

KOSCIUSKO COUNTY COMMISSIONERS

January 9, 2018

The Kosciusko County Commissioners met for their regular meeting on January 9, 2018 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley - President
Cary Groninger – Vice President
Brad Jackson

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

Brad Jackson opened the meeting and asked for nominations for the 2018 officers. Jackson nominated Robert Conley to serve as President for 2018 and Cary Groninger to serve as Vice President for 2018.

MOTION: Brad Jackson

TO: Approve the nominations of Robert

SECOND: Robert Conley

Conley to serve as President for 2018 Cary

AYES: 3 NAYS: 0

Groninger to serve as Vice President for 2018.

UNANIMOUS

Brad Jackson passed the meeting over to the newly elected President, Robert Conley.

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

IN THE MATTER OF THE JANUARY VETERAN OF THE MONTH – NORMAN R. METZLER.

Maron introduced Norman R. Metzler, 95, as the January Veteran of the month. Metzler was born in Nappanee, IN and was drafted into the US Army in 1944 and soon thereafter, headed to France near enemy lines

Metzler was involved in the Battle of the Bulge and a series of other battles that eventually left him and his fellow soldiers in Russian territory. He was soon promoted to private first class and T-4 sergeant before being honorably discharged. Metzler received numerous medals for his service, including the Bronze Star for Valor in Combat. Metzler currently resides in a home on Dewart Lake that he designed. Metzler enjoys fishing, golfing and gardening.

Maron and the Commissioners presented Metzler with a plaque congratulating him and thanking him for his sacrifice and dedication to his country and county.

IN THE MATTER OF THE ADDITIONAL COURT RESOLUTION:

Judge Reed and Judge Cates came before the Commissioners to request the Commissioners signatures on a resolution for an additional court. The resolution states that the Commissioners fully support the request for a new court for Kosciusko County and Senate Bill No. 126, which would add a fourth judge to the Superior Court of Kosciusko County.

MOTION: Brad Jackson

TO: Approve Resolution 2018-01-09-001 for
an Additional Court.

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF A PETITION AND RESOLUTION TO FORM A COMMITTEE TO IMPLEMENT A STUDY FOR THE TIPPECANOE LAKES AREA:

Scott Reust, Attorney for Friends of Tippy, came before the Commissioners with a petition and resolution to form a committee to implement a study for the Tippecanoe Lakes Area. The study is to determine the necessity and feasibility of creating a regional sewer district for the area.

MOTION: Cary Groninger

TO: Approve the Petition and Resolution to

SECOND: Robert Conley

form a committee to implement a study for the

AYES: 3 NAYS: 0

Tippecanoe Lakes Area.

UNANIMOUS

RESOLUTION NO. 2018-01-09-002 (20180102543)

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF TIPPY LAKE CONSERVANCY DISTRICT:

Jon Tyler, representation for the Tippy Lake Conservancy District, came before the Commissioners and pointed out that they've done much of the same research on their own that the study the Friends of Tippy are requesting and stated the proposed new work would be a duplication of services. An engineering study was done in 2009 and updated over the course of the past two years.

Steve Snyder, the attorney representing the Conservancy District, estimated they are three years into the project and could be just three years away from construction. Additional representatives of the Conservancy District stated they have collected enough signatures and will submit when they file the initial plans with the Kosciusko County Court.

Ken Jones from Jones Petrie Rafnski stated according to a report prepared by Jones Petrie Rafnski for the Conservancy District, it outlines a district including nearly 1,500 customers, 400 mobile homes, some seasonal cottages, 16 businesses, Camp Crosley and the Tippecanoe Country Club. The estimated cost of the project would be \$34 million and the group has identified three potential financing sources.

Tyler stated he feels there is no need to reinvent the wheel as they already have a plan in place. Snyder stated that they are beyond implementing a research for a sewer system. Tyler believes they have a better plan for conservancy than regional. Tyler shared they are willing to work with Lakeland Regional Sewer District or the City of Warsaw. They are trying to research and establish which is the most feasible for their potential customers. Tyler stated they are already going down the road towards the goal.

Jackson stated their needs to be some sort of compromise between all parties involved. Jackson voiced a dislike for establishing a tax, and encouraged the two groups to work together, but added he does not think the Conservancy District is the best path. Jackson stated a Conservancy District had not worked in the past but there are two Regional Sewer Districts that are working really well. Jackson stated the two groups should meet and come to some common ground.

Reust stated the Friends of Tippy are not agreeing sewers are necessary or that they want sewers. They just feel it is time to do a modern study to determine that.

County Attorney, Chad Miner, stated having the study completed would be the next logical step. Miner also stated to have them apply for any grant money that might be available to help with the cost of the study. Reust stated they are looking into some grants to help with the cost of the study.

IN THE MATTER OF MACOG APPOINTMENTS:

Marsha McSherry, County Administrator, came before the Commissioners with two appointments for the MACOG Commission. The two appointments were for Max Courtney and Rob Parker who are both currently serving.

MOTION: Brad Jackson

TO: Approve the MACOG appointments of
Max Courtney and Rob Parker.

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF KOSCIUSKO FOUNDATION FIREMANS COMMUNICAITON
FUND:**

Michelle Puckett, County Auditor, came before the Commissioners with a grant request in the amount of \$6,389.87 for the Kosciusko Foundation Fireman's Communication Fund. Puckett stated the grant will allow the purchase and installation of a VHF repeater on the new Creighton Brothers Feed Mill to serve the Etna Green and Atwood fire departments.

MOTION: Cary Groninger

TO: Approve the grant request for the
Kosciusko foundation fireman's fund in the
amount of \$6,389.87 for the purchase and
installation of a VHF repeater.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF PETITIONERS KLEIN, NELSON & HAYES TO VACATE
UNDEVELOPED ROADWAY:**

Michelle Puckett, County Auditor, stated due to unforeseen circumstances the request from petitioners Klein, Nelson & Hayes to vacate undeveloped roadway has been requested to be tabled till the January 23, 2018 Commissioners meeting.

MOTION: Brad Jackson

TO: Approve the request to table the vacation

SECOND: Cary Groninger

request from petitioners Klein, Nelson &

AYES: 3 NAYS: 0

Hayes till the January 23, 2018

UNANIMOUS

Commissioners meeting.

IN THE MATTER OF BIDS FOR TANDEM DUMP TRUCK:

Chad Miner, County Attorney, and Scott Tilden, County Highway Superintendent, came before the Commissioners and opened the following bids for a Tandem Dump Truck for the county highway.

The bids were for a 2019 Tandem axle dump truck complete with dump body, hoist, and hydraulics as well as a front plow and underbody scraper with tailgate spreader.

Stoops Freightliner, New Haven IN –

2019 Western Star 4700 ST	
Tandem Axle Chassis	\$111,174.00
W.A Jones Furnished Dump Equipment	<u>\$78,783.00</u>
Total	\$189,957.00
Less trade unit #85	<u>\$13,750.00</u>
Total	<u>\$176,207.00</u>

Selking International, Fort Wayne IN –

2019 International Work Star 4700 Chassis	\$104,579.00
W.A. Jones Equipment package	<u>\$78,783.00</u>
Total	\$183,362.00
Trade allowance #10	<u>\$10,000.00</u>
Total	<u>\$173,362.00</u>

Trans Chicago Truck Group, Gary IN -

2019 Western Star Chassis 4700	\$105,993.00
Terrys Truck Equipment	<u>\$81,950.00</u>
Total	\$187,943.00
Trade allowance #85	<u>\$15,000.00</u>
Total	<u>\$172,943.00</u>

Scott Tilden, County Highway Superintendent would like to take the bids under advisement and come back to the January 23, 2018 Commissioners meeting with his recommendation.

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

KOSCIUSKO COUNTY COMMISSIONERS
January 23, 2018

The Kosciusko County Commissioners met for their regular meeting on January 23, 2018 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley - President

Chad Miner – County Attorney

Cary Groninger – Vice President

Michelle Puckett – Auditor

Brad Jackson

Marsha McSherry – County Administrator

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

**IN THE MATTER OF ECONOMIC DEVELOPMENT COMMISSION APPOINTMENT
– WES STOUDER:**

Marsha McSherry, County Administrator, stated she spoke to Wes Stouder and he is willing to serve another three (3) year term on the Economic Development Commission.

MOTION: Brad Jackson

TO: Approve the Economic Development

SECOND: Cary Groninger

Commission appointment for Wes Stouder for a three (3) year term.

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF BOARD OF FINANCE CANCELLATION OF WARRANTS:

Rhonda Helser, County Treasurer, came before the Commissioners with a request from the Board of Finance, for Robert Conley to serve as President for 2018. Helser also presented a list of outstanding or unpaid warrants. Helser stated these warrants are for outstanding and unpaid checks for a period of two (2) or more years. The warrants being submitted today are from January 2015 through December 2015.

MOTION: Brad Jackson

TO: Approve the request for the cancellation

SECOND: Cary Groninger

of warrants from January 2015 through

AYES: 3 NAYS: 0

December 2015 and the nomination of Robert

UNANIMOUS

Conley as Board of Finance President.

**IN THE MATTER OF SYRACUSE-TURKEY CREEK TOWNSHIP LIBRARY
APPOINTMENT FOR CYNTHIA THORNBURG:**

Michelle Puckett, County Auditor, came before the Commissioners with a request from the Syracuse Library to re-appoint Cynthia Thornburg to the Library Board for another four (4) year term.

MOTION: Cary Groninger

TO: Approve the re-appointment of Cynthia

SECOND: Brad Jackson

Thornburg to the Syracuse-Turkey Creek

AYES: 3 NAYS: 0

Township Library Board.

UNANIMOUS

IN THE MATTER OF COMMUNITY CORRECTIONS GRANT REQUEST:

Anna Bailey, Community Corrections Director, came before the Commissioners with a grant request in the amount of \$356,200. Bailey stated this is a state grant that is being requested to support the existing Kosciusko County Community Corrections Program. The Community Corrections Program currently provides services to the court systems for electronic home monitoring (adults and juveniles), alcohol monitoring, pre-trial services, Forensic diversion and drug court. The program runs off of grant and use fee funds. Bailey stated with FY19 they are requesting state grant funds, 1006 funds and user fees to support the program.

MOTION: Cary Groninger

TO: Approve the Community Corrections

SECOND: Brad Jackson

grant request in the amount of \$356,200.

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF EAGLE SCOUT REGONITION:

Robert Conley, Commissioner President, stated the Commissioners were pleased to honor three (3) young men who achieve the rank of Eagle Scout. The following young men were recognized and presented with a plaque: Hunter Hlutke, a senior at Wawasee High School, Owen Wolferman, also a senior at Wawasee High School and Evan Wolferman a junior at Wawasee High School. They are from Boy Scout Troop 726.

Conley and the other Commissioners congratulated these young men and described them as “future leaders of our community”.

**IN THE MATTER OF INDIANA DEPARTMENT OF VETERANS AFFAIRS GRANT
REQUEST:**

Rich Maron, Veterans Affairs Officer, came before the Commissioners with a grant request in the amount of \$449. The grant will be used to pay for the VetraSpec software that is used by the Indiana Department of Veteran Affairs for submitting Veteran’s Pension and Disability Claims.

MOTION: Brad Jackson

TO: Approve the grant request in the amount

SECOND: Cary Groninger

of \$449 for the VetraSpec software.

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF BID AWARD FOR NEW TANDEM AXLE DUMP TRUCK:

Scott Tilden, County Highway Superintendent, came before the Commissioners with his recommendation from the January 9, 2018 bid opening for a new tandem axle dump truck. Tilden stated after reviewing the bids his recommendation to the Board of Commissioners is to award the bid to the lowest responsive and responsible bid to Trans Chicago Truck Group of Gary for a New 2019 Western Star Truck with trade allowance of unit #85 for a total bid of \$172,943.

MOTION: Cary Groninger

TO: Approve the recommendation by Tilden to accept the bid from Trans Chicago Truck Group of Gary in the amount of \$172,943.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF SPEED LIMIT ORDINANCE –ARMSTRONG ROAD:

Scott Tilden, County Highway Superintendent, came before the Commissioners with a speed limit ordinance. Tilden stated the speed limit sign will be on Armstrong Road beginning 1,000 feet east of CR 325E (EMS T26 Lane) going 3,450 feet past EMS T25 Lane (CR 350E) shall be 45 mph, then turning back into 55 mph going east.

MOTION: Brad Jackson

TO: Approve the speed limit sign on Armstrong Road beginning 1,000 feet east of CR 325E (EMS T26 Lane) going 3,450 feet past EMS T25 Lane (CR 350E) shall be 45 mph, then turning back into 55 mph going east.

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

ORDINANCE NO. 18-01-23-001 Speed (2018011067)

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF PETITION TO VACATE AN UNDEVELOPED ROADWAY – BENSART’S NORTH SHORE PARK:

Scott Reust, Attorney, came before the Commissioners with a request to vacate an undeveloped roadway in the Bensart’s North Shore Park. The petitioners are Gary Klein, Richard Nelson, Jacque Nelson and Jerry Hayes. Reust stated the undeveloped roadway proposed to be vacated has never been used by the public, other than by some of the Petitioners on occasion, and has remained undeveloped and unused since its creation. The area proposed to be vacated is described as follows:

- A roadway vacated in the Plat of Bensart’s North Shore Park, Plat of the Second Addition to Bensart’s North Shore Park, described further as:
 - A public way described as the “Upper Bensart Drive”, beginning at the Northwest corner of the East half of Lot 6 in the plat of Bensart’s North Shore Park; Easterly along the North line of the East half of Lot 6, the North line of Lot 3, the North line of Lot 2 in Bensart’s North Shore Park subdivision, and the North line of a tract to the East of Lot 2, to the intersection with the North line of Bensart Drive; then Northeasterly along the North line of Bensart Drive approximately fifty feet to the North line of Upper Bensart Drive where it intersects Bensart Drive; then Westerly along the North line of Upper Bensart Drive a distance of approximately 260 feet to a point Northerly of the Point of beginning; then Southerly to the point of beginning along the line which is the West line of the East half of Lot 6, extended; then Southerly a distance of twenty feet to the point of beginning.

Reust continued by stating the portion of the area sought to be vacated lies between tracts of land owned by the Petitioners, collectively, and is effectively utilized as part of the yards for those tracts already, and remain undeveloped. The area sought to be vacated is not necessary to the growth to any municipality; not necessary for any person to have access to the lands; will not eliminate the public’s access to a church, school or other public building; and will not hinder the use of a public way by the neighborhood in which it is located or to which it is contiguous. Reust stated the proposed vacation will not deprive any public or private utility of the use of any easement or access presently used for utility purposes.

Reust added after further discussion it was determined that Richard Nelson had a septic system installed and due to issues with the slope of the hill his septic system encroached into a public roadway. Reust stated the vacation of the roadway would solve the encroachment issue for Nelson and allow Gary Klein to build his garage on his other lots.

Dan Richard, Area Plan Director, came before the Commissioners with the recommendation from the Area Plan Board in regards to the vacation request. Richard stated they did have some remonstrance filed stating the roadway is used and does not want to see the roadway vacated. The Area Plan Board voted against the vacation due to the roadway would still be accessed for utilities and the EMS personnel.

President Conley asked to hear from anyone opposed to the vacation. Jim Moyer came before the Commissioner to represent his son, Christian Moyer, who is one of the residents in the area in question. Moyer stated they use the road to haul firewood to their property and feels this would not be beneficial for him or his family.

Reust stated the pictures that Richard spoke of where misleading as the vehicle use was from the installation of the septic system on Nelson's property and were taken during that time frame. Reust also stated he does not feel the utilities would be using the roadway in question as the utilities can access any public right of way. Reust stated he feels that Moyer would be able to use the access from the alley behind his home to deliver firewood to his property.

Commissioner, Brad Jackson, questioned Reust on what their request really was and what they were trying to accomplish with the vacation request. Reust stated originally the vacation request was due to Klein wanting to build a garage on his lots across the road from his house. Reust has been instructed in the past by Area Plan that if a petition is filed to vacate a portion of an undeveloped roadway they encourage the petition to be for the entire roadway. Reust stated that is how the other petitioners became involved and how the encroachment by Nelson was discovered.

Richard stated the building of a garage was never mentioned in previous conversations. Richard stated if the usage of this roadway were to stay a variance would be very appropriate for a setback to have a garage built without vacating the roadway.

Gary Klein stated he is requesting the vacation of the roadway so when he decides to build a garage he can. Klein stated he approached Area Plan and they recommended he combine all of his lots together, but Klein stated he couldn't due to the roadway between his lots. Klein then decided to move forward with his vacation request.

President Conley asked if there was anyone in favor of the vacation.

Josh Spangle came before the Commissioners stating he is in favor of the petition to vacate the roadway. Spangle stated he has spent the last thirty years in this area and has seen very little use of this road.

Petitioner, Richard Nelson, came before the Commissioners and stated he would like to see the road vacated so his septic system is within the county guidelines. Nelson stated he was not aware his septic system was considered an encroachment due to the slope of his property where the system was installed. Nelson stated he has not seen any vehicle traffic on his roadway except for the trucks that installed his septic. Nelson stated if the roadway is not vacated he would recommend the county maintain the roadway to make it useable.

Commissioner Jackson made the motion to accept the recommendation of Area Plan to leave the roadway open. Jackson also stated they would honor an encroachment for the septic system on Nelson's property to ensure there are no issues or violations.

MOTION: Brad Jackson
SECOND: Cary Groninger
AYES: 3 NAYS: 0
UNANIMOUS TO NOT ALLOW THE
VACATION

TO: Approve the recommendation by Area Plan to not allow the vacation, but to allow the encroachment request for the septic system on Nelson's property.

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

KOSCIUSKO COUNTY COMMISSIONERS February 6, 2018

The Kosciusko County Commissioners met for their regular meeting on February 6, 2018 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley - President
Cary Groninger – Vice President
Brad Jackson

Chad Miner – County Attorney
Michelle Puckett – Auditor's Office
Marsha McSherry – County Administrator

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

IN THE MATTER OF FEBRUARY VETERAN OF THE MONTH:

Rich Maron, Veteran Affairs Officer, came before the Commissioners with the February Veteran of the month, Charles F Green. Maron began by stating Green was born in 1931 in Fulton County. Green graduated in 1950 and along with three (3) of his buddies they decided to enlist in the Air Force on February 6, 1951. Green took his basic training at Lackland Air Force Base in San Antonio, Texas and was then sent to Blairsville, Pennsylvania for technical automotive training. Upon completion of that training Green was sent to Warner Robbins Air Force Base at Warner Robbins, Georgia and became a member of the 3rd Motor Transport Squad. Green and the other members were then sent to Sealand Air Force base between Liverpool and Chester, England. Green's duties included going out on the road to repair disabled vehicles and working on the inside of airplane fuel tanks. Green returned to the US in July 1953 after spending 18 months in the UK and was sent to Kinross Air Force Base in upper Michigan. Green was released from the Air Force on December 11, 1953 due to the reduction of airmen needed.

Green held several different jobs from factory work to food service once released from the Air Force. He was married in 1951 and has four (4) children, eleven (11) grandchildren, twelve (12) great grandchildren and three (3) great-great grandchildren.

Maron and the Commissioners thanked Green for his dedication to his country and the time he served. Maron presented Green with a plaque.

IN THE MATTER OF OFFSITE STORAGE FOR THE CLERKS OFFICE:

Ann Torpy, County Clerk, came before the Commissioners with a request from Imaging Office Systems to have seven hundred boxes moved to an offsite facility for storage. Torpy stated they already have five hundred boxes at this facility. The offsite costs will be \$6,293.

MOTION: Brad Jackson

TO: Approve the request to move seven hundred boxes to an offsite facility for storage.

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF KABS 4th QUARTERLY INDOT VOUCHER FUNDING:

Amanda Landis, KABS Director, came before the Commissioners with the INDOT Contract Invoice for reimbursement period October 1, 2017 to December 31, 2017. The amount of reimbursement being requested is \$22,841 for the State share portion and \$83,404 for the Federal share portion. Landis stated that per INDOT the Commissioners must now sign the Contract Invoice in order for the reimbursement to be submitted to INDOT for payment

MOTION: Cary Groninger

TO: Approve the INDOT Contract Invoice voucher in the amount of \$106,245 (\$22,841 for the State Share & \$83,404 for the Federal Share) for reimbursement period October 1, 2017 to December 31, 2017.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF INDOT 5339 GRANT MOTOR VEHICLE PURCHASE

AGREEMENT:

Amanda Landis, KABS Director, came before the Commissioners with the INDOT 5339 Grant Motor Vehicle Purchase Agreement to purchase two (2) new vans. The total amount of the agreement is for \$113,144. Groninger questioned Landis on what will happen to the other vans. Landis stated INDOT will see if another transit agency could use them and purchase them from KABS or they will go up for sale. Landis stated the vans being replaced were nine (9) years old. Landis stated this is a grant from INDOT and is not county money.

MOTION: Cary Groninger

TO: Approve the INDOT 5339 Grant to
purchase two (2) new vans.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF TIPPECANOE LAKES CONSERVANCY DISTRICT:

Kenneth Jones, CEO Jones Petrie Rafinski, came before Commissioners with a summary of the past Community Efforts Relative to Sanitary Sewers at Lake Tippecanoe. The report outlined several studies that had been completed. Listed below are a few of the items that were highlighted.

- 1970 Comprehensive Sewer and Water Plan Kosciusko County
 - This study was compiled for the County Area Plan Commission and reviewed the public utility needs for the entire county.
 - The report discussed the deficiencies of the existing septic systems and warned of their ability to handle large demands than originally intended.
 - The report recommends that the Area Plan Commission urge and assist the homeowners with the formation of a Conservancy District.
 - The report provided a description of both Conservancy Districts and Regional Sanitary Districts and listed the advantages and disadvantages to both.
- 1994 Kosciusko Development, Inc.
 - The study considered sanitary sewers or expansion of existing system for 24 lakes and 10 communities both incorporated and unincorporated, throughout the county.
 - The report recommended that Barbee Lake, Chapman Lakes and Lake Tippecanoe be connected to the City of Warsaw.
 - The cost for the Barbee, Tippecanoe and Chapman Lakes sewer construction and connection to Warsaw was estimated to be \$37 million dollars. (The current cost estimated is approximately \$10 million more for Tippecanoe Lake alone.)
 - The study proposed partial support of debt for the construction of new sewers thru an economic development income tax and thru local rates and changes.
- 1995 Letter to Indiana Natural Resources Commission from the Kosciusko County Health Department
 - The letter states there is not enough room to properly size and install a system that meets code and refers to setback requirements that cannot be met in most locations, including those to water wells.
 - The letter discusses the concerns for sewage related disease.
- 1995 Conceptual Engineering Report for the Tippecanoe Lakes Conservancy District
 - This study concentrated on the Tippecanoe Lake Community only.
 - The report discusses the density of development and advises that the predominantly small lot sizes do not have adequate space for septic system development that provide for required isolation from water wells.
 - The study addresses the public health qualifier and provides statements relative to threats to water wells, groundwater and the potential for impacts to the river and lake.
 - The report reiterates the high concern for home-owners ability to design, permit and install code compliant septic systems in poor soils on lots that are not adequately sized.
 - The report clearly provides strong warnings relative to protection of the public health and therefore the achievement of the qualifying criteria for Conservancy District formation.
- 1997 Tippecanoe Lake Diagnostic Study
 - This study provided a good review of the challenges of maintaining the water quality of the lake in the face of the natural process of eutrophication.
 - The report outlines concerns for human encroachment into that process including residential development, farming and land disturbing activities.

- The report recommends a sanitary sewer system be provided to all residential developed areas within 500 feet of the lake.
- 2001 Tippecanoe River Watershed Restoration Action Strategy Parts 1 & 2
 - This comprehensive body of work was developed in collaboration with six citizen advocacy groups throughout the watershed from ten counties.
 - The report uses Indiana's unified watershed assessment score in the review of impaired waters with ratings from 1 to 5, with 1 being the least impaired.
 - Areas of concern included residential septic density and aquifer vulnerability.
- 2008 Study of Lake Tippecanoe area to determine the need for sewage collection and treatment
 - The report re-emphasizes the constraints and concerns for the continued use of septic systems in the waterfront communities at Lake Tippecanoe, Oswego Lake and Lake James.
 - The report listed five factors contributing to the growth sewage disposal issues at the lake, which included, over development of Lake Tippecanoe area shorelines, small lot sizes, poor soil types, adjacent flood plain, and no legislative mandate or change.
- 2009 Wastewater Study for Lake Tippecanoe
 - This study was an evaluation of a joint project with Winona Lake, the Lakeland Regional Sewer District (RSD), Chapman Lakes and Lake Tippecanoe.
 - This study assumed expansion of the Lakeland, which ultimately did not occur.
 - A parallel study was completed at the same time for the Chapman Lakes.
- 2016-2017 Lake Tippecanoe Study Update
 - The current analysis includes a hydraulic model of the collection system and three treatment alternates.
 - The district boundary has been refined to concentrate on the Lake-immediate properties and closely resembles that which was included in the 2008 and 2009 studies.
 - The system network includes an interceptor size pipeline that would allow connection of the Chapman Lake Community in the future.
 - The three treatment alternates include a connection to Lakeland RSD, Warsaw or the construction of a new facility.
 - The connection to Lakeland RSD appears to be the most cost effective, in spite of a significantly costly pipeline routed to the Lakeland WWTF.
 - The current model assumes possible grant procurement to reduce the debt service portions of the customer's annual costs and considers the potential for a Conservancy District tax rate.
 - Project estimates are significantly higher (than in 2009) and incorporates connection pipe sized and routed for Chapman Lakes.
 - Annual costs are estimated at approximately \$850-\$950 per year for a \$200,000 home assuming the Conservancy District Model is used and a tax rate is applied. If the RSD model is applied, then all customers would pay an estimated \$1,130-\$1,150 per year.

Altogether there have been eight (8) studies completed over the last 48 years that discuss the need and feasibility of a sanitary sewer system at Lake Tippecanoe. The first was in 1970 and the most recent 2016-2017.

Steve Snyder, Attorney, came before the Commissioners and stated there have been plenty of studies completed on the Lake Tippecanoe sewer system issues/concerns. Snyder stated there has been an action taken by the filing of a formal petition to establish Conservancy District in the Circuit Court. Snyder stated there is no need for an additional study to be conducted with this formal petition being filed and all the other studies that have previously been completed.

The Commissioners stated they feel the Conservancy District and the Friends of Tippecanoe need to work together and come to some common ground on how to resolve the issue of the sewer systems for Tippecanoe Lake and Chapman Lake.

Joe Tynan, Conservancy District organizer, came before the Commissioners and stated he has lived on the lake his entire life and has seen a great amount of deterioration over the years. Tynan stated the Conservancy District was formed as the only means for the homeowners to get the sewers on their properties. Tynan stated the Commissioners can mandate a Regional Sewer District be formed, but the homeowners cannot. Tynan said if the Commissioners would agree to put a Regional Sewer District in place, he predicted the Conservancy District would dissolve.

Jackson stated the information Tynan shared with the Commissioners about the homeowners not being able to form a Regional Sewer District was new to him. The Commissioners requested the Conservancy District to work with the County Attorney, Chad Miner, to figure out the details of the Commissioners role and the steps that need to be completed in order to establish a Regional Sewer District for the Tippecanoe Lake and Chapman Lake area.

Jackson requested this information be provided to the Commissioners at the February 20, 2018 Commissioners meeting.

IN THE MATTER OF SHERIFF'S DEPARTMENT REQUEST FOR GRANTS:

Sheriff Goshert came before the Commissioners with a request to apply for a K21 grant and an Attorney General grant. These grants will be used to help with the Opioid drug issues in our county.

MOTION: Brad Jackson

TO: Approve the request to apply for a K21 and Attorney General grant to help with the Opioid drug issues in our county.

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF ENCROACHMENT AGREEMENT FOR RICHARD AND JACQUE NELSON:

Chad Miner, County Attorney, came before the Commissioners with an Encroachment Agreement between Richard & Jacque Nelson and Kosciusko County for the encroachment of a septic field onto a public right of way controlled by Kosciusko County.

MOTION: Brad Jackson

TO: Approve the Encroachment agreement between Richard & Jacque Nelson and the Kosciusko County.

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF ORDINANCE ADDENDUM TO THE KOSCIUSKO COUNTY EMPLOYEE SAFETY MANUAL:

Marsha McSherry, County Administrator, came before the Commissioners with an Ordinance Addendum to the Kosciusko County Employee Safety Manual 18-02-06-001.

MOTION: Brad Jackson

TO: Approve the Ordinance Addendum to the Kosciusko County Employee Safety Manual 18-02-06-001.

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

ORDINANCE NO. 18-02-06-001 (2018020171)

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF LETTER OF ENGAGEMENT WITH WAGGONER, IRWIN, SCHEELE & ASSOCIATES FOR UPDATE OF JOB CLASSIFICATION AND COMPENSATION STUDY:

Marsha McSherry, County Administrator, came before the Commissioners with a Letter of Engagement with Waggoner, Irwin, Scheele & Associates (WIS) to update the job classification and compensation study that was originally completed back in 1995. The 1995 study will serve as a benchmark for updating purposes. After the study is completed WIS will prepare a report of findings and recommendations and make a presentation to the County officials. McSherry stated this process will take roughly 6-8 months to complete.

MOTION: Cary Groninger

TO: Approve the letter of engagement with Waggoner, Irwin, Scheele & Associates to update the job classification and compensation study.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

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

KOSCIUSKO COUNTY COMMISSIONERS

February 20, 2018

The Kosciusko County Commissioners met for their regular meeting on February 20, 2018 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley - President
Cary Groninger – Vice President
Brad Jackson

Chad Miner – County Attorney
Michelle Puckett – Auditor’s Office
Marsha McSherry – County Administrator

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

IN THE MATTER OF DASH AND BODY CAMERAS FOR THE SHERIFF’S VEHICLES:

Bob Momeyer, Systems Administration, Director, came before the Commissioners with a request to purchase six (6) complete bundles of dash and body cameras for six (6) of the Sheriff’s vehicles at a price of \$31,535. The cost to add the body cameras to the package that has been purchased in the past will be roughly \$1,000 per car. Momeyer stated that with the current events the body cameras are becoming a necessity to protect everyone involved. Bob Conley agreed with Momeyer and stressed the importance of protecting our officers and the community. Momeyer stated they will evaluate the body cameras and determine if the remaining sheriff vehicles need the dash and body cameras.

MOTION: Brad Jackson

TO: Approve the request in the amount of

SECOND: Cary Groninger

\$31,535 for body and dash cameras for six (6) sheriff vehicles.

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF SHERIFF 2017 STATS:

Sheriff Goshert, came before the Commissioners and spoke to the section of the 2017 stats that refers to the number of agency’s the Sheriff’s department assists with. Goshert stated that from July 2017 to January 2018 the Sheriff’s department has been involved in 826 contacts. Sheriff Goshert told the Commissioners they should be very proud of the job their County Sheriff’s department is doing for the community.

IN THE MATTER OF ESTABLISHING A REGIONAL SEWER DISTRICT FOR TIPPECANOE LAKE AREA:

Chad Miner, County Attorney, came before the Commissioners with his recommendation for how the Commissioners need to proceed for establishing a regional sewer district for the Tippecanoe Lake area. Miner stated he spoke to the attorneys involved and the message he received was that the Conservancy District would like to see some movement forward. Miner suggested Ice Miller be used for the legal counsel as they worked on the TIF projects and did a great job for the county. Miner also recommended Umbaugh for the financial side, Kenneth Jones from Jones Petrie Rafinski for the engineering portion, along with two (2) representatives from the community, one (1) Commissioner and one (1) Council member. Miner will take the lead on set up the initial meeting with all parties. Miner stated the preliminary engineering study will need to be completed and a petition put together in order for a public hearing to take place. They cannot submit anything to IDEM until this happens.

Steve Snyder, Attorney, came before the Commissioners and stated the Tippecanoe Conservancy District has taken the stance to work with the Commissioners to get a Regional Sewer District in place. Snyder stated the Conservancy does not want to lose the momentum they have and all the man hours that have been put into this project. Snyder read the Conservancy Districts written statement, which read as follows:

“Out of consideration for the many stakeholders and supporters of the Tippecanoe Lakes Sewer Initiative (TLSI), we will need to continue to move forward with filing the petition to establish a Conservancy District for the sole purpose of implementing sewers on the Tippecanoe Lakes. All public notices will need to continue to be posted and mailed as required through to the March 29th hearing. We have made this commitment to the community thru our promise to move the

project forward. However, if the Commissioners request TLSI to present a request to the courts for postponement of the March 29th hearing, TSLI will do so upon verification, by resolution or motion of Commissioners seeking appropriation of funds to support the preparation of the following three items as required for the establishment of a Regional Sewer District.

- Required preliminary engineering report
- Fiscal advisers preliminary rate report
- Legal services for preparation of the petition and public notice

The request and confirmation of the appropriation is needed as soon as possible but no later than the end of the day on March 27, 2018 in order for the TSLI to submit the request for postponement to the courts before March 29th.”

The Commissioners stressed the importance of knowing the upfront costs associated with the project and how much it will impact the residents. The Commissioners would also like for Miner to contact the representatives from Chapman Lake and see if they would want to be involved with the Regional Sewer District for the Tippecanoe Lake area.

The Commissioners requested Miner to prepare information that can be presented to the Council members at their March 8th meeting. The Commissioners stressed the importance of keeping the Council members aware of all the steps involved with this project.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the request to have Chad Miner set up the initial meeting with Ice Miller, Umbaugh, Jones Petrie Rafinski Engineering firm, two community representatives, one Council member and one Commissioner member.

IN THE MATTER OF FEDERAL HIGHWAY FUNDS:

Scott Tilden, County Highway Superintendent, came before the Commissioners and shared that on February 16, 2018 INDOT awarded the county Federal Highway funds for one of the bridges the county submitted funding for. The project awarded was to replace Bridge 227 on South Hand Street over Walnut Creek. The amount awarded was \$637,100.47, which is 80% of the construction and construction inspection. The project completion date will be 2022-2023. Tilden stated they did receive the 2nd grant they applied for.

IN THE MATTER OF HAAG, MILLS, PEERY & HURST VACATION REQUEST:

Matt Sandy, Area Plan, came before the Commissioners with a request from petitioners Haag, Mills, Peery and Hurst to vacate an unnamed public way in the plat of Quaker Haven. Sandy stated they Area Plan Board gave a unanimous recommendation to accept the vacation request.

Steve Snyder, Attorney, stated he agrees with the recommendation from the Area Plan board. Snyder stated that all the lots involved will be combined into one parcel.

ORDINANCE NO. 18-02-20-001 (2018020530)

As recorded in the office of the Kosciusko County Recorder

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the Vacation Ordinance 18-02-20-001 for the unnamed public way in the plat of Quaker Haven

IN THE MATTER OF FARM BUREAU MEETING:

Mike Long came before the Commissioners and invited them to attend the Farm Bureau meeting on Saturday, March 24th at 9am at The Roost at Creighton’s Crazy Egg Café

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

KOSCIUSKO COUNTY COMMISSIONERS

March 6, 2018

The Kosciusko County Commissioners met for their regular meeting on March 6, 2018 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley - President
Cary Groninger – Vice President
Brad Jackson

Chad Miner – County Attorney
Michelle Puckett – Auditor’s Office
Marsha McSherry – County Administrator

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

IN THE MATTER OF MARCH VETERAN OF THE MONTH – THOMAS KINCH:

Rich Maron, Veteran Affairs Officer, came before the Commissioners with the March Veteran of the month, Thomas Kinch. Maron shared Kinch was born in 1946 in Warsaw, Indiana and was drafted in 1967 and immediately enlisted in the Army. Kinch served in the Army Security Agency from 1967-1971 and served 2 ½ years in Germany and then volunteered for duty in Vietnam. Kinch was discharged from the service after being engaged in the Vietnam War for a year. Kinch returned home and worked for approximately forty (40) years at Warsaw Plating Works until it closed in 2001. Kinch then went to work with Everest Excavating until his retirement. Since retirement Kinch serves his fellow veterans by volunteering through the DAV Transportation Network to drive Veterans to their appointments. Kinch stated these rides are free of charge to Veterans who need to travel to the VA facilities in Fort Wayne, Marion and Indianapolis. Kinch closed by stating as a Vietnam Veteran, it is nice to see that returning Veterans are given the respect that is due to them as that has not always been the case. Kinch stated it gives him great pride in helping his fellow Veterans.

Maron and the Commissioners thanked Kinch for his time, service and dedication to our Country and County during his time of service and for what he continues to do for the Veterans of our community.

IN THE MATTER OF VETERAN AFFAIRS OFFICERS SCHEDULE:

Rich Maron, Veteran Affairs Officer, came before the Commissioners with a request to allow him to work “floating hours”. Maron stated in order for him to reach out to more Veterans within our county he would like permission to adjust his hours to attend evening or weekend events at the local Legions to speak to a large group of Veterans or family members. Maron feels it would allow him to education them on the benefits they or a family member might be eligible for. Maron stated that he will advise the Commissioners of what gathering or events he would be attending and welcomed the Commissioners to join him at the meetings. Maron will contact the local Legions to obtain a listing of their events and to be placed on the agendas.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

MOTION CARRIED

TO: Approve the “Floating Hours” in order to attend weekend or evening meetings at the local Legions.

IN THE MATTER OF NEW CASE MANAGEMENT SYSTEM – CLERKS OFFICE:

Ann Torpy, County Clerk, and Judge Cates came before the Commissioners with Resolution 2018-03-06-002 agreeing to deploy the statewide court case management system with Tyler Technologies (TCT). Torpy stated in 2007 the Indiana Supreme Court’s Office of Appellate and Trial Court Technology signed a state contract, purchasing the rights to use a statewide court case management system called Odyssey for all judicial staff in Indiana. TCT is responsible for paying the initial licensing costs for the Odyssey software and the yearly software maintenance and support costs. Torpy stated the counties using the Odyssey do not incur any yearly costs to use the software.

Torpy stated Odyssey is being offered to Kosciusko County Indiana trial courts and Circuit Court Clerk at no cost to the County other than the incidental cost that may be required in order to upgrade computer equipment maintained and used in the local courts and clerk’s office. Judge

Cates stated the court computers are six-eight years old and have reached their life expectancy and are scheduled to be replaced so the only additional cost would possibly be a few scanners. Torpy and Cates both agreed this is the ideal time to switch over to the Odyssey system. Torpy stated they will run both systems until the new Odyssey system is fully functional.

MOTION: Cary Groninger

TO: Approve the use of the Odyssey statewide court case management system.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

MOTION CARRIED

RESOLUTION NO. 2018-03-06-002 (2018030191)

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF 2017 EMPG SALARY REIMBURSEMENT GRANT:

Ed Rock, Emergency Management Director, came before the Commissioner with the 2017 EMPG Salary Reimbursement grant in the amount of \$50,000. Rock stated this grant will cover 50% of the Salary wages for the EMA employees.

MOTION: Brad Jackson

TO: Approve the 2017 EMPG Salary Reimbursement Grant in the amount of \$50,000.

SECOND: Cary Groninger

AYES: 3 NAYS: 0

MOTION CARRIED

IN THE MATTER OF DISASTER EMERGENCY DECLARATION:

Ed Rock, Emergency Management Director, came before the Commissioner with a Disaster Emergency Declaration. Rock stated with the recent rain Kosciusko County and the City of Warsaw have been threatened by the natural disaster of flooding. Rock stated the county resources have been expended and assistance has been requested and received from the State of Indiana in the form of sandbags and Damage Assessment Teams. Residents of Kosciusko County and the City of Warsaw have incurred damage in excess of insurance coverage and are in need of assistance from the Federal Emergency Management Agency (FEMA).

MOTION: Brad Jackson

TO: Approve the Disaster Emergency Declaration.

SECOND: Cary Groninger

AYES: 3 NAYS: 0

MOTION CARRIED

IN THE MATTER OF LAKE TIPPY REGIONAL SEWER DISTRICT:

Chad Miner, County Attorney, came before Commissioners and stated a meeting was held with ICE Miller, Umbaugh, and Ken Jones to discuss the roadmap for the future of the Tippecanoe Lake Regional Sewer District. Miner made the recommendation to start the process to engaging these professionals so they can move forward in their process to allow a petition to be filed with IDEM to establish the regional sewer district. Miner stated he spoke with County Administrator, Marsha McSherry, and confirmed an additional appropriation will need to be submitted to allow for the funding of engaging the professionals previous mentioned. The next step would be to pass Resolution 18-03-06-001 directing the County Administrator to take the steps necessary to seek an additional appropriation with respect to the expenses associated with preparing a petition for the establishment of a Regional Sewer District. The estimated cost would be in the range of \$120,000 to \$145,000.

Miner stated he will also begin to prepare a resolution for the Commissioners to approve based on the contingency of the additional appropriation being approved.

County Administrator, Marsha McSherry, stated she will complete the paperwork for an additional appropriation in the maximum amount of \$145,000 to be advertised and heard at the April 12, 2018 Council meeting for approval.

MOTION: Cary Groninger

TO: Approve the Resolution 18-03-06-001 directing the County Administrator to take the steps necessary to seek an additional appropriation with respect to the expenses associated with preparing a petition for the establishment of a Regional Sewer District.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

MOTION CARRIED

RESOLUTION NO. 18-03-06-001 (2018030200)

As recorded in the office of the Kosciusko County Recorder

**IN THE MATTER OF LAKELAND REGIONAL SEWER DISTRICT BOARD
APPOINTMENTS:**

Marsha McSherry, County Administrator, came before the Commissioners with two Lakeland Regional Sewer District board appointments. Parke Smith and Michael Dewald's appointments expire on April 18, 2018. The appointments are for a four (4) year term expiring on April 18, 2022.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

MOTION CARRIED

TO: Approve the Lakeland Regional Sewer District Board appointments for Parke Smith and Michael Dewald with the term expiring on April 18, 2022.

**IN THE MATTER OF RE-ESTABLISHING OF CUMULATIVE CAPITAL
DEVELOPMENT (CCD) FUNDS:**

Michelle Puckett, County Auditor, came before the Commissioners with a request to advertise for a public hearing re-establish the Cumulative Capital Development (CCD) funds. Puckett stated four (4) years ago the CCD tax rate was set at the level that statutory allows. Each year the level has dropped due to the calculation of those tax rates. Puckett asked the Commissioners if they would like to advertise and hold a public hearing on March 20, 2018 to discuss increasing the tax rate back to the level the statutory allows. The increase would be back to the tax rate it was originally at.

Puckett suggested the CCD tax rate be evaluated annually

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

MOTION CARRIED

TO: Approve the request to advertise for a public hearing to re-establish the CCD fund.

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

**KOSCIUSKO COUNTY COMMISSIONERS
March 20, 2018**

The Kosciusko County Commissioners met for their regular meeting on March 20, 2018 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley - President

Cary Groninger – Vice President

Brad Jackson

Chad Miner – County Attorney

Michelle Puckett – Auditor's Office

Marsha McSherry – County Administrator

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

**IN THE MATTER OF RESOLUTION 18-03-20-002 ENGAGEMENT OF VARIOUS
PROFESSIONALS AND SETTING NOT TO EXCEED COSTS FOR THE
ESTABLISHMENT OF A REGIONAL SEWER DISTRICT TO SERVE LAKE
TIPPECANOE:**

Chad Miner, County Attorney, came before the Commissioners with a Resolution approving the engagement of various professionals and setting not to exceed costs. Miner stated the resolution would allow the process of preparing to petition IDEM for the establishment of a regional sewer district to serve Lake Tippecanoe, along with potentially serving the Chapman Lake area. Miner further explained the process of preparing to petition IDEM will require the gathering of various information and data and preparation of various reports and notices and the petition. Miner stated this resolution will ensure that the process move forward without any unnecessary delay by approving the engagement of professionals to accomplish the necessary work, but with such engagements to include agreed upon amounts to not be exceeded. Miner stated the law firm Ice Miller is to be engaged to prepare public notices and the petition and to provide other needed legal work with respect to the petitioning of IDEM for the establishment of a regional sewer district to serve Lake Tippecanoe and potentially the Chapman Lake area, with the cost of this

work is to not exceed fifty thousand dollars (\$50,000). The accounting firm H.J. Umbaugh & Associates is to be engaged to prepare the preliminary rate report and to provide other necessary financial and accounting work, but not to exceed fifteen thousand dollars (\$15,000). The engineering firm Jones Petrie Rafinski is to be engaged to prepare the preliminary engineering reports with the cost not to exceed the amount of fifty-five thousand dollars (\$55,000).

Miner presented the Commissioners with contracts for these professionals. Miner stated in order to ensure the process continues to move forward he has requested the Commissioners approval of the contracts. Miner stated he will hold the contracts until the April 12, 2018 Council meeting to confirm their approval.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

MOTION CARRIED

TO: Approve the Resolution 18-03-20-002

Engagement of Various Professionals and

Setting not to Exceed Costs for the

Establishment of a Regional Sewer District to

serve Lake Tippecanoe.

IN THE MATTER OF REPLACING CARPET & FLOORING IN HEALTH

DEPARTMENT:

Marsha McSherry, County Administrator, came before the Commissioners with a quote from BC Tile and Floor Covering out of Syracuse. McSherry stated the quote is to replace carpet and dispose of the old flooring in the Health Department offices along with the bathroom. The quote was for \$14,592.56.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

MOTION CARRIED

TO: Approve the quote from BC Tile and

Floor Covering in the amount of \$14,592.56 to

replace the carpet and dispose of the old.

IN THE MATTER OF ESTABLISHMENT OF CCD RESOLUTION/ORDINANCE

#2018-03-20-001:

Michelle Puckett, County Auditor, came before the Commissioners requesting approval of the CCD Resolution/Ordinance 2018-03-20-001. Puckett stated this will allow the county to collect the amount that has been collected in previous years.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

MOTION CARRIED

TO: Approve the CCD Resolution/Ordinance

2018-03-20-001.

IN THE MATTER OF TEMPORARY ROAD CLOSURE PERMIT FOR TIPPY WINERY 5K/10K RUN:

Scott Tilden, County Highway Superintendent, came before the Commissioners with a temporary road closure permit for Armstrong Road on May 18, 2018 from 6pm to 8pm. The Tippy Creek Winery located at 5920 N 200 E will be holding a 5K/10K run.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

MOTION CARRIED

TO: Approve the temporary road closure

permit for Armstrong Road on May 18, 2018

from 6pm to 8pm for a 5k/10k run.

IN THE MATTER OF TEMPORARY ROAD CLOSURE PERMIT FOR FAT & SKINNY TIRE FEST:

Scott Tilden, County Highway Superintendent, came before the Commissioners with a temporary road closure permit for County Farm Road from CR 400S to CR 700S on May 19, 2018 from 12 noon to 6pm.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

MOTION CARRIED

TO: Approve the temporary road closure

permit for County Farm Road from CR 400S

to CR 700S on May 19, 2018 from 12 noon to

6pm.

IN THE MATTER OF ENGINEERING AGREEMENT FOR BRIDGE 98 TO BE REPLACED:

Scott Tilden, County Highway Superintendent, came before the Commissioners with an engineering agreement with USI Consultants in the amount of \$99,430. The project is for Bridge

98 carrying CR 400 W over Robinson Ditch. Tilden stated a bridge inspection was completed in 2016 and Bridge 98 was rated as a number one bridge to be replaced.

MOTION: Cary Groninger

TO: Approve the engineering agreement in the amount of \$99,430 for Bridge 98 to be replaced due to a bridge inspection that was completed back in 2016.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

MOTION CARRIED

IN THE MATTER OF ENGINEERING AGREEMENT FOR COUNTY SMALL STRUCTURE C-511:

Scott Tilden, County Highway Superintendent, came before the Commissioners with an engineering agreement with USI Consultants in the amount of \$68,540. The project is for County Small Structure C-511 carrying Bruner Road over Magee Ditch. Tilden stated he would like to start this project at the end of 2019 or the beginning 2020.

MOTION: Brad Jackson

TO: Approve the engineering agreement in the amount of \$68,540 for small structure C-511 carrying Bruner Road over Magee Ditch.

SECOND: Cary Groninger

AYES: 3 NAYS: 0

MOTION CARRIED

IN THE MATTER OF PURCHASING A NEW JOHN DEERE K WHEEL LOADER:

Scott Tilden, County Highway Superintendent, came before the Commissioners with a request to submit an additional appropriation to purchase a new John Deere K Wheel Loader in the amount of \$130,000. Tilden stated he has the opportunity to purchase a brand new wheel loader out of the NJPA program, which is a 43% discount savings off the list price. Tilden stated they will be trading in the twenty-one year old wheel loader. Groninger stated he reviewed and researched the pricing and agreed with Tilden that this is a huge savings and should be taken advantage of.

MOTION: Cary Groninger

TO: Approve the request to submit an additional appropriation in the amount of \$130,000 to purchase a new John Deere K Wheel loader through the NJPA program.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

MOTION CARRIED

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

KOSCIUSKO COUNTY COMMISSIONERS
April 3, 2018

The Kosciusko County Commissioners met for their regular meeting on April 3, 2018 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley – President (absent)
Cary Groninger – Vice-President
Brad Jackson

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

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

IN THE MATTER OF THE APRIL VETERAN OF THE MONTH –PAUL GROSSNICKLE:

Rich Maron, Veteran Affairs Officer, came before the Commissioners with the April 2018 Veteran of the month. Maron introduced Paul Grossnickle as the April Veteran of the month. Maron stated that in 1942, shortly after Mr. Grossnickle graduated from Manchester High School he enlisted in the U.S. Navy. He began his flight training at Ft. Scott Kansas stating that he didn't want to walk in the war with Japan, he wanted to fly. He continued his flight training in Iowa and Texas. He stated that at each stop, planes got a little faster and more powerful. Mr. Grossnickle remembers that flying became second nature, even easier than driving a car. He stated that the real fighter planes were at his new station in Melbourne, Florida, where he was introduced to the F6F Hellcat. The Hellcat was a fighter plane with a 2000 horsepower engine, six 50-caliber machine guns and it flew over 400 miles per hour.

After completing his training and receiving his golden wings, Mr. Grossnickle was sent on leave. During his leave, he married his wife, Jane. After a short honeymoon, he put Jane on a train to

Chicago, and headed west towards the Pacific and the still raging war. After spending some time in Pearl Harbor, he was sent to Guam. He soon became a carrier-based pilot in Halsey's 3rd fleet. His missions around the Japanese Islands lasted from the beginning of 1945 until the atomic bombs were dropped on Hiroshima and Nagasaki. Mr. Grossnickle believes that he may not be here today, if it weren't for Harry Truman deciding to drop the Atomic Bombs. Upon returning to the states and finishing his college education, he was called back to active duty in the Korean War. Having a family, he didn't want to go back to flying, so he resigned his commission as a pilot and became a Navy Optometrist. Mr. Grossnickle gave the Navy 10 years of active duty, and through reservists duty retired an Air Force Major. In 1957, he opened his first optometrist office. He retired from Grossnickle Eye Center after 55 years in the profession (7 military and 48 private).

Maron and the Commissioners presented Mr. Grossnickle with a plaque congratulating him and thanking him for his sacrifice and dedication to his country and county.

IN THE MATTER OF KABS DEOBLIGATION OF TRANSIT GRANT FUNDS & MEDICAID 3RD PARTY BROKER:

Amanda Landis, KABS General Manager, came before the Commissioners to request the Commissioners signatures giving permission to close out the 2017 grant in the amount of \$7,219, stating that the purchase amount of a van was less than the original estimated price.

In addition, Landis presented a Request for Qualifications form and requested the Commissioners signatures in order to apply for services through Southeast Trans, a third-party broker, which is now required by the State in order for any facility to transport Medicaid recipients.

MOTION: Brad Jackson

TO: Approve the closeout of the grant and to submit the Providers Credentials Form for Southeast Trans

SECOND: Cary Groninger

AYES: 2 NAYS: 0

MOTION CARRIED

IN THE MATTER OF ABC APPOINTMENT- ALAN ALDERFER:

Marsha McSherry, County Administrator, came before the Commissioners with an appointment for Alan Alderfer to serve on the ABC Board, which would finish out the term to the end of 2018.

MOTION: Brad Jackson

TO: Approve the ABC appointment of Alan Alderfer

SECOND: Cary Groninger

AYES: 2 NAYS: 0

MOTION CARRIED

IN THE MATTER OF REPLACING THE GREASE TRAP AT THE WORK RELEASE BUILDING:

Marsha McSherry, County Administrator, came before the Commissioners to present two estimates to replace the current grease trap which is small and deteriorating. She states that we are required by the City of Warsaw to replace it. The first estimate from Everest Excavating is for \$17,500 and the second from LDP Excavating and General Contracting is for \$14,286. Taking off \$3000 from Everest Excavating for the city's fee, the difference is \$214, with LDP being the lowest.

MOTION: Brad Jackson

TO: Approve the lower bid of \$14,286 by LDP

SECOND: Cary Groninger

AYES: 2 NAYS: 0

MOTION CARRIED

IN THE MATTER OF THE COMMUNITY CROSSING PROJECT FOR CR 900 N:

Scott Tilden, County Highway Superintendent, came before the Commissioners with a request for signatures on the work agreement between Kosciusko County and Phend & Brown Inc. which is part of the terms and conditions of the Form 99 already on file.

MOTION: Brad Jackson

TO: Approve the agreement between Kosciusko County and Phend & Brown Inc.

SECOND: Cary Groninger

AYES: 2 NAYS: 0

MOTION CARRIED

IN THE MATTER OF PARKING ON RIGHT OF WAY FOR BACKWATER

RETRIEVER CLUB:

Scott Tilden, County Highway Superintendent, came before the Commissioners with a permit application for April 14th and 15th, 2018 for parking on right of way for Backwater Retriever Club.

MOTION: Brad Jackson

TO: Approve the permit for parking on right of way April 14th and 15th, 2018, for Backwater Retriever Club

SECOND: Cary Groninger

AYES: 2 NAYS: 0

MOTION CARRIED

IN THE MATTER OF DISTRACTED DRIVING AWARENESS MONTH:

SueAnn Mitchell came before the Commissioners with a declaration to make April Distracted Driving Awareness month. A motorcycle ride will be held April 14th to promote motorcycle safety and the spread distracted driver awareness. This will be the 2nd Annual Fallen Rider Memorial Ride. This ride has been organized in honor of Erik (Doc) Mounsey, who was killed in August of 2016 on his motorcycle due to a driver texting and driving.

MOTION: Brad Jackson

TO: Approve the declaration of Distracted Driving Awareness for the month of April

SECOND: Cary Groninger

AYES: 2 NAYS: 0

MOTION CARRIED

IN THE MATTER OF JUVENILE DETENTION ALTERNATIVE INCENTIVE (JDAI) GRANT:

Judge David Cates came before the Commissioners with an update on the status of the JDAI grant. He stated that the JDAI grant was awarded in the amount of \$55,000 and that it will be effective July 1, 2018. His intention is to use the grant to fund research on the aggressively growing need for alternatives to juvenile detention.

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

KOSCIUSKO COUNTY COMMISSIONERS
April 17, 2018

The Kosciusko County Commissioners met for their regular meeting on April 17, 2018 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley - President

Chad Miner – County Attorney

Cary Groninger – Vice President

Michelle Puckett – Auditor

Brad Jackson

Marsha McSherry – County Administrator

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

IN THE MATTER OF ABATE- MAY MOTORCYCLE SAFETY AWARENESS MONTH:

James Dawson, ABATE of Indiana, came before the Commissioners and presented a Proclamation requesting to make May motorcycle safety awareness month.

Commissioner, Robert Conley, read the Proclamation to the public prior to approving.

MOTION: Brad Jackson

TO: Approve the ABATE Proclamation

SECOND: Cary Groninger

dedicating the month of May to motorcycle safety awareness.

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF MATT MEERSMAN – ST. JOSEPH RIVER BASIN COMMISSION:

Matt Meersman, Director for St. Joseph River Basin Commission, came before the Commissioners with an update on legislation that recently went through the General Assembly. Following Noble County through the process, after some flooding issues, he encourages the

Commissioners to think about the needs in our county and suggests that they consider getting an advocate for the interests of the community when it comes to waterways. He extended an invitation to the St. Jo River Basin Symposium on May 11th in Niles Michigan.

IN THE MATTER OF REGIONAL SEWER DISTRICT:

Chad Miner, County Attorney, came before the Commissioners with an update on Regional Sewer District. Miner states that the additional appropriation was approved by County Council and that the appropriate parties have been notified and contracts, previously signed by the Commissioners, have been forwarded on so that they can begin the planning process. Miner has approached the Chapman Lake Association and there are some upcoming meetings in the works. Miner states that when those meetings have been held, he will return with further updates.

IN THE MATTER OF COURTHOUSE TUNNEL LIFT STATION QUOTE:

Marsha McSherry, County Administrator, came before the Commissioners with request that the matter of courthouse tunnel lift station be tabled.

IN THE MATTER OF ANNUAL OPERATIONAL REPORT:

Scott Tilden, County Highway Superintendent, came before the Commissioners, requesting approval on County Form Number 16, the Annual Operational Report for local roads and streets for the year ending December 31, 2017.

MOTION: Brad Jackson

TO: Approve County Form Number 16, the

SECOND: Cary Groninger

Annual Operational Report for local roads and streets for the year 2017

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF REQUEST FOR PROPOSALS (RFP):

Scott Tilden, County Highway Superintendent, came before the Commissioners to give notification that there has been an RFP posted on an INDOT website. Tilden states that the RFP gives notification of needed professional services for the replacement of Bridge #227, carrying South Hand Street over Walnut Creek. Construction would begin in 2023.

IN THE MATTER OF DAVID DAVIDSON-REZONING REQUEST:

Commission President, Robert Conley, stated for the record that this matter had been cancelled.

IN THE MATTER OF NORFOLK SOUTHERN RAILWAY REPLACEMENT:

Joseph Thallemer, Warsaw City Mayor, stated that Norfolk Southern has announced that they will be replacing the North-South line with continuous rail from north of Claypool to the north county line. Thallemer states that Norfolk Southern has projected a two-stage replacement, the first of which is scheduled to begin later this month and the second is scheduled to be completed in July of this year.

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

KOSCIUSKO COUNTY COMMISSIONERS

May 1, 2018

The Kosciusko County Commissioners met for their regular meeting on May 1, 2018 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN.

Those present were:

Robert Conley - President

Chad Miner – County Attorney

Cary Groninger – Vice President

Michelle Puckett – Auditor

Brad Jackson

Marsha McSherry – County Administrator

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

IN THE MATTER OF MAY VETERAN OF THE MONTH – JEROME KEENER:

Rich Maron, Veteran Affairs Officer, came before the Commissioners to introduce the May Veteran of the month, Jerome Keener. Keener was born in Warsaw Indiana in 1949 and grew up in Pierceton where he has lived all of his life. Shortly after graduating from Pierceton High School in 1968, Keener was drafted into the US Army. After basic training in Fort Knox Kentucky, he trained for 3-4 months in advanced infantry at Fort Lenordwood Missouri before being deployed to Vietnam as a combat engineer. While fighting the war, Keener served in Tuy Hoa, Pleiku and Quinhon as Company A 63rd Engineering Battalion Specialist 4. Keener was in Vietnam for one year, driving a gun truck and handling a 50 caliber machine gun.

After Keener's discharge from the Army in March of 1971, he worked for Whitley Products in Pierceton. He married his wife, Marsha, in October of 1971 and they had two sons, Brent (wife, Sonya) and Ben (wife, Angela). Keener has 10 grandchildren, 3 great-grandchildren and is expecting 2 more great-grandchildren later this year.

Following Keener's retirement from RR Donnelley, after 39 years, he enjoys spending time with family, doing things for others, tending to his garden, keeping his lawn in immaculate condition and taking care of the koi pond that he designed himself. Keener states that the koi pond is very therapeutic and helps with his post-traumatic stress disorder.

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

IN THE MATTER OF BIDS FOR SEALING & PATCHING COUNTY PARKING LOTS:

Marsha McSherry, County Administrator, came before the Commissioners and opened the following bids for sealing and patching the county parking lots at the Munson Building, the old jail and the work release property.

Super Seal-

Munson building	\$3,063
Old jail	\$1,445
Work release	<u>\$5,453</u>
Total	\$9,961

Ranger Materials-

Munson building	\$1,966
Old jail	\$1,498
Work release	<u>\$5,463</u>
Total	\$8,927

McSherry recommends going with Ranger Materials for all three parking lots.

MOTION: Brad Jackson

TO: Approve the total bid of \$8,927 from
Ranger Materials for all 3 parking lots

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF REPAIRS TO EAST & WEST COURTHOUSE STEPS:

Marsha McSherry, County Administrator, came before the Commissioners with a request to approve Butt & Timmons to repair, power wash and seal both east and west external sets of steps at the courthouse. The job has been quoted at \$4,827 for each side, totaling \$9,654.

MOTION: Brad Jackson

TO: Approve the total of \$9,654 presented for
repairs to external east and west sets of
courthouse steps

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF WETLAND MITIGATION FOR BRIDGE 18:

Scott Tilden, County Highway Superintendent, and John Richardson, Cardno employee, presented a proposed wetland mitigation contract between Kosciusko County and Cardno to meet the permitting requirements for bridge 18. Tilden explained that this was included in the bridge budget when it was determined that this bridge project would require mitigation, and that

the costs will be coming out of the bridge fund. Cardno will work directly with Dale Custer, a property owner within the same watershed, to build the mitigation site per the plans/requirements for bridge 18. The remediation is designed to replace wetlands in a new location that are being impacted by the bridge project. \$48,000 covers the construction and the first of a 10 year, \$5,000 per year, maintenance clause. Total costs are estimated at \$100,000.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the contract between Kosciusko County and Cardno to proceed with the wetland mitigation for Bridge 18

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

KOSCIUSKO COUNTY COMMISSIONERS

May 15, 2018

The Kosciusko County Commissioners met for their regular meeting on May 15, 2018 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN.

Those present were:

Robert Conley - President

Cary Groninger – Vice President

Brad Jackson - Absent

Chad Miner – County Attorney

Michelle Puckett – Auditor

Marsha McSherry – County Administrator

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

IN THE MATTER OF COURTHOUSE LAWN PLAZA:

Rob Parker, President, Kosciusko Chamber of Commerce, came before the Commissioners with a request to approve a project that would create an area on the courthouse lawn with permanently affixed picnic tables. Parker stated the projected public funded cost is approximately \$60,000, with 50% of it being matched by the IHCD if the county is listed as the owner of the project. Less funding is available for an entity other than the county. The WCDC could be willing to proceed as the owner of the project but would not qualify for a 50% match.

MOTION: Cary Groninger

SECOND: Robert Conley

AYES: 2 NAYS: 0

MOTION CARRIED

TO: Approve the County being the owner of the project to maximize the matching funds.

IN THE MATTER OF INDOT QUARTERLY REPORT:

Amanda Landis, KABS General Manager, came before the Commissioners with a request for signature on the Indiana Department of Transportation (INDOT) quarterly report. Landis stated that in the first quarter, KABS provided over 15,000 rides to the public, covered roughly 71,000 miles, which is an uptake in comparison to last year. Landis stated that even providing over 200 rides per day, there are still denials which indicates that there is definitely a significant need for the service in our community.

MOTION: Cary Groninger

SECOND: Robert Conley

AYES: 2 NAYS: 0

MOTION CARRIED

TO: Approve the INDOT quarterly report as presented.

IN THE MATTER OF SOUTHEASTERN CONTRACT:

Amanda Landis, KABS General Manager, came before the Commissioners with an update on the Medicaid broker, Southeast Trans. Landis stated that all the contracts have been signed and they will be launching the program June 1, 2018. Medicaid recipients are already required to schedule their rides through the broker and the broker then forwards a manifest to KABS. Landis stated that there have been a few growing pains with the new process and shared with the Commissioners that there could be some complaints. Cary Groninger recalled an email he

received and stated that South Bend's bus service offers an app that riders can use to schedule rides and track bus departures. Landis stated she is in the process of setting up a similar system and expects it to be available by July 1, 2018.

IN THE MATTER OF NAPPANEE PUBLIC LIBRARY (NPL) BOARD APPOINTMENT OF BRAD NEWCOMBER:

Lissa Krull, Nappanee Public Library Director, came before the Commissioners to submit the name of Brad Newcomer for consideration. Krull stated that due to an abrupt resignation of a board member last month, they are in need of a replacement to fill the vacancy. Krull stated that Newcomer is a former NPL board member, serving as president from 2008-2016. Krull stated that Newcomer is well qualified and that in addition, he is a downtown business owner, which would meet a desired demographic that the Board is looking for.

MOTION: Cary Groninger

TO: Approve the appointment of Brad

SECOND: Robert Conley

Newcomer to the Nappanee Public Library Board.

AYES: 2 NAYS: 0

MOTION CARRIED

IN THE MATTER OF CHAPMAN LAKE REGIONAL SEWER DISTRICT:

Chad Miner, County Attorney, presented information on behalf of the Chapman Lake Association. Miner stated that the Association is scheduling meeting dates for early June, which will be informational sessions for the residents around the Chapman Lake area. Mailers will be going out but Miner is unsure of the exact dates.

IN THE MATTER OF JUSTICE BUILDING CLEANING:

Marsha McSherry, County Administrator, came before the Commissioners with two estimates for cleaning the stone on the Justice Building. The first one from Masonry Solutions is for \$23,280.00 and the second one from Hartman & Sons is for \$27,495.00. McSherry recommended Masonry Solutions and stated that they are able to do repair work at the time of the cleaning if any is found to be necessary and that Masonry Solutions cleaned the Courthouse and that she felt they did a good job. McSherry also mentioned that the estimates do not include sealing the stone and that it may be necessary in the future to have the building sealed. McSherry will be obtaining estimates at a later date for the sealing of the stone.

MOTION: Cary Groninger

TO: Approve the estimate of \$23,280.00 for

SECOND: Robert Conley

Masonry Solutions to clean the Justice Building.

AYES: 2 NAYS: 0

MOTION CARRIED

IN THE MATTER OF CONGRESSIONAL SCHOOL FUND ANNUAL REPORT:

Michelle Puckett, County Auditor, came before the Commissioners with the Congressional School Fund Annual Report that needs to be approved and submitted to state.

MOTION: Cary Groninger

TO: Approve the Congressional School Fund

SECOND: Robert Conley

Annual Report.

AYES: 2 NAYS: 0

MOTION CARRIED

IN THE MATTER OF SOUTH HAND STREET BRIDGE OVER WALNUT CREEK:

Scott Tilden, Highway Superintendent, came before the Commissioners with an update on the EOB which was posted mid-April for engineering services needed. Tilden stated that they received five and that the scoring team will now score and rank them and then forward them to INDOT to make sure that procedures are followed. Tilden will return to the Commissioners with the recommendation.

IN THE MATTER OF ALL-WAY STOP SIGN ORDINANCE FOR 200 S AND FERGUSON RD:

Scott Tilden, Highway Superintendent, came before the Commissioners with a reminder of his intention of bringing an ordinance before the Commission for an all-way stop sign at the intersection of 200 S and Ferguson Road. Tilden stated to the Commissioners as well as to the media that he intends to present the ordinance to the next Commissioners meeting, May 29, 2018. Robert Conley stated that he understood the need to make that intersection as visible and as safe as possible. The hope is to reduce the number of critical accidents that have been reported in the past.

IN THE MATTER OF PROCLAMATION TO MAKE MAY POPPY MONTH:

Sue Ann Mitchell, American Legion Auxiliary Secretary, came before the Commissioners with a proclamation to make May, Poppy Month, in honor of the millions who have answered the call to arms and have died on the field of battle. As stated in the proclamation, the red poppy has been designated as a symbol of sacrifice of lives in all wars and the American Legion Auxiliary has pledged to remind America annually of this debt through the distribution of the memorial flower.

MOTION: Cary Groninger

TO: Approve the proclamation making the month of May Poppy Month.

SECOND: Robert Conley

AYES: 2 NAYS: 0

MOTION CARRIED

IN THE MATTER OF KNAPP LAKE SEWER PROJECT:

Mike Kissinger, County Surveyor, came before the Commissioners and stated that he had received an inquiry about Kosciusko County residents hooking into the Knapp Lake sewer project, which is in Noble County. Kissinger stated that back when the Knapp Lake sewer, which is hooked onto the North Webster sewer, started, he believes that Knapp Lake had to get permission from the Commissioners to run their pressurized line across the county right of way and wondered if there had been any discussion about the residents of Kosciusko County tying into that sewer district since the Knapp Lake sewer came across the northeast part of Kosciusko County. Understanding that it will take some research, Kissinger stated that he would check back with Marsha McSherry or Chad Miner. Miner had asked how long ago this took place and Kissinger's reply was one or two years. Robert Conley stated that he remembered something with storm water and the DNR. Conley stated he believed they had entered into some kind of agreement but doesn't recall the specifics.

IN THE MATTER OF COUNTY HEALTH INSURANCE:

Cary Groninger stated that after a couple of public meetings regarding the changes in the county's health insurance, the policy increases per pay period will be as follows:

- | | | |
|------------------------|--------|----------|
| • Employee: | \$1.00 | \$75.04 |
| • Employee and child: | \$2.00 | \$130.46 |
| • Employee and family: | \$3.00 | \$185.87 |

Groninger stated that the increases were as minimal as possible.

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

KOSCIUSKO COUNTY COMMISSIONERS
May 29, 2018

The Kosciusko County Commissioners met for their regular meeting on May 29, 2018 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN.

Those present were:

Robert Conley - President

Cary Groninger – Vice President

Brad Jackson

Chad Miner – County Attorney

Michelle Puckett – Auditor

Marsha McSherry – County Administrator

Minutes were approved as presented. Claims were signed and approved for payment. Cary Groninger abstained from approving the Claims.

IN THE MATTER OF TRECS PROGRAM:

Rhonda Helser, County Treasurer, came before the Commissioners and presented an agreement with the Association of Indiana Counties (AIC) for the use of the TRECS program (TRECS: Tax Refund Exchange and Compliance System). Helser stated that the agreement, which was previously presented for consideration, will allow collection of delinquent property tax through the debtors' Indiana tax return. Chad Miner, County Attorney, stated he had reviewed the program and that he had no objection. Helser stated that the delinquency would need to exceed

\$25.00 but that there were no limits on the amount of time the taxpayer would need to be behind and that other local government offices, such as the Clerk, could utilize the program.

MOTION: Brad Jackson

TO: Approve the agreement with the

SECOND: Cary Groninger

Association of Indiana Counties for the use of the TRECS program

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF CREATIVE BENEFIT SOLUTIONS AGREEMENT:

Marsha McSherry, County Administrator, presented a renewal contract with Creative Benefit Solutions, a consulting firm for the county's health insurance. McSherry stated that the flat monthly fee of \$3,000.00 is the same as last year.

MOTION: Cary Groninger

TO: Approve the contract renewal with

SECOND: Brad Jackson

Creative Benefit Solutions for consultation

AYES: 3 NAYS: 0

regarding the county's health insurance

UNANIMOUS

IN THE MATTER OF PARKING CONTROL AGREEMENT WITH CITY OF WARSAW:

Robert Conley, County Commission President, presented a contract renewal with the City of Warsaw, for patrol and ticketing of unauthorized vehicles in the county parking lots behind Mad Anthony's and the Munson building. Chad Miner, County Attorney, will present the contract for signature at the next meeting.

MOTION: Brad Jackson

TO: Approve the contract renewal with City

SECOND: Cary Groninger

of Warsaw to patrol county lots behind Mad

AYES: 3 NAYS: 0

Anthony's and the Munson building

UNANIMOUS

IN THE MATTER OF WARSAW COMMUNITY PUBLIC LIBRARY BOARD APPOINTMENT:

Michelle Puckett, County Auditor, presented a Certificate of Appointment for Public Library Board Member. Puckett stated that 3 names had previously been presented for consideration.

Robert Conley stated that the Board has decided, on a recommendation, to appoint Tim Keyes.

MOTION: Cary Groninger

TO: Approve the appointment of Tim Keyes

SECOND: Brad Jackson

as Warsaw Community Public Library Board Member

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF 200 S & FERGUSON ROAD ORDINANCE:

Scott Tilden, County Highway Superintendent, came before the Commissioners and presented an ordinance for final approval of the all-way stop at the intersection of CR 200 S and Ferguson Road. Tilden stated that following multiple accidents with injuries at the intersection, they are hopeful that the all-way stop may help prevent future incidents.

MOTION: Cary Groninger

TO: Approve the Ordinance for an all-way

SECOND: Brad Jackson

stop at the intersection of CR 200 S and

AYES: 3 NAYS: 0

Ferguson Road

UNANIMOUS

ORDINANCE NO. 18-05-29-001 (2018051226)

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF AMENDMENT OF FLOOD CONTROL ORDINANCE:

Matt Sandy, Area Plan, came before the Commissioners and presented an amendment to Ordinance # 15-08-25-004, Document # 2015081697 ORDN. Sandy stated that the current flood control ordinance regulates improvements to homes built before 1987. Currently, those homes are allowed to make a one-time improvement, not to exceed 50% of the market value of the home. The amendment would allow multiple improvements as long as the total value of the collective improvements does not exceed more than 50% of the total market value of the home.

MOTION: Cary Groninger

TO: Approve the amendment of Ordinance

SECOND: Robert Conley

#15-08-25-004 to allow multiple

AYES: 2 NAYS: 0

improvements, collective improvements not to

Motion Passed, Brad Jackson abstained

exceed 50% of market value of the home

ORDINANCE NO. 18-05-29-002 (2018051225)
As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF US 30:

Cary Groninger stated that all the information from Thursday's meeting at the Warsaw High School's Performing Arts Center regarding plans for constructing a limited access highway that is proposed to replace the existing US 30 will be available on the County as well as the City of Warsaw website. Groninger stated that any public input on the information presented would be appreciated. Robert Conley shared that he had received numerous phone calls over the weekend regarding concerns for the project. Conley referenced the interchanges on US 31, south of Kokomo and stated that the feedback he has gotten from people who use it is positive. They seem to really like the efficiency of it but say it did take quite a bit of patience to get it done.

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

KOSCIUSKO COUNTY COMMISSIONERS
June 12, 2018

The Kosciusko County Commissioners met for their regular meeting on June 12, 2018 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley - President
Cary Groninger – Vice President
Brad Jackson

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

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

IN THE MATTER OF EMERGENCY MANAGEMENT AGENCY REQUEST FOR GRANTS:

Ed Rock, Emergency Management Agency (EMA) Director, came before the Commissioners with a request to apply for the following 5 grants:

- 1) 2019 Hazardous Materials Emergency Preparedness (HMEP) Grant- \$38,000 for hazmat training and exercise
- 2) EMPG Salary Grant- Reimburses the County for 50% of the EMAs Director and 50% of the EMAs Administrative Assistant's wages
- 3) 2018 Homeland Security Program Grant- \$30,000 or \$100,000 if EMA collaborates with law enforcement. Rock stated that he and the Sheriff have a project in mind to put an alert system throughout a large number of local schools
- 4) EMPG Competitive Grant- \$30,000 for security in public education
- 5) Infrared Capable Drones Grant- \$30,000 for use in searches within situations such as lost children. Rock stated that the capability to search after dark would be a significant asset to the County

MOTION: Cary Groninger
SECOND: Brad Jackson
AYES: 3 NAYS: 0
UNANIMOUS

TO: Approve requests to apply for all 5 grants: 2019 Hazardous Materials Emergency Preparedness Grant, EMPG Salary Grant, 2018 Homeland Security Program Grant, EMPG Competitive Grant & Infrared Capable Drones Grant

IN THE MATTER OF KABS 2019 INDOT OPERATING GRANT:

Amanda Landis, General Manager of Transportation, came before the Commissioners with a request for signatures on the 2019 5311 Operating Permit Application, which is annually submitted to INDOT. Landis stated that this year's application contains a capital request for 2 new buses, which will replace 2 existing buses that are each more than 8 years old.

MOTION: Cary Groninger
SECOND: Brad Jackson

TO: Approve KABS application for the 2019 INDOT Operating Grant

AYES: 3 NAYS: 0
UNANIMOUS

IN THE MATTER OF NON PROFIT 2019 BUDGET REQUESTS:

The following Non Profit organizations appeared before the Commissioners to request funding for the 2019 budget year.

- ❖ **Historical Society** –Greg Steffe, newly appointed Co-Director, and Jerry Black, Museum Treasurer, came before the Commissioners and requested the amount of \$23,000 for 2019, which Black explained is a slight increase from last year’s request, due to steadily increasing utility bills. Black also explained that the amount requested covers the basic expenses. They will continue to apply for grants and conduct fundraisers throughout the year to help support and improve the Historical Society and its various projects. The amount of funding will be used to maintain the current level of operations. Black stated genealogy continues to be very popular at the Historical Society and that tours continue. He stated that the museum had recently hosted a tour based on the history of John Dillinger’s travels through the area, that it was very successful and that they hope to schedule similar events in the future. Current projects include digitization of local obituaries for the Beacon site as well as digitization of old agricultural records.
- ❖ **4-H Council** – Elizabeth Zorn, 4H summer intern, and Brock Ostrom, 4-H Council Secretary, came before the Commissioners and requested the amount of \$42,845 for 2019. Zorn stated that 4-H programming has expanded by bringing hands-on STEM lessons to youth at the YMCA, sharing career preparation information with youth through the INWork program, and expanding the GRL PWR program to include evidence-based teen sexual health curriculum. Zorn also stated that that they have been able to incorporate the Operation Fit Kids Curriculum and piloted that program with youth at the Northern Indiana Hispanic Health Coalition and grew a partnership with the Warsaw/Wayne Township Fire Department to offer a new Fire Education project. The 4-H program has expanded by 8% this year to support 789 youth and 259 volunteers.
- ❖ **Cardinal Services** – Randy Hall, President/CEO, came before the Commissioners and thanked them for their past and continued support. Hall stated Cardinal Services is requesting \$98,953 for 2019. Hall explained the funds will be used for financial support of three programs offered by Cardinal Services: Head Start (services economically challenged children from birth through age 5 and is directed at preparing them for success in school), Career Link (services adults with developmental and physical disabilities and helps them to acquire gainful employment within the community) and KABS (bus services provided throughout the county). Hall stated they served over 4,500 individuals through those programs.
- ❖ **Home Care & Hospice** – Glenn Hall, Executive Director, and Brittany Petersen, Business Development and Marketing Manager, came before the Commissioners and thanked them for their support since 1995, and requested \$46,200 for 2019 for the REAL Service Program to help support the under-funding by the state. Hall stated that the purpose of their program is to help patients remain in their homes as long as possible. It helps reduce the stress of financial difficulties. Hall stated that in 2017, their homemakers, aids and nurses made over 9,000 visits and drove over 39,500 miles. Currently they are servicing 97 patients and they are anticipating advancing technology requirements in the near future that will make it increasingly difficult to service the also increasing needs of the community.
- ❖ **Beaman Home** – Tracie Hodson, Executive Director, came before the Commissioners and thanked them for their support over the years and requested \$40,000 for 2019. Hodson stated that the new facility opened in July of 2017. The new Parker Street facility houses two wings, a men’s and a women’s wing, as well as an adjacent outreach center. Services within the building include 24/7 emergency shelter, as well as non-residential programs such as outreach, life skills, mental health counseling, specialized children’s services, housing/rental assistance, peer recovery coaching, sexual assault advocacy and more. Hodson stated that funds would help offset the expenses associated with operating a 24/7/365 crisis and intervention program for our community’s victims of domestic violence and/or sexual assault.

- ❖ **Kosciusko Community Senior Services (KCSS)** – David Neff, Executive Director, thanked the Commissioners for their continued support. Neff requested an amount of \$29,700 for 2019. Neff explained that collaborations with other non-profit organizations allows them to maximize the services they are able to provide to seniors within the community, describing a situation where they were able to get a significant reduction in the cost of medications for someone on the Home Health Care Program. Neff stated that KCSS provides handicapped rides for seniors. The rides are prioritized with medical being first, nutrition being second, and recreation being last. KCSS also serves mobile meals to seniors at their homes throughout the entire county, with approximately 500 meals served daily, 5 days a week. In addition, roughly 3,200 meals are served at the Senior Center each year.
- ❖ **Animal Welfare League (AWL)** – Katey Wilks Zeman, new Executive Director, and Woody Zimmerman, Board President, came before the Commissioners and requested a renewal of monthly program support, with monthly payments in the amount of \$6,806.35 (an annual total of \$81,676.20), along with a one-time donation of \$500,000 for support in the continuing efforts to construct their new facility. Wilks Zeman stated that within the last 5 years, AWL has been able to assist nearly 10,000 cats and dogs and thanked the Commissioners for their on-going support. Wilks Zeman stated that the new facility will double the capacity of the existing structure, allowing the AWL to help even more animals.
- ❖ **Bowen Center** – Kurt Carlson, President and CEO, requested \$639,710 for 2019 which is the amount mandated by the State. Carlson thanked the Commissioners for their support over the years and stated Bowen Center strives to meet the mental health and addiction needs of the communities they serve, which includes Kosciusko County.
- ❖ **St. Joseph River Basin** – Matt Meersman, Program Director, requested an amount of \$3,492 for 2019. Meersman stated the river basin covers seven counties in Northern Indiana including the top third of Kosciusko County. The mission of the basin is to be an advocate for water quality to help write a forum of regional discussion across the entire watershed about different issues such as environmental impacts to our waterways and surface water quality. Meersman stated according to Indiana Code 14-30-3-24, each member county may appropriate funds to cover a portion of the Commission's budget. Meersman continued it states the apportionment amount counties shall be directly related to the amount of land area each county has in the river basin. Kosciusko County has approximately 65,280 acres that drain to the St. Joseph River, which represents about 6% of all the land area in the basin. Meersman stated that based on these guidelines and the current operating expenses, the calculation comes to requesting the amount listed above for 2019.

IN THE MATTER OF JUSTICE BUILDING SECURITY SYSTEMS:

Chad Miner, County Attorney, stated that due to the age of the current security system within the Justice Building, there is a growing concern that anticipated failures could cause significant issues. Miner made a suggestion to proceed under the special purchasing method to secure quotes. Marsha McSherry, County Administrator, added that due to the age of the system, it is growing more difficult to get parts to make repairs and that if the system fails and parts are no longer available, it could potentially disrupt the system for a period of up to 9 months until a new one could be installed. Miner stated he has prepared a Resolution 18-06-12-001, if approved, for McSherry to proceed under the special purchasing method. McSherry stated that due to the anticipated cost of a new system, final approval would need to be obtained from the Commissioners and the Council.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the Resolution 18-06-12-001
for County Administrator to operate under
special purchasing method.

RESOLUTION NO. 18-06-12-001 (2018060580)

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF THE MUNSON AND THE OLD JAIL PARKING LOTS:

Chad Miner, County Attorney, presented an agreement to continue the existing contract with the City of Warsaw. Miner stated that historically the City of Warsaw has provided the policing of the parking regulations for the Munson and the Old Jail parking lots.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the agreement with the City of Warsaw to continue to empower the regulation of the parking Ordinance for the Munson Lot and the Old Jail Lot.

IN THE MATTER OF THE CHAPMAN LAKE SEWER DISTRICT UPDATE:

Chad Miner, County Attorney, stated that there have been 2 meetings with the Regional Sewer District and residents in the Chapman Lake area. Miner stated his impression was that the information provided to the residents was favorably received and that some residents even appear to be excited about the possibility of a sewer district. Miner stated that setting a specific boundary for the properties to be encompassed within the sewer district would be the next step in the process. Miner introduced Ken Jones, President of Jones Petrie Rafinski Corp, who stated that in order to develop a preliminary design for the project they would need to know what specific properties would be included. Commissioner Groninger suggested that Jones prepare a general map including the properties that would obviously qualify and also to include color coded areas that Jones would suggest to encompass. Jones stated he would provide maps to show his recommendations for the Commissioners review. Miner confirmed with Jones that the deadline to approve the boundaries will be the end of July.

IN THE MATTER OF SOLID WASTE PERF:

Marsha McSherry, County Administrator, presented a Resolution for the Solid Waste District to join the Public Employees Retirement Fund. McSherry stated that it is necessary since the County Auditor is the controller for the Solid Waste District and issues the pay checks, which qualifies them for PERF.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the Resolution for the Solid Waste District to participate in the Public Employees Retirement Fund.

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

KOSCIUSKO COUNTY COMMISSIONERS
June 26, 2018

The Kosciusko County Commissioners met for their regular meeting on June 26, 2018 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley - President

Cary Groninger – Vice President-Absent

Brad Jackson

Chad Miner - County Attorney

Jaime Ladd - Auditor's Chief Deputy

Marsha McSherry - County Administrator

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

IN THE MATTER OF JUNE VETERAN OF THE MONTH:

Rich Maron, Veteran Affairs Officer, came before the Commissioners with the June Veteran of the month, Richard Allen Irwin. Maron began by stating Irwin was born in Warsaw, May 10, 1948 to Dale and Erlene Irwin. Growing up in the Atwood area, Irwin graduated from Mentone High School in 1966. After graduation, Irwin was employed by Sun Metal until being drafted into the Army in 1967. Irwin did his basic training at Ft. Campbell, Kentucky and his AIT at Ft. Sill, Oklahoma. Following AIT, in March of 1968, Irwin was sent to Vietnam.

Maron continued that while Irwin was stationed at Cameron Bay, his MOS was field observer, where he was tasked with carrying over 200 pounds of equipment on his back. On November 14, 1968, while Sargent Irwin was helping fortify the tactical operations center at landing zone vera, an enemy round impacted nearby, seriously injuring one of his comrades. Braving the continuous enemy fire, Irwin ran to the aid of the wounded soldier and brought him to a place of safety. Then, exposing himself to enemy fire, Irwin dashed the length of the firebase to secure medical aid for his wounded friend and call for an evacuation helicopter to get him out of there. Irwin was awarded the Army Commendation Medal and the Bronze Star Medal for Heroism for his actions. Irwin's unrelenting loyalty, initiative and perseverance brought him wide acclaim and inspired others to strive for excellence.

Irwin surprised his parents, returning home on his 21st birthday in 1969. The next day, while celebrating his birthday, Irwin got a phone call from a young lady by the name of Libbie Faulkner, and within a couple of weeks, the two shared their first (blind) date. Irwin proposed on that very first date and although Libbie was initially speechless, the two were married five months later on October 3rd. They settled in Etna Green and raised a beautiful family, had 4 children and now enjoy 5 grandchildren, all of which are members of the Bourbon United Pentecostal Church.

Irwin returned to Sun Metal, where he worked as plant manager for 5 years, upon his return home from the Army. He worked on a chicken farm for a year and then worked in the Mill at the Burkett Elevator which took him all over the eastern United States, until 1982, when Irwin's health took a turn for the worse. Due to complications from the effects of Agent Orange, the nerve endings in Irwin's spinal cord were damaged, which has left him a paraplegic.

Maron went on to say what an amazing family to recognize today, that freedom is never free and that together, the Irwin family have paid the price together.

IN THE MATTER OF SHERIFF DEPARTMENT RECOGNITION AWARDS:

Rocky Goshert, Sheriff, came before the Commissioners with recognition awards, which he presented to Officer Daisha Dove & Corporal Kyle Cooper. Goshert stated that corrections officers are the ones that serve on the front line daily and are not recognized often enough for the jobs they do. Goshert recalled an incident within the jail, when an inmate, who had requested to go get some water, made an attempt to end his life. Goshert stated that because Officer Dove had been diligent in turning on lights and watching the inmate's actions on the video surveillance cameras, she, with the assistance of Corporal Cooper, was successful at saving the inmates life.

IN THE MATTER OF OFF ROAD VEHICLE ORDINANCE:

Chad Miner, County Attorney, came before the Commissioners with an updated Ordinance to be in compliance with a change in statute, which now requires that any county ordinances addressing off-road vehicles include specifics regarding the maximum permissible number of passengers on the vehicle. Miner stated that he added a sub-section to the existing ordinance that states: No person shall operate an off-road vehicle on a county highway within the Kosciusko County road system with a greater number of passengers than the vehicle is designed by the manufacturer to accommodate.

MOTION: Brad Jackson
SECOND: Robert Conley
AYES: 2 NAYS: 0
MOTION PASSED

TO: Approve sub-section added to the existing ordinance stating that no person shall operate an off-road vehicle on a county highway within the Kosciusko County road system with a greater number of passengers than the vehicle is designed by the manufacturer to accommodate, in order to be compliant with State statute.

ORDINANCE NO. 18-06-26-001 (2018061233)
As recorded in the office of the Kosciusko County Recorder.

IN THE MATTER OF ELECTRICAL SYSTEM INSPECTION OF JUSTICE BUILDING AND OLD COURTHOUSE:

Marsha McSherry, County Administrator, came before the Commissioners and presented a proposal from D & D Electric for preventative maintenance for the Justice Building and the Old

Courthouse. McSherry stated that the proposal is based on time and materials, not to exceed \$10,500.00. Services will include an investigation of the electrical systems in both buildings, using thermal imaging to look for abnormalities. They will provide pictures and a report of findings, as well as repair any loose connections that they find. McSherry added that this will assist the county in strategic planning and that this service is not something that will need to be done every year but possibly every 10 years.

MOTION: Brad Jackson
SECOND: Robert Conley
AYES: 2 NAYS: 0
MOTION PASSED

TO: Approve the D & D Electric proposal, not to exceed \$10,500.00 for an inspection of the electrical systems in the Justice Building and the Old Courthouse

IN THE MATTER OF 2019 EMPLOYEE HOLIDAY & MEETING SCHEDULES:

Jaime Ladd, Auditor's Chief Deputy, presented the 2019 Employee Holiday schedule along with Commissioner, Department Head and Council meeting schedules for approval.

MOTION: Brad Jackson
SECOND: Robert Conley
AYES: 2 NAYS: 0
MOTION PASSED

TO: Approve the 2019 Employee Holiday & Commissioner, Department Head & Council meeting schedules

IN THE MATTER OF JACKSON TOWNSHIP VACATION UPDATE:

Matt Sandy, Area Planning, came before the Commissioners and reported that the Petitioners in this matter did not appear for the last scheduled meeting and that the Board entered a continuance.

IN THE MATTER OF JUSTICE BUILDING SECURING DOORS DURING BUSINESS HOURS:

Rocky Goshert, Sheriff, came before the Commissioners and stated that the Judges are requesting that only the main entrances of the Justice Building and the Sheriff's Department be available to the public during business hours, specifically all interior doors should be secured. Goshert stated that there have been several people wondering the back hallways that were not authorized to be in those locations.

IN THE MATTER OF INVESTIGATOR'S COMMISSION VEHICLE:

Rocky Goshert, Sheriff, also came before the Commissioners to report that the Sheriff's Department has purchased a new investigator's commission vehicle. Goshert stated that two older vehicles with significant mechanical issues were traded, which reduced the purchase price.

IN THE MATTER OF CHAPMAN LAKE SEWER DISTRICT (EDMONDS):

Kevin Edmonds, came before the Commissioners and stated that he and his wife own non-waterfront property in the Chapman Lake area and that they disagree with being included in the proposed sewer district. Edmonds stated his concerns, which included unanswered questions regarding the disbursement of the sewage and the cost to people who he doesn't believe will benefit from the sewer system or who may not be able to afford the hook-up costs or the monthly fees. Edmonds also shared concerns he had with a statement he said Mr. Jones, representing a construction company, made at the first meeting, claiming that the majority of residents around the lake support the sewer district.

Chad Miner, County Attorney, responded by stating that Mr. (Ken) Jones is an engineer, who is conducting a study to determine whether a sewer district would be appropriate and that through his study, some of Mr. Edmond's concerns would conceivably be addressed, such as the disbursement of the sewage as well as the most cost effectiveness of the project to area residents. Miner added that until the study is completed, some questions will remain unanswered. Miner also stated that the purpose of the meetings, along with the study, is to determine the most appropriate strategy for the project.

IN THE MATTER OF CHAPMAN LAKE SEWER DISTRICT (KISER):

Jennifer Kiser, came before the Commissioners and stated that her residence, within the Hawthorn Estates Subdivision, is 3 years old and therefore, her septic system is only 3 years old. Kiser stated that her concerns, with being included in the proposed sewer district, encompass the opinions of her neighbors, most of whom own homes of similar age as hers.

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

KOSCIUSKO COUNTY COMMISSIONERS

July 10, 2018

The Kosciusko County Commissioners met for their regular meeting on July 10, 2018 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN.

Those present were:

Robert Conley - President
Cary Groninger – Vice President
Brad Jackson

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

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

IN THE MATTER OF COUNTY WEBSITE REDESIGN:

Chas Sandy, GIS Coordinator, came before the Commissioners to present the county's new website design. Sandy gave a demonstration, showing the new format and stated that the homepage was revised, using drone photos, which will be updated with the changing seasons and the data has been reorganized to make the website more attractive and easier for the user to navigate.

IN THE MATTER OF HEALTH DEPARTMENT RENOVATIONS:

Bob Weaver, Health Department Administrator, came before the Commissioners to give appreciation for the renovations done to the second floor. Weaver stated that the health department is enjoying their new office spaces.

IN THE MATTER OF COUNTY OWNED PROPERTY ON PALESTINE LAKE:

Chad Miner, County Attorney, came before the Commissioners to request approval to prepare land, owned by the County, for sale. Miner stated that a property owner has shown interest in purchasing property on the southwest corner of Palestine Lake. Miner stated that the land locked parcel is in a swampy area and that the interested party intends to use the parcel for recreation. The property was originally sold at tax sale. Miner stated he will begin by getting an appraisal on the property, and because more than one buyer may be interested, he will look into the possibility of an auction.

IN THE MATTER OF TIPPY/CHAPMAN REGIONAL SEWER DISTRICT:

Chad Miner, County Attorney, came before the Commissioners along with Ken Jones, Project Engineer, regarding the Tippy/Chapman Regional Sewer District boundaries. Jones presented a map showing the proposed boundaries. The same boundaries were presented at the Tippy Lake property owners' public outreach with the inclusion of the Oswego unincorporated community and the exclusion of Hawthorn Woods subdivision. Jones stated that following a meeting with the health department, it was determined that because Hawthorn is a newer subdivision, all existing residents would qualify for exemption due to the age of their septic systems but that even though Hawthorn was excluded, residents could opt to hook up in the future as their systems age.

Jones stated that further revisions can be made to the boundaries up until IDEM approves the projected plan and that the Commissioners approval is for the purposes of filing the initial petition with IDEM. Miner further explained that creating broader boundaries makes the project easier to adjust going forward, stating that it is easier to remove parcels from the project than to add them.

Commissioner Conley recommended that Chapman Lake homeowners create a Board of Directors for additional guidance in the planning process, as it has been successful for Tippy Lake.

MOTION: Cary Groninger
SECOND: Brad Jackson
AYES: 3 NAYS: 0
UNANIMOUS

TO: Approve the boundaries as presented with rights reserved to make adjustments as additional information presents itself once mailings are sent to residents

David Lee, resident of Hawthorn Addition, along with Carl Sowers, President of Hawthorn Homeowners Association, came before the Commissioners to inquire as to how far down 8 Square Road the project is planned. Commissioner Groninger stated that the projected boundaries run close to the lake and do not include any properties on 8 Square Road. Appreciation was given to the Commissioners for listening to concerns and answering questions throughout the process.

Robin Sweeny, resident of Lake Forest Addition, along 450 N, came before the Commissioners and stated that she and her husband do not support the sewer district. Sweeny stated that while they live close to the lake, they do not have access to the lake and that one of the reasons for purchasing their property was that it had its own septic system. Sweeny stated that they do not want to be forced to participate in the sewer district.

Carol Edmonds, also a resident along 450 N, came before the Commissioners and stated that she and her husband are against the sewer district. Edmonds stated that she cannot see the lake from her property and therefore doesn't agree that they should be included.

IN THE MATTER OF DAMP PROOFING THE JUSTICE BUILDING:

Marsha McSherry, County Administrator, presented a proposal of \$13,500.00 by Masonry Solutions to seal the limestone on the exterior of the Justice Building. McSherry stated that Masonry Solutions is currently painting the limestone and that sealing is the final step of the project.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the proposal of \$13,500.00 by Masonry Solutions to seal the limestone exterior of the Justice Building

IN THE MATTER OF APPOINTING I-TAP ADMINISTER:

Marsha McSherry, County Administrator, presented a letter for signatures, announcing Scott Tilden, Superintendant of the Kosciusko County Highway Department as the new administrator for I-Tap.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the appointment of Highway Superintendent, Scott Tilden as I-Tap Administrator

IN THE MATTER OF WAWASEE ROBOTICS CLUB:

Representatives, Micah Rassi, Taylor Fedeke, Vanesessa Wright and Joe Kelsheimer along with instructor Jed Wandland of the Wawasee Robotics Club, came before the Commissioners and gave a demonstration, showing off the cone stacking skills of the robot they designed, built and were successful with at both state and world competitions. They shared with the Commissioners that their team's robot took 9 months to design and that out of 11 tournaments, it won 7, placing it 3rd in the world.

IN THE MATTER OF HIGHWAY-RAILROAD GRADE CROSSING FUND FY19:

Scott Tilden, County Highway Superintendent, came before the Commissioners to request permission to apply for the Railroad Grade Crossing Fund FY-19 Grant. Tilden stated that the 100% reimbursable grant of \$42,250 will be used for railroad crossing safety improvements including advanced warning pavement markers with stop bars at 59 locations. Tilden stated that the work would be contracted out and that with the amount of locations needing the upgrades, he was able to negotiate a good price.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the request to apply for the Railroad Grade Crossing Fund FY19 Grant in the amount of \$42,250

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

KOSCIUSKO COUNTY COMMISSIONERS

July 24, 2018

The Kosciusko County Commissioners met for their regular meeting on July 24, 2018 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN.

Those present were:

Robert Conley - President
Cary Groninger – Vice President
Brad Jackson

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

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

IN THE MATTER OF KEDCO QUARTERLY UPDATE:

George Robertson, KEDCO President, came before the Commissioners and stated that the economy is strong and still growing. Robertson stated that he anticipates even more growth with three announcements that are expected and that they should bring well over one hundred jobs. In addition, Robertson stated that in order to keep the companies we currently have, we must focus on our workforce by making education more readily available in the areas in which we have employment availability, more specifically our orthopedic industry. Robertson continued by stating that in order to entice the next generation to stay or to move into our community, we must provide housing that they can afford. Workforce housing, as Robertson described, is housing within the price range of \$150,000 to \$210,000. Robertson went on to say that a meeting with the county's realtors and builders is planned for August where research will be done to determine what type of housing people are asking for. That information, Robertson stated, will be critical in leading the developers in the direction of what is most desirable.

IN THE MATTER OF VETERAN OF THE MONTH- JOHN HENRY (JACK) ANGLIN:

Rich Maron, Veterans Affairs Officer, came before the Commissioners to recognize John Henry (Jack) Anglin as July's Veteran of the Month. Maron began by stating that Anglin, who was the youngest of 8 boys and 1 girl born to Washington and Grace Anglin, spent his childhood working on the farm in the Millwood area north of Etna Green. After graduating from Atwood High School in 1939, Anglin worked for a shoe repair shop in Nappanee and then drove a milk truck for Elmer Martin. While delivering milk to the Wilson Cheese Factory off Argonne Rd, Anglin met (Elizabeth) Bette Mikesell, who was a secretary in the office. Their first date was October 30, 1941 and a June wedding was planned but after the attack on Pearl Harbor, they decided to move their plans since he was sure he would be drafted into military service. They were married New Year's Eve 1941 and their first child, John Jr., was born in October, 1942.

In January of 1943, Anglin reported for induction into the Army at Camp Perry in Port Clinton, OH, then for basic training at Camp McCain in Grenada Co, Mississippi, and then onto Redding, PA to the 7th College Training Detachment of the US Army Air Force for training as a pilot. Before he had completed the College training, the program had enough trainees and was discontinued. All pre ground forces personnel were returned to Camp Pickett, VA where Anglin was assigned to the Cannon Company of the 78th Lighting Division.

Anglin was deployed to active service in the European Theatre. He took a train from Warsaw to NY Harbor. There, all soldiers boarded the MV Carnarvon Castle, a British ocean liner that was requisitioned to transport troops to Europe. Anglin recalls spending his birthday (11/21/43) in a muddy foxhole somewhere in Eastern France while waiting to be moved to the front lines.

Anglin was involved in:

- The Battle of Hurtgen Forest, which was the longest battle on German ground during WWII and the longest single battle the US Army has ever fought
- The Battle of the Bulge, which was the 3rd most lethal American battle by an estimated 19,276 Americans killed. Anglin's brother, Bill, was injured in this battle and later died from his wounds.
- The Battle at Remagen, which resulted in the unexpected capture of the Ludendorf Bridge over the Rhine and likely shortened WWII in Europe. Anglin was in a jeep, performing reconnaissance along the Rhine River to establish forward gun positions for

their cannons when he and his driver saw their first jet plane, flying along, dropping bombs and trying to destroy the Ludendorf Bridge, which was the railroad bridge at Remagen, the only remaining 1 of 42 across the Rhine. Anglin said it soon became an air show because the Germans were sending everything they had to try to destroy the bridge, as to prevent the allies from crossing into Germany. They were receiving small arms fire from across the river, which was about 800' wide at that point. They drove west onto roads away from the river to Unkelbach and set up their positions there. A private home was selected to use as their command post and the family moved in with relatives. Anglin recalls that although the residents were not allowed to fraternize with the allied soldiers, they would hide food and chocolate bars in the dresser drawers so when the mother and her 5 year old son would come each day to retrieve clothing and other items from their home, they would find the treasures. After the bridge was captured, the allies moved across pontoon bridges, constructed by the Army Corps of Engineers into Germany, which was instrumental in ending the war in the European theatre in May 1945.

After capitulation, Anglin went to Marseilles, France where he boarded a liberty ship that sailed the Mediterranean Sea, through the Straights of Gibraltar and onto Hampton Roads, VA. He and the troops from his unit then traveled by train to Camp Atterbury, IN where they were discharged.

Upon returning from the war, Anglin returned to his milk route. He and Bette bought a home just east of Etna Green, where they lived with John. In 1947, their son, Neal, was born, a daughter, Beth, in 1948 and another daughter, Sarah, in 1951. In 1952, Anglin and his brothers Wallace (Monk) and Dallas (Dal) founded Clunette Elevator in Clunette. In 1952, the Anglins bought a centennial house west of Clunette to be near the elevator. Anglin retired from the elevator shortly before Bette passed away on October 30, 2007, exactly 66 years from the day of their first date. Anglin is currently living west of Clunette and will be 97 in November. Anglin's son, John Jr., passed away in 2012 and Anglin has 8 grandchildren and 10 great-grandchildren.

Anglin attended the 50 year Commemoration of WWII in Germany in the spring of 1995. While there, Anglin visited the grave of his brother, Bill, at the American Cemetery and Memorial. Following the ceremony, Anglin (the only member of his unit that attended), was found by the then 55 year old man whose house was used as their command post. He took Anglin for dinner and returned him to his hotel after a tour of the area. The man credited Anglin and his unit for saving his family, as they had little food during the war.

IN THE MATTER OF ACCELINX STATUS UPDATE:

Brad Bishop, Executive Director, OrthoWorx, and Dave Anderson, Chief Operator, AcceLINX, came before the Commissioners. Bishop stated that AcceLINX is a for profit entity, created as an extension of OrthoWorx, with its own board of directors. Anderson continued by presenting the annual progress report, stating that AcceLINX have had discussions with forty-four potential start-up entities and are actively engaged in consulting with six of them, two of which are located in the area and four of them, outside of the state and as of the end of the 2018 fiscal year, they have had proceeds from fee-for-service revenue as well as equity for services in the amount of \$88,000, most of which has occurred within the last six months, so they are projecting a significant increase for next year. Anderson continued by stating that two of the start-ups that are located outside of the state, are interested in locating in Warsaw.

As AcceLINX continues to expand and attract businesses to the area, Anderson stated, they foresee needing a larger space to accommodate the needs of their clients. They have been in discussions with the city, as well as private enterprises, about acquiring a larger space. In addition, Anderson stated that they expect expansion of their accelerator activities through additional consulting services and also through identifying promising intellectual property, much of which is housed at some of the universities around the state. With this in mind, Anderson stated that a memorandum of understanding has been established with Purdue as well as IU and that the intention is to bring technologies that exist in those locations into this area to build teams and launch companies. Anderson continued, by stating that AcceLINX has held ongoing discussions with the leadership of University of Notre Dame's Innovation, Discovery and Enterprise Acceleration (IDEA) Center, which is a program developed to help entrepreneurs launch companies. Currently, Anderson stated, a "boot-camp" type educational program is in the works for the Warsaw area that would cater to musculoskeletal health entrepreneurs.

IN THE MATTER OF NON PROFIT RECOMMENDATIONS TO COUNTY COUNCIL:

Brad Jackson, Commissioner, stated he would like to make a motion to award the Non Profit Organizations, with the exception of the Saint Joseph River Basin, an increase of 3% for 2019. Saint Joseph River Basin will receive the amount they requested (\$3,492).

MOTION: Brad Jackson

SECOND: Cary Groninger (abstained from
AWL, Cardinal Services & Beaman Home)

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve to allow the Non Profit

Organizations to receive the same percentage
increase (3%) that the county employees

receive, with the exception of St Jo River

Basin who will receive their requested amount
of \$3,492

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

Chad Miner, County Attorney, and Ken Jones, Project Engineer with Jones, Petrie & Rafinski, came before the Commissioners to submit the boundaries for a revised approval. Jones stated that following some further discussion as well as review of the proposed boundaries, two changes have been made. The first was to remove a group of properties in the Lake Forest Subdivision that it has been determined, they either did not have access to the lake or they had such limited access that it did not seem appropriate to include them. The second change was to omit the unincorporated community of Oswego, which includes approximately 72 properties south of Armstrong Road in Oswego. Jones stated that changes to the boundaries, requires a new public mailing, therefore, he would request that the Commissioners act again on the revised boundaries to allow time for the public mailing as well as to provide an updated posting on the public site.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the revised boundaries to the

Tippy/Chapman Regional Sewer District,

omitting areas along CR 450S in the Lake

Forest Subdivision and the unincorporated
community of Oswego.

Visente Garza, resident of Lake Forest Subdivision, came before the Commissioners and stated he lives along CR 450S and does not wish to be included in the sewer district. Garza questioned the criteria for the exemption. The Commissioners directed Garza to Jones for more information and Jones clarified by stating that although he could give information, he does not have the authority to accept or deny an exemption request. Garza continued by questioning the locality of his property, stating that he has heard that if his property is within 300 feet of the sewer district, he could be forced to connect. Jones confirmed that there are enforcements set by the local health department and the State that could govern the ability of the property owner, in the event that their existing septic fails, to install future septic systems but may compel them to connect to sewer instead.

Joe Tynan, came before the Commissioners to show appreciation of the speed in which the project is coming together and to state that residents on the north side of Chapman are very happy.

**IN THE MATTER OF THE STATE RD 13 PROPERTY (FORMERLY OWNED BY
OWEN COBBUM):**

Chad Miner, County Attorney, requested approval from the Commissioners to accept a settlement agreement, stating that the SR 13 property will be sold to an unrelated buyer and that by doing so, both the current judgment of \$13,500 for legal fees in the matter of non-compliance as well as a prior judgment of an unknown amount will be satisfied. Miner stated that the continual non-compliance issues the BZA were turned over to the Commission years ago so accepting the agreement would require their approval.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the settlement agreement

regarding the State RD 13 property.

IN THE MATTER OF TEEN COURT GRANT:

Michelle Puckett, Auditor, presented an agreement between the County and the Bowen Center. Puckett stated that Bowen Center incurred some expenses in the initial phase of the Teen Court Grant and this agreement would allow the County to reimburse Bowen Center for those expenses. Puckett further stated that, going forward, all expenses will be paid by the County and that the expenses total approximately \$40,000 and that they are all to be paid out of the 100% reimbursable grant funds.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the reimbursement of Bowen Center for initial fees paid on behalf of the Teen Court Grant.

IN THE MATTER OF FLOOD CONTROL ORDINANCE AMENDMENT:

Matt Sandy, Area Plan, came before the Commissioners and presented a change to the flood control ordinance amendment that the Commission had previously approved. Sandy stated that when the amendment was presented to the DNR for review, they recommended a slight change in the way the amendment was worded, stating that it would more clearly accomplish the intention of that same amendment. To clarify, per the request of Commissioner Groninger, Sandy stated nothing was changed but the verbiage.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the revised flood control amendment using the verbiage recommended by the DNR.

ORDINANCE NO. 18-07-24-001 (2018071372)

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF THE REZONING REQUEST FOR NICOLE LAWRENCE:

Dan Richard, Area Plan, came before the Commissioners with a unanimous recommendation from the Area Planning Commission to rezone a parcel on the north side of Anchorage Rd from Industrial 2 to Commercial. Richard stated that the 2 acre tract was previously used by Dalton Corporation as storage and that the proposed plan is to have a beauty school on the property, which would require commercial zoning.

Nicole Lawrence, came before the Commissioners in support of the request to change the zoning from Industrial 2 to Commercial.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the recommendation to change the zoning from Industrial 2 to Commercial.

ORDINANCE NO. 18-07-24-002

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF THE REZONING REQUEST FOR JASON SCHWARTZ:

Dan Richard, Area Plan, came before the Commissioners with a unanimous recommendation from the Area Planning Commission to rezone a parcel on the east side of 200 W- near the Elkhart County Gravel Pit, from Agricultural to Agricultural 2. Richard stated that the 2.28 acre parcel was originally part of a 20 acre tract and that the sell offs are exhausted. Richard continued, stating that the previous owner (Powell) has agreed to combine the remaining acreage to absorb the sell offs. In addition, Richard stated that the 2.28 acre parcel previously had a residence on it and that the proposed plan is put a residence on the parcel.

Jason Schwartz, came before the Commissioners in support of the request to change the zoning from Agricultural to Agricultural 2

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

TO: Approve the recommendation to change the zoning from Agricultural to Agricultural 2, pending the combination of the remaining

UNANIMOUS

acreage by Powell.

ORDINANCE NO. 18-07-24-003 (Not to be recorded until Powell acreage is combined)

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF THE REZONING REQUEST FOR GEORGE FLOWERS:

Dan Richard, Area Plan, came before the Commissioners with an almost unanimous recommendation (due to one member abstaining) from the Area Planning Commission to rezone a parcel southwest of Nappanee, from Agricultural to Commercial. Richard stated that the 20 acre parcel is part of a large group of parcels, several of which have already been approved for rezoning from Agricultural to Commercial. This parcel, however, contains a large drainage ditch that is currently scheduled as a public hearing to discuss future plans for the Nappanee area drainage improvements. Richard stated that Nappanee's technical committee has been involved in working on the plans for development.

Steve Snyder, Attorney, came before the Commissioners in support of the rezoning request and to state that the City of Nappanee supports the request. Snyder stated that the city of Nappanee's goals include eliminating bicycle traffic off of SR 19 and that a bike path is planned. In addition, Snyder stated that the city of Nappanee is eager to correct existing drainage issues.

Commissioner Groninger, who in addition, serves on the Drainage Board, stated that they are aware that there is a significant drainage problem in this area. Groninger continued by stating that it is important that the property owner is aware that there is a possibility that a reconstruction of the tile may be necessary, which could prove very costly. In addition, Groninger stated that adding more commercial property, in these areas, will only lead to more drainage issues. Snyder replied by stating that the major commercial user, who is looking at that site, has already agreed to participate in the cost of the reconstruction, which they are aware is expected to be a cost beyond the normal reconstruction costs. To clarify, Snyder stated that the property owner agrees to absorb the costs for the reconstruction on his property, not the total expense of the entire project. Richard stated that the meeting scheduled for Thursday should prove sufficient in detailing the project.

MOTION: Brad Jackson

TO: Approve the recommendation to change
the zoning from Agricultural to Commercial.

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

ORDINANCE NO. 18-07-24-004

As recorded in the office of the Kosciusko County Recorder

**IN THE MATTER OF VACATION OF PUBLIC RIGHT OF WAY IN OLD WRAY
HOMESTEAD SUBDIVISION:**

Dan Richard, Area Plan, came before the Commissioners with a unanimous recommendation from the Area Planning Commission on a Petition to vacate a portion of public right of way in the Old Wray Homestead Subdivision. Richard stated that the right of way is located on the south side of Huffman Lake and the Petitioners are Adams and Warner. Richard presented a copy of the original plat of Old Wray, stating that US 30 was not part of the original plat, which changed the way the area was developed and the right of way was never developed into a roadway. Richard continued by stating that the Petitioners do not plan to make any changes to the property.

Steve Snyder, Attorney, came before the Commissioners in support of the vacation, stating that both Petitioners own property on both sides of the right of way and that vacating would allow them to combine their contiguous parcels.

MOTION: Brad Jackson

TO: Approve the recommendation to vacate
the public way of Old Wray Homestead
Subdivision

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

ORDINANCE NO. 18-07-24-005 (2018071373)

As recorded in the office of the Kosciusko County Recorder

KOSCIUSKO COUNTY COMMISSIONERS

August 7, 2018

The Kosciusko County Commissioners met for their regular meeting on August 7, 2018 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN.

Those present were:

Robert Conley - President
Cary Groninger – Vice President
Brad Jackson

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

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

IN THE MATTER OF AUGUST VETERAN OF THE MONTH –RICHARD WHITE:

Rich Maron, Veteran Affairs Officer, came before the Commissioners to introduce the August Veteran of the month, Richard White. White was born in Hammond Indiana, grew up in Roann and graduated from Northfield High School in 1965. White was drafted into the US Army in 1967, did his basic training at Fort Campbell, Kentucky and his advanced infantry training at Fort McClellan in Alabama. White was chosen to attend NCO school, where he studied leadership, tactics, language, customs and weapons explosives. White then trained to be a fire team leader in an infantry rifle platoon, which he graduated from in January 1968. In February, White was assigned to Fort Polk, Louisiana as a basic training instructor and two months later he got orders for Vietnam. White arrived in Vietnam in April of 1968 as a member of the 9th Infantry Division at Camp Bearcat in Southeast Saigon and from there he went to Dong Tam.

After White's in-country training period, he was assigned to Bravo Company 3/39th, where he spent the rest of his time in Vietnam. While on night patrol, June 7th, 1968, White was wounded by some shrapnel from a chinese claymore mine and after four weeks at Cam Rahn Bay Hospital, he rejoined his unit. They continued to run search and destroy missions, many times being airlifted into areas believed to be held by Viet Cong or NVA troops. In October, 1968, White was wounded a second time, while operating out of Rach Kein South Vietnam.

In February, 1969, White was wounded a third time, this time much more seriously. White was sent to Japan for several surgeries and then air lifted back to the states, where he spent several weeks at Valley Forge General Hospital in Pennsylvania recovering.

Because of White's service in Vietnam, he was awarded the Combat Infantry Badge, three Purple Hearts, two Air Medals for helicopter assaults, two Army Commendation Medals for meritorious service and one for heroism and after several months of rehabilitation, White was honorably discharged from the US Army.

Upon returning home, White joined the Wabash Indiana Police Department and graduated from the Indiana Law Enforcement Academy in 1971. White worked as a patrol officer for four years and then joined the Wabash County Sheriff's Department, where he obtained the rank of Captain, retiring in 1991. White then took a job as a regional loss prevention manager for a large clothing store, which took him all over the country.

Upon returning to the area, so he and his wife could be close to the grandchildren, White took a position as Court Bailiff for Judges Sutton and Jarrette. White retired after five years because his war wounds were getting the best of him. White and his wife, Karen, have been married for 29 years. They have 4 children, 9 grandchildren and 2 great-grandchildren. White is now enjoying his retirement and his hobbies, photographing wildlife and coin collecting.

IN THE MATTER OF KABS 2nd QUARTER REPORT:

Amanda Landis, KABS General Manager, came before the Commissioners and presented the 2nd quarter report for the INDOT contract invoice for April 1, 2017 to June 30, 2017 in the amount of \$115,819.00 (State share \$32,367.00 and Federal share \$83,452.00). Landis stated that during the 2nd quarter, KABS was able to provide 14,533 rides and traveled just under 69,000 miles and that these numbers are up, compared to last year. Landis continued by stating that KABS will be getting 2 new buses this week, replacing two with high mileage. Landis continued, stating that they are also getting new dispatch software, which will include iPads for

each bus. Landis stated this will allow dispatch to assign rides in real time, using GPS and adding rides to drivers that are already in the area.

IN THE MATTER OF TMA CONTRACT-:

Susan Engelberth, County Assessor, came before the Commissioners and presented a contract with Tax Management Associates, Inc (TMA), which would authorize them to conduct a personal property tax audit. Engelberth stated that the contract had previously been presented to Chad Miner, County Attorney, for review. Miner stated that he had reviewed the contract and believed it to be acceptable.

MOTION: Cary Groninger

TO: Approve the contract agreement with Tax Management Associates, Inc.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF HISTORIC PRESERVATION REQUEST:

Tom Van Meter, owner of the old post office building in downtown Warsaw and founder of Forte Residential and Home Health Care Services, which is the current tenant, came before the Commissioners and requested verbal support of the historical preservation of the old post office building. Van Meter stated that Forte Residential and Firstlight Enterprises, LLC are applying for a grant through the Indiana Office of Community and Rural Affairs (OCRA), which is intended to preserve and rehabilitate historic properties to help incentivize downtown economic development. In addition, Van Meter stated that the grant request requires approval that the objective is consistent with the County's vision for the preservation and development of the Historic District of Downtown Warsaw. Van Meter continued by stating that there is no request for funding from the city or county, only affirmation that improvement to the exterior of the old post office building is good for the Warsaw community and is consistent with the county's vision for promoting a vibrant, appealing historical downtown district. Van Meter stated that he does not believe that the grant requires a pass through agency and that it is paid directly to the project. Van Meter stated that while the scope of the work may seem modest, the effects of the renovations will be long lasting and help to ensure that the original character of the old post office is preserved. Van Meter continued, stating that the original arched wood framed windows and other wood framed windows along with the wrought iron railings around the lower level will be repaired as needed and refinished.

By consensus, the Board of Commissioners agreed and proclaimed that it supports the efforts to preserve and restore the historical old post office building.

IN THE MATTER OF EMERGENCY MANAGEMENT TRAINING:

Ed Rock, Emergency Management Director, came before the Commissioners and stated that the Indiana Department of Homeland Security is in the process of upgrading their standards for emergency management and will be holding a training seminar in September. Rock continued by stating that FEMA will pay for the rooms and therefore, requested the county compensate for the travel expenses.

MOTION: Cary Groninger

TO: Approve the compensation of travel expenses to attend the Emergency Management training seminar.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF REQUEST FOR ALTERNATE COUNSEL FOR THE COUNTY:

Chad Miner, County Attorney, stated that it is typically his duty to provide counsel and advice to the Commissioners as well as employees of the county but stated that he believes it would be beneficial, in the event of a conflict, to have another attorney available so that employees would not be limited to just one opinion. Miner continued by stating that Scott Reust, from Rockhill Pinnick LLP has provided assistance in the past to employees with questions and that Miner believes Reust would be willing to act in that capacity.

MOTION: Cary Groninger

TO: Approve Scott Reust as assistant county counsel, available to county employees as an alternative to only having one option

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF GAS PIPE REPLACEMENT AT HIGHWAY GARAGE:

Marsha McSherry, County Administrator, presented a proposal from CORE Mechanical Services in the amount of \$18,422.40 to repair and/or replace gas piping and gas regulators after these items failed the air pressure test requested by NIPSCO. Commissioner Groninger stated that he visited the site with McSherry and inquired about an alternative or a less expensive method of resolving the situation but was satisfied with this proposal.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the proposal of \$18,422.40 from CORE Mechanical Services to repair and replace gas piping and regulators at the county highway garage

IN THE MATTER OF FIRE DISTRICT 2 FY19 INFRASTRUCTURE & REGIONAL PUBLIC SAFETY GRANT REQUEST:

Michelle Puckett, County Auditor, presented a request for the Fiscal year 2019 Fire District 2 Grant, which Puckett stated helps provide training for the fire department and is a grant that the County has administered for several years. Puckett continued by stating that the pass through grant does allow for a small administrative fee that the Auditor's office can use to purchase computers. Ed Rock, Emergency Management Director, explained further that the grant is designed so that the State does not have to divide funds between every individual fire department but groups them into districts and distributes accordingly.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the request to apply for the FY19 Fire District 2 grant

IN THE MATTER OF UNEXPECTED ROAD CLOSURE UPDATE:

Scott Tilden, County Highway Superintendent, came before the Commissioners to present an update regarding the unexpected road closure on Armstrong Road over Grassy Creek, which is west of State Road 13 where Armstrong Road turns into 500N. Tilden stated that the collapse of a culvert pipe created a suck hole, which was the result of deterioration of the culvert. Tilden further stated that there are four culverts in that location and that the inspection reports had projected that two of the culverts were due to be replaced next year but that they just didn't hold out. Tilden continued by stating that the contractor is currently onsite and working to resolve the situation and that the road will reopen as soon as it is safe to do so.

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

KOSCIUSKO COUNTY COMMISSIONERS
August 21, 2018

The Kosciusko County Commissioners met for their regular meeting on August 21, 2018 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley - President

Cary Groninger – Vice President

Brad Jackson

Chad Miner – County Attorney

Michelle Puckett – Auditor

Marsha McSherry – County Administrator

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

IN THE MATTER OF PRECINCT BOUNDARY CHANGES:

Ann Torpy, County Clerk, came before the Commissioners with an Order Establishing Precincts. Torpy stated due to an annexation and changes to a few council district lines, precinct lines needed to be reestablished and revised in certain precincts within the County, pursuant to IC 3-11-1.5.

MOTION: Cary Groninger

TO: Approve the precinct boundary changes

SECOND: Brad Jackson as presented
AYES: 3 NAYS: 0
UNANIMOUS

IN THE MATTER OF KABS – LIMITED POWER OF ATTORNEY:

Amanda Landis, KABS Director, came before the Commissioners with a Limited Power of Attorney for the exclusive use of vehicle transactions, to be used only for the execution of title transfers on the newly purchased buses.

MOTION: Brad Jackson TO: Approve the limited power of attorney for
SECOND: Cary Groninger the purpose of vehicle transactions
AYES: 3 NAYS: 0
UNANIMOUS

IN THE MATTER OF REYNOLDS TO TOPEKA NIPSCO ROAD DAMAGE :

Chad Miner, County Attorney, presented a letter of acceptance in the matter of reimbursement for road damage caused by NIPSCO construction during the work on the Reynolds to Topeka project. Miner stated County Highway Superintendent, Scott Tilden, estimated the damages at approximately \$83,000. NIPSCO is in agreement to reimburse the County \$80,000.

MOTION: Brad Jackson TO: Approve the agreement to accept the
SECOND: Cary Groninger settlement amount of \$80,000 for
AYES: 3 NAYS: 0 reimbursement of road damage
UNANIMOUS

IN THE MATTER OF TIPPECANOE-CHAPMAN LAKE PUBLIC MEETING:

Chad Miner, County Attorney, presented notice of the public meeting scheduled for consideration for filing the Tippy-Chapman Regional Sewer District Petition with IDEM. Miner stated the public meeting will be held September 29, 2018 at 1:00 PM in the gymnasium of the North Webster Community Center, formerly the North Webster Elementary School. Miner continued, stating a radio broadcast will be done and direct mailings will be issued to the property owners within the projected boundaries. Ken Jones, project engineer with Jones, Petrie & Rafinski stated progress is being made within the project and things within the timeline are progressing as expected. Jones stated he continues to receive communication from some property owners but in order to stay within the agreed upon timeline of the project, notices will soon need to go out. Jones continued, stating although the Commissioners have been willing to make minor adjustments to the boundaries up to this point, the September 29th meeting should be considered as opportunity for the public to voice opinions and concerns and suggested the Commissioners send notices to the broadest list of property owners being considered and those who qualify for exemption could be taken off the list at a later time. Jones also suggested creating a list of those who wish to be exempt and reviewing them as a group once the public meeting is held, as opposed to addressing each one individually.

Harry Couse, Chapman Lake resident, came before the Commissioners and stated he has a petition, containing over 200 signatures of Chapman Lake residents who are against the sewer district in their area. (Couse did not bring the petition before the Commissioners but stated it could be made available.) Couse stated he disagrees with the lack of publication of the residents who do not want the sewer district and in his estimation, the number of people who oppose it is around 70%.

Vinsente Garza, Chapman Lake area resident, came before the Commissioners requesting information on who will be receiving notices. Miner stated everyone in the proposed district will receive notice. Garza stated his concern is his property was removed from the list but his understanding is any property owner within 300 feet of the sewer line may be required to connect to the sewer if their septic fails in the future. Jones stated determinations in those matters would be made by the County Health Department on an individual basis and he would not speculate on the future outcome of those issues.

Elaine Kokenge, Chapman Lake resident, came before the Commissioners and stated she feels her American rights are being infringed upon by the impending sewer district project. Kokenge stated the septic system she currently has is working properly. Kokenge continued, stating she is concerned about anticipated fines applied if residents are not connected to the sewer in a timely

manner. Commissioner Conley stated it is too early in the process to predict such details since the Boards that will make those determinations have not yet been created.

**IN THE MATTER OF ORDINANCE AMENDING PERSONEL POLICIES
HANDBOOK:**

Marsha McSherry, County Administrator, presented an Ordinance amending the County's personnel policies handbook. McSherry stated two amendments would be made to the policy regarding return of property and use of cellular phones.

MOTION: Cary Groninger

TO: Approve the Ordinance Amending
Personnel Policies

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

**IN THE MATTER OF VACATION FOR JEFFERY & STACEY LINNERT –
TIPPECANOE TOWNSHIP:**

Dan Richard, Area Plan Director, and Richard Helm, Attorney for the Petitioners, came before the Commissioners with a request to vacate a portion of undeveloped roadway in Sho Sho Ni Village, on the east side of James Lake, Tippecanoe Township. The Petitioners are Jeffrey and Stacey Linnert. Richard stated the proposed roadway to be vacated was part of a plat that was created and although lots were sold off based on the design of the plat, the plat was never recorded. Richard continued, stating the adjacent property owners have been notified and are in agreement to allow the vacation and the Area Planning Commission agreed, with a vote of 8 to 1, to allow the vacation of the unplatted roadway. In addition, Richard stated the roadway has never been used as public roadway and is not county-maintained. Helm stated he was made aware, after the Area Plan Board's 8 to 1 vote, an error was made in describing the vacation to the adjacent property owner, Tim Pinnick. Helm continued, stating once Pinnick understood he would be receiving half of the vacated roadway, Pinnick stated he would not have requested a vote of opposition.

Tim Pinnick, adjacent property owner, came before the Commissioners and stated he does not oppose the vacation of the roadway.

MOTION: Cary Groninger

TO: Approve Ordinance 18-08-21-001 for the
vacation of the undeveloped roadway as
recommended by the Area Planning
Commission

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

ORDINANCE NO. 18-08-21-001 VAC (2018081058)

As recorded in the office of the Kosciusko County Recorder

**IN THE MATTER OF JEFF STROMBECK – REZONING FROM AGRICULTURAL TO
COMMERCIAL USES:**

Dan Richard, Area Plan Director, and Steve Snyder, Attorney for Petitioner, came before the Commissioners with a rezoning request for Petitioner, Jeff Strombeck. Richard stated the request is to rezone 17.5 acres off the northwest corner of the intersection of SR 13 and Armstrong/500N from agricultural to commercial. Richard stated the Area Planning Commission voted, unanimously, to approve the rezoning request.

Snyder presented maps showing the proposed area for rezoning and stated the intention of the developer is to create an intersection across from the existing intersection.

MOTION: Brad Jackson

TO: Approve Ordinance 18-08-21-002 for the
rezoning from agriculture to commercial use as
recommended by the Area Planning
Commission

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

ORDINANCE NO. 18-08-21-002 Rezone (2018081059)

As recorded in the office of the Kosciusko County Recorder

**IN THE MATTER OF ORANGE CAT – REZONING FROM PUBLIC USE TO
RESIDENTIAL:**

Dan Richard, Area Plan Director, came before the Commissioners with a rezoning request for Petitioner, Orange Cat. Richard stated the request is to rezone 11.64 acres that was once known as the Smith-Walbridge Camp in Turkey Creek Township, from public use to residential.

Richard stated all parties involved are aware of the property's significant developmental limitations such as wetlands and lowlands. Richard continued by stating the Area Planning Commission voted, unanimously, to approve the request.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve Ordinance 18-08-21-003 for the rezoning from public use to residential as recommended by the Area Planning Commission

ORDINANCE NO. 18-08-21-003 Rezone (2018081060)

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF ROSE COTTON – REZONING FROM AGRICULTURAL TO RESIDENTIAL:

Dan Richard, Area Plan Director, came before the Commissioners with a rezoning request for Petitioner, Rose Cotton. Richard stated the request is to rezone 6.1 acres on the north side of CR 700S, a few hundred feet from 200W, within the town of Claypool, from agricultural to residential. In addition, Richard stated the tract currently contains a residence and the intention is to sell off and plat additional residences.

Rose Cotton, Petitioner, came before the Commissioners and stated the intention is to allow her daughter to put a residence on the property.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve Ordinance 18-08-21-004 for the rezoning from agricultural to residential as recommended by the Area Planning Commission

ORDINANCE NO. 18-08-21-004 Rezone (2018081063)

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF INDIANA UNIVERSITY FOUNDATION – REZONING FROM AGRICULTURAL TO RESIDENTIAL:

Dan Richard, Area Plan Director, came before the Commissioners with a rezoning request for Petitioner, Indiana University Foundation. Richard stated the request is to rezone 5.5 acres located at the mouth of the Tippecanoe River coming off Tippecanoe Lake from agricultural to residential. Richard continued, stating there had been a single-family residence on the property and the intention is to accommodate residential development. In addition, Richard stated the Area Planning Commission voted, unanimously, to approve the request.

Steve Snyder, Attorney for Petitioner, came before the Commissioners and stated the property is the old Arnolt property that contained a residence for decades that somehow was never converted from agricultural. Snyder continued, stating 2nd Street in Oswego runs directly up to the tract and the intent to develop a residential subdivision.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve Ordinance 18-08-21-005 for the rezoning from agricultural to residential as recommended by the Area Planning Commission

ORDINANCE NO. 18-08-21-005 Rezone (2018081061)

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF KURT CARLSON – REZONING FROM PUBLIC USE TO AGRICULTURAL:

Dan Richard, Area Plan Director, came before the Commissioners with a rezoning request for Petitioner, Kurt Carlson. Richard stated the request is to rezone 1 acre, the old Methodist church property on the northeast corner of SR 15 and CR 550S, and 1.14 acres across the road, formerly used for church parking, from public use to agricultural. Richard continued, stating the 1 acre tract is completely encompassed by cemetery and the 1.14 acre tract is mostly encompassed by cemetery. In addition, Richard stated the structure has not been used as a church for a number of years and after much discussion about the compatible zoning in the area, the Area Planning Commission voted, unanimously, to approve the request.

Kurt Carlson, Petitioner, came before the Commissioners and stated he purchased the property with the intention of using it for manufacturing of furniture but the plan never developed. Carlson stated he listed it for sale and although several church groups have considered purchasing it, they have determined it would take too much to make the building handicap accessible. Carlson continued, stating the majority of people who look at it want to live in it and changing the zoning to agricultural would permit that.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve Ordinance 18-08-21-006 for the rezoning from public use to agricultural as recommended by the Area Planning Commission

ORDINANCE NO. 18-08-21-006 Rezone (2018081062)

As recorded in the office of the Kosciusko County Recorder

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

KOSCIUSKO COUNTY COMMISSIONERS September 4, 2018

The Kosciusko County Commissioners met for their regular meeting on September 4, 2018 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley - President

Cary Groninger – Vice President

Brad Jackson

Chad Miner – County Attorney

Michelle Puckett – Auditor

Marsha McSherry – County Administrator

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

IN THE MATTER OF AUGUST VETERAN OF THE MONTH – FORREST V. LEWIS:

Rich Maron, Veteran Affairs Officer, came before the Commissioners to introduce the September Veteran of the month, Forrest V. Lewis. Maron stated Lewis was born in Savoy, Illinois on August 31, 1922, to Tillman and Lillawh Lewis and he had a brother and two sisters. Lewis grew up in Sibley Illinois and graduated from Sibley High School in 1940. Lewis worked on his father's farm until he enlisted in the Navy in November of 1942.

Lewis did his basic training at the Great Lakes Naval Training Center and from there went to the Naval Air Technical Training Center for mechanics at 87th and Anthony in Chicago. Early in 1943, Lewis was ordered to report to the brand new aircraft carrier USS Yorktown CV 10 in Norfolk, Virginia. Lewis was aboard the commissioning and was a member of the 21st crew, which entitles you to become a plank owner. After a shakedown cruise in South America to make sure all the kinks were worked out of the new ship and crew, they were sent straight to the South Pacific to join forces with the 7th fleet for air support in the middle of WW II. While Lewis was aboard the Yorktown they were in 18 major engagements and received a President Union Citation. Lewis was assigned to the flight and hangar decks in the VIT division, spotting planes for takeoff and caring for them when they landed. Lewis can be seen in archive film footage on the flight deck during operations. After two years, Lewis rotated back to the states in the middle of 1946 and was stationed at an airbase in Groten, Connecticut. He was assigned to train future air groups to the fleet until March of 1946, when he was honorably discharged out of the Navy.

After returning home, Lewis farmed with his dad in Illinois for a year until the whole family moved to Ossian, Indiana in 1948. Lewis bought and operated a small grocery store and met and married Sarah Jane Nash. Lewis then owned and operated a Standard Service station in Ossian for 35 years. Lewis and his wife moved to Syracuse in 1984 and they both worked for Custom Services until 2005, when he took a long deserved retirement. The Lewis's had 2 children, daughter Amy and son, Forrest R. Amy passed away in 2015 and Sarah in 2017.

Lewis along with his wife, Sarah, visited the USS Yorktown in 1983 at Patriots Point in Charleston, North Carolina, where it has been a museum ship since it was decommissioned in the

early 1970's. The USS Yorktown saw action in three wars, WWII, Korean, and Vietnam and picked up Alan B. Shepherd's space capsule when it splashed down in the Atlantic in 1961.

Lewis lives at home in Syracuse, goes out daily for breakfast with friends and neighbors, goes on daily walks and almost always has his Yorktown hat, Navy shirt or a flag lapel pin on. He is a member of Wawasee Lakeside Chapel and is a true patriot, has never met a stranger and is proud to have served his country.

Maron and the Commissioners thanked Lewis for his service and dedication to his country and community and presented him with a plaque.

IN THE MATTER OF THE JUSTICE BUILDING SECURITY SYSTEM:

Bob Momeyer, Systems Administrator Director, came before the Commissioners to request approval to move forward with replacing the Justice Buildings security control system. The original system was installed 17 years ago by Stanley Innovator. The components of the current system are obsolete and can no longer be repaired. Quotes have been received from Stanley Innovator and Security Automation. Momeyer stated there is \$6,000 difference between the two quotes, which is \$640,000 and \$634,000. Momeyer stated he is recommending Security Automation Systems as they are not proprietary and the county will likely see cost savings in the end due to not being required to use certain equipment or locked into certain requirements. Momeyer stated the final cost will change as the project continues.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

MOTION CARRIED

IN THE MATTER OF JCAP GRANT:

Rocky Goshert, Sheriff and Officer, Mike Mulligan, came before the Commissioners with a Grant Agreement in the amount of \$87,800 between the Office of the Indiana Attorney General, the Indiana Drug Enforcement Association, the Kosciusko County Sheriff's Department, the Kosciusko County Commissioners and the Kosciusko County Auditor for the JCAP. Goshert stated the JCAP program will serve the men and women in Kosciusko County Jail who struggle from addiction issues. The purpose of JCAP is to identify the most at risk for ongoing and/or chronic chemical dependency issues while incarcerated to provide cognitive behavioral, evidence-based treatment during incarceration.

Goshert shared admission in JCAP is voluntary and anyone can apply, but there are certain requirements the inmates must meet in order to qualify. Goshert stated that currently 80-85% of the jail population would probably qualify for JCAP. Goshert shared they will begin offering JCAP to the females and see how the program works and will make adjustments as needed.

Goshert feels this will be a great program for Kosciusko County as the chemical dependency is high for our county and they individuals who are dependent need to receive help to get their lives back on track.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

MOTION CARRIED

TO: Approve the JCAP Grant request in the amount of \$87,800.

IN THE MATTER OF LOCAL TRAX RAIL OVERPASS GRANT PROGRAM REQUEST:

Scott Tilden, County Highway Superintendent, came before the Commissioners with a request to approve a Local Trax Rail Overpass Grant Program through INDOT. The total amount of this grant will be \$9,644,500 with total local funds share of \$1,886,805 and Trax funds or \$7,757,695. Tilden stated the grant would cover an extension of County Road 1300 North (CR 1300 N) from Old State Road 15, west to State Road 15 (SR 15). The project involves the extension of County Road 13 North (Milford/Syracuse Road), due west of Old SR 15 to SR 15 and includes a new grade separation (New Bridge) over the Norfolk and Southern Railroad and Main Street. The project will also incorporate a realignment of a portion of Milford's Main Street as it intersects the CR 1300 N Intersection. The CR 1300 N extension project would also

create an economic development corridor along its length for Kosciusko County and specifically the Town of Milford. The new extension and grade separation of CR 1300 N over the NS Railroad will provide a safe route to SR 15. Currently all CR 1300 N traffic must either travel North thorough Milford Junction across a substandard railroad crossing to a poor sight distance intersection with SR 15 or travel south into the Town of Milford. In addition Old SR 15 has been closed approx. 0.5 mile north of CR 1300 N at the intersection with the B and O Railroad forcing all traffic into Milford Junction. The extension of CR 1300 N will significantly reduce the traffic through these towns as well as providing a safe crossing of the NS Railroad. In addition, CR 1300 N will eventually continue to the west of SR 15 and connect with the proposed north south corridor (CR 17 Elkhart County/CR 200 West Kosciusko County) between US 30 and US 20.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

MOTION CARRIED

TO: Approve the Local Trax Rail Overpass
Grant program in the total grant amount of
\$9,644,500.

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

KOSCIUSKO COUNTY COMMISSIONERS

September 18, 2018

The Kosciusko County Commissioners met for their regular meeting on September 18, 2018 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley - President

Cary Groninger – Vice President

Brad Jackson

Chad Miner – County Attorney

Michelle Puckett – Auditor

Marsha McSherry – County Administrator

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

IN THE MATTER OF TONY CIRIELLO – MUTUAL AID AGREEMENT:

Tony Ciriello, County Coroner, came before the Commissioners with a Mutual Aid Agreement between St. Joseph and LaPorte Counties. The purpose of the agreement is to be able to have assistance in the event of a mass casualty incident for both manpower and supplies. Ciriello stated the nice thing about this agreement is it costs the county nothing to enter into it and would provide the county with another tool in the event of a mass casualty incident. The agreement was drawn up by the St. Joseph county attorney and was looked at by our county attorney, Chad Miner. Miner found the agreement to be good and all points covered.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

MOTION CARRIED

TO: Approve the Mutual Aid Agreement
between Kosciusko County and St. Joseph and
LaPorte Counties.

IN THE MATTER OF FLOOD CONFERENCE FEMA:

Matt Sandy, Area Plan, came before the Commissioners and presented them with a plaque that was presented to Sandy at the Flood Conference. The award was in recognition for the continual administration and policies for the flood programs in our county.

IN THE MATTER OF NIPSCO MATTER:

Chad Miner, County Attorney, came before the Commissioner's with a letter for the Commissioners to sign in reference to the road damage caused by NIPSCO construction for work on the Reynolds to Topeka project. NIPSCO paid Kosciusko County compensation in the amount of \$80,000 for the road damages. The letter is to NIPSCO confirming receipt of the payment and the matter is concluded and that no further action is anticipated. Miner also provided a letter to be signed by the Commissioners President, Robert Conley, releasing them of the bond that was being held for the project.

MOTION: Cary Groninger

SECOND: Brad Jackson

TO: Approve the NIPSCO letter confirming
receipt of payment for road damages and to

AYES: 3 NAYS: 0 release NIPSCO of bond.
MOTION CARRIED

IN THE MATTER OF 2019 NFP AGREEMENTS:

Michelle Puckett, County Auditor, came before the Commissioners with the 2019 NFP Agreements to sign. Puckett stated the NFP's were given a 3% increase from 2018 per the Commissioner's recommendation. Groninger abstained from voting on the following agreements: Cardinal Services, Beaman Home and Animal Welfare due to the relationship he has with those organizations.

MOTION: Brad Jackson TO: Approve the NFP 2019 agreements with a
SECOND: Cary Groninger 3% increase over 2018.
AYES: 3 NAYS: 0
MOTION CARRIED

IN THE MATTER OF 2018 BRIDGE INSPECTION REPORT:

Scott Tilden, County Highway Superintendent, came before the Commissioners with a Title Sheet for the 2018 Bridge Inspection Report.

MOTION: Brad Jackson TO: Approve the Title Sheet for the 2018
SECOND: Cary Groninger Bridge Inspection Report.
AYES: 3 NAYS: 0
MOTION CARRIED

IN THE MATTER OF COMMUNITY CROSSING MATCHING GRANT:

Scott Tilden, County Highway Superintendent, came before the Commissioners with a grant request for a 50/50 Community Crossings Matching Grant fund. The total amount of the grant is \$2,220,125.40. INDOT will match is up to \$1,000,000. The two projects are as follows and will be to pave with hot mix asphalt to wedge and level roadway with asphalt and then put a 1 ½ inch of HMA for the surface and the roads to be shouldered for a berm and a paint stripe.

- CR 800 West from US 30 to State Road 19, which is 6 ½ miles
- CR 1000 West from CR 700 South to CR 1000 South, which is 3 miles

MOTION: Cary Groninger TO: Approve the 50/50 Community Crossings
SECOND: Brad Jackson Grant.
AYES: 3 NAYS: 0
MOTION CARRIED

IN THE MATTER OF COMMUNITY CROSSING FINANCIAL COMMITMENT LETTER:

Scott Tilden, County Highway Superintendent, came before the Commissioners with a financial commitment letter for the 50/50 Community Crossings Matching Grant. The letter is to show commitment by the County Commissioners stating they have determined that these projects are a priority for Kosciusko County to maintain its existing roadway network in good working order. The commitment will be for the MVH funds.

MOTION: Cary Groninger TO: Approve the 50/50 Community Crossings
SECOND: Brad Jackson Grant commitment letter.
AYES: 3 NAYS: 0
MOTION CARRIED

IN THE MATTER OF NOVEMBER 13, 2018 BID DATE FOR 2019 ANNUAL COUNTY HIGHWAY SUPPLIES:

Scott Tilden, County Highway Superintendent, came before the Commissioners to request November 13, 2018 at 9:15AM to accept bids for the 2019 Annual County Highway Supplies.

MOTION: Brad Jackson TO: Approve the November 13, 2018 bid date
SECOND: Cary Groninger for the 2019 Annual County Highway
AYES: 3 NAYS: 0 Supplies.
MOTION CARRIED

IN THE MATTER OF PETITIONER, SHANKSTER BROTHERS:

Dan Richard, Area Plan Director, came before the Commissioners with a request to rezone 24 acres of real estate from Agricultural to Commercial. The property is located on the south east edge of Silver Lake. Richard stated the Area Plan Commission voted unanimously in favor of the rezoning request.

MOTION: Brad Jackson
SECOND: Cary Groninger
AYES: 3 NAYS: 0
MOTION CARRIED

TO: Approve the rezoning from Agricultural
to Commercial

ORDINANCE NO. 2018-09-18-001 (2018090935)
As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF PETITIONER, MONICA WEIGAND:

Dan Richard, Area Plan Director, came before the Commissioners with a Vacation for a public way in Turkey Creek Township for petitioner Monica Wegand. Richard stated the section be addressed is under two older plats a 24 foot public right of way. Richard stated they are requesting to vacate the area where a vinyl fence is located and one (1) foot beyond. Richard stated in 2003 there was an encroachment agreement that allowed the owners to keep that fence and use it as the fence was back in 2003. Richard stated they are now seeking to take possession of the property and one (1) foot beyond where the new survey shows the fence located. Richard stated the Area Plan Commission was to deny the request by a seven (7) to one (1) vote. The one (1) vote was actually a holdout due to a possible violation of the original encroachment agreement. The original wooden fence that was in the original survey for the encroachment agreement has been replaced by a vinyl fence that has since been moved.

Steve Snyder, Petitioners attorney, came before the Commissioners and passed out several aerial photos and surveys for the public way in question. Snyder stated the portion of the public right of way in question has been used by the owners as ownership for the past forty (40) years. Snyders argument to allow the vacation is the placement of the current fence and how it relates to the usage of the public right of way. Snyder stated there is still plenty of room for others to use the public right of way. Snyder stated the most significant user of this public way is the pier companies when they are putting and taking our piers. These companies are currently able and have no issues with the width of the public way at this time. The companies do not want to see the public way reduced in width any further than what it currently is.

Debbie Lewellens, resident, came before the Commissioners and stated she is opposed to the vacation due to she uses the public way and would like to see it back the original twenty-four (24) feet.

Brian Chaney, resident, came before the Commissioners with a question in reference to public right of way and wanting to know if other homeowners have a right to use that public right of way even if a portion of the public way is vacated. Richard stated the other homeowners do have a right to use that public way.

Richard and Snyder rebutted back and forth with their arguments as to why the vacation should be denied and why it should be allowed.

The Commissioners took all the comments and arguments into consideration and made the following motion; go with off the Lessex survey for the vacation and reenter into a new encroachment agreement for the fence to remain where it currently is, but if the fence comes down it then it has to go back to the original encroachment agreement, which was the Lessex survey.

Snyder will have a new legal description created to match up with the Lessex survey and a new encroachment agreement written up. Snyder will get Richard's blessing on the encroachment and then bring to the Commissioners for approval. Snyder and Richard will both have surveys completed.

Cary Groninger abstained from voting.

MOTION: Brad Jackson
SECOND: Robert Conley
AYES: 2 NAYS: 0
MOTION CARRIED

TO: Approve the vacation of the public way
and the request to reenter into a new
encroachment agreement.

IN THE MATTER OF WINDFARM RESOLUTION:

Dan Richard, Area Plan Director, came before the Commissioners and stated they will be bringing an amended Windfarm Resolution in October for the Commissioners to review. Richard stated there are currently no pending requests, but if any do get filed between now and the October meeting Richard has asked the Commissioners to hold on reviewing these request until the new Ordinance is established.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

MOTION CARRIED

TO: Approve the request to hold on approving any new windfarm request until the new Ordinance is established in October.

IN THE MATTER OF TIPPECANOE REGIONAL SEWER DISTRICT:

Brian Chaney, resident, came before the Commissioners with questions in reference to the Tippecanoe and Chapman Lake Regional Sewer District. Chaney stated there is confusion on where the district lines are going to be drawn and who is included in the district. The Commissioners stated the lines are drawn by the District Lines and there is no changing those lines. Ken Jones stated the lines will be finalized once the Commissioners review them and agree on those lines. The Commissioners advised Chaney to contact Jones if he has further questions in reference to the District Lines or if he needs further clarification. Jones stated there will be a public meeting on September 28, 2018 at 1:00PM that will be used to answer and address any public comments, questions or concerns.

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

KOSCIUSKO COUNTY COMMISSIONERS October 2, 2018

The Kosciusko County Commissioners met for their regular meeting on October 2, 2018 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley - President

Cary Groninger – Vice President

Brad Jackson

Chad Miner – County Attorney

Michelle Puckett – Auditor

Marsha McSherry – County Administrator

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

IN THE MATTER OF THE OCTOBER VETERAN OF THE MONTH – PAUL WRIGHT:

Rich Maron, Veteran Affairs Officer, came before the Commissioners to introduce the October Veteran of the month, Paul Wright, Army Vietnam Veteran. Maron stated Wright was born in Dowagiac MI in October 1946 to John and Ione Wright. He has seven sibling, four brothers and three sisters.

Wright attended Tri-State University for one year, but that did not work out for him. Wright kept wondering why the draft board had not contacted him, so he contacted them, even though his father told him to leave it alone. It turned out that there were two Paul Wright's and he was overlooked. Within one week he was called up to duty. Wright attended the Penn Quake Church in Cassopolis MI so he could have qualified as a conscientious objector but he and his cousin went onto Vietnam.

Wright served in Vietnam from November 1967 to September 1968 and was proud to be with the 173rd Airborne 4th Battalion 503rd. He was stationed in the Central Highlands of Tuy Hoa. From November 1967 to February 1968 over thirty men whom he knew in his unit were killed in action. Twenty-two of those men were killed on Hill 875, a major battle in and near Dak To. Wright was wounded in December of 1967. On Thanksgiving Day there was a ceremony honoring 186 men killed and over 400 wounded. All those that Wright knew had only been there a week.

The 173rd mission was to locate and destroy enemy troops. They averaged one to two Heli borne assaults a week when Intel spotted enemy activity. The “Herd”, as they called it, maneuvered the mountains three-five miles daily. Contact with the North Vietnamese Army came in the form of sniper attacks on their unit. One to two men were wounded each time and sometimes more. The enemy used a plan of “hit and run” continually. One shot, one hit, one wounded or one killed. It was Ho Chi Minhs way of defeating this formidable army.

Company D of 150 men was assigned to the Ho Chi Minh Trail in late August of 1968. There were 800 NVA. It was there that Wright and nine other men were sent out to set up and ambush on the main trail and wait for the enemy to push through the area. They were to engage any enemy forces that approached their position. This gave the command post a heads up on the enemy movement and call up the artillery.

Wrights unit was overrun two weeks later, but by God’s grace, Wright was medevac to Japan for heart issues. From Japan he was sent back to the states where he served out his remaining time at Fort Bragg.

Wright received multiple awards and ribbons including the Purple Heart.

After serving in Vietnam Wright attended Taylor University in Upland and then for three years traveled with an evangelistic team. Wright also studied at Grace Theological Seminary. Wright was a trim carpenter for over twenty years and a master staircase builder for fifteen years.

Wright is now retired and has been married for forty-two years to his wife, Melody. They have three children, Abraham, Hannah and Luke, along with ten grandchildren. Maron and the Commissioners thanked Wright for his service and dedication to his country and community and presented him with a plaque.

IN THE MATTER OF PURCHASE OF SUV FOR FATAL TEAM:

Sheriff Goshert, came before the Commissioners with a request for approval to purchase a new SUV for the Fatal Teams equipment. Goshert stated the current vehicle is not big enough to carry all the expensive equipment. Goshert stated the funds will come from the Commissary Fund.

MOTION: Brad Jackson

TO: Approve the purchase of a new SUV for the Fatal Teams equipment.

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF GRANT AWARD LETTERS FOR SALARY REIMBURSEMENT:

Ed Rock, Emergency Management Director, came before the Commissioner, with an update on a grant award letter that was received. Rock stated he received an award letter for the Salary Reimbursement in the amount of \$41,000. Rock stated he will get this signed and submitted back in for the grant agreement.

IN THE MATTER OF GRANT AWARD LETTERS FOR AN HEMP GRANT FOR THE HAZARDOUS MATERIALS:

Ed Rock, Emergency Management Director, came before the Commissioner, with an update on a grant award letter that was received. Rock stated he received an award letter for the HEMP for the hazardous materials that runs through the LEPC. Rock stated he has an issue with the amount as only \$2,000 was approved out of the \$10,000 that was requested. Rock is checking on why the full amount was not awarded and is awaiting on an explanation. Once an explanation is received the award letter will be signed and submitted for the grant agreement.

IN THE MATTER OF GRANT AGREEMENT FOR THE SAFE SCHOOL GUARD PROGRAM:

Ed Rock, Emergency Management Director, came before the Commissioner, with a request to move forward with the grant request process for the Safe School Guard Program App. The agreement is for \$97,000 and at no cost to the county. Sheriff Goshert and Rock both spoke on the benefits of the app and the safety of the program. Goshert and Rock both stated the reduced response time to an active situation is reduced by as much as fifteen minutes. They both stressed the school’s will not be forced to use the app, but it is being highly encouraged. The program will not only allow safety for the students but for all parties involved. Rock stated the app would

immediately locate them in the school, calls 911 and sends out a text message to all other schools within a five mile radius, and any law enforcement officer within a twenty-five mile radius, if app is loaded on their phone. Commissioner Jackson stated he had received some push back from Warsaw School due to the fact that their teachers do not have phones that are school issued and not wanting to force the teachers or ask them to put the app on their own personal phones. Goshert and Rock stated the program is not going to be forced on anyone and it will be strictly up to the school to facilitate the program.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the request to move forward with the grant request process for the Safe School Guard Program App.

IN THE MATTER OF REQUEST FOR QUOTES FOR CONTRACT SNOW PLOWING:

Scott Tilden, County Highway Superintendent, came before the Commissioners with a request bid out Contract Snow Plowing. Tilden stated there is 12.3 miles that is currently contracted out for snow plowing. The current contractor is no longer able to complete the job so new quotes will need to be requested for that 12.3 miles. Tilden stated contractors will be asked to submit their quotes in a sealed envelope by 3:30 pm on Monday, October 15, 2018 to the Auditor's office. The quotes will be opened and read at the Commissioners meeting at 9:15 AM on Tuesday, October 16, 2018.

IN THE MATTER OF RAILROAD GRADE CROSSING GRANT:

Scott Tilden, County Highway Superintendent, came before the Commissioners with a letter from the INDOT stating Kosciusko County was awarded a grant in the amount of \$44,250 for the FY19 Railroad Grade Crossing Fund for Pavement Marking project.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the FY19 Railroad Grade Crossing Fund in the amount of \$44,250 for Pavement Marking project.

IN THE MATTER OF LPA CONSULTANT CONTRACT FOR BRIDGE 227:

Scott Tilden, County Highway Superintendent, came before the Commissioners with an LPA Consultant Contract for Bridge 227 (carrying South Hand Street over Walnut Creek). Tilden stated the total amount not to exceed is \$225,222. Tilden stated the Des. No. is 1702866.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve the request for the LPA Consultant Contract for Bridge 227.

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

**KOSCIUSKO COUNTY COMMISSIONERS
October 16, 2018**

The Kosciusko County Commissioners met for their regular meeting on October 16, 2018 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley - President

Cary Groninger – Vice President

Brad Jackson

Chad Miner – County Attorney

Michelle Puckett – Auditor

Marsha McSherry – County Administrator

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

IN THE MATTER OF THE KABS 2019 INDOT OPERATING AND CAPITAL ASSISTANCE GRANT:

Amanda Landis, KABS General Manager, came before the Commissioners with a 2019 INDOT Operating and Capital Assistance Grant requests. Landis stated this is for Federal and State funds.

MOTION: Brad Jackson

SECOND: Cary Groninger

TO: Approve the 2019 INDOT Operating and Capital Assistance grants for Federal and State

AYES: 3 NAYS: 0 funds.
MOTION CARRIED

IN THE MATTER OF THE DUI AND OPO GRANTS:

Lt. Rick Shephard, Communications Director, came before the Commissioners with a DUI and OPO Grant request. The DUI grant is for \$3,600 and the OPO grant is for \$21,400. Shephard stated these grants are paid and supported through the Indiana Criminal Justice Institute. These grants pay for officers to patrol for impaired and aggressive driving on the roadways of the county.

MOTION: Cary Groninger TO: Approve the request for the DUI and
SECOND: Brad Jackson OPO grants in the amounts of \$3,600 and
AYES: 3 NAYS: 0 \$21,400.
MOTION CARRIED

IN THE MATTER OF THE WIND TOWER ORDINANCE AMENDMENT:

Matt Sandy, Area Plan, came before the Commissioners with a Wind Tower Ordinance Amendment (2018-10-16-001). Sandy stated the current ordinance has a wind section, but after reviewing that section there were some areas the board felt should be addressed and updated. Sandy stated the amendments made the larger wind farms more restrictive and would require new or additional districts to be rezoned. Sandy stated the Area Plan Board gives a unanimous decision to approve amended Wind Tower Ordinance.

MOTION: Cary Groninger TO: Approve the Amended Wind Tower
SECOND: Brad Jackson Ordinance 2018-10-16-001.
AYES: 3 NAYS: 0
MOTION CARRIED

ORDINANCE NO. 2018-10-16-001 (2018100798)

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF THE SOLAR ENERGY ORDINANCE AMENDMENT:

Matt Sandy, Area Plan, came before the Commissioners with a Solar Energy Ordinance Amendment (2018-10-16-002). Sandy stated the current ordinance does not have a Solar Energy section and with technology changing and the advancement with Solar Farms the Area Plan Commission felt a section should be added. Sandy stated the Ordinance can be amended at any time, but the Commission did look at other counties and came up with a combination that they felt would work for our County.

MOTION: Cary Groninger TO: Approve the Amended Solar Energy
SECOND: Brad Jackson Ordinance 2018-10-16-002.
AYES: 3 NAYS: 0
MOTION CARRIED

ORDINANCE NO. 2018-10-16-002 (2018100797)

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF THE RESOLUTION FOR MACOG COALITION FOR BROWNFIELDS ASSESSMENT GRANT:

Matt Sandy, Area Plan, came before the Commissioners with a Resolution for the Commissioners to support the submission of the MACOG Coalition application for EPA Brownfields Assessment Grant. Sandy stated it has been determined that it would be advantageous for Kosciusko County to join a "Coalition" including Marshall County, Elkhart County, and St. Joseph County with MACOG serving as the grant recipient and administrator. The Brownfields redevelopment strategy will encourage new private sector capital investment to return impacted properties to more productive uses, aid in the creation of new jobs, and enrich the tax base of the communities specifically in economically distressed areas with older industrial and commercial development.

MOTION: Cary Groninger TO: Approve the Resolution for the

SECOND: Brad Jackson
AYES: 3 NAYS: 0
MOTION CARRIED

Commissioners to support the submission of
the MACOG Coalition Application for EPA
Brownfields Assessment Grant

**THE MATTER OF THE BOARD OF HEALTH APPOINTMENTS FOR DENNIS
WOODWARD AND THOMAS HOWARD:**

Bob Weaver, Health Department Director, came before the Commissioners with two
appointments. Dennis Woodward and Thomas Howard terms end on December 31, 2018 and
both would like to service another four years with their new term ending on December 31, 2022.

MOTION: Brad Jackson TO: Approve the two Health Board
SECOND: Cary Groninger appointments for Dennis Woodward and
AYES: 3 NAYS: 0 Thomas Howard for a four year term to end on
MOTION CARRIED December 31, 2022.

**IN THE MATTER OF THE 2019 INTER-LOCAL AGREEMENTS FOR TERMINAL
SERVICES DATA:**

Marsha McSherry, County Administrator, came before the Commissioners with the 2019 Inter-
Local Agreements for Terminal Services Data. McSherry shared the agreements state Kosciusko
County purchased computer equipment and will provide remote OSSI data access and
functionality for other agencies law enforcement vehicles. The agreements are with the Town of
Mentone, Town of Claypool, Town of Winona Lake, City of Warsaw, Town of Syracuse, Town
of Silver Lake, Town of Pierceton, Town of Milford, and the Town of North Webster.

MOTION: Cary Groninger TO: Approve the 2019 Inter-Local
SECOND: Brad Jackson Agreements for Terminal Services Data.
AYES: 3 NAYS: 0
MOTION CARRIED

**IN THE MATTER OF THE UPDATED RESOLUTION FOR ADA COMPLIANCE
REPORTING:**

Marsha McSherry, County Administrator, came before the Commissioners with an updated
Resolution for ADA Compliance Reporting (2018-10-16-003) that requires the Commissioners
signatures and approval.

MOTION: Brad Jackson TO: Approve the updated Resolution for ADA
SECOND: Cary Groninger Compliance Reporting 2018-10-16-003.
AYES: 3 NAYS: 0
MOTION CARRIED

RESOLUTION NO. 2018-10-16-003 (2018100799)
As recorded in the office of the Kosciusko County Recorder

**IN THE MATTER OF THE UPDATED USI CONSULTANT CONTRACT FOR BRIDGE
227:**

Marsha McSherry, County Administrator, came before the Commissioners with an updated USI
Consultant Contract for Bridge 227. McSherry stated INDOT asked for two minor revisions to
working issues on the original contract, which requires the contract to be resigned by the
Commissioners.

MOTION: Cary Groninger TO: Approve the updated USI Consultant
SECOND: Brad Jackson Contract for Bridge 227.
AYES: 3 NAYS: 0
MOTION CARRIED

IN THE MATTER OF THE NIPSCO FEES:

Marsha McSherry, County Administrator, came before the Commissioners and thanked
Commissioners Groninger for looking into our NIPSCO Fees the county is charged. McSherry
stated all the NIPSCO meters were looked at and one was found that could be updated. The
update will allow the county to have a \$2,500 month savings or \$30,000 annually.

MOTION: Cary Groninger TO: Approve the agreement with NIPSCO on
SECOND: Brad Jackson the rate schedule change.
AYES: 3 NAYS: 0
MOTION CARRIED

IN THE MATTER OF THE SNOW PLOWING BID OPENING:

Chad Miner, County Attorney, came before the Commissioners and read the following bids that were received for snow plowing.

- Manns Snow Removal & Salting
 - Dwight Drive - \$60 per hour
- Lee Batalis Construction & Excavating
 - Parry Drive, Woodfield Estates, Woodfield Manor, Flagstone Terrace, South Brook Park, Dwight Drive, Wausau Street & Candlewood Estates - \$70 per hour
- Steve's Hauling, Excavating
 - Hoffman Lake Area, The Dells, Parry Drive, Woodfield Estates, Woodfield Manor, Barrington Hills, Dwight Drive and Wausau Street - \$65 per hour
- Site Worx Services
 - Hoffman Lake Area - \$75 per hour
 - The Dells, Parry Drive, Woodfield Estates, Woodfield Manor, Flagstone Terrace, South Brook Park, Barrington Hills, Dwight Drive, Wausau Street and Candlewood Estates - \$60 per hour

The bids will be taken under advisement and brought back to the October 30, 2018 meeting with a recommendation.

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

KOSCIUSKO COUNTY COMMISSIONERS October 30, 2018

The Kosciusko County Commissioners met for their regular meeting on October 30, 2018 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley - President
Cary Groninger – Vice President
Brad Jackson

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

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

IN THE MATTER OF KABS CLAIMS:

Amanda Landis, KABS Director, came before the Commissioners with the INDOT Contract Invoice for reimbursement period July 1, 2018 to September 30, 2018. The amount of reimbursement being requested is \$42,531 for the State share portion and \$98,273 for the Federal share portion. In addition, Landis presented the Capital Claim for reimbursement in the amount of \$88,258 to cover the expenses of the two buses purchased in August.

MOTION: Brad Jackson
SECOND: Cary Groninger
AYES: 3 NAYS: 0
MOTION CARRIED

TO: Approve the INDOT Contract Invoice in the amount of \$42,253 for the State share, \$98,273 for the Federal share and \$88,258 for the Capital Claim

IN THE MATTER OF TIPPY/CHAPMAN SEWER DISTRICT:

Chad Miner, County Attorney, along with Ken Jones, Project Engineer, Jones Petrie Rafinski, presented the final proposed boundaries for the Tippy/Chapman Regional Sewer District. Jones presented maps showing the proposed boundaries, with the suggested omission of part of Old Mill Place and part of Lake Forest Addition.

MOTION: Cary Groninger
SECOND: Brad Jackson
AYES: 3 NAYS: 0
MOTION CARRIED

TO: Approve the final boundary proposal as Jones submitted

Bob Kokenge, property owner, came before the Commissioners and stated he has spoken with numerous property owners around Chapman Lake and in addition has collected over 180 signatures opposing the sewer district. Kokenge stated he didn't feel enough people were aware of the proposed sewer district. Miner stated he wasn't sure what more could have been done to notify the public. Miner along with Jones gave an explanation for how a petition of signatures would need to be validated in order to be considered. President Conley stated both opposing and supporting arguments can be made but until information is presented to the correct organization in the correct manner, the continued debate is really a mute point.

Elaine Kokenge, property owner, came before the Commissioners, and asked Commissioner Groninger to confirm that his family business is one of only two local businesses able to provide certified soil to fill the disabled septic tanks resulting from the proposed sewer district. Groninger as well as Jones both denied knowledge of any requirement to use a specific soil type to fill the unused septic tanks or what Ms. Kokenge would be referencing. Commissioner Jackson stated any insinuations regarding Commissioner Groninger's character would not be tolerated.

Don Lozier, property owner, came before the Commissioners with questions. Lozier stated he understands that because of the amount of acreage he owns, he may be able to opt out of the district but stated he is concerned with the projected costs involved if he or his children would need to utilize the sewer district in the future, having elected not to participate. Jones explained that future costs to hook into an existing system would be determined by local officials but stated the largest difference would be in the time allowance to pay for the hookup.

IN THE MATTER OF COMMUNITY CORRECTIONS/PROBATION RENOVATION:

Marsha McSherry, County Administrator, stated the new positions approved during the budget process this year created a need for additional office space. McSherry presented an estimate from Robinson Construction in the amount of \$38,066 which would provide four additional office spaces in the Probation Department as well as two spaces in the Community Corrections area. In addition, McSherry presented an estimate from D & D Electric in the amount of \$8,285 for the same project.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

MOTION CARRIED

TO: Approve the proposals of \$38,066 for Robinson Construction and \$8,285 for D & D Electric for the addition of 4 offices spaces in the Probation Department and 2 office spaces in the Community Corrections area.

IN THE MATTER OF 2019 SOLID WASTE INTER-LOCAL AGREEMENT:

Michelle Puckett, County Auditor, came before the Commissioners with the Solid Waste Inter-Local Agreement Resolution that would allow the Auditors office to be the Financial Controller for them.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

MOTION CARRIED

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

IN THE MATTER OF 2019 CONTRACT SNOW PLOWING:

Scott Tilden, County Highway Superintendent, came before the Commissioners and presented his recommendations for 2019 contract snow plowing based on the quotes that had been received and reviewed. Tilden recommended award #1 go to Site Worx Hauling & Excavating, Warsaw, at a rate of \$60.00 per hour, for The Dells, Parry Drive, Woodfield Estates, Woodfield Manor including CR 75E, north of CR 225S, Flagstone Terrace, South Brook Park, Barrington Hills, Wausau Street and Candlewood Estates. Tilden recommended award #2 go to Mann's Snow Removal, Warsaw, at a rate of \$60.00 per hour for Dwight Drive, north of CR 200S and award #3 go to Steve's Hauling & Excavating, Warsaw, at a rate of \$65.00 per hour for the Hoffman Lake area.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 2 NAYS: 0

TO: Approve Tilden's recommendations as presented.

Bob Conley abstained.
MOTION CARRIED

IN THE MATTER OF WAWASEE COMMUNITY SCHOOL VACATION:

Dan Richards, Area Plan Director, came before the Commissioners and presented the Area Plan Commissions recommendation to vacate the old right of way to Kern Road, now that the relocation of the new right of way has been completed.

MOTION: Brad Jackson

TO: Approve the vacation of the old right of way to Kern Road

SECOND: Cary Groninger

AYES: 3 NAYS: 0

MOTION CARRIED

ORDINANCE NO. 2018-10-30-01 Vacation (2018110056)

As recorded in the office of the Kosciusko County Recorder

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

**JOINT MEETING BETWEEN THE
KOSCIUSKO COUNTY COMMISSIONERS
AND THE KOSCIUSKO COUNTY COUNCIL
November 8, 2018**

The Kosciusko County Commissioners and Council met for a joint meeting on Thursday, November 8, 2018 at 6:30 pm in the Courtroom of the Courthouse, 100 W. Center St., Warsaw, IN, to consider and vote on a Motion and Resolution, authorizing the filing of a petition with the Indiana Department of Environmental Management to create a Tippecanoe/Chapman Regional Sewer District under Indiana Code 13-26

Those present for the Commissioners were:

Robert Conley – President, ABSENT
Cary Groninger – Vice President
Brad Jackson

Those present for the Council were:

Sue Ann Mitchell, President	Doug Heinisch
Tom Anglin, ABSENT	Joni Truex
Kimberly Cates	Ernie Wiggins
Jon Garber, Vice President	

Also present were:

Chad Miner, County Attorney
Ken Jones, Project Engineer, Jones Petrie
Rafinski

**IN THE MATTER OF THE PROPOSED TIPPECANOE/CHAPMAN REGIONAL
SEWER DISTRICT PETITION:**

Chad Miner came before both the Commissioners and Council and stated Umbaugh & Associates is still collecting data that is necessary for Ken Jones to finalize portions of his report.

Ken Jones stated the petition in this matter, which was projected to be completed and ready to file with IDEM, by the end of the year, is almost complete. Jones stated there is still some research they are waiting for the results of regarding the Lakeland Regional Sewer District and the City of Warsaw but the majority of the paperwork, to be submitted with the petition, is complete. Jones stated they have done their best to estimate the project costs based on

preliminary engineering. Jones further stated they estimate rates and charges to range between \$75 & \$85 per month based on the potential for annual funding.

Sue Ann Mitchell, Council President, stated with nothing prepared showing the breakdown of the financial part of the project, she felt a decision in the matter was probably unattainable at this time. Mitchell suggested Jones resubmit the requests, once the project costs were established.

The Commissioners and the Council had an open discussion regarding the documents presented and agreed to table the decision until further information was presented estimating costs.

Jones agreed to submit the completed documents to both Boards at their regularly scheduled meetings in December, provided he had received sufficient cost information to complete the presentation.

IN THE MATTER OF ORDER ADOPTION BEFORE THE KOSCIUSKO COUNTY COMMISSIONERS:

MOTION: Brad Jackson
SECOND: Cary Groninger
AYES: 2 NAYS: 0
MOTION CARRIED

TO: Table the Order Adoption authorizing the filing of the petition for creation of the Tippecanoe-Chapman Regional Sewer District pending further information regarding costs.

IN THE MATTER OF RESOLUTION BEFORE THE KOSCIUSKO COUNTY COUNCIL:

MOTION: Ernie Wiggins
SECOND: Kimberly Cates
AYES: 6 NAYS: 0
MOTION CARRIED

TO: Table the Resolution authorizing the filing of the petition for creation of the Tippecanoe-Chapman Regional Sewer District pending further information regarding costs.

**KOSCIUSKO COUNTY COMMISSIONERS
November 13, 2018**

The Kosciusko County Commissioners met for their regular meeting on November 13, 2018 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley - President
Cary Groninger – Vice President
Brad Jackson

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

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

IN THE MATTER OF THE NOVEMBER VETERAN OF THE MONTH – MAX CHARLES LEITER:

Robert Conley introduced the November Veteran of the month, Max Charles Leiter. Conley stated Leiter was born in 1922 to Flossie (Johnson) and Charles Leiter in Jackson Township near Sidney. Leiter's youth was spent working on the family farm. During those early years, Leiter spent any free time in the fields and woods. Leiter graduated from Sidney High School in 1940.

After graduation, Leiter enlisted in the Army Air Corps, training on the B-17 Flying Fortress as a bombardier. His 487th Bomb Group flew out of Lavenham, England, where they flew 35 missions over Europe, mostly targeting German infrastructure to cripple the Nazi effort. The Nakielny Crew, to which Leiter was assigned, was able to answer the call for next mission, though many times they returned with holes in their plane from the German fighters, anti-aircraft fire, or flak. The worst damage occurred on their first mission after arriving in England. One of their engines was hit with anti-aircraft fire and they had to return to base with 3 engines. The

487th Bomb Group led the 8th Air Force on the Christmas Eve 1944 mission to support the Battle of the Bulge. During that mission, they were reportedly credited with 4 ½ kills.

When Leiter returned from overseas, he was sent to Texas to train bombardiers. Shortly after his arrival, the first of the bombs was dropped on Japan, leading to the end of the war. Leiter returned to the family farm south of Sidney and shortly after his return, joined the newly formed Air Force Reserve, from which he retired as a Major in 1982, after 26 years of service.

Leiter met his wife, Doris Raypole from South Whitley, shortly after his return from the war. They were married in 1946. The Leiters have three sons, John and Tom of Columbia City and Mike, of Naples, Florida. They also have several grandchildren and great-grandchildren.

Leiter began working construction after marriage and they bought a home just north of Sidney. He started his own company, Leiter Construction, and was later joined in his endeavor by his son Tom. In late 1969, the Leiters moved to Naples, Florida, where he continued in construction. After a few years in Naples, he and Doris became snow birds and returned to Sidney for the summers.

The Commissioners thanked Max Leiter for his service and dedication to his country and community and presented him with a plaque.

IN THE MATTER OF JOHNSON CONTROLS PLANNED SERVICE RENEWAL:

Marsha McSherry, County Administrator, presented an annual planned service renewal contract.

MOTION: Cary Groninger

TO: Approve the renewal of planned service contract as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF ADOPTION OF REVISED GRANT POLICY:

Michelle Puckett, County Auditor, presented an updated grant policy for approval. Puckett stated the revision in policy is necessary to obtain compliance with the State Board of Accounts. Puckett noted the counties current policy is insufficient to meet the current requirements, which has resulted in repeated findings within the counties audit. As a result, Puckett stated, the policy has been revised with the assistance and approval of the SBOA and going forward, the revised grant policy, making each grant administrator more accountable for the information required by the SBOA.

MOTION: Cary Groninger

TO: Approve the revised grant policy, as presented, to be put into effect as of today's date.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF OPEN BID REQUEST-COUNTY HIGHWAY TRUCKS:

Scott Tilden, Highway Superintendent, came before the Commissioners and requested permission to open bids for two single-axel trucks and a tandem-axel truck, which were approved as part of 2019s budget. Tilden requested a deadline date of January 22, 2019 at 1:15pm.

MOTION: Brad Jackson

TO: Approve request to open bids for two single-axel trucks and one tandem-axel truck as approved in 2019 budget, with a deadline date of January 22, 2019.

SECOND: Cary Groninger

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF OPENING BIDS FOR THE COUNTY HIGHWAY 2019 ANNUAL SUPPLIES.

Chad Miner, County Attorney, and Scott Tilden, County Highway Superintendent, opened bids for the County Highway 2019 Annual Supplies and the following were the results:

Vendor	Location	Supply
Ransbottom Excavating	Claypool, IN	Limestone aggregate
Lemler Oil, Inc	Bourbon, IN	On & off road diesel

Dalton’s Inc	North Webster, IN	Weed & brush supply
Kokomo Gravel Inc	Warsaw, IN	Limestone aggregate
Petroleum Traders Corp	Fort Wayne, IN	On & off road diesel
Niblock Excavating Inc	Bristol, IN	Hot mix asphalt
Niblock Excavating Inc	Bristol, IN	Hot mix asphalt
Great Lakes Chloride	Warsaw, IN	Calcium chloride dust control
Pierceton Trucking Co	Warsaw, IN	Liquid bituminous materials
Asphalt Materials Inc	Warsaw, IN	Liquid bituminous materials
RJ Keirn Trucking	Claypool, IN	Limestone aggregate
Elkhart County Gravel	Warsaw, IN	Gravel
Brooks Construction	Fort Wayne, IN	Hot mix asphalt
Irvine Materials Inc	Huntington, IN	Limestone aggregate
Ceres Solutions Co-op	Wabash, IN	On & off road diesel
Speedway Sand & Gravel	Fort Wayne, IN	Gravel
Columbia City Mill Service	Columbia City, IN	Slag aggregate
Phend & Brown	Milford, IN	Aggregate
Phend & Brown	Milford, IN	Hot mix asphalt
Phend & Brown	Milford, IN	Hot mix asphalt
Phend & Brown	Milford, IN	Hot mix asphalt
United Oil Corp	Columbia City, IN	On & off road diesel
Central Paving Inc	Logansport, IN	Cold mix asphalt
Debco Metal Culverts	Francesville, IN	Aluminum & metal culvert products
St Regis Culvert Inc	Indianapolis, IN	Metal culvert products
St Regis Culvert Inc	Indianapolis, IN	Metal culvert products

Scott Tilden, County Highway Superintendent, made the recommendation to the Commissioners to take all the bids under advisement to review and return to the December 11, 2018 meeting with his recommendations. Tilden also stated the bids would be available for public inspection after the meeting.

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

KOSCIUSKO COUNTY COMMISSIONERS

November 27, 2018

The Kosciusko County Commissioners met for their regular meeting on November 27, 2018 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley - President

Cary Groninger – Vice President (Absent)

Brad Jackson

Chad Miner – County Attorney

Michelle Puckett – Auditor

Marsha McSherry – County Administrator

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

IN THE MATTER OF LASER SCANNER PURCHASE- SHERIFF’S DEPARTMENT:
Rockey Goshert, Chris McKeand and Josh Spangle, Sheriff’s Department, came before the Commissioners to request approval to purchase a FARO laser scanner. Goshert stated the request was not for money, but for approval to use funds in the commissary fund to purchase the product. McKeand stated technology has come a long way to assist in the information obtained at crash and homicide scenes. KcKeand continued, stating the FARO system provides a 3-D rendering instead of the 2-D, currently available, and will significantly shorten the length of time needed to obtain the information, thus reducing the dangers of having officers in the line of traffic for long periods of time. In addition, Spangle stated having the equipment will allow county officers to be on scene within 15 minutes as opposed to the 2-3 hours it generally takes for a State tech to arrive. Spangle stated the cost of the product, including user training, is \$71,944.56, which is approximately 30% less than the product was originally proposed just three years ago, which is due to demand and the desire to make the product more attainable for mid-sized departments.

MOTION: Brad Jackson
SECOND: Robert Conley
AYES: 2 NAYS: 0
MOTION CARRIED

TO: Approve the purchase of a FARO laser scanner, at a cost of \$71,944.56 from the commissary fund.

IN THE MATTER OF DRAINAGE BOARD APPOINTMENT:

Mike Kissinger, County Surveyor, came before the Commissioners and presented a list of potential replacements for Mike Long, who will be moving on to the County Council in January of 2019. The list of potential replacements included Joe Irwin, Hubert Krull and John Lash. The Commissioners took the recommendations under advisement and after a brief discussion, tabled the appointment of a replacement drainage board member until the next Commissioner meeting, when Cary Groninger, Drainage Board Chairman, is present to participate in the vote.

IN THE MATTER OF PURCHASING PROPERTY FOR COUNTY CORONER:

Chad Miner, County Attorney, presented a Resolution regarding preliminary negotiations to acquire a building to be used by the Coroner. Miner stated the resolution would grant authority to Brad Jackson, Commissioner, and Marsha McSherry, County Administrator, to begin the process of purchasing a building to be used by the Coroner to conduct business. Miner continued stating any information obtained would then be presented to the Commissioners prior to any final decision to purchase property.

MOTION: Robert Conley
SECOND: Brad Jackson
AYES: 2 NAYS: 0
MOTION CARRIED

TO: Approve the Resolution appointing Brad Jackson and Marsha McSherry as authorities to obtain information regarding the likely purchase of a building for the County Coroner to conduct business.

RESOLUTION NO. 18-11-27-001 (2018111012)

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF HEALTH DEPT- UNSAFE BUILDING ACT:

Chad Miner, County Attorney, presented an Ordinance establishing uniform standards for the sealing of unsafe buildings, ordered sealed under IC 37-7-9-5(a). Miner stated the unsafe building act, which has been used successfully for the past few years, requires an ordinance outlining the requirements to seal up a building that has been left vacant or damaged. Miner continued, stating the guidelines in the Ordinance determine the type of materials required to cover windows, doors and other openings, which would allow entry of vermin or other types of unlawful entry.

MOTION: Brad Jackson
SECOND: Robert Conley
AYES: 2 NAYS: 0
MOTION CARRIED

TO: Approve the Ordinance, establishing uniform standard for the sealing of vacant buildings.

ORDINANCE NO. 18-11-27-002 (2018111009)

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF ABANDONED PROPERTY-TOWN OF SIDNEY:

Chad Miner, County Attorney, presented a Resolution assigning Tax Sale Certificate 431800517 to the Town of Sidney, Indiana. Miner stated the Town of Sidney is interested in purchasing the property, which has been abandoned for several years, and intends to clean it up or tear it down. Miner stated he has advised the Sidney Town Board they will need to take the necessary steps to transfer the property.

MOTION: Brad Jackson
SECOND: Robert Conley
AYES: 2 NAYS: 0
MOTION CARRIED

TO: Approve the Resolution assigning Tax Sale Certificate 431800517 to the Town of Sidney.

RESOLUTION NO. 18-11-27-003 (2018111011)

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF 2019 ATTORNEY-CLIENT CONTRACT:

Chad Miner, County Attorney, presented the 2019 Attorney-Client contract between the Board of Commissioners of Kosciusko County and the law firm of Miner & Lemon, LLP, at an annual rate of \$27,718.45. Miner stated the contract was prepared at the same hourly rate, with the same terms and includes a 3% increase to the base from the previous year's contract, which is consistent with previous agreements.

MOTION: Robert Conley

SECOND: Brad Jackson

AYES: 2 NAYS: 0

MOTION CARRIED

TO: Approve the 2019 Attorney-Client

contract between the Kosciusko County Board of Commissioners and Miner & Lemon, LLP at an annual rate of \$27,718.45.

IN THE MATTER OF SECURITY SYSTEM UPGRADE QUOTE:

Bob Momeyer, Systems Administrator, came before the Commissioners to present the final quote for the security system upgrade. Momeyer stated Security Automation Systems (SAS), which was selected as the vendor of choice at the previous Commissioners meeting, has completed their assessment and provided a final quote in the amount of \$757,920.00. Momeyer stated the quote includes 25 additional cameras, some additional door controls and 5 more viewing stations than originally anticipated. In addition, Momeyer presented a quote from the County's standard vendor, SDS Communications Inc. in the amount of \$9,940.90 for the expense of wiring the additions to the project.

MOTION: Brad Jackson

SECOND: Robert Conley

AYES: 2 NAYS: 0

MOTION CARRIED

TO: Approve Security Automation Systems'

quote in the amount of \$757,920.00 and SDS Communications Inc.'s quote in the amount of \$9,940.90 to upgrade the Justice Building's security system.

IN THE MATTER OF ANIMAL WELFARE LEAGUE-REQUEST FOR DONATION:

Marsha McSherry, County Administrator presented a letter from the Animal Welfare League, requesting a donation for their building fund. Commissioner Jackson stated the animal shelter was once a project the County funded entirely and is thankful for the volunteers. In addition, Jackson stated, following a discussion with a few members of the County Council, he would support making a one-time donation in the amount of \$200,000.00 (with \$100,000 to be distributed in 2018 and with the other \$100,000 to be distributed in 2019), but with the stipulation that the funds may be used only for the purpose of constructing a new animal shelter. Commissioner Jackson made a motion to the same.

MOTION: Brad Jackson

SECOND: Robert Conley

AYES: 2 NAYS: 0

MOTION CARRIED

TO: Approve a one-time donation in the

amount of \$100,000 in 2018 and a one-time donation in the amount of \$100,000 in 2019, to be used only for construction of the new facility.

IN THE MATTER OF PERSONNEL POLICY AMENDMENT:

Marsha McSherry, County Administrator, presented an ordinance to amend the personnel policy. McSherry stated amendments included are:

- 2.11 Employee Status- changes minimum hours establishing full-time status from 35 to 37.5
- 4.3.2 Floating Holidays- states unused floating holidays will not be paid at termination
- 4.16 Health & Wellness Program- adds a voluntary program with incentives for employees
- 5.4 Use of Cellular/Mobile Phones or Pagers- eliminates IRS statute, no longer in effect

MOTION: Brad Jackson

SECOND: Robert Conley

AYES: 2 NAYS: 0

MOTION CARRIED

TO: Approve the personnel policy amendments as presented.

ORDINANCE NO. 2018-11-27-006 (2018111007)

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF RECOMMENDATIONS FOR THE 2019 COUNTY HIGHWAY SUPPLY BIDS:

Scott Tilden, County Highway Superintendent, came before the Commissioners with a recommendation for the 2019 Annual Highway Supply bids. The recommendation is as follows:

Dust Control – Accept the bid from Great Lakes Chloride

Road Signs – No bids solicited due to aluminum and plastics market volatility

Sign Posts – No bids solicited due to the steel market volatility

Aggregate – Given that the gravel pits and stone quarries are located in various areas throughout and around the County, it was recommended that the best value to the County is to accept all bids due to geographic areas. The bidders were: Columbia City Mill Service Company, Elkhart County Gravel Inc., Irving Materials Inc. (IMI), Kokomo Gravel Inc., Phend & Brown, Speedway Sand & Gravel, Ransbottom Excavating & Trucking and RJ Keirn

Weed Spray – Accept the bid from Daltons

Corrugated Metal Pipe (Culvert) – Accept both bids since there are many product variations and sizes that would hold value for the County. The bidders were: Debco Metal Culverts and St Regis

Cast In Place, Concrete Simple Bridge Package – No bids submitted

Structural Plate Pipe, Pipe Arches & Arches – Accept both bids since there are many product variations and sizes that would hold value for the County. The bidders were: Debco Metal Culverts and St Regis

Liquid Bituminous Material – Accept the two bids and use monthly pricing due to market volatility. The bidders were: Asphalt Materials & Pierceton Trucking

Plant Rental for Mixing H.A.C or H.A.E – Accept the only bid of Phend and Brown

Bituminous Hot Mix H.A.C or H.A.E (provided in county trucks) – Accept all bids due to product availability in various locations from Brooks Construction Company, Niblock, Phend & Brown and Central Paving, Inc.

Bituminous Hot Mix H.A.C or H.A.E (Laid by Contractor) – Accept all bids since the best value to the County is difficult to determine for any asphalt product due to market volatility, the “Base Date Bid Price”, and the escalation clause, obtaining firm prices that are based upon the annual bids for each specific project throughout the season. The bidders were: Brooks Construction, Niblock Excavating and Phend & Brown

Diesel Fuel (ULSD-Delivered to the County Highway Dept.) – Accept all bidders to qualify for fuel purchasing for the year 2019 from amounts set as needed from Ceres Solutions Cooperative, Petroleum Trader, Lemler Oil Company and United Oil Company

Treated Timber Structures – No bids submitted

MOTION: Brad Jackson

SECOND: Robert Conley

AYES: 2 NAYS: 0

MOTION CARRIED

TO: Approve the recommendation by Scott

Tilden for the 2019 Annual Highway Supplies.

**IN THE MATTER OF PETITIONER – MONICA WEIGAND FOR VACATION IN
TURKEY CREEK TOWNSHIP:**

Dan Richard, Area Plan Director, and Steve Snyder, Attorney for Petitioner, came before the Commissioners with the revised survey and legal description, which the Commissioners had requested when they approved the vacation ordinance and encroachment agreement at the September 18, 2018 meeting. Richard reminded the Commissioners of the replacement of the old wooden fence (as indicated on the older survey) with a new polyvinyl fence that encroaches into the public right-of-way even following the vacation that was approved on September 18, 2018. Richard continued, stating it was by direction of the Commissioners he was to review the new survey prior to the recording of the ordinance and encroachment agreements. Richard stated he, along with the County Surveyor, Mike Kissinger, had reviewed the new survey, prepared by Walker & Sons, and that they have no objections. Richard also emphasized that, as per the Commissioners’ decision at the September 18, 2018 meeting, the encroachment agreement must provide that if the polyvinyl fence is ever taken down or destroyed that any new fence would then need to be located inside property lines.

MOTION: Robert Conley

SECOND: Cary Groninger

AYES: 3 NAYS: 0

MOTION CARRIED

TO: Approve the survey drafted as supporting documentation to the vacation ordinance and encroachment agreement, which were approved at the September 18, 2018 Commissioner meeting.

ORDINANCE NO. 18-12-3-001 (2018120019)

As recorded in the office of the Kosciusko County Recorder

The encroachment agreement will be recorded with the Kosciusko County Recorder as soon as it becomes available.

IN THE MATTER OF PETITIONER – DOMINICK MCCANN FOR VACATION IN TIPPECANOE TOWNSHIP:

Dan Richard, Area Plan Director, came before the Commissioners and presented a request to vacate a 16 foot platted easement within Bar-A-Bee Shore Addition. Richard stated due to the multiple remonstrance letters, stating residents use the easement to access the lake, along with records indicating the easement is used for drainage purposes presented at the hearing, the Area Planning Commission voted unanimously to not vacate the easement.

Dan Bobilya, Attorney for Petitioner, came before the Commissioners and stated it is rumored the easement was originally created for the use of emergency personnel in the event of a fire but said he had no documentation to confirm the rumors. Bobilya continued, stating the reason for the request to vacate is due to over-growth of brush, discarded garbage and the storage of boats and piers, which Bobilya stated has become a detriment to the value of the Petitioner, who is the neighboring property owner. Bobilya contends the property, in its current state, could not safely be used for public access and stated the Petitioner is willing to maintain the area fully, including the drainage provisions that currently exist.

Mike Kissinger, County Surveyor, came before the Commissioners and stated he had visited the site. Kissinger stated there is a drainage tile and catch basin on either side of the road that brings runoff down to the lake. Kissinger stated the surrounding residents paid for the drainage system, noting the road is not county-maintained and stated the vacation of the easement would sever their ability to control the runoff from the flood prone area.

MOTION: Brad Jackson

SECOND: Robert Conley

AYES: 2 NAYS: 0

MOTION CARRIED

TO: Approve the recommendation of the Area Planning Commission to not approve the Vacation. The Petition to Vacate is therefore denied.

IN THE MATTER OF PETITIONER-REINHOLD & CLAUDIA FUSSLE FOR REZONING:

Dan Richard, Area Plan Director, came before the Commissioners and presented a request to reclassify a 3 acre tract from agricultural to residential. Richard stated the property along Country Club Road and where Old Ditch Road intersects currently houses 2 residences, the existing farmhouse and a chicken house which was converted into a duplex with living quarters. Richard continued, stating the intent, if it is approved to be rezoned, is to subdivide the property into 2 lots, one for each structure, thus satisfying the violation. Richard stated the Area Planning Commission unanimously voted to allow the reclassification.

Richard Helm, Attorney for Petitioner, came before the Commission and submitted a set of exhibits supporting the request to resolve the violation as directed by Area Planning, at which time the Commissioners stated may not be necessary since the vote to reclassify by the Area Plan Commission was unanimous. The Commissioners discussed the reclassification request and agreed on the following recommendation:

MOTION: Brad Jackson

SECOND: Robert Conley

AYES: 2 NAYS: 0

MOTION CARRIED

TO: Accept the recommendation of the Area Planning Commissioners and reclassify from agricultural to residential.

ORDINANCE NO. 18-11-27-004 (2018111008)

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF PETITIONER-DP & P INVESTMENTS FOR REZONING:

Dan Richard, Area Plan Director, came before the Commissioners and presented a request to reclassify a 61.43 acre tract from agricultural to commercial. Richard stated the property along SR 15N and Levi Lee Road is in proximity to Valley Springs Subdivision, and therefore triggered a lot of remonstrance regarding items such as drainage and poor soils. Richard outlined several points of the Area Plan Commission Hearing, stating the Petitioner volunteered to eliminate approximately half the acreage from the request, in consideration of leaving a buffer for the subdivision. Richard stated access would be very closely watched with the possibility of the need for a stop light on SR 15 and in addition, the Area Plan Commission would have more

than typical discretion in the development of the site. Richard continued, stating the Area Plan Commission unanimously recommended to approve the reclassification with lesser acreage. Steve Snyder, Attorney for the Petitioner, came before the Commissioners and confirmed the information presented by Richard, stating, if approved, the survey would reflect the correct acreage.

Matt Sandy, resident of Valley Springs Subdivision, came before the Commissioners and stated his biggest concern with having the property developed commercially is traffic safety. In addition, Sandy stated another concern would be the ground quality of the north half of the area.

MOTION: Brad Jackson

SECOND: Robert Conley

AYES: 2 NAYS: 0

MOTION CARRIED

TO: Accept the recommendation of the Area Planning Commissioners and reclassify from agricultural to commercial.

ORDINANCE NO. 18-11-27-005 (2018111010)

As recorded in the office of the Kosciusko County Recorder

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

**KOSCIUSKO COUNTY COMMISSIONERS
December 11, 2018**

The Kosciusko County Commissioners met for their regular meeting on December 11, 2018 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley - President

Cary Groninger – Vice President

Brad Jackson

Chad Miner – County Attorney

Michelle Puckett – Auditor

Marsha McSherry – County Administrator

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

IN THE MATTER OF 2019 JDAI (JUVENILE DETENTION ALTERNATIVE INCENTIVE) GRANT REQUEST:

Judge David Cates came before the Commissioners with a request to apply for 2019 JDAI grant. Cates stated 2019 will mark the second year of a 4 year grant. Cates continued stating the intention of the grant is to lessen the rates of detention for juveniles, thus reducing the cost to the County for prosecution. In addition, Cates stated the money available from the Department of Corrections for 2019 is \$84,000 instead of \$55,000 as initially proposed.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

MOTION CARRIED

TO: Approve the request to apply for the 2019 JDAI grant in the amount of \$84,000.

IN THE MATTER OF TEEN COURT GRANT REQUEST:

Brad Voelz, Prosecutor's Office, came before the Commissioners to request approval to apply for the 2019 Teen Court grant through the ICJI. Voelz stated this would be the second year for the grant and it is supported by Judge Cates, probation officers, Dana Bailey and Kara Shively as well as area schools. In addition, Voelz stated Teen Court has made a significant impact on the youth within the community as well as reduced caseloads within the Courts. Commissioner Conley stated upon review of the entire document, he was impressed with all of the areas covered. Voelz stated approximately 50-60 teens have been helped by the program. Voelz continued, stating the majority of the funding pays personnel to run the program and other operational expenses.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

MOTION CARRIED

TO: Approve the request to apply for the 2019 Teen Court grant in the amount of \$129,039.

**IN THE MATTER OF TIPPECANOE/CHAPMAN REGIONAL SEWER DISTRICT-
PETITION FOR CREATION OF DISTRICT:**

Chad Miner, County Attorney, presented a proposed order, authorizing the filing of a petition for the creation of a regional sewer district. Miner stated if the Commission's decision is to approve the order, the next step will be to present it to the County Council and upon their approval, the petition will be ready to submit to IDEM.

Ken Jones, Project Engineer, Jones Petrie Rafinski, presented a preliminary engineering study, stating although the intention is to tighten down the projected costs to residents within the boundaries of the district, it is nearly impossible to estimate costs prior to receiving budget bids. Jones continued, stating some of the highlights of what is included in the report is a final count of approximately 1983 physical connections to the future wastewater system, which represent about 2360 residential equivalents. In addition, Jones stated the recommended collection system at this time is a low-pressure sewer that uses a series of grinder pumps, which is a concept that minimizes the disturbance of roadways and private improvements. Jones stated, with the proximity of structures in the area, this system appears to be the likely choice as well as the least costly. Jones further stated the report indicates that connecting to the City of Warsaw's is the most logical approach. Others options that were considered included Lakeland Regional sewage wastewater facility and the possibility of a new wastewater treatment plant. Jones mentioned other things included in the report were a statement of need as well as demonstration of history, which he said included over 40 years of consideration for this project. In addition, Jones stated a review of benefits was also included in the report, which listed numerous benefits to the community including the reduction of risk of exposure to human waste, protection of the environment, and preservation of property values. In conclusion, Jones stated, there is no expectation at this time, of implementing a connection fee. There will be fees to connect private improvements to the public infrastructure, which are estimated at \$20-\$30 per foot, along with fees to abandon and render unusable existing septic tanks, estimated at \$600-\$900 per tank.

Jeffrey Rowe, Umbaugh & Associates, serving as financial advisor, presented a preliminary rate study, which Rowe stated looks at what the estimated costs could be based on certain parameters and assumptions. Rowe stated the report outlines the three primary sources of funding available along with possible grant funding and compares projected costs with the variables of implementing the different wastewater treatment systems. Rowe continued, stating the results of the comparison indicate the lowest cost option currently available is the connection to City of Warsaw, with a cost estimate of around 37.4 million. Rowe stated operation and maintenance replacement costs were also compared and the lowest cost option indicated was wastewater treatment plant, estimated at \$784,000. In addition, Rowe stated assuming there is no grant funding or loan forgiveness, the lowest estimated rate would be \$998, which could increase by up to \$104-\$108 per month under the other two options. In conclusion, Rowe stated in order to reach the target monthly rate of approximately \$80, which appears to be consistent with surrounding sewer district participants, the projected grant funds needed would be an estimated 10.5 million.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

MOTION CARRIED

TO: Approve the order, authorizing the filing of a petition with IDEM for the creation of the Tippecanoe/Chapman Regional Sewer District.

IN THE MATTER OF KEDCO-AGREEMENT FOR SERVICES:

Chad Miner, County Attorney, presented the 2019 agreement for services, between the County and the Kosciusko Economic Development Corporation in the amount of \$190,000 payable in January of 2019. Miner stated the agreement mirrors prior agreements with KEDCO.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

MOTION CARRIED

TO: Approve the 2019 agreement of services with KEDCO.

IN THE MATTER OF COUNTY PURCHASE OF PROPERTY:

Chad Miner, County Attorney, reminding the Commissioners of the resolution approved at the last meeting, where the Commissioners authorized Commissioner Jackson and County

Administrator, Marsha McSherry, to begin the process of locating property for purchase, stated they have located property and would like approval to submit an offer.

MOTION: Cary Groninger

TO: Approve the authorization of submitting an offer.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

MOTION CARRIED

IN THE MATTER OF CONFLICT OF INTEREST DISCLOSURES:

Chad Miner, County Attorney, presented conflict of interest disclosure statements which Miner stated have been reviewed and signed by the Commissioners and requested acceptance of the Commission.

MOTION: Cary Groninger

TO: Approve the acceptance of the conflict of interest disclosure statements of the Board of Commissioners as presented by Attorney Miner.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

MOTION CARRIED

IN THE MATTER OF SECURITY SYSTEM UPDATE:

Marsha McSherry, County Administrator, reminding the Commissioners of their approval to go forward with the security system upgrade of the Justice Building and the Jail, stated the contract in the amount of \$757,920 was accepted.

IN THE MATTER OF 2019 CSI MAINTENANCE & DISASTER RECOVERY SERVICE AGREEMENTS -CLERK:

Michelle Puckett, County Auditor, on behalf of Ann Torpy, County Clerk, presented 2019 maintenance and disaster recovery agreements. Puckett stated the agreements were sent to be reviewed by County Attorney Chad Miner. Miner stated he had reviewed the documents, which are renewed annually, and had no objections.

MOTION: Cary Groninger

TO: Approve the 2019 CSI Maintenance & Disaster Recovery Agreements as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

MOTION CARRIED

IN THE MATTER OF INDOT CALL FOR PROJECTS GRANT REQUEST-HIGHWAY:

Scott Tilden, Highway Superintendent, came before the Commissioners and requested permission to apply for the INDOT Call for Projects Grant. Tilden stated the request is for federal funds with an 8/20 split and is for bridge 161, which is on CR 200S, east of SR15, over Walnut Creek. Tilden continued, stating the request for federal grant funding would be for \$1,088,880, making the county's portion of 20% \$272,220. Although this is a 2024 grant, Tilden stated construction could begin as early as 2019.

MOTION: Brad Jackson

TO: Approve request to apply for the 2024 INDOT Call for Projects Grant in the amount of \$1,088,880.

SECOND: Cary Groninger

AYES: 3 NAYS: 0

MOTION CARRIED

IN THE MATTER OF PICKUP TRUCK QUOTES-HIGHWAY:

Scott Tilden, Highway Superintendent, came before the Commissioners requesting to set a date for open quotes for one new ¾ ton, crew cab pickup truck, which has already been approved in the 2019 budget. Tilden recommended January 8th 2019 as the day to receive quotes.

MOTION: Brad Jackson

TO: Approve request to open bids for one new ¾ ton crew cab pickup truck on January 8th, 2019.

SECOND: Cary Groninger

AYES: 3 NAYS: 0

MOTION CARRIED

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

KOSCIUSKO COUNTY COMMISSIONERS

December 18, 2018

The Kosciusko County Commissioners met for their regular meeting on December 18, 2018 at 9:00a.m. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Robert Conley - President
Cary Groninger – Vice President
Brad Jackson

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

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

IN THE MATTER OF GRANT REQUEST-2019 DNR

Sheriff, Rocky Goshert, came before the Commissioners and presented a request to apply for the 2019 DNR grant in the amount of \$15,000. Goshert stated the grant is used for lake patrol salaries, boat maintenance, dock rental and is a grant the County has utilized for approximately 20 years.

MOTION: Cary Groninger

TO: Approve the DNR grant in the amount of \$15,000.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

MOTION CARRIED

In addition, Goshert extended thanks and his appreciation to the Commissioners and staff for their support over all the past years.

IN THE MATTER OF 2019 CONTRACTUAL AGREEMENT-PURDUE EXTENSION:

Kelly Heckaman, Director, Purdue Extension, came before the Commissioners and presented the 2019 Purdue Extension Contractual Agreement. County Attorney, Chad Miner, stated he had reviewed the document and had no objections. Heckaman stated some of the wording has been amended but that contents of the contract remain the same.

MOTION: Brad Jackson

TO: Approve the 2019 Extension Contractual Services Agreement with Purdue University (as presented).

SECOND: Cary Groninger

AYES: 3 NAYS: 0

MOTION CARRIED

IN THE MATTER OF VALUE PAYMENT SYSTEMS CONTRACT-TREASURER:

Rhonda Helser, County Treasurer, came before the Commissioners and presented an agreement with VPS (Value Payment Systems). Helser stated the 3-year contract with this new company will reduce the rates tax payers will incur when paying taxes with credit or debit card. In addition, Helser stated an online payment system will be available through the County's Beacon site and the County will not incur any fees by using the system. County Attorney, Chad Miner, stated he had reviewed the contracts and had no objections.

MOTION: Brad Jackson

TO: Approve contracts (as presented) for the purpose of accepting tax payments electronically.

SECOND: Cary Groninger

AYES: 3 NAYS: 0

MOTION CARRIED

IN THE MATTER OF AMENDMENT OF CAPITAL IMPROVEMENT PLAN:

Chad Miner, County Attorney, presented an Order to Amend and Restate the Capital Improvement Plan, as required to establish the plan of use for the funds used by the Economic Development Commission for 2018, 2019 and 2020.

MOTION: Cary Groninger

TO: Approve Order to Amend and Restate the Capital Improvement Plan for 2018, 2019 and 2020 (as presented).

SECOND: Brad Jackson

AYES: 3 NAYS: 0

MOTION CARRIED

ORDER NO. 18-12-18-001 (2018120774)
As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF COMMUNITY CORRECTIONS BY-LAWS RESOLUTION:

Chad Miner, County Attorney and Community Corrections Advisory Board Member, presented a Resolution, making changes to their by-laws. Miner stated the amendments are due to changes in the statute, delegating the qualifications for some of the board member appointments. Miner continued, stating the most significant changes, made by the General Assembly, were the addition of a few more specific types of board members (namely, educational administrators and lay people) as well as the reduction in quorum requirement.

RESOLUTION NO. 18-12-18-001 (2018120701)
As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF COMMUNITY CORRECTIONS ADVISORY BOARD APPOINTMENT RESOLUTION:

Marsha McSherry, County Administrator, presented the Resolution to appoint the 2019 Community Corrections Program Advisory Board Members (as presented by Resolution, which is slightly different than what was presented on the agenda):

- Antony Garza, Public Defender
- Linda Gusti, Victim Advocate
- Kara Shively, Representative from Juvenile Detention Alternatives Initiative
- Jon Garber, Member of the Kosciusko County Council
- Tammy Johnson, Probation Officer
- Dana Bailey, Juvenile Probation Officer
- Geoff Walmer, Education Administrator
- Steve Ferber, Education Administrator
- Steve Perek, Education Administrator
- Kurt Carlson, Mental Health Administrator
- Barry Andrew, Lay Person
- Paul Peques, Lay Person
- Layne Sumner, Lay Person
- Chad Miner, Lay Person
- Pamela Kennedy, Lay Person
- McKenzie Cloutier, Lay Person

RESOLUTION NO. 18-12-18-002 (2018120702)
As recorded in the office of the Kosciusko County Recorder

MOTION: Brad Jackson	TO: Approve the Resolution making changes
SECOND: Cary Groninger	to By-Laws, as mandated by General
AYES: 3 NAYS: 0	Assembly and Approve the Resolution,
MOTION CARRIED	appointing the 2019 Community Corrections
	Program Advisory Board Members (as
	presented by Resolution)

IN THE MATTER OF COUNTY BOARD APPOINTMENTS:

Marsha McSherry, County Administrator, presented the county board appointments and the department head appointments as listed on the agenda (see complete lists below, which include the additions of Joe Irwin, Drainage Board and Ron Robinson and Ron Truex, Redevelopment Commission, filling OPEN positions, as stated by McSherry).

- | | |
|-------------------------------|-----------------|
| • Alcohol Beverage Commission | Alan Alderfer |
| • Area Plan Board | Robert Conley |
| • Arrow Head RC & D | Stanley Moore |
| • Board of Zoning Appeals | Charlie Haffner |
| | Lee Harman |
| | Ron Truex |
| • Child Protection Team | Dave Bumbaugh |
| • KCCRVC | John Hall |
| | Ron Robinson |
| • Drainage Board | Joe Irwin |

- | | |
|----------------------------------|-----------------|
| | Cary Groninger |
| • Emergency Mngt. Advisory Board | Cary Groninger |
| • KEDCo | Brad Jackson |
| • MACOG | Cary Groninger |
| • OrthoWorx | Brad Jackson |
| • PTABOA | Susie Stookey |
| | David Knisley |
| • Public Defenders Board | Steve Harris |
| | John Hall |
| | Alan Alderfer |
| • Redevelopment Commission | Bruce Woodward |
| | Ron Robinson |
| | Ron Truex |
| • St Joseph River Basin | Jon Roberts |
| • Wage Committee | Brad Jackson |
| • Weights & Measures | Larry Marner |
| • Strategic Planning | Brad Jackson |
| | Marsha McSherry |

IN THE MATTER OF DEPARTMENT HEAD APPOINTMENTS:

- | | |
|---------------------------------|-----------------|
| • Area Plan Director | Dan Richard |
| • County Administrator | Marsha McSherry |
| • County Attorney | Chad Miner |
| • GIS | Bill Holder |
| • County Highway Superintendent | Scott Tilden |
| • Homeland Security/LEPC | Ed Rock |
| • System Administrator | Bob Momeyer |
| • Veteran Officer | Rich Maron |

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

MOTION CARRIED

TO: Approve the County Board and

Department Head Appointments (as listed above).

IN THE MATTER OF 2019 KCCRVC INTER-LOCAL AGREEMENT RESOLUTION:

Michelle Puckett, County Auditor, presented the 2019 Kosciusko County Convention Recreation and Visitor Commission (KCCRVC) Inter-Local Agreement by Resolution. Puckett stated the agreement allows the County Auditor to continue to serve as Controller.

MOTION: Brad Jackson

SECOND: Cary Groninger

AYES: 3 NAYS: 0

MOTION CARRIED

TO: Approve the 2019 KCCRVC Inter-Local Agreement by Resolution.

(Fully executed copy to be recorded when available)

IN THE MATTER OF APPROVAL OF 2019 MAXIMUS AGREEMENT:

Michelle Puckett, County Auditor, presented the 3-year 2019 Maximus Agreement. Puckett stated Maximus is the company used to analyze all the data of minutes, claims and consideration of child support enforcement reimbursement. Chad Miner, County Attorney, stated he had reviewed the contract and had no objections.

MOTION: Cary Groninger

SECOND: Brad Jackson

AYES: 3 NAYS: 0

MOTION CARRIED

TO: Approve the 2019 3-year Maximus Agreement.

IN THE MATTER OF VACATION REQUEST-HEFFELFINGER/CLAY:

Dan Richard, Plan Commission Director, came before the Commissioners and presented the recommendation of the Area Planning Commission regarding the request to vacate a public roadway. Richard stated the Petitioners are requesting to vacate a portion of roadway that was part of the original plat of First Addition to Shore Acres on Sechrist Lake. Richard continued,

stating according to the original plat, which included property dedicated as public beach specified by the plat owner, the beach is never to be encroached upon by private interests. Richard reported, the portion of roadway the Petitioners are requesting to vacate is a 20' strip between the Petitioners' property and the public beach, which Richard stated, the Area Plan Commission recommended unanimously to deny. Richard stated reasons contributing to the APC's decision included remonstrance letters, which listed concerns of access to an adjacent property owner's well and sewer, which is most easily accessed by the public roadway, and the technical report, which states access to public beaches, such as this, are of great value and significance to our community and should therefore remain unaltered. Richard also mentioned the Petitioners' shed encroaches into the public roadway and the Petitioner has put a pier out in front of the public beach.

Steve Snyder, Attorney for Petitioner, came before the Commissioners and stated the vacation would not eliminate access to the public beach but also that the Petitioners were unaware of the location of the adjacent property owners' well at the time of the filing, nor were they aware when they purchased the property in its current state, the location of the shed was in violation of the encroachment order. Snyder suggested in lieu of the vacation request, the Commissioners consider an encroachment agreement, allowing the set of stairs and utility shed to remain and in the event, the shed was in the way of any repairs or service needed to the well, the Petitioners would agree to move the shed for the purpose of repairs and replace upon completion of said repairs.

There was a general discussion regarding changes to the property, set back restrictions and violations of encroachments. Richard restated the APC's recommendation was to leave the property as it is right now. Richard stated the APC discussed possibly vacating a portion of the roadway but ultimately decided to deny the vacation since it was the right of way that enabled the shed to be placed in its location.

Lee Shaul, lake front property owner adjacent to the beach area, came before the Commissioners and shared his opposition to the vacation. Shaul stated he does not support the vacation of the roadway nor any encroachment onto the property dedicated to public beach.

Mike Kissinger, Plan Commission Member and County Surveyor, came before the Commissioners and stated if the encroachment of the shed is allowed, well access previously mentioned as a concern, would be at the discretion of the Petitioner as to the timeliness and availability of accessing the well.

MOTION: Brad Jackson
SECOND: Cary Groninger
AYES: 3 NAYS: 0
MOTION CARRIED

TO: Accept the recommendation of the Area Planning Commission, denying the vacation of the public roadway, and in addition, approve the existing stairs as an encroachment-in the current footprint with the ability to repair them as needed.

IN THE MATTER OF REQUEST TO REZONE- WOENKER:

Dan Richard, Plan Commission Director, came before the Commissioners and presented a request to rezone seven tenths of an acre, located just off of SR 13, south of the intersection of Armstrong Rd, from agricultural to commercial. Richard stated a portion of the area is already zoned commercial and would be combined with the subject piece and in addition, a condition agreed to with the request includes six foot of green screening along the north edge of the property. Richard stated the Area Planning Commission unanimously recommended to approve the request, as long as the condition of the green screen is met.

A representative of GW Management came before the Commissioners in support of the request.

MOTION: Cary Groninger
SECOND: Brad Jackson
AYES: 3 NAYS: 0
MOTION CARRIED

TO: Accept the recommendation of the Area Planning Commission, approving the rezoning from agricultural to commercial.

IN THE MATTER OF 2019 RE-ELECTION OF OFFICERS:

Commissioner Conley requested a vote for the re-election of officers for the 2019 term.
Commissioner Jackson proposed the nomination of Cary Groninger as President and himself as Vice-President.

MOTION: Brad Jackson

TO: Approve the nominations of Cary

SECOND: Cary Groninger

Groninger, as President and Brad Jackson, as

AYES: 3 NAYS: 0

Vice-President for the 2019 term.

MOTION CARRIED

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