos Co	SMART MOVES	11,200.00	8,000.00
Mentone Elementary	Red Ribbon Week	1,200.00	800.00
Mentone Elementary	Red Ribbon Week Buttons	213.84	215.00
Mentone Elementary	Educational Tapes	230.84	230.00
Tippecanoe High School	SADD Speaker	450.00	450.00
Safe Kids Chapter	Supplies, Training, etc.	3,100.00	3,100.00
		68,009.68	43,500.00
24 Hour Club	Rent and utilities	8,500.00	8,500.00
Bowen Center	Adolescent Out Patient	7,500.00	13,250.00
Bowen Center	Women's Out Patient	5,000.00	
Bowen Center	Intensive Out Patient	6,000.00	
		27,000.00	21,750.00
Silver Lake Police Department	PBT's and Hand held radios	3,614.61	3,700.00
Warsaw Police Department	Drug Field tests, PBT's Patrol Vi	16,225.00	4,850.00
Winona Lake Police Department	In Car Video	4,471.00	4,500.00
Kosciusko county Sheriff Dept	In Car Video	4,000.00	4,000.00
Kos Co Joint Gang Task Force	General Funding	5,000.00	4,700.00
		33,310.61	21,750.00
K.-C.O.D.E. Coordinator		6,871.00	7,000.00
		6,871.00	7,000.00
	Totals	135,191.29	94,000.00

MOTION: Avis Gunter TO: Approve funding as presented for KCODE
SECOND: Ronald Truex for 2002.
AYE: 3 NAY: 0

IN THE MATTER OF 1st PHASE FURNITURE PURCHASE FOR JUSTICE BUILDING:

Ron Robinson, Kosciusko County Administrator, stated an additional furniture purchase was needed for the Justice Building totaling \$6,166.09.

MOTION: Ronald Truex TO: Approve additional furniture purchase of
SECOND: Avis Gunter \$6,166.09 for the Justice Building.
AYE: 3 NAY: 0

IN THE MATTER OF ICE MELT SYSTEM FOR RAMPS AT FRONT ENTRANCE TO JUSTICE BUILDING:

Ron Robinson, Kosciusko County Administrator, stated an electronic ice melt system is required for the ramps on the Justice Building. The flat surfaces were included in the previous quote, but the ramps were omitted. The total additional cost is \$14,176.00.

MOTION:	Ronald Truex	TO:	Approve purchase of ice melt system totaling
SECOND:	Avis Gunter		\$14,176.00 for ramps at front entrance to the
AYE:	3		Justice Building.
NAY:	0		

IN THE MATTER OF WASHER AND DRYER PURCHASE FOR JAIL:

Ron Robinson, Kosciusko County Administrator, stated a washer and a dryer are needed for the new jail. Robinson received two quotes:

L & S Equipment Inc.	\$19,764
Laundry City Equipment	\$22,275

Robinson stated the lowest priced vendor has a track record of poor service. The County dealt with L & S previously and found their repair service to be poor. They must rely on other business to service what they sell. Robinson recommended Laundry City Equipment because they have in house service which is critical for the volume of laundry that is done with the machines.

MOTION:	Ronald Truex	TO:	Approve Laundry City Equipment as
SECOND:	Avis Gunter		vendor for jail washer and dryer.
AYE:	3		
NAY:	0		

IN THE MATTER OF VETERANS SERVICE OFFICER REPLACEMENT:

Ron Robinson, Kosciusko County Administrator, stated Tom Everest, Kosciusko County Veterans Affairs Service Officer, will be retiring at the end of this year. Robinson has received 5 applications at this time for the position. Commissioners will review and hope to narrow down applicants by the December 8, 2001 meeting.

IN THE MATTER OF APPROVED WESTERN ROUTE PROJECT LIST:

Sue Ann Mitchell, Kosciusko County Auditor, requested a list of participants of the Western Route Project be entered in the minutes as approved. They are as follows:

- 1) Local Citizens
 - a) Jim Moyer
 - b) Chris Garza
- 2) Industry
 - a) R.R. Donnelly – Grant McQuire
 - b) Zimmerman –
- 3) Warsaw Businesses
 - a) Lewis Salvage – Mike Lewis
 - b) G & G Trucking & Excavating – Carey Groninger
- 4) Chamber of Commerce
- 5) Warsaw Community Schools – Della Swain
- 6) County Commissioners – Ronald Truex
- 7) County Council – Larry Teghtmeyer
- 8) Planning or Zoning Commission – Dan Richards
- 9) City of Warsaw Elected Officials – Tricia Brown
- 10) City of Warsaw Planner – Jeff Nofsinger
- 11) Law Enforcement – Sheriff Aaron Rovenstine
- 12) Fire Department – Warsaw Fire Chief
- 13) INDOT – Ft. Wayne District

December 4, 2001
Page 7 of 10

IN THE MATTER OF 2002 HOLIDAYS AND COMMISSIONER'S MEETINGS SCHEDULE ADOPTION:

Sue Ann Mitchell, Kosciusko County Auditor, presented a list of Holidays and Commissioner's meeting dates for 2002. The Commissioners will continue to meet every other Tuesday at 9 AM in the Old Courtroom.

2002 HOLIDAYS

TUESDAY	January 1, 2002	NEW YEAR'S DAY
FRIDAY	March 29, 2002	GOOD FRIDAY
TUESDAY	May 7, 2002	ELECTION DAY
MONDAY	May 27, 2002	MEMORIAL DAY
THURSDAY	July 4, 2002	INDEPENDENCE DAY
MONDAY	September 2, 2002	LABOR DAY
TUESDAY	November 5, 2002	ELECTION DAY
MONDAY	November 11, 2002	VETERANS DAY
THURSDAY & FRIDAY	November 28 & 29	THANKSGIVING
TUESDAY & WEDNESDAY	December 24 & 25	CHRISTMAS

COMMISSIONERS MEETINGS
BI WEEKLY ON TUESDAYS
9AM

JANUARY 15 & 29
FEBRUARY 12 & 26
MARCH 12 & 26
APRIL 9 & 23
MAY 6 & 21
JUNE 4 & 18
JULY 2, 16 & 30
AUGUST 13 & 27
SEPTEMBER 10 & 24
OCTOBER 8 & 22
NOVEMBER 4 & 19
DECEMBER 3, 17 & 31

MOTION: Ron Truex
SECOND: Avis Gunter
AYES: 3 Nays: 0

TO: Approve meeting dates and holidays as presented.

IN THE MATTER OF PAYING CLAIMS ON DECEMBER 31, 2001:

Sue Ann Mitchell, Kosciusko County Auditor, asked for permission to be able to pay claims to vendors on December 31, 2001 which is the date of the last Commissioner's meeting for 2001. Normally claims would be paid January 1, 2002. This would eliminate some of the encumbering that is done at the end of each year. This would not affect Payroll. Payroll would still be distributed on January 2, 2002 to eliminate over inflated wages which would cause W2 problems. The Commissioners agreed with paying on December 31st, but consensus.

IN THE MATTER OF ATLANTIS VILLAS SUB DIVISION ACCEPTANCE FOR COUNTY MAINTENANCE:

Rob Ladson, Kosciusko County Highway Engineer, requested the acceptance of Atlantis Villas for County maintenance on the contingency of completion of the project or a \$300 bond.

MOTION: Avis Gunter
SECOND: Ronald Truex
AYE: 3 NAY: 0

TO: Accept Atlantis Villas for County
maintenance upon completion or \$300
bond.

IN THE MATTER OF USI BRIDGE INSPECTIONS:

Rob Ladson, Kosciusko County Highway Engineer, stated the USI bridge inspections fee for the next 4 years will be \$501.68 per bridge. This price is less than the previous years price. Kosciusko County is reporting 103 bridges and is eligible for Federal funding. The total cost of the bridge inspections will be \$52,000. The Counties portion will be \$10,000. The inspections are visual inspections, which include paving, guardrails, photo inventory and ratings.

IN THE MATTER OF TRUCK BIDS FOR 2 SINGLE AXLE DUMP TRUCKS:

Mike Minee, Kosciusko County Attorney, opened truck bids for 2 complete single axle dump trucks, this includes dump bed, under body, but not front snow plows.

Wise International Trucks	\$95,922.96	Bid Bond
Norris Truck Services	\$98,878.00	Bid Bond
Ft. Wayne Mac Sales & Service	\$72,372.06(classis only)	Bid Bond

Rob Ladson, Kosciusko County Highway Engineer, will give recommendation to Commissioners on December 18, 2001.

IN THE MATTER OF CLOSING 450E AT CSX RAIL CROSSING / BEYER VACATION IN WASHINGTON TOWNSHIP:

Rob Ladson, Kosciusko County Highway Engineer, was contacted about closing 450E at the CSX Rail Crossing. Ladson stated lights and gates installed at crossings cost \$150,000. A fatality occurred earlier this year at this crossing. If this crossing were closed, the crossing at Vaness Road would become a priority with CSX for lights and gates. The state proposed closing the crossing and no negative feedback was received by any entity. It has been the policy of CSX to improve alternative crossings when one crossing is closed.

Mrs. Yvonne Beyer vacation was also addressed at this time. Beyer owns property on both sides of 450 E. She requested the vacation if the railroad was closed. Closing the railroad would create a dead end if the entire roadway was not vacated.

Ladson stated immediate approval to close the tracts would mean lights and gates would be installed by the railroad at Vaness Road one to one and one half years down the road. Matt Sandy, Kosciusko County Area Plan Commission, stated no negative responses were received about closing this road. If the crossing is closed and the road is vacated, the Area Plan Commission suggests Mrs. Beyer combine all tracts of and.

Mrs. Yvonne Beyer, stated if the vacation was allowed, she would like to have dead end and no trespassing signs installed. She was advised it would be her responsibility to install gates or a sign at her expense if the vacation was approved.

Those appearing at the meeting in opposition of the closing were Charlie Murphy and Mrs. Lehman. They expressed concerns for the number of vehicles that use this route to get to US 30. Murphy stated this road is traveled quiet often. It is a direct route to Stumps elevator for the farmers at harvest time.

MOTION: Avis Gunter TO: Table decision until January 15, 2002 after
SECOND: Ronald Truex traffic counts are completed.
AYE: 3 NAY: 0

IN THE MATTER OF SMITH RESORT LLC VACATION CONTINUANCE IN TIPECANOE TOWNSHIP:

Matt Sandy, Kosciusko County Area Plan Commission, presented the back ground information on the request. He again stated the disapproval of the APC of vacation for all prior listed reasons.

Steve Snyder, Attorney for Smith Resort LLC, stated all problems are a result of replacing a mobile home and creating a non-conforming property according to the Area Plan Commission. There have been no complaints from remonstrators on the position of the mobile home. Their only interest is to be able to keep the road open. Snyder suggested a fine be levied against Smith the non-conforming property. Smith Resort LLC could pay the fine and resolve the issue.

Dick Green, Attorney for many of the remonstrators, presented aerial photos of the area in question. Green stated the roadway does not exist as platted. He stated it was a public way. The approval of this vacation would create further conflict. Green stated the Commissioners have the authority to act on the vacation only as it was advertised. He requested denial of the petition. Green pointed out the petition does not actually address what was requested to be vacated.

Irvn Umber, owner of Lot 49, stated this vacation would eliminate the entrance to his property.

Snyder stated he would withdraw petition to vacate at this time until a survey could be done to define where the public way is actually located.

MOTION: Ronald Truex
SECOND: Avis Gunter
AYE: 3 NAY: 0

TO: Accept withdrawal of vacation by
Steve Snyder, Attorney for Smith Resort LLC.

IN THE MATTER OF BYRON & JANE KAUFFMAN VACATION AT WALKER'S PARK IN TIPECANOE TOWNSHIP:

Matt Sandy, Kosciusko County Area Plan Commission, presented information on the location of the property. He stated no negative responses were received. The APC's recommends approving the vacation.

Jane Kauffman spoke on behalf of her family. Kauffman stated they own all the lots surrounding the proposed vacated area. They have maintained this area and have put gravel there touse for parking. The legal description of the area in question is as follows:

That real state, presently known as First Street, situated in Tippecanoe Township, Kosciusko County, State of Indiana, bordered on the north by Lots 30 and 47 in Walkers Park Subdivision, on the west by Lot 29 of Walkers Park Subdivision, on the east by Lot 48 of Walkers Park Subdivision, and the south by Forest Avenue; and which public way is also identified as unimproved tract of land lying between the real estate commonly know as Lot 29, Walkers Park Subdivision, Leesburg, Indiana and Lot 48, Walkers Park Subdivision, Leesburg, Indiana.

MOTION: Avis Gunter
SECOND: Ronald Truex
AYE: 3 NAY: 0

TO: Approve vacation of property in Walker's
Park in Tippecanoe Township as presented.

IN THE MATTER OF MARK & MARCIA SELL VACATION IN TIPPECANOE TOWNSHIP:

Matt Sandy, Kosciusko County Area Plan Commission, presented information on the location of the request. The Area Plan Commission requested the petition be denied. This is a public access to the lake area. The Area Plan Commission received one call from a remonstrator.

Steve Snyder, Attorney for Mark & Marcia Sell, stated if the vacation was allowed, a 15 foot access easement for the Fire Department would be recorded. Snyder stated he has several letters in support of this vacation so the area can be cleaned up. This area is not a public way, is unable to be developed, does not hinder access to any school or church and is access only to the rear of adjacent property owners land. If needed, a dry hydrant could be installed. Sandy indicated the North Webster Fire Department was opposed to the closing and responded by letter. No opposition was present for this hearing.


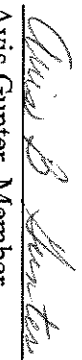

Marcia Sells stated this property is poorly maintained by anyone. No one owns it, so no one wants to take care of it. It creates a severe rodent problem not only to her but also to the whole neighborhood. Her plans are to clean up the area and eliminate the rodent problem. The legal description of the area in question is as follows:

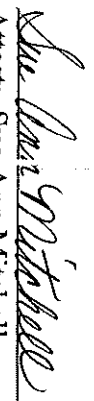
A certain parcel of real estate located in Kosciusko County, Indiana, beginning at a point which is the northwest corner of lot 11 in the Plat of Barbee Park on Big Barbee Lake; thence north and west to a point, which is the southwest corner of lot 15 in Southpoint Estates, according to the recorded Plat thereof; thence easterly on and along the south line of said lot 15 of Southpoint Estates, to the water's edge; thence southwesterly on or along the water's edge to a point which is the intersection of the north line of said lot 11 in Barbee Park on Big Barbee Lake and the water's edge; thence westerly on and along the north line of said lot 11 to the point of beginning, which is the Northwest corner of said lot 11 of Barbee Park on Big Barbee Lake.

MOTION: Ronald Truex
SECOND: Avis Gunter
AYE: 3 NAY: 0

TO: Approve vacation pending a resolution
of the fire protection issue.

Being no further business the meeting was adjourned.

BOARD OF COMMISSIONERS,
Kosciusko County

Bradford Jackson, President

Avis Gunter, Member

Ronald Truex, Member


Attest: Sue Ann Mitchell
Kosciusko County Auditor

KOSCIUSKO COUNTY COMMISSIONERS

December 18, 2001

The Kosciusko County Commissioners held their regular meeting December 18, 2001 at 9 AM in the Courtroom of the Courthouse, 100 W. Center St., Warsaw IN. Those present were:

BRAD JACKSON	MIKE MINER, COUNTY ATTORNEY
AVIS GUNTER	SUE ANN MITCHELL, AUDITOR
RONALD TRUEX	RON ROBINSON, COUNTY ADMINISTRATOR

The meeting was opened with a word of prayer. The pledge to the flag was recited. Brad Jackson called the meeting to order. Minutes of the December 4, 2001 meeting were approved as presented. Claims were signed and approved for payment as presented.

IN THE MATTER OF THE RECOGNITION OF TOM EVERETT VETERAN'S SERVICE OFFICER:

Avis Gunter, Kosciusko County Commissioner, read a letter of gratitude to Mr. Tom Everett, Kosciusko County Veteran's Service Officer, who will be retiring after six years of service on December 20, 2001. A party will be held in Mr. Everett's honor on December 20, 2001 from 1:00 to 3:00 in the basement of the Court House.

IN THE MATTER OF JAIL PHYSICIAN CONTRACT WITH DR. JENSEN:

Sue Ann Mitchell, Kosciusko County Auditor, presented the 2002 Medical Services Agreement for the County Jail. Mitchell stated this is the same agreement signed for the previous year, but has the 3% county approved salary increase.

MEDICAL SERVICES AGREEMENT

This agreement made and entered into as of the 18th day of December, 2001, by and between MARK A JENSEN, M.D. hereinafter referred to as "DR. JENSEN", and the BOARD OF COMMISSIONERS OF THE COUNTY OF KOSCIUSKO, Kosciusko County, Indiana hereinafter referred to as "The County", WITNESSETH:

WHEREAS, Dr. Jensen is a duly licensed medical Doctor authorized to practice medicine in the State of Indiana; and

WHEREAS, The County has established and operated a County Jail within which to house inmates; and

WHEREAS, The County wishes to employ Dr. Jensen for the purpose of providing medical services for the County Jail for the period commencing on the 1st day of January, 2002, and terminating on December 31, 2002; and

Page 2 of 3

WHEREAS, Dr. Jensen is willing to accept said employment and provide medical services for the County;

NCW, THEREFORE, Dr. Jensen and the County agree as follows, to-wit:

1. Employment. The County hereby employs Dr. Jensen and Dr. Jensen hereby accepts employment with The County to furnish and render medical services for the inmates of the Kosciusko County Jail as may be required. Dr. Jensen further agrees that he will, as required, give and conduct physical examinations on various inmates of The County Jail. Dr. Jensen further agrees to keep and maintain appropriate records relating to all professional services rendered by him under this agreement. In addition Dr. Jensen further agrees to perform such other duties as The County may request and which are consistent with the medical needs and medical requirements for the proper maintenance and operation of the County Jail.

2. Compensation. Dr. Jensen shall receive for his services the sum of One Thousand Six Hundred Thirty Eight Dollars and No Cents (\$1,638.00) per month, which sum shall be paid monthly upon proper presentation, advertisement and allowance of a claim therefore by The County as provided for by the law.

3. Supplies. The County shall furnish and supply such as may be necessary for the performance of Dr. Jensen's professional duties under this agreement.

4. Performance of Services. It is understood by The County that Dr. Jensen may, from time to time, be unable to personally furnish medical services to The County, but that in his absence he will arrange with other duly licensed and authorized physicians to provide such services as may be required hereunder, with the responsibility for paying and reimbursing such persons to be Dr. Jensen's, it being understood, however, that Dr. Jensen's payment for services hereunder will not be reduced during those periods when he is reasonably unable to personally perform such services as may be required hereunder and for such periods during which a substitute physician is supplied by him.

5. Availability. Dr. Jensen agrees that he will provide emergency medical services at all times during the term of this agreement and will provide non-emergency medical services and physical examinations as may be consistent with the needs of The County and his own availability.

6. Insurance. Dr. Jensen agrees to carry adequate malpractice and liability insurance at his expense and to hold harmless and indemnify The County, its agents and employees from and against any and all omissions in connection with medical services rendered under this agreement.

7. Independent Contractor. In performing the services hereunder, the parties hereto agreement and understood that Dr. Jensen is acting as an independent contractor.

IN WITNESS THEREOF, the parties hereto have executed this agreement as of the day and year first above written.

THE BOARD OF COMMISSIONERS OF
THE COUNTY OF KOSCIUSKO,
KOSCIUSKO COUNTY, INDIANA

Dr. Mark A Jensen
"DR. JENSEN"

Bradford L. Jackson, President
Avis B Gunter, Member
Ronald Truex, Member
"THE COUNTY"

MOTION: Avis Gunter
SECOND: Ronald Truex
AYE: 3 NAY: 0

TO: Approve presented Medical Services Agreement
for 2002 with 3% increase.

IN THE MATTER OF GIS INTERLOCAL AGREEMENT BETWEEN COUNTY AND CITY OF WARSAW:

Mike Miner, Kosciusko County Attorney, presented an Interlocal agreement between the City of Warsaw and Kosciusko County for a GIS Coordinator.

**INTERLOCAL COOPERATION AGREEMENT
TO ESTABLISH A JOINT CITY/COUNTY GIS COORDINATOR POSITION**

THIS AGREEMENT is made and entered into as of this 18th day of December, 2001, by and between the **CITY OF WARSAW, INDIANA ("City")** and **KOSCIUSKO COUNTY, INDIANA ("County")**.

WHEREAS, Indiana Code 36-1-7 et seq provides for interlocal agreements between governmental units; and

WHEREAS, Indiana Code 36-1-7-2 provides that certain powers may be exercised jointly by two or more political subdivisions if the subdivisions so agree by contract; and

WHEREAS, THE City and County wish to formally enter into an agreement to establish a Joint City/County GIS Coordinator;

NOW, THEREFORE, IT IS AGREED:

1. This Agreement shall be in force and effect from August 6, 2001 to December 31, 2001.
2. This Interlocal Cooperation Agreement is for the purpose of establishing a Joint GIS Coordinator position of the City and the County; and to hire an employee who will work approximately one-half (1/2) time for the City and one-half (1/2) time for the County.

- 3. The County shall hire the Coordinator, and the Coordinator shall be a full-time employee of the County, entitled to the normal and usual benefits of the County employee.
 - 4. The Coordinator shall work 37-1/2 hours per week and be paid Ten Dollars (\$10.00) per hour.
 - 5. The City shall reimburse the County for one-half (1/2) of the salary and benefits provided for the Coordinator in the amount of Five Thousand Two Hundred Fifty Dollars (\$5,250.00) for the year 2001.
 - 6. This agreement shall become effective upon signing by the parties hereto and the passage of appropriate resolutions as required by Indiana Code 36-1-7-2.
- IN WITNESS WHEREOF**, the parties have executed this Agreement as of this 18th day of December, 2001.

KOSCIUSKO COUNTY INDIANA,
BY ITS BOARD OF COMMISSIONERS

Brad Jackson, President
Avis Gunter, Commissioner
Ronald Truex, Commissioner

APPROVED AS TO FORM AND CONTENT:
Michael L. Miner,
County Attorney

Attest:
Sue Ann Mitchell, Auditor

CITY OF WARSAW, INDIANA,
WARSAW BOARD OF PUBLIC WORKS

Charles D. Smith

Jerry Patterson
Ernest B Wiggins, Presiding
Officer of the Warsaw Board of
Public Works

APPROVED AS TO FORM AND CONTENT:
Michael L. Valentine,
City Attorney

Attest:
Elaine Call, Clerk-Treasurer

MOTION: Avis Gunter
SECOND: Ronald Truex
AYE: 3 NAY: 0

TO: Approve 2001 Interlocal agreement with
City of Warsaw.

IN THE MATTER OF 2002 COMMISSIONER APPOINTMENTS:

Arrowhead RC & D	Robert W. Kundsens
Area Plan Director	Dan Richard
Area Plan Director Assistant	Matt Sandy
CVB	Phil Fozo
CVB	Bruce Shaffner
County Administrator	Carol Shelby
County Administrator Secretary	Ron Robinson
County Attorney	Nanette Newland
County Health Dept Head	Mike Miner
County Health Dept Board	Robert Weaver
County Highway Superintendent	Robert Kundsens
County Highway Assistant	Robert Ladson
County Highway Assistant	Dennis Pletcher
Drainage Board	Maurice McDaniel

GIS

Bill Holder

Local Emergency Preparedness

Elsworth Everest

Maintenance

Don Taylor

St Joseph River Basin

Jon Roberts

System Administrator

Bob Momeyer

System Administrator Assistant

Paul Henning

Weights & Measurers

J D Geiger

KDI

Ronald Truex

Wage Committee

Brad Jackson

Area Plan Commission

BZA

BZA(Appointed from Plan Commission)

BZA(Appointed from Plan Commission)

BZA

MOTION: Ronald Truex

TO: Approve appointments as listed above with

SECOND: Avis Gunter

Area Plan and BZA appointments to be

AYE: 3 NAY: 0

considered at next meeting.

IN THE MATTER OF CANDIDATES FOR VETERAN'S SERVICE OFFICER:

Ron Robinson, Kosciusko County Administrator, presented information concerning the interviews of the six candidates who applied for the Veterans Service Officer position. Mike Barnett was Robinson's recommendation for the job.

MOTION: Ronald Truex

TO: Approve the appointment of Mike Barnett as

SECOND: Avis Gunter

the Veterans Service Officer.

AYE: 3 NAY: 0

IN THE MATTER OF ALCOHOLIC BEVERAGE COMMISSION APPOINTMENT:

Sue Ann Mitchell, Kosciusko County Auditor, had contacted Gordon Vanator who is the current appointment to the ABC. He is willing to continue to serve.

MOTION: Avis Gunter

TO: Appoint Gordon Vanator to the ABC for the

SECOND: Ronald Truex

year 2002.

AYE: 3 NAY: 0

IN THE MATTER OF OLD COURT ROOM SOUND SYSTEM:

Ron Robinson, Kosciusko County Administrator, advised the Commissioners a new sound system for the Old Court Room would be installed after the first of the year. The equipment has ben ordered.

IN THE MATTER OF COUNTY HIGHWAY 2002 EMERGENCY CALL LIST:

Rob Ladson, Kosciusko County Highway Engineer, presented the Kosciusko County Highway Department Emergency Call Duty List for 2002.

IN THE MATTER OF TRUCK BID AWARD:

Rob Ladson, Kosciusko County Highway Engineer, presented his recommendation for the 2002 truck bid contracts.

Date: December 17, 2001
To: 2002 Single Axle Dump Truck file
From: Robert D Ladson, P.E.
Kos. Co. Hwy. Eng./Supt.
Re: Single Axle Dump Trucks

The base bids for the 2002 single axle dumps all exceeded the funds appropriated for trucks. The Department also requested an optional bid that specified a smaller engine and matching transmission.

Ft. Wayne Mack only bid a truck chassis and not the complete truck. For this reason, the Department did not consider the Mack bid.

Wise International Trucks provided a couple of alternative bids – both of which were lower than the Norris Optional bid. However, the Wise bids did not meet specifications in several areas. The following are the key areas in which the Wise bids did not meet specifications.

- 1. Did not include Detroit Lockers.
- 2. Bid the Meritor slack adjusters not the gunite slack adjusters.
- 3. Offered only manuals on CD rom.
- 4. Bid P llack disconnect switch not the Flaming River Disconnect switch.
- 5. Did not state that the factory install exhaust band would be changed to meet specs.
- 6. Did not state that the factory install front hub caps would be changed to meet specs.

Since the Wise bids did not meet the above specifications, the Department is recommending that the Norris – Optional Bid be accepted.

Bid Opening Summary
December 17, 2001

	Single Axle Dump Truck	
	Complete Truck	Chassis Only
Norris Truck Service – Base Bid	\$ 98,878.00	No bid
Norris Truck Service – Optional Bid	\$ 88,548.00	No bid
Wise International Trucks – Base Bid	\$ 95,922.96	No bid
Wise International Trucks – Optional Bid #2	\$ 86,056.36	No bid
Wise International Trucks – Optional Bid #3	\$ 88,523.46	No bid
Ft. Wayne Mack – Base Bid	No bid	\$ 73,372.06

MOTION: Ronald Truex TO: Approve Norris Truck Service optional
SECOND: Avis Gunter bid for \$88,548.00.
AYE: 3 NAY: 0

IN THE MATTER OF PHEND & BROWN RECOGNITION AWARD:

Rob Ladson, Kosciusko County Highway Engineer, stated December 4, 2001 he was present with Phend & Brown in Indianapolis to receive a Quality Pavement Award from Asphalt Pavement Association of Indiana for the East Wawasee Drive project. This is the second award received in Ladson's tenure at the County Highway.

IN THE MATTER OF CONKLING VACATION:

Brad Jackson, Kosciusko County Commissioner, stated Conkling vacation would be postponed until January 15, 2002 at the request of their attorney.

IN THE MATTER OF MARK & MARCIA SELL VACATION IN TIPPECANOE TOWNSHIP:

Steve Snyder, Attorney for Mark & Marcia Sells, stated he does not have the easement for the Fire Department signed by his clients yet, but will have it at the December 31, 2001 meeting.

**IN THE MATTER OF DEPARTMENT OF NATURAL RESOURCES 350N VACATION
REQUEST CONTINUANCE IN TIPPECANOE TOWNSHIP:**

Matt Sandy, Kosciusko County Area Plan Commission, stated he has received an opposition letter from the Tippecanoe Township Fire Department and two letters in support of this vacation. Area Plan's position on this vacation has not changed, they are still in favor of vacating this roadway.

Rob Ladson, Kosciusko County Highway Engineer, stated all traffic counts were in and presented to all parties involved.

Jed Pearson, Department of Natural Resources, stated three key reasons they are requesting this vacation. Economical, Engineering and Environmental. Economically this is a local issue. The County pays for all maintenance on this roadway. It washes out regularly and needs to be refilled. Engineering is also a local issue. Beaver problems are continuing to increase and with vacating this roadway it will eliminate this problem. Environmentally this is a local and State issue. If this roadway is vacated, a cul-de-sac will be placed on the Kosciusko and Whitley County side. This will restore the wetlands and will be a storage for flood waters in the spring and also a haven for many rare and unique wildlife. All of the land around this road has been purchased by the DNR with donated money. Because of all the rare and unique plant and wildlife that the DNR is trying to restore the area.

Steve Snyder, Attorney for Tippecanoe Environmental Lake and Watershed, presented many aerial photos of this area over the past several years. Snyder stated there is standing water on most of these aerials. Snyder stated the reasons for not allowing a vacation are as follows:

1. Access to a Church or School
2. Access to a public place
3. Hinder orderly development of the County
4. Access to adjacent properties would become inconvenient or impossible.

This vacation will not have an effect on any of these. This vacation will make it less convenient, but not inconvenient for all who normally use it for travel per Snyder.

Those present in opposition of this vacation were Elenore Vanator, Archie Hoffert, Dick Shock, Linda Slabaugh, Neil Lang and Doug Shock. Mrs. Vanator collected 452 signatures in opposition of this vacation. Mr. Hoffert stated he uses this road for travel back and forth to farm his farm. This would create 432 miles extra per year having to travel another route. Mr. Shock stated if this roadway was engineered better, the water flooding would not be a problem. Mrs. Slabaugh stated many other roadways have water problems and they are not seeking to vacate them. Many farmers use this roadway to access farms instead of hauling tractors and farm equipment on the state road. Slabaugh felt this is a huge safety factor. Mrs. Slabaugh also stated we should not put animal preservation over human expense and convenience. She thanked the Commissioners for the extension. Mr. Lang helps Mrs. Vanator with maintenance on her pond and farm. He sited Indiana IC Code 8-20-8-1 stated this road could only be vacated with a joint action by both Kosciusko County and Whitley County. Doug Shock, son of Dick Shock farms with his Dad. He agreed with all the reasons sited not to vacate this roadway.

Page 8 of 8

Steve Snyder, Attorney for Tippecanoe Environmental Lake and Watershed, spoke in rebuttal. Snyder stated the IC Code sited by Lang is relevant if the portion of the roadway being vacated is abutted on both sides (not ends) of the road by different Counties. This is not the case with this request. Snyder sited this is less convenient not inconvenient to access property.

Commissioners stated road safety is not an issue. Jackson wants to evaluate the cost to keep this road open. Gunter motioned to vacate this road but had no second. Truex moved to investigate the cost and responsibility for inserting a more efficient culvert and deny the petition at this time. Fire and EMS opposition is a concern and closing would be final. Truex wants to keep this roadway open to be able gather all the information on maintenance and cost, versus benefits to the people who use this roadway.

MOTION: Ronald Truex
SECOND: Avis Gunter
AYE: 3 NAY: 0


TO: Deny vacation and possibly reconsider
when a cost analysis for road improvement
can be completed.

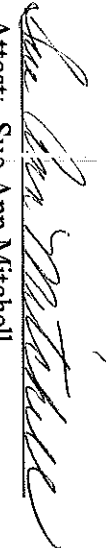
Being no further business the meeting was adjourned.

BOARD OF COMMISSIONERS,
Kosciusko County


Bradford Jackson, President


Avis Gunter, Member


Ronald Truex, Member


Attest: Sue Ann Mitchell
Kosciusko County Auditor

KOSCIUSKO COUNTY COMMISSIONERS

December 31, 2001

The Kosciusko County Commissioners held their regular meeting December 31, 2001 at 9 AM in the Courtroom of the Courthouse, 100 W. Center St., Warsaw IN. Those present were:

BRAD JACKSON	SUE ANN MITCHELL, AUDITOR
AVIS GUNTER	RON ROBINSON, COUNTY ADMINISTRATOR
RONALD TRUEX	

The meeting was opened with the pledge to the flag. Brad Jackson called the meeting to order. Minutes of the December 18, 2001 meeting were approved as presented. Claims were signed and approved for payment as presented. Justice Building claim #22 was approved.

IN THE MATTER OF BOARD OF HEALTH APPOINTMENTS:

Bob Weaver, Kosciusko County Health Department, requested the Commissioners make two reappointments. Dr. Woodward and Dr. Howard both agreed to be reappointed for the 2002 year.

MOTION: Ronald Truex	To: Approve reappointment of Dr. Woodward and
SECOND: Avis Gunter	Dr. Howard to the Board of Health for 2002.
AYE: 3	NAY: 0

IN THE MATTER OF SCHNEIDER CORPORATION 2002 SERVICE AGREEMENT:

Sue Ann Mitchell, Kosciusko County Auditor, presented the 2002 Schneider Corporation professional services agreement. Mitchell stated Mike Miner, Kosciusko County Attorney, reviewed this agreement previously. There have been no changes from the 2001 agreement.

MOTION: Avis Gunter	To: Approve 2002 Schneider Corporation professional
SECOND: Ronald Truex	services agreement.
AYE: 3	NAY: 0

IN THE MATTER OF ROAD SIGNS FOR 350 N FROM 925 E TO WHITLEY COUNTY LINE IN TIPPECANOE TOWNSHIP:

Rob Ladson, Kosciusko County Highway Engineer, had several concerns with this roadway that was not vacated at the last Commissioners meeting. Ladson proposed installing three different road signs to protect the county and residents from inherent dangers in traveling on this road. "High Water" and "Rough Road" are two information signs Ladson recommended installing. "Flooding, Travel at Own Risk" is a warning sign proposed to be installed at both ends of this road. Ladson has met with the DNR about applying for special permits to build up this road. It may take up to nine months to obtain these permits. Currently more materials can not be put on the road because if roadway washes out, this would violate the Federal Clean Water Act by contaminating the wetlands. Ladson stated he has not discussed the signs with Mike Miner, Kosciusko County Attorney. Ladson felt this would offer the County some protection with the warning signs being posted.

MOTION: Ronald Truex	To: Approve ordinance for installation of road signs with
SECOND: Avis Gunter	approval from Mike Miner.
AYE: 3	NAY: 0

