

KOSCIUSKO COUNTY COMMISSIONERS

January 5, 2010

The Kosciusko County Commissioners met for their regular meeting on January 5, 2010 at 9:00 A.M. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Bob Conley – President
Brad Jackson
Ron Truex

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

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

IN THE MATTER OF ELECTION OF OFFICERS:

President Bob Conley called for nominations for 2010 Officers.

MOTION: Brad Jackson TO: Nominate Ron Truex as President for 2010.
SECOND: Bob Conley

AYES: 2 NAYS: 0; 1 *Abstain*

UNANIMOUS

MOTION: Ron Truex TO: Nominate Brad Jackson as Vice President for 2010.
SECOND: Bob Conley

AYES: 2 NAYS: 0; 1 *Abstain*

UNANIMOUS

IN THE MATTER OF BOARD OF FINANCE APPOINTMENT:

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

MOTION: Brad Jackson TO: Nominate Ron Truex as President of Board of Finance for 2010.
SECOND: Bob Conley

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF 2009 INVESTMENT REPORT:

Sue Ann Mitchell, County Treasurer, presented the 2009 Financial Report noting the report shows the County's investments earned \$405,000 less than last year. Mitchell also noted the bank account interest earned \$834,000 less than last year. Mitchell stated the amount of investments totals \$20,647,085.83.

Mitchell then stated she will continue to work with area banks on the County's investments while continuing to work on the RFP.

MOTION: Bob Conley TO: Accept 2009 Investment Report as presented.
SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF POWER PAY CONTRACT:

County Treasurer, Sue Ann Mitchell, presented a contract between the County and Power Pay, previously known as AME Group. Mitchell explained Power Pay is the company that handles tax payments paid by credit card either on-line or over the telephone. Mitchell noted that County Attorney, Mike Miner, previously reviewed the contract.

MOTION: Brad Jackson TO: Approve contract between County and Power Pay as presented.
SECOND: Bob Conley

AYES: 3 NAYES: 0

MOTION CARRIED

IN THE MATTER OF APPRAISALS FOR FOX FARM ROAD ROUNDABOUT:

Ron Robinson, County Administrator, stated appraisals were needed and then requested permission to sign necessary preliminary documentation for the roundabout on Old Road 30 at Fox Farm Road. Robinson noted he will contact the Commissioners prior to signing any paperwork.

MOTION: Brad Jackson

TO: Authorize Robinson to sign necessary

SECOND: Bob Conley

documentation for the Fox Farm roundabout

AYES: 3 NAYS: 0

after consulting with Commissioners.

UNANIMOUS

IN THE MATTER OF MAINTENANCE STAFF UPDATE:

Ron Robinson, County Administrator, stated by the end of the month he will lose three (3) part-time housekeeping staff. Robinson then stated he is going to restructure the current staff in an attempt to avoid hiring any new part-time help.

Commissioners commended Robinson for his efforts with the maintenance staff scheduling.

IN THE MATTER OF USI CONSULTANTS, INC. AGREEMENT:

Highway Superintendent, Dennis Pletcher, presented an Agreement for Engineering Services between the County and USI Consultants, Inc. for Federal Highway mandated bridge inspections for the next four (4) years. Pletcher explained eighty percent (80%) of the fees are reimbursed by a Federal grant. He also stated the Agreement is similar to last year noting the increased fee due to additional mandated bridge inspections by the State.

Pletcher made a recommendation to the Commissioners to accept the Agreement as presented.

MOTION: Bob Conley

TO: Approve Agreement between the County

SECOND: Brad Jackson

and USI Consultants, Inc. to perform State

AYES: 3 NAYS: 0

mandated bridge inspections as presented.

UNANIMOUS

IN THE MATTER OF SYRACUSE TRAIL ISSUE:

Highway Superintendent, Dennis Pletcher, presented an issue regarding motorists parking on the Syracuse walking/biking trail while using the lake for ice fishing. Pletcher discussed the Ordinance with County Attorney, Mike Miner, whereby it was noted the Ordinance does not provide for a violation for parking on the trail.

Commissioner Brad Jackson questioned Sheriff Rocky Goshert regarding the safety issue of parking on the trail. Sheriff Goshert responded that there should be no problem since the vehicles are off of the right-of-way.

Jackson stated as long as the vehicles are not damaging the trail, then an issue does not exist.

Jackson noted if a problem exists in the spring, then the problem will be revisited, further stating the County is not responsible for any damage caused by any vehicles parking on the trail.

IN THE MATTER OF 2010 CVB APPOINTMENT:

President Ron Truex stated at the previous Commissioners meeting, the appointment to the CVB was tabled to address concerns by both the Council and Commissioners with the appointment.

Truex then stated the concerns have been resolved and he further recommended Mike Stetzel be reappointed for a two (2) year term to the CVB Commission.

MOTION: Brad Jackson

TO: Appoint Mike Stetzel to the CVB

SECOND: Bob Conley

Commission for a two (2) year term.

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF 2010 CENSUS:

Commissioner Bob Conley stated the 2010 U.S. Census Bureau has scheduled a Media Day for January 12, 2010 at 11:00a.m. in the Old Courtroom of the Courthouse. Conley then stated the Complete Count Committee will be present to answer any questions. Conley further stated fifteen (15) units of government will be represented within the Committee and present at the Media Day.

IN THE MATTER OF AREA PLAN COMMISSION AMENDMENT TO ZONING ORDINANCE:

Matt Sandy, Area Plan Assistant Director, presented the Amended Zoning Ordinance for signature explaining the Ordinance was approved by the Commissioners at their last meeting.

IN THE MATTER OF AREA PLAN COMMISSION AMENDMENT TO ZONING ORDINANCE CONTINUED:

Sandy noted the addition of “sheltering of persons or property” to the tent definition was the only change made, per the Commissioners request.

IN THE MATTER OF LAKELAND REGIONAL SEWER DISTRICT UPDATE:

President Ron Truex updated the Commissioners on the countywide sewer petition by stating a rough draft has been received from the engineering firm to be presented to LRSD.

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

**KOSCIUSKO COUNTY COMMISSIONERS
January 19, 2010**

The Kosciusko County Commissioners met for their regular meeting on January 19, 2010 at 9:00 A.M. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Ron Truex – President
Brad Jackson
Bob Conley

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

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

IN THE MATTER OF 911 DISPATCH ANNUAL STATISTICAL REPORT:

David Rosenberry, Director of Personnel for 911 Dispatch, presented the 2009 Statistical Report for the 911 Dispatch Center. Rosenberry stated the Report details the statistics for 2009, noting there were 258 fewer calls in 2009 with the largest decrease in Fire Departments calls.

IN THE MATTER OF MICROVOTE CONTRACT:

County Clerk, Jason McSherry, presented a contract between the County and MicroVote for the Commissioners’ signature. McSherry explained MicroVote is the company that handles the voting machine software and license agreements. McSherry noted the agreement is for unlimited software upgrades and twenty-four (24) hour technical support. McSherry further noted the Agreement is similar to 2008 and the \$9,500.00 fee has not increased. McSherry also noted County Attorney, Mike Miner, has previously reviewed the Contract.

MOTION:	Brad Jackson	TO: Approve contract between County and
SECOND:	Bob Conley	MicroVote as presented.
AYES: 3	NAYES: 0	
MOTION CARRIED		

IN THE MATTER OF DOXPOP CONTRACT:

County Clerk, Jason McSherry, presented a contract between the County and Doxpop, LLC. McSherry explained Doxpop, LLC is the company providing internet access to court records. McSherry further explained Doxpop, LLC is also the software company handling the case management system for the Clerk’s office. McSherry noted County Attorney, Mike Miner, has previously reviewed the Contract.

MOTION:	Brad Jackson	TO: Approve contract between County and
SECOND:	Bob Conley	Doxpop, LLC as presented.
AYES: 3	NAYES: 0	
MOTION CARRIED		

IN THE MATTER OF KABS 2009 QUARTERLY REPORT:

KABS Director, Matt Boren, presented the Quarterly Operating Financial Statement and the Indiana Department of Transportation Contract Invoice-Voucher for 2009 fourth quarter for signature.

MOTION:	Brad Jackson	TO: Approve Quarterly Operating Financial
SECOND:	Bob Conley	Statement and the Indiana Department of
AYES: 3	NAYES: 0	Transportation Contract Invoice-Voucher for
MOTION CARRIED		
		2009 fourth quarter as presented.

IN THE MATTER OF KABS CAPITAL CLAIM FOR ARRA GRANT:

Matt Boren, KABS Director, presented the first Capital Claim for the American Recovery and Reinvestment Act (ARRA) Grant.

MOTION:	Brad Jackson	TO: Approve Capital Claim for ARRA Grant
SECOND:	Bob Conley	as presented.
AYES: 3	NAYES: 0	
MOTION CARRIED		

IN THE MATTER OF INDOT CONTRACTS:

County Administrator, Ron Robinson, presented four (4) contracts between the County and INDOT. Robinson explained the contracts are for the two (2) roundabout projects as well as the Zimmer Road and Fox Farm Road construction to Walnut Creek. Robinson noted that County Attorney, Mike Miner, previously reviewed the contracts.

MOTION:	Bob Conley	TO: Approve four (4) contracts between
SECOND:	Brad Jackson	County and INDOT as presented.
AYES: 3	NAYES: 0	
MOTION CARRIED		

IN THE MATTER OF TROYER GROUP CONTRACTS:

County Administrator, Ron Robinson, presented contracts between the County and Troyer Group. Robinson explained the contract fees are less due to eliminating the County Road 350W project. Robinson noted that County Attorney, Mike Miner, previously reviewed the contracts.

MOTION:	Bob Conley	TO: Approve contracts between County and
SECOND:	Brad Jackson	Troyer Group as presented.
AYES: 3	NAYES: 0	
MOTION CARRIED		

IN THE MATTER OF TOWN OF PIERCETON INTER-LOCAL AGREEMENT:

Highway Superintendent, Dennis Pletcher, presented an Inter-local Agreement between the County and the Town of Pierceton for the Commissioners signature. Pletcher explained the Agreement is to exchange the use of a brush chipper from the Town of Pierceton and a truck from the KCHD. Pletcher noted County Attorney, Mike Miner, previously reviewed the agreement.

President Ron Truex questioned which entity would be responsible for the maintenance of the equipment. Pletcher responded the minor maintenance (sharpening, oil changes, etc.) would be done by the borrower of the equipment while the major maintenance (engine, drive train, etc.) would be done by the owner of the equipment.

Commissioner Bob Conley questioned how the items would be covered by insurance. Pletcher noted he is still investigating insurance since both entities carry insurance by the same company. The Commissioners commended Pletcher for sharing equipment as opposed to new purchases.

MOTION:	Bob Conley	TO: Approve Inter-Local Agreement between
SECOND:	Brad Jackson	County Highway Department and the Town of
AYES: 3	NAYES: 0	Pierceton as presented.
MOTION CARRIED		

IN THE MATTER OF HIGHWAY DEPARTMENT UPDATES:

Highway Superintendent, Dennis Pletcher, presented the following updates to the Commissioners:

- ❖ There may be additional Federal stimulus monies available, Pletcher noted he will continue to research and keep on top of the matter.
- ❖ Pletcher has unofficially discussed potential road work plans with consultants as any stimulus monies received must be used in a timely manner.
- ❖ E & B Paving will repair prior inferior material and work on Old Road 30 in the spring.
- ❖ Pletcher clarified the funding for Old Road 30 West is still in place to begin work when the weather permits in spring, 2010.

IN THE MATTER OF THOMPSON VACATION – TIPPECANOE TOWNSHIP:

Matt Sandy, Area Plan Assistant Director, presented a vacation request from Frank and Constance Thompson to vacate a portion of Barbee Road in the plat of Willow Cove, Tippecanoe Township. Sandy explained a portion of Barbee Road was previously vacated in 2005 for Gary and Kay D. Hosack.

IN THE MATTER OF THOMPSON VACATION – TIPPECANOE TOWNSHIP
CONTINUED:

Sandy stated it was the unanimous recommendation of both APC and the Board of Zoning Appeals to approve the vacation with the stipulation the properties be reconfigured to allow access to all lots.

Steve Snyder, Attorney for the Thompson's, stated the Thompson's and Hosack's own lot 23 jointly and they would like to split it. Snyder added the Thompson's would like to combine their portion of lot 23 with their original lot 25 but must first vacate the portion of Barbee Road between lot 23 and 24. Snyder also noted the combine will reduce the density of build-able lots from three (3) to two (2) while providing access to lots 24 and 25.

Rick Helm, Attorney for the Hosack's, concurred with Snyder's presentation.

No one else appeared in favor of the vacation.

No one appeared in opposition to the vacation.

MOTION: Bob Conley

TO: Accept the recommendation of APC to

SECOND: Brad Jackson

approve the vacation of a portion of Barbee

AYES: 3 NAYS: 0

Road in Willow Cove as presented.

UNANIMOUS

ORDINANCE NO. 2010-01-19-001Vacation

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF 2010 ELECTION:

Commissioner Bob Conley announced he will run for a second term as Commissioner for the Southern District of Kosciusko County.

IN THE MATTER OF LAKELAND REGIONAL SEWER DISTRICT UPDATE:

President Ron Truex updated the Commissioners on the countywide sewer petition by stating the rough draft of the petition was given to the attorneys for LRSD where they made corrections and recommendations. Truex noted the process is moving forward.

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

KOSCIUSKO COUNTY COMMISSIONERS
February 2, 2010

The Kosciusko County Commissioners met for their regular meeting on February 2, 2010 at 9:00 A.M. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Ron Truex – President
Brad Jackson
Bob Conley

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

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

IN THE MATTER OF DOXPOP, LLC CONTRACT:

County Recorder, Deb Wright, presented a contract between the County and Doxpop, LLC. Wright explained Doxpop, LLC is the company providing internet access to documents filed in the County Recorders office. Wright further explained the contract also provides an option for the property owner to supply their email address and receive notification of any documents filed on their property.

MOTION: Brad Jackson

TO: Approve contract between County and

SECOND: Bob Conley

Doxpop, LLC as presented contingent upon

AYES: 3 NAYES: 0

County Attorney's review.

MOTION CARRIED

IN THE MATTER OF FIRE DISTRICT II STATE GRANT REQUEST:

Darrell Eiler, Fire District II Coordinator, stated he received notice from the State Fire Training Center of additional funding available in the amount of \$9,576.00. Eiler explained the additional funding can be used for equipment and materials for the training center. Eiler further noted there is no obligation or cost to the County.

MOTION: Bob Conley

TO: Approve grant request for \$9,576.00 as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF KABS AMENDED 2009 QUARTERLY REPORT:

County Auditor, Marsha McSherry, for KABS Director, Matt Boren, presented a revised Quarterly Claim Voucher Financial Statement and a revised Indiana Department of Transportation Contract Invoice-Voucher for 2009 fourth quarter. McSherry noted both documents were previously approved by the Commissioners.

MOTION: Bob Conley

TO: Approve Revised Quarterly Operating Financial Statement and Revised Indiana Department of Transportation Contract Invoice-Voucher for 2009 fourth quarter as presented.

SECOND: Brad Jackson

AYES: 3 NAYES: 0

MOTION CARRIED

IN THE MATTER OF SETTLEMENT OF PENDING LAWSUIT:

County Attorney, Mike Miner, stated the County has an opportunity to settle a pending worker's compensation lawsuit in the amount of \$82,500. Miner recommended settling the lawsuit avoiding further litigation.

MOTION: Bob Conley

TO: Accept Miner's recommendation to settle lawsuit in the amount of \$82,500.

SECOND: Brad Jackson

AYES: 3 NAYES: 0

MOTION CARRIED

IN THE MATTER OF VERIZON NORTH, INC. CONTRACT:

County Administrator, Ron Robinson, presented a contract between the County and Verizon North, Inc. Robinson explained the contract fees are less than last year due to the diligence of Tom Brindle, Emergency Communications Director. Robinson added even with the reduced fees, the same level of service through the 911 Dispatch Center will be maintained. Robinson noted that County Attorney, Mike Miner, previously reviewed the contract.

MOTION: Brad Jackson

TO: Approve contract between County and Verizon North, Inc. as presented.

SECOND: Bob Conley

AYES: 3 NAYES: 0

MOTION CARRIED

IN THE MATTER OF COUNTY UPDATE:

Ron Robinson, County Administrator, updated the Commissioners by stating the GIS department has been moved to the first floor in the old Extension office. Robinson stated the Health Department and Area Plan are also in the process of realigning their offices on the third floor.

IN THE MATTER OF ON-TIME TAX BILLING:

County Auditor, Marsha McSherry, stated the 1782 Notices have been sent and approved and budget orders are expected to be received this week. McSherry explained these steps allow the County to be one (1) step closer to on-time tax billing for the 2009 payable 2010 taxes.

IN THE MATTER OF LAKELAND REGIONAL SEWER DISTRICT UPDATE:

President Ron Truex updated the Commissioners on the countywide sewer petition by stating the LRSD attorney's corrections are still being reviewed and incorporated into the petition. Truex noted the process is moving forward.

IN THE MATTER OF 2010 CENSUS:

Commissioner Bob Conley stated the 2010 U.S. Census Bureau has scheduled a meeting for February 9, 2010 at 11:00a.m. in the Old Courtroom of the Courthouse.

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

KOSCIUSKO COUNTY COMMISSIONERS

February 16, 2010

The Kosciusko County Commissioners met for their regular meeting on February 16, 2010 at 9:00 A.M. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Ron Truex – President
Brad Jackson
Bob Conley

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

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

IN THE MATTER OF COUNTY HIGHWAY UPDATE:

Dennis Pletcher, Highway Superintendent, updated the Commissioners by stating the southern portion of the County had a drifting issue this week that required the use of a “V” plow. Pletcher noted the drifts did not occur to that degree in the remainder of the County.

IN THE MATTER OF LAKELAND REGIONAL SEWER DISTRICT UPDATE:

President Ron Truex updated the Commissioners on the countywide sewer petition by stating the LRSD attorney’s corrections are still being reviewed and incorporated into the petition. Truex noted the process is moving forward. Truex further noted the LRSD meetings are held on the first Thursday of each month.

IN THE MATTER OF 2010 CENSUS:

Commissioner Bob Conley stated the 2010 U.S. Census Bureau has scheduled a meeting for March 2, 2010 at 11:00 a.m. in the Old Courtroom of the Courthouse.

IN THE MATTER OF WOOLUMS REZONING REQUEST – TIPPECANOE TOWNSHIP:

Dan Richard, Area Plan Director, presented a rezoning request from Todd Woolums to rezone three (3) tracts of land totaling 1.1 acres from Agricultural to Commercial in Tippecanoe Township. Richard explained the property is on the west side of State Road 13, south of Armstrong Road. Richard noted the properties surrounding the tract are zoned agricultural, commercial and residential. Richard further stated it was the unanimous recommendation of APC to approve the rezoning from agricultural to commercial.

Steve Snyder, Attorney for Todd Woolums spoke in favor of the rezoning. Snyder concurred with Richard stating Woolums sells new and refurbished appliances from this location and having the land rezoned would help with financing should he decide to expand again.

No one appeared in opposition to the rezoning.

MOTION: Brad Jackson

SECOND: Bob Conley

AYES: 3 NAYS: 0

UNANIMOUS

TO: Accept the recommendation of the APC to allow the rezoning request of the three (3) tracts of land totaling 1.1 acres from agricultural to commercial in Tippecanoe Township as presented.

ORDINANCE NO. 2010-02-16-001Z

As recorded in of the office of the Kosciusko County Recorder

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

KOSCIUSKO COUNTY COMMISSIONERS

March 2, 2010

The Kosciusko County Commissioners met for their regular meeting on March 2, 2010 at 9:00 A.M. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Ron Truex – President
Brad Jackson
Bob Conley

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

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

IN THE MATTER OF SHERIFF DEPARTMENT RELOCATION REQUEST:

Sheriff Rocky Goshert asked the Commissioners for their approval to relocate the FACT investigation team to the County Annex. Goshert explained the FACT reconstruction team and their equipment are currently housed in the Sheriff's office and space is tight.

County Administrator, Ron Robinson, stated the Extension office was moved to the County Annex and currently utilizes a number of the extra rooms for meeting rooms.

President Ron Truex stated the Commissioners will review the facilities and see if a solution can be found.

IN THE MATTER OF COUNTY CLERK UPDATE:

Jason McSherry, County Clerk, updated the Commissioners stating the new court docket software from CSI was installed and functioning as of Monday, March 1, 2010. McSherry explained the transition has taken approximately five (5) months with the entire month of February dedicated to training. McSherry noted Kosciusko County is the fourth (4th) largest county using the CSI court docket software. McSherry also noted the Bar Association has been helpful during the transition.

IN THE MATTER OF SEVERE WEATHER PREPAREDNESS WEEK:

Ed Rock, Emergency Management Director, stated Governor Mitch Daniels has declared March 14 – 20, 2010 as Severe Weather Preparedness Week. Rock stated the County will participate in a statewide tornado test on March 17, 2010. Rock noted the test will occur once between 10:15 and 10:30am and then again between 7:30 and 7:45pm. Rock encouraged everyone to use one of those times to run through their tornado procedures.

IN THE MATTER OF TRAINING/MOCK DISASTER GRANT:

Ed Rock, Emergency Management Director, presented the District II Training and Mock Disaster Grant in the amount of \$40,000. Rock explained the money will cover the training and training exercises for 2010. Rock further explained the County will serve as the fiscal agent for the grant funds.

Ron Robinson, County Administrator, stated the County Auditor approved of administering the grant funds as long as no disbursements are made before the funds are received. Rock explained when invoices are received; the invoices are submitted to the State whereby the State processes an electronic transfer into the County's account. Rock noted the grant funds support District II which is made up of seven (7) counties.

President Ron Truex questioned the use of the grant funds for training. Rock explained a plan is written first with training to follow. The next step would be a scenario exercised to be sure the plan and training was successful. Rock also stated the funds may be used for instructors or overtime expenses as well as training and exercises.

MOTION: Bob Conley

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve grant with stipulation that no money be disbursed before grant proceeds have been deposited into the County's account.

IN THE MATTER OF EMERGENCY MANAGEMENT UPDATE:

Commissioner Bob Conley questioned whether any preventive measures have been taken toward the spring flood issues that the County has experienced in the last two (2) years. Emergency Management Director, Ed Rock, noted many issues relate to the Tippecanoe River being blocked and the exceptional rainfall received in the last two (2) years that inhibit the draining of the excess water out of the County. Rock also noted the DNR is reluctant to clear the River since there are protected species within the River.

IN THE MATTER OF VACANCY IN KCCVRC POSITION:

Ron Robinson, County Administrator, presented a resignation letter from Mike Stetzel as President of the Kosciusko County Convention Visitors Recreation Commission (KCCVRC). Robinson noted the replacement should be someone within the hotel/motel industry but if no one is available, the person can be from outside that industry. The Commissioners agreed to gather a list of candidates for the position and contact them on their willingness to serve in the position.

IN THE MATTER OF ADVANCE PRODUCTS GROUP AGREEMENT:

Ron Robinson, County Administrator, presented a Maintenance Agreement between the County and Advance Products Group (New Paris Telephone) for the Commissioners' review and signature. Robinson explained the cost of the Contract is \$12,936.00 per year for five (5) years. Robinson noted APG has offered an upgrade at the cost of \$40,131.08 with a reduced annual maintenance agreement of \$6,100.00 per year for four (4) years. Robinson added with the upgrade, the County IT department could make changes if an office moves instead of incurring additional costs from APG.

MOTION: Brad Jackson

TO: Approve Maintenance Agreement with

SECOND: Bob Conley

Advance Products Group for upgraded system

AYES: 3 NAYS: 0

with reduced annual fee.

UNANIMOUS

IN THE MATTER OF WAWASEE SCHOOL DISTRICT WAGE HEARING:

Ron Robinson, County Administrator, stated he was contacted by Jim Evans from the Wawasee School District requesting a wage hearing and an appointment from the Commissioners to that wage committee.

MOTION: Bob Conley

TO: Approve Don Searce to serve on wage

SECOND: Brad Jackson

hearing committee for Wawasee School

AYES: 3 NAYS: 0

District.

UNANIMOUS

Robinson added Don Searce also agreed to serve on the wage committee for the Highway Department on a bridge coming to contract this spring.

IN THE MATTER OF KABS REQUEST TO HIGHWAY DEPARTMENT:

Dennis Pletcher, Highway Superintendent, stated the Highway Department received a request from KABS for a comprehensive emergency evacuation plan as required by INDOT. Pletcher presented the plan to County Attorney, Mike Miner for his review and recommendation.

IN THE MATTER OF OLD ROAD 30 RESURFACING UPDATE:

Dennis Pletcher, Highway Superintendent, stated E & B Paving was low bidder on the contract to resurface Old Road 30 from the east end of the County to the west end. Pletcher then stated the quality of the paving was substandard and E & B Paving had ample opportunity to repair the issues. Pletcher noted it was discovered E & B Paving used inferior asphalt mix but blamed INDOT for changing the required asphalt mix. Pletcher, in discussions with DLZ Consultants (an INDOT consultant), discovered changes will only be completed on the resurfacing if INDOT requires the changes. Pletcher recommended the entire road be re-milled and then resurfaced. Pletcher noted he is waiting for a plan for repair from E & B Paving to be submitted to INDOT. Once INDOT has reviewed and accepted the plan, they will contact the KCHD. County Attorney, Mike Miner, stated even though the Contract is between INDOT and E & B Paving, it is a county road and the County has a vested interest in the road surfacing to provide a safe roadway. Miner noted he is unsure of any legal recourse.

President Ron Truex expressed concern with E & B Paving beginning work on the remainder of the contract for the west end of Old Road 30 and the quality of their work. Truex then recommended speaking to the elected officials in State government on the issue.

IN THE MATTER OF 2010 CENSUS:

Commissioner Bob Conley stated the 2010 U.S. Census Bureau has scheduled a meeting for March 2, 2010 at 11:00 a.m. in the Old Courtroom of the Courthouse. Conley noted March is census month and April 1, 2010 is the official census day.

IN THE MATTER OF LAKELAND REGIONAL SEWER DISTRICT UPDATE:

President Ron Truex updated the Commissioners on the countywide sewer petition by stating he is hopeful that the final draft of the petition will be ready for the Commissioner's approval and ready to submit to the LRSD at their April, 2010 meeting.

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

KOSCIUSKO COUNTY COMMISSIONERS March 16, 2010

The Kosciusko County Commissioners met for their regular meeting on March 16, 2010 at 9:00 A.M. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Ron Truex – President
Brad Jackson
Bob Conley

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

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

IN THE MATTER OF KABS UPDATE:

KABS Director, Matt Boren, updated the Commissioners by stating February, 2010 was the first month KABS provided service county-wide. Boren noted with the increased number of riders, the county-wide expansion is a success and there is hope the numbers will continue to increase.

IN THE MATTER OF KABS 2009 DEOBLIGATION OF GRANT FUNDS:

KABS Director, Matt Boren, presented the Notification of Deobligation of Transit Grant Funds for the 2009 Operating Grant. Boren noted when the grant funds are not used by the County, they return to the State and Federal Government.

MOTION:	Bob Conley	TO: Approve letter of Deobligation of Grant
SECOND:	Brad Jackson	Funds.
AYES: 3	NAYES: 0	
MOTION CARRIED		

IN THE MATTER OF KABS REQUEST FOR REIMBURSEMENT:

Matt Boren, KABS Director, presented a Request for Reimbursement from the Federal Government for the purchase of a new bus to operate county-wide for the Commissioners signature.

MOTION:	Bob Conley	TO: Approve Request for Reimbursement as
SECOND:	Brad Jackson	presented.
AYES: 3	NAYES: 0	
MOTION CARRIED		

IN THE MATTER OF KDI REQUEST FOR RECOMMENDATION TO COUNCIL:

Max Courtney, President of KDI, noted through the Joint Redevelopment meeting held on January 6, 2010 there was a general consensus to support a county-wide economic development plan. Courtney presented a proposed 2010 budget, strategic plan and job description for an Executive Director to promote the county-wide economic development plan. Courtney requested the Commissioners' support of the plan, budget, and the creation of an Executive Director position and provide a recommendation to Council.

Commissioner Brad Jackson noted the importance of staying competitive in marketing the County to attract new industry as well as retain existing businesses.

**IN THE MATTER OF KDI REQUEST FOR RECOMMENDATION TO COUNCIL
CONTINUED:**

Courtney stated the goal is to work closer with the County, towns and cities to ensure growth county-wide. Courtney stated KDI is looking for a three (3) year commitment from the County and believes this is an investment the County should make to remain competitive.

President Ron Truex reiterated the importance of proper marketing of the County to new and existing businesses.

Commissioner Bob Conley commended the hard work and dedication of Courtney and KDI toward a county-wide economic development plan.

County Attorney Mike Miner also noted the importance of the economic plan being county-wide to include the smaller towns within the County.

MOTION: Brad Jackson

TO: Make recommendation to Council to support the economic development strategic plan, budget and creation of an Executive Director position.

SECOND: Bob Conley

AYES: 3 NAYS: 0

UNANIMOUS

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

County Administrator, Ron Robinson, stated he received a request from the Town of Silver Lake to re-route traffic on State Road 15 for their annual Silver Lake Days celebration on the weekend of June 19, 2010. Robinson noted the request is the same as in the past and requested the Commissioners' signatures approving the rerouting. Robinson noted the Highway Department also received notification of the request.

IN THE MATTER OF COUNTY EMPLOYEE APPRECIATION BREAKFAST:

County Administrator, Ron Robinson, stated the County employee appreciation breakfast will be held on Friday, April 30, 2010 at 7:00a.m. in the Justice Building. Robinson noted the breakfast is held in conjunction with National Government Month.

IN THE MATTER OF INDOT LETTER:

Ron Robinson, County Administrator, presented a letter to be sent to INDOT regarding a Partial Mortgage Release Waiver. Robinson stated the letter expresses the County's intent/desire to not have a partial mortgage release for right-of-way purchases.

MOTION: Brad Jackson

TO: Approve letter to INDOT as presented.

SECOND: Bob Conley

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF PHONE SERVICE UPGRADE:

Ron Robinson, County Administrator, stated there is a problem with the phone system at the Justice Building. Robinson noted there is an upgrade available that will alleviate the problem and requested permission to proceed with the upgrade.

MOTION: Bob Conley

TO: Approve upgrade to phone system as requested.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF ROAD SCHOOL RECERTIFICATION:

President Ron Truex stated County Administrator, Ron Robinson, and Highway Superintendent, Dennis Pletcher, attended a road school seminar to become recertified through the State. Truex explained this recertification allows Robinson and Pletcher to be an Employee Responsible in Charge (ERC) and sign documents regarding bridge and road repairs, etc. on behalf of the County.

MOTION: Bob Conley

TO: Allow Robinson and/or Pletcher to sign necessary documentation regarding roads and bridges for the County.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF CONFLICT OF INTEREST STATEMENTS:

County Auditor, Marsha McSherry presented Conflict of Interest Statements for Angela Stillson and Gavin Miller. McSherry explained Stillson and Miller are Nappanee Public Library Board members. McSherry also stated Stillson owns Stillson Studio and is contracted by the Nappanee Public Library for graphic art services and Miller is employed by Lake City Bank which is one of the library's banks.

MOTION: Ron Truex

TO: Approve conflict of interest statements for Angela Stillson and Gavin Miller as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF SRI TAX SALE CONTRACT:

Marsha McSherry, County Auditor, presented the 2010 Tax Sale Workplan and Contract from SRI Services. McSherry stated SRI will perform the tax sale for the County on September 22, 2010. McSherry noted County Attorney, Mike Miner, reviewed the Contract.

MOTION: Brad Jackson

TO: Approve SRI Contract as presented.

SECOND: Bob Conley

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF STONE STORAGE LEASE:

Highway Department Road Supervisor, Jeff Rohrer, presented a lease between the County and BNL Duck Farm. Rohrer explained the lease allows the KCHD to store stone on the property in the northwest corner of the County for accessibility purposes. Rohrer then stated the lease is a renewal and is in effect for a ten (10) year term.

MOTION: Brad Jackson

TO: Approve lease with BNL Duck Farm as presented.

SECOND: Bob Conley

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF COUNTY HIGHWAY DEPARTMENT 2009 YEAR-END REPORT:

Highway Department Road Supervisor, Jeff Rohrer, presented the Highway Department 2009 year-end report. Rohrer requested the Commissioners review the report and Highway Superintendent, Dennis Pletcher, will bring the final report to the March 30, 2010 meeting for approval and signature.

IN THE MATTER OF KELLY REZONING REQUEST – SEWARD TOWNSHIP:

Matt Sandy, Assistant Area Plan Director, presented a rezoning request from William Kelly to rezone twenty-three (23) acres from Agricultural to Residential in Seward Township. Sandy explained the property is between Diamond Lake and Yellow Creek Lake with a residential connection on either side of the property. Sandy noted once the property is rezoned the Kelly's would like to replat into a three (3) lot subdivision. Sandy further stated it was the unanimous recommendation of APC to approve the rezoning from agricultural to residential.

No one appeared in opposition to the rezoning.

MOTION: Bob Conley

TO: Accept the recommendation of APC to allow the rezoning request of the twenty-three (23) acre tract from agricultural to residential in Seward Township as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

ORDINANCE NO. 2010-03-16-001Z

As recorded in of the office of the Kosciusko County Recorder

IN THE MATTER OF COUNCIL MEETING INVITATION:

Council Member, Robert Sanders, invited the Commissioners to attend the County Council meeting on the second Thursday of each month at 7:00 p.m. in the Courtroom of the Courthouse.

IN THE MATTER OF 2010 CENSUS:

Commissioner Bob Conley stated the 2010 U.S. Census Bureau forms are in the mail. Conley noted it is mandated by Federal Statute to complete the Census form.

IN THE MATTER OF LAKELAND REGIONAL SEWER DISTRICT UPDATE:

President Ron Truex presented the Commissioners with the final draft of the petition to submit to the LRSD regarding a countywide sewer district. Truex requested the Commissioners review the petition and make a final recommendation at the March 30, 2010 Commissioners meeting.

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

**KOSCIUSKO COUNTY COMMISSIONERS
March 30, 2010**

The Kosciusko County Commissioners met for their regular meeting on March 30, 2010 at 9:00 A.M. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN.

Those present were:

Ron Truex – President
Brad Jackson
Bob Conley

Marsha McSherry – County Auditor
Ron Robinson - County Administrator

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

IN THE MATTER OF NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK:

David Rosenberry, E911 Director of Personnel, stated Governor Mitch Daniels has declared April 11 - 17, 2010 as Public Safety Telecommunications Week. Rosenberry extended his congratulations and admiration to the 911 Dispatchers who are dedicated to the safety of the citizens and emergency personnel.

IN THE MATTER OF EMERGENCY MANAGEMENT 2009 DEPARTMENT OF HOMELAND SECURITY GRANT:

Ed Rock, Emergency Management Director, presented the 2009 Homeland Security Grant in the amount of \$680,000. Rock explained the funds complete the 2008 grant to upgrade all dispatch centers in the district to receive and transmit at 800 MHz. Rock further explained this is a district-wide grant with the funds also being used to upgrade portable radios and ID tag system software. Rock requested the County act as fiscal agent for the grant funds.

County Auditor, Marsha McSherry, noted the County has previously served as the fiscal agent for the grants and would be willing to do that again.

Commissioner Bob Conley expressed concern regarding the capabilities of the 800MHz system. Rock responded the intent of the program is to enhance the communications system already in place, noting the State is building a backbone for a State-wide communication system. Conley questioned whether a better communication system is available. Rock noted the intent is to continually build the communication system and increase technology and capability as the technology becomes available. Rock stated the entire County is operating under the 800 MHz system as well as Multi-Township EMS emergency personnel.

Sheriff Rocky Goshert questioned if this program requires the County to rent towers to obtain the 800 MHz service. Rock responded that tower rental is not required through this program.

David Rosenberry, E911 Director of Personnel, concurred with Rock stating the program offered through the grant is enhancing the communication system already in place in the County. Sheriff Goshert noted the 800 MHz system is being used by his officers and will be especially useful in emergency situations. Additional discussion ensued regarding the grant.

Rock stated Kosciusko County dispatch center was updated with the 2008 grant funds, this 2009 grant will update the other 911 centers district-wide.

MOTION: Brad Jackson

TO: Act as the fiscal agent for the State-funded grant as presented.

SECOND: Bob Conley

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF KCCVRC APPOINTMENT:

County Administrator, Ron Robinson, presented a recommendation of Carl Hill, Manager from Holiday Inn Express, to fill a vacant position on the Kosciusko County Convention Visitors Recreation Commission (KCCVRC). Robinson noted Hill volunteered and fulfills the requirement that the board member must be from the hotel/motel industry.

MOTION: Bob Conley

TO: Appoint Carl Hill as a member of the KCCVRC board.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF MACOG APPOINTMENTS:

County Administrator, Ron Robinson, stated two (2) appointments are needed for the MACOG Regional Economic Development District board; one should be a private citizen and the other is the Chamber of Commerce Executive Director. Robinson then stated he spoke with Mark Dobson (private citizen) and Max Courtney (Executive Director) and both are amenable to serving on the MACOG board.

MOTION: Brad Jackson

TO: Appoint Mark Dobson and Max

SECOND: Bob Conley

Courtney to the MACOG Regional Economic Development District board.

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF BOARD OF HEALTH APPOINTMENT:

County Administrator, Ron Robinson, stated a vacancy exists on the Kosciusko County Board of Health after the resignation of Dr. Michael Williams. Robinson presented a recommendation of Dr Patrick Silveus to serve on the Kosciusko County Board of Health with a term ending December 31, 2013.

MOTION: Bob Conley

TO: Appoint Dr Patrick Silveus to the

SECOND: Brad Jackson

Kosciusko County Board of Health.

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF SILENT NO MORE USE OF COURTHOUSE LAWN:

Ron Robinson, County Administrator, stated the Silent No More organization has requested permission to use the south side of the Courthouse lawn for a rally in support of their organization. Robinson noted the rally will take place on April 17, 2010.

IN THE MATTER OF COUNTY TELEPHONE SYSTEM:

County Administrator, Ron Robinson, stated there will be a temporary interruption of the telephone system in the Courthouse and Justice Building on April 1, 2010 around 4:00p.m. Robinson noted Advanced Products Group is upgrading the telephone system and will complete the upgrade on April 2, 2010 while the County offices are closed. Robinson then noted there should not be any interruption to the 911 system.

IN THE MATTER OF COUNTY HIGHWAY DEPARTMENT 2009 YEAR-END REPORT:

Highway Superintendent, Dennis Pletcher, referenced the Highway Department 2009 year-end report presented at the March 16, 2010 meeting. Pletcher had requested the Commissioners review the report and approve it at the March 30, 2010 meeting.

MOTION: Bob Conley

TO: Approve 2009 Year-End Report for the County Highway Department as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF SYRACUSE PUBLIC LIBRARY GRANT REQUEST:

John Castleman, Syracuse Public Library Director, noted he previously presented a grant request to the Commissioners at their October 27, 2009 meeting stating the Library was applying for an energy conservation grant to replace the Library's HVAC system. As the Library did not receive the grant in the first round of the grant process, Castleman requested the support of the Commissioners in applying for the energy conservation grant during the second round of the grant process. Castleman stated the grant request was for \$53,000.

MOTION:	Brad Jackson	TO: Approve President Ron Truex sign the
SECOND:	Bob Conley	grant application as presented.
AYES: 3	NAYES: 0	
MOTION CARRIED		

IN THE MATTER OF LAKELAND REGIONAL SEWER DISTRICT PETITION:

President Ron Truex stated in previous meetings there was a consensus of County residents that a countywide sewer district be managed by a board comprised mostly of elected officials. Truex also noted petitions were previously presented to the Commissioners to increase the boundaries of the LRSD. Truex went on to say the County could petition the LRSD to expand the boundaries to include the entire county.

Upon IDEM's approval of the boundary expansion, the County would establish a countywide sewer district. Truex noted the petition to expand the boundaries also contains a resolution for the existing LRSD board to resign when the boundary expansion is completed with IDEM and a countywide sewer district board be established comprised of a majority of elected officials. Truex added the new countywide sewer board would then reappoint the existing LRSD board to become committee A to operate within the original boundaries of the LRSD with the exception of the elected officials that currently serve on that board. They would be replaced by individuals that live within the LRSD.

Truex stated from that point forward any area wanting to discuss sewers for their respective area would form a committee and appear before the countywide board to request that area become a region within the countywide sewer district. That committee would then be responsible for all processes thereafter and including securing funding.

Truex noted the countywide board would serve as a pass-through agency to IDEM to approve their process.

Truex expressed concern with the order of steps to be completed to present the petition, ordinance and resolution to LRSD noting he would like to verify the steps in the process before proceeding.

Jim Newcomb, Lake Tippecanoe requested clarification that if a group is seeking sewers that the majority of property owners in that area must be in agreement there is a need for sewers before the committee goes forward.

Truex reiterated that by forming a countywide sewer district, the County will not require all residents to obtain and pay for sewers; the countywide sewer district will act as a vehicle for an area to obtain sewers if a need and funding exists.

Steve Matthias, James Lake requested clarification regarding the composition of the countywide sewer board. Truex explained the countywide sewer board will be comprised of elected officials having the majority vote. Truex added a member of the Board of Health is also needed on the countywide board. He added a member of Area Plan and the Redevelopment Commission and/or KDI would also be beneficial noting the KDI representative could be a private citizen. Matthias then questioned the boundaries of the countywide sewer district. Truex responded the district would be comprised of the entire County except existing sewer districts, municipalities, state-owned ground, etc. as laid out in the Indiana Code.

Matthias also questioned whether the petition complies with IC 13-26. Truex responded the attorneys for both the LRSD and the countywide sewer district have reviewed the petition and its compliance with IC 13-26. Truex noted he will reconfirm the petition's compliance with IC 13-26 before presenting the petition.

Commissioner Bob Conley expressed the Commissioner's and taxpayer's appreciation to Truex for his work and diligence in the preparation of the petition toward a countywide sewer district.

MOTION:	Brad Jackson	TO: Present LRSD with a petition to expand
SECOND:	Bob Conley	their boundaries after verification of the order
AYES: 3	NAYES: 0	of steps to be taken.
MOTION CARRIED		

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

KOSCIUSKO COUNTY COMMISSIONERS

April 13, 2010

The Kosciusko County Commissioners met for their regular meeting on April 13, 2010 at 9:00 A.M. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Ron Truex – President
Brad Jackson
Bob Conley

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

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

IN THE MATTER OF NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK:

President Ron Truex read the declaration from Governor Mitch Daniels proclaiming April 11 - 17, 2010 as Public Safety Telecommunications Week.

IN THE MATTER OF NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS RECOGNITION:

Commissioner Bob Conley presented the following 911 dispatchers with recognition plaques for their twenty (20) years of service: Randal L Cox and Cindy S Justice. Accolades and gratitude were expressed by the Commissioners to the 911 dispatchers for their hard work and dedication to the residents of Kosciusko County.

IN THE MATTER OF 2009 EMERGENCY MANAGEMENT PERFORMANCE GRANT:

Emergency Management Director, Ed Rock, presented the 2009 Emergency Management Performance Grant in the amount of \$35,637.05. Rock explained through the Grant, the State will reimburse one-half of Rock's 2009 wages as well as Cathy Reed's 2009 wages.

MOTION: Brad Jackson TO: Approve grant agreement in the amount
SECOND: Bob Conley of \$35,637.05 for 2009 wage reimbursement.
AYES: 3 NAYS: 0
UNANIMOUS

IN THE MATTER OF ELECTION DAY WORKER MEAL ALLOTMENT:

County Clerk, Jason McSherry, stated in the past meals has been catered to each polling place for election workers. Due to special diets or meal requests, McSherry requested each poll worker be given a per diem of \$20 for the day's meals as opposed to catering meals which will result in a savings for the County.

MOTION: Brad Jackson TO: Approve a meal allowance of \$20 per
SECOND: Bob Conley poll worker for meals on election day.
AYES: 3 NAYS: 0
UNANIMOUS

IN THE MATTER OF ENCHANTED HILLS STORM DRAINAGE PUBLIC HEARING:

Bob Murphy, R.P. Murphy & Associates opened the public hearing on the Enchanted Hills Subdivision storm drainage issue in Turkey Creek Township. Murphy stated when significant rainfall occurs, the subdivision floods. Murphy then stated an income survey was completed for the subdivision residents noting 88.5% of residents have low to moderate income resulting in their inability to resolve the drainage issue. Murphy noted Turkey Creek Regional Sewer District is donating land for a retention pond and is currently in the process of obtaining a survey for that land before a final deed is presented. Murphy requested the County apply for grant funds on behalf of the Subdivision in the amount of \$1 million from Federal Disaster Relief Funds noting no match from the County is required.

No one spoke in opposition to applying for a grant on behalf of Enchanted Hills.

Steve Dixon, Enchanted Hills Board President, concurred with Murphy that Enchanted Hills is a low income area and residents do not have the resources to resolve drainage issues.

**IN THE MATTER OF ENCHANTED HILLS STORM DRAINAGE PUBLIC HEARING
CONTINUED:**

Mark Mignery questioned the effect this drainage project will have on his property. Mignery expressed concern with losing a portion of his property to drain tile repair. Murphy responded all work would be completed on existing easements, County-owned land or right-of-way. Murphy noted the environmental review has yet to be completed. Murphy then noted an archaeological dig was required to ensure there was nothing of historic significance found on the site for the retention pond. President Ron Truex requested Murphy submit the results of the archaeological dig for County Attorney, Mike Miner, to review prior to his signing any paperwork for the grant. Murphy noted the documentation deadline is April 30, 2010. Murphy noted he will tender the requested report(s) to County Administrator, Ron Robinson, allowing County Attorney Mike Miner and President Ron Truex to review same. Murphy further noted if Enchanted Hills does not receive the grant with this request, they can reapply in October, 2010 for a \$600,000 grant but that grant will require an equal match from residents, a match Murphy stated, Enchanted Hills residents cannot afford. Dixon expressed concern with zoning and health department issues that have developed in the Enchanted Hills Subdivision. Dixon noted a subdivision clean up day has been scheduled for April 24, 2010. Truex thanked Dixon for his efforts in helping with both the community clean-up and his work with the storm drainage issue.

IN THE MATTER OF ATTORNEY LIEN PAYOUT FROM CLERK'S OFFICE:

County Attorney, Mike Miner, stated the Clerk's office paid out a judgment on a civil case and then an attorney's lien in the amount of \$3,068.45 was filed within the sixty (60) day timeframe allowed by Statute. Miner then stated he spoke with the person responsible for the attorney's fees and they will make payments to the Clerk's office for the attorney's fees, however cannot pay the entire amount at one time.

MOTION: Bob Conley

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Allow Clerk's office to pay the attorney's lien in the amount of \$3,068.45 with client to reimburse County over time.

IN THE MATTER OF RW ARMSTRONG & ASSOCIATES, INC CONTRACT:

County Administrator, Ron Robinson, presented a contract between the County and RW Armstrong & Associates, Inc. Robinson explained R W Armstrong & Associates, Inc is working on Phase 4 of the Western Route project. Robinson noted a contract from Troyer & Associates is forthcoming and he will present same when received.

MOTION: Brad Jackson

SECOND: Bob Conley

AYES: 3 NAYES: 0

MOTION CARRIED

TO: Approve contract between County and RW Armstrong & Associates, Inc. as presented.

IN THE MATTER OF COUNTY HIGHWAY UPDATES:

Highway Superintendent, Dennis Pletcher, presented the following updates:

- ❖ Paving and road repair will begin early this year on County Road 700E from Armstrong Road to CR 400S, CR 350N-phase 2, and CR 175E near Kosciusko Dr.
- ❖ Four (4) roads are going to be ground up, a gravel base installed and then allowed to settle through the winter to improve the road bed. These roads will then have a chip and seal base installed the following spring once the gravel base has settled sections of CR1000E, CR775E, CR900W and CR1050W will be affected. Pletcher noted damage to some of these roads has been caused by horse-drawn vehicles.
- ❖ Old Road 30 project – east side of County. A meeting was held between Pletcher, INDOT, Federal Highway officials, County Commissioners and E & B Paving to discuss the issues with the road. E & B Paving agreed to mill out and seal the bad areas. President Ron Truex noted the meeting was well attended and the parties were all in agreement that a problem exists and a resolution can be worked out.
- ❖ Commissioner Brad Jackson questioned why the roads are not ground up closer to the winter season. Pletcher responded the roads are in bad condition and are becoming hazardous to drivers. Pletcher noted dust control will also be done on the new gravel once installed on the roads.

IN THE MATTER OF COUNTY HIGHWAY UPDATES CONTINUED:

Accolades were given to KCHD employees for their hard work and dedication to making the roads safe.

IN THE MATTER OF ACCOLADES:

President Ron Truex reiterated accolades to the 911 dispatchers for their hard work and dedication to the residents of Kosciusko County.

IN THE MATTER OF LAKELAND REGIONAL SEWER DISTRICT UPDATE:

President Ron Truex updated the Commissioners on the countywide sewer petition by stating he is hopeful the final draft of the petition and Ordinance will be ready for submission to the LRSD at their May, 2010 meeting.

IN THE MATTER OF 2010 CENSUS:

Commissioner Bob Conley stated the U.S. Census Bureau acknowledged 71% of Indiana residents have returned their census forms. Conley noted if a resident has not received a census form, they should call the Census' toll free number available in the office of the County Administrator and the County switchboard. Conley further noted after May 1, 2010, census workers will be going door-to-door in the County to those that did not return their census form.

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

KOSCIUSKO COUNTY COMMISSIONERS April 27, 2010

The Kosciusko County Commissioners met for their regular meeting on April 27, 2010 at 9:00 A.M. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Ron Truex – President
Brad Jackson
Bob Conley

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

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

IN THE MATTER OF 2007 EMERGENCY MANAGEMENT SUB-GRANT:

Emergency Management Director, Ed Rock, presented the 2007 Emergency Management Sub-Grant in the amount of \$113,200.00. Rock explained the grant funds are for Task Force equipment and training to be used for the counties within District II. Rock further explained disaster relief supplies were needed which can also be used for an overflow hospital in a disaster situation. Rock stated the Grant requires the County be the fiscal agent for the grant monies. President Ron Truex questioned how many other counties in District II have acted as a fiscal agent for grant funds. Rock responded of the seven (7) counties within District II, Kosciusko County has been the fiscal agent for the majority of the grants.

MOTION: Brad Jackson

TO: Allow another county within District 2 to act as fiscal agent for the grant.

SECOND: Bob Conley

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF ABATE PROCLAMATION:

Don Barton, representative of Kosciusko County ABATE, introduced Cheyenne Stewart, Safety Instructor for ABATE. Stewart stated the number of safety class attendees has decreased due to the economy. Stewart also stated the number of motorcycle accidents saw a significant decrease in 2009 due to motorcycle awareness and safety classes. Stewart challenged all riders to wear safety gear such as helmets and brightly colored clothing and to use caution. Stewart then requested the Commissioners sign a Proclamation declaring May, 2010 as Motorcycle Safety and Awareness Month.

MOTION: Bob Conley

TO: Approve Proclamation to declare May as Motorcycle Safety and Awareness Month.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF IDENTIFICATION OF SMALL BUSINESS OWNERS:

Gary Parker, a small business owner in Kosciusko County, addressed the Commissioners by stating unregistered small businesses are providing services within the County and not paying any Federal or County taxes. Parker expressed concern with these businesses not carrying liability insurance or possessing a license to conduct business within the County. Parker stated he would like to see contractors have to provide proper identification including a Federal tax identification number and also proof of liability insurance to conduct business in Kosciusko County. The Commissioners questioned what Parker was asking of them. Parker responded he wanted them to be aware of the situation and wanted to see the “right thing” done.

IN THE MATTER OF WESTERN ROUTE ADMINISTRATION SETTLEMENT:

County Administrator, Ron Robinson, presented recommendations for administrative settlement to purchase right-of-way land for the roundabouts on Old Road 30. Robinson stated the ROW purchases are within the scope and budget of the roundabout project.

MOTION: Bob Conley TO: Approve ROW purchases as presented.
 SECOND: Brad Jackson
 AYES: 3 NAYES: 0
 MOTION CARRIED

IN THE MATTER OF COUNTY HIGHWAY UPDATES:

Highway Superintendent, Dennis Pletcher, presented the Commissioners with the following updates:

- ❖ Clarified the four (4) roads (sections of CR1000E, CR775E, CR900W and CR1050W) being ground up will have a gravel base installed and then be allowed to settle through the winter to improve the road bed. Pletcher reiterated these roads will have a chip and seal base installed the following spring once the gravel base has settled.
- ❖ Stated a drain tile issue exists at the end of Zimmer Road on Old Road 30 and repairs will be made to that area before additional rain causes more damage.
- ❖ Noted the areas needing repaired are marked along east Old Road 30 and E & B Paving agreed to mill out and seal the bad areas beginning in June.

IN THE MATTER OF 2010 CENSUS:

Commissioner Bob Conley noted after May 1, 2010, census workers will be going door-to-door in the County to those that did not return their census form. Conley further noted the census workers will have proper identification and will ask only the ten (10) questions from the census form and will not ask for any personal information such as social security numbers, credit card or bank information. He reminded residents to report any suspicious activity or workers without proper identification to authorities.

IN THE MATTER OF LAKELAND REGIONAL SEWER DISTRICT UPDATE:

President Ron Truex updated the Commissioners on the countywide sewer petition by stating the Ordinance, Resolution and Application (petition) are being reviewed by IDEM's attorneys. Truex noted when the attorneys have given their final approval, the documents will be presented to the LRSD.

IN THE MATTER OF KABS 2010 QUARTERLY REPORT:

KABS Director, Matt Boren, presented the Quarterly Operating Financial Statement and the Indiana Department of Transportation Contract Invoice-Voucher for 2010 first quarter for signature.

MOTION: Brad Jackson TO: Approve Quarterly Operating Financial
 SECOND: Bob Conley Statement and the Indiana Department of
 AYES: 3 NAYES: 0 Transportation Contract Invoice-Voucher for
 MOTION CARRIED 2010 first quarter as presented.

IN THE MATTER OF KABS ARRA QUARTERLY REPORT:

KABS Director, Matt Boren, presented the ARRA Quarterly Capital Financial Status Report for signature. Boren noted the funds from the grant were used to purchase two (2) new buses, office furniture and training materials.

MOTION: Brad Jackson TO: Approve ARRA Quarterly Report and
SECOND: Bob Conley voucher for reimbursement as presented.
AYES: 3 NAYES: 0
MOTION CARRIED

IN THE MATTER OF KABS 2009 CAPITAL GRANT:

KABS Director, Matt Boren, presented the 2009 Capital Grant for signature. Boren explained the funds were used to pay for the decal application on a new bus in 2009. Commissioner Bob Conley questioned the graphics of the new bus. Boren responded the graphics will be a general KABS logo to better identify the buses to residents and to save on the cost of the graphics.

MOTION: Brad Jackson TO: Approve 2009 Capital Grant voucher for
SECOND: Bob Conley reimbursement as presented.
AYES: 3 NAYES: 0
MOTION CARRIED

IN THE MATTER OF ACCOLADES:

Max Courtney KDI Director and Redevelopment Commission member thanked the Commissioners for their support with the request to Council for the creation of an economic development director position. Courtney noted the position will be posted on two (2) websites this week with applications being accepted in the County Administrator's office. Mark Dobson, Chamber of Commerce President, introduced himself and thanked the Commissioners for the opportunity to serve in the Chamber of Commerce.

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

KOSCIUSKO COUNTY COMMISSIONERS

May 11, 2010

The Kosciusko County Commissioners met for their regular meeting on May 11, 2010 at 9:00 A.M. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN.

Those present were:

Ron Truex – President - *Absent*
Brad Jackson
Bob Conley

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

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

IN THE MATTER OF MEMORIAM FOR FALLEN OFFICERS:

Sheriff Rocky Goshert stated the Indiana State Police as a memoriam for fallen officers take part in a stationary bike ride to raise money for the widows of those officers. Goshert explained ISP would like to have this event on the Courthouse lawn, rain or shine, on June 4, 2010.

IN THE MATTER OF EMPLOYEE ASSISTANCE PROGRAM:

County Administrator, Ron Robinson, presented a recommendation to the Commissioners to enact an employee assistance program (EAP) through the County insurance. Robinson noted County employees would have four (4) local firms to choose from: Brown & Associates, Hambright & Associates, Bowen Center and Selah Center. Robinson explained the County will pay for the first three (3) visits through the insurance plan.

MOTION: Bob Conley TO: Approve recommendation to implement
SECOND: Brad Jackson an employee assistance program as presented.
AYES: 2 NAYES: 0
MOTION CARRIED

IN THE MATTER OF ANNUAL SCHOOL FUND REPORT:

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

MOTION: Bob Conley TO: Approve Annual School Fund Report as
SECOND: Brad Jackson presented.
AYES: 2 NAYS: 0
UNANIMOUS

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

Highway Department Road Supervisor, Jeff Rohrer, presented an Ordinance to reduce the speed limit to 25mph on LaPoint Drive between County Road 250E to 300E noting the current speed limit is 35mph. Rohrer further noted the speed reduction was enacted in place of speed bumps. Rohrer also presented a petition of residents' signatures in favor of the speed reduction with only one (1) negative signature on that petition.

MOTION: Bob Conley

TO: Approve reducing speed limit along
LaPoint Drive between County Road 250E
and 300E.

SECOND: Brad Jackson

AYES: 2 NAYS: 0

UNANIMOUS

ORDINANCE NO. 10-05-11-001 Speed

As recorded in of the office of the Kosciusko County Recorder

IN THE MATTER OF OVERBEY VACATION REQUEST– SEWARD TOWNSHIP:

Commissioner Brad Jackson noted Area Plan requested the Overbey vacation be tabled until the next Commissioners meeting on May 25, 2010.

IN THE MATTER OF ARRA FUNDS PURCHASE:

Matt Boren, KABS Director, presented a Contract Invoice-Voucher through the Indiana Department of Transportation for the purchase of a 2010 Dodge low-rise minivan to be used for Medicaid transport throughout the County. Boren noted the van gets better gas mileage than the larger vans and can hold up to six (6) passengers or two (2) passengers in wheelchairs. Boren stated the van was paid for using the American Recovery Reinvestment Act (ARRA) grant monies.

MOTION: Bob Conley

TO: Approve Contract Invoice-Voucher as
presented.

SECOND: Brad Jackson

AYES: 2 NAYES: 0

MOTION CARRIED

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

**KOSCIUSKO COUNTY COMMISSIONERS
May 25, 2010**

The Kosciusko County Commissioners met for their regular meeting on May 25, 2010 at 9:00 A.M. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Ron Truex – President
Brad Jackson
Bob Conley

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

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

IN THE MATTER OF AD HOC COMMITTEE RECOGNITION:

Commissioner Brad Jackson stated during the 2010 budget process, county resident Jim Beeler suggested an ad hoc committee be formed to explore possible cost saving ideas based on employee suggestions. Jackson went on to say a committee was formed to interview employees and review the suggestions. Jackson noted the results of those submissions have been compiled and reviewed with some of the suggestions to be implemented within the County. The Commissioners then presented recognition plaques to ad hoc committee members: Jim Beeler, Greg Rauen, John Davis, and Jerry Black.

IN THE MATTER OF DEOBLIGATION OF GRANT FUNDS:

Matt Boren, KABS Director, presented a Notice of Deobligation of Transit Grant Funds for the 2009 Capital Grant.

MOTION:	Brad Jackson	TO: Approve Deobligation of Funds as
SECOND:	Bob Conley	presented.
AYES: 3	NAYES: 0	
MOTION CARRIED		

IN THE MATTER OF CUL-DE-SAC MAINTENANCE – WOODFIELD ESTATES:

James Whitaker stated he lives on Georgetown Court in Woodfield Estates Subdivision and also owns the three (3) remaining lots around the cul-de-sac. Whitaker stated the road surface has not been maintained and has deteriorated. Whitaker then requested the road surface on the cul-de-sac be repaired.

Highway Superintendent, Dennis Pletcher, stated he was unsure whether the cul-de-sac was ever developed and the road surface finished.

President Ron Truex stated if the cul-de-sac surface was originally chip and sealed then the County will chip and seal the road surface again but if the surface was originally limestone, then it is not the County's policy to improve the road surface to chip and seal.

Commissioner Bob Conley stated he believed the road (cul-de-sac) had been hard surfaced at one time.

Truex and Pletcher agreed when KCHD is nearby, the cul-de-sac surface will be redone with a chip and seal surface.

IN THE MATTER OF MINOR SUBDIVISION FEASIBILITY – SCOTT TOWNSHIP:

Loren Sloat, attorney for Anna Mae Yoder and Alma Stutzman, stated Yoder and Stutzman previously ran Triple A Amish cooking and have since sold the business. Sloat noted the home that they own is too large and have an interested party to purchase the home and also build a small home for Yoder and Stutzman on the east end of the five (5) acre parcel. Sloat noted there are no more splits allowed on the property as there have already been three (3) splits. Sloat also noted they discussed a minor subdivision with Area Plan to achieve a separate lot for Yoder and Stutzman. Sloat requested feedback from the Commissioners regarding creating a subdivision and/or allowing another split on the property before proceeding further.

President Ron Truex stated the BZA was instructed to allow a maximum of three (3) splits from a parent parcel. Truex requested the opportunity to discuss the matter with APC and provide a response to Sloat.

Sloat thanked the Commissioners for their time and consideration of this matter.

IN THE MATTER OF COBRA INSURANCE RATES:

County Administrator, Ron Robinson, presented newly negotiated COBRA insurance rates for County employees for 2010-2011. Robinson noted there is a small savings for the County over last year.

MOTION:	Brad Jackson	TO: Approve COBRA insurance rates as
SECOND:	Bob Conley	presented.
AYES: 3	NAYES: 0	
MOTION CARRIED		

IN THE MATTER OF INDIGITAL AGREEMENT:

County Administrator, Ron Robinson, requested permission to allow Tom Brindle, Emergency Communications Director, to sign the Agreement with INdigital which will result in a cost savings for the County. Robinson noted Brindle is negotiating with Verizon and CenturyLink and has extensive knowledge on this subject. Robinson further noted this permission to sign the agreement is time sensitive and would be a one-time allowance only.

MOTION:	Brad Jackson	TO: Allow Brindle to sign this one-time
SECOND:	Bob Conley	agreement with INdigital.
AYES: 3	NAYES: 0	
MOTION CARRIED		

IN THE MATTER OF WAWASEE GRANT REQUEST:

County Administrator, Ron Robinson, presented a request from the Wawasee Schools Superintendent for the Commissioners to sign a letter of support to apply for a grant for safe walking/bike riding routes to school. Robinson noted they are requesting the installation of a sidewalk from North Webster Elementary to the Town of North Webster sidewalks.

MOTION: Bob Conley TO: Sign letter of support for grant for
SECOND: Brad Jackson Wawasee Schools as presented.
AYES: 3 NAYES: 0
MOTION CARRIED

IN THE MATTER OF DISPOSAL OF OBSOLETE OFFICE EQUIPMENT:

County Administrator, Ron Robinson, stated excess office equipment and furniture is being stored at the Justice Building. Robinson added much of the excess equipment is obsolete and requested permission to dispose of it. Robinson noted he reviewed the Statutes and spoke with County attorney, Mike Miner, regarding the matter. Robinson suggested a possible garage type sale as a means of disposal with unsold items taken for recycling. Robinson added the Accident Reconstruction Team of the Sheriff's Department is in need of additional room within the Justice Building and disposing of the equipment would free up space for them.

Commissioner Bob Conley suggested holding the sale on June 4-5, 2010 as there will be additional traffic downtown during the Indiana State Police stationary bike ride as well as the downtown's celebration of "First Friday" (1st Friday of the month – June through September).

MOTION: Bob Conley TO: Allow Robinson to have a sale to dispose
SECOND: Brad Jackson of excess furniture/equipment as requested.
AYES: 3 NAYES: 0
MOTION CARRIED

IN THE MATTER OF HIGHWAY UPDATES:

Dennis Pletcher, Highway Superintendent, presented the following updates to the Commissioners:

- ❖ Old Road 30: Pletcher met with E & B Paving regarding the repairs on Old Road 30 East and they agreed to repair approximately thirty (30) areas. Pletcher then stated the other areas will receive a special seal coat. Commissioner Bob Conley expressed concern with having the repairs done correctly as the road must last a long time once completed. Pletcher noted a starting date has not been set but the project must be completed by mid-July pursuant to Federal Highway regulations.
- ❖ Crystal Lake Road: While a drain tile was being repaired on Crystal Lake Road, the recent heavy rainfall caused an issue with the backfill thus delaying the reopening of the road.
- ❖ Lakeland Landfill Mowing Contract: Ransbottom Excavating presented their mowing quote to KCHD with no increase in price and they will continue to mow that area. The Commissioners instructed Pletcher to proceed with the Contract and expressed their gratitude regarding the unchanged fee.

IN THE MATTER OF HIGHWAY BID OPENING FOR BRIDGE 190 REPLACEMENT:

Mike Miner, County Attorney, opened all sealed bids received for bridge 190 replacement on Country Club Road. The bids were as follows:

- ❖ PrimeCo – \$371,367.61
- ❖ ARL McCoy - \$398,133.70
- ❖ Pioneer Associates - \$399,783.20

Miner noted all three (3) companies have bid bonds. Highway Superintendent, Dennis Pletcher, stated when work begins on bridge 190 this summer, Country Club Road will be closed during the construction.

Pletcher added he will review the bids and present a recommendation to the Commissioners at the June 8, 2010 meeting.

IN THE MATTER OF OVERBEY VACATION – SEWARD TOWNSHIP:

Matt Sandy, Area Plan Assistant Director, presented a vacation request from James and Stephanie Overbey to vacate Eastwood Court in Eastwood Subdivision, Seward Township. Sandy explained the right-of-way does not serve as access to any property and adjacent property owners have consented in writing to the vacation. Sandy stated it was the unanimous recommendation of APC to approve the vacation with the stipulation the properties be combined with the north half of the ROW to Eldon R and Susan K Kinney and the south half of the ROW to James E Overbey Jr and Stephanie M Overbey.

IN THE MATTER OF OVERBEY VACATION – SEWARD TOWNSHIP CONTINUED:

Laura Kaufman, Attorney for the Overbey's, reiterated the adjacent property owners, Eldon R and Susan K Kinney, have consented in writing to the vacation.

No one else appeared in favor of the vacation.

No one appeared in opposition to the vacation.

MOTION: Bob Conley

TO: Accept the recommendation of APC to approve the vacation of Eastwood Court as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

ORDINANCE NO. 10-05-25-001V

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF KELLY REZONING REQUEST – TURKEY CREEK TOWNSHIP:

Dan Richard, Area Plan Director, presented a rezoning request from Steven Kelly to rezone two (2) tracts totaling thirty-six (36) acres from Residential to Agricultural in Turkey Creek Township. Richard explained the property is on the north side of Lake Wawasee near the public access site and the properties surrounding the tracts are zoned residential. Richard stated the petitioner intended to plant trees and keep the natural state of the land. Richard then noted according to zoning policy, Kelly's intentions could be accommodated under the residential zoning classification. Richard stated it was a 7-0-1 vote of APC to deny the rezoning from residential to agricultural. Richard noted after APC's recommendation, the petitioner requested to withdraw his rezoning petition. Richard added no action was taken on the withdrawal request. No one appeared in favor of the rezoning.

No one appeared in opposition to the rezoning.

MOTION: Brad Jackson

TO: Accept the recommendation of APC and deny the rezoning request.

SECOND: Bob Conley

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF 2010 CENSUS:

Commissioner Bob Conley stated fraudulent activity had been reported in the County where a person impersonated a census worker. Conley noted all census workers will have proper identification, census bag and also an 800 number that residents can call to verify the authenticity of the census worker. Conley further noted the census worker will ask only the ten (10) questions from the census form and will not ask for any personal information such as social security numbers, credit card or bank information. He reminded residents to report any suspicious activity or workers without proper identification to authorities.

IN THE MATTER OF LAKELAND REGIONAL SEWER DISTRICT UPDATE:

President Ron Truex updated the Commissioners on the countywide sewer petition stating the Ordinance, Resolution and Application (petition) are being reviewed by IDEM's attorneys. Truex noted when the attorneys have given their final approval, the documents will be presented to the LRSD.

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

**KOSCIUSKO COUNTY COMMISSIONERS
June 8, 2010**

The Kosciusko County Commissioners met for their regular meeting on June 8, 2010 at 9:00 A.M. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Ron Truex – President
Brad Jackson
Bob Conley

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

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

IN THE MATTER OF NON PROFIT 2011 BUDGET REQUESTS:

The following not-for-profit organizations appeared before the Commissioners to request funding for the 2011 budget year.

- ❖ 4-H Council – Kelly Heckaman introduced Tammy Wise on behalf of the 4-H Council requesting \$42,888 for 2011. Wise explained \$30,000 of the funds is used for County Fair expenses and \$12,000 used for judges/ribbons/trophies/educational programs. President Ron Truex clarified the request includes an increase of \$2,277. Heckaman and Wise thanked the Commissioners for their continued support.
- ❖ Cardinal Services – Jane Greene, Cardinal Services, thanked the County for its past contributions to Cardinal Services. Greene requested \$103,704, the same amount for 2011 as for 2011. Greene asked for financial support for three (3) programs offered at Cardinal Services: Head Start with services to children through age 5; Group Homes with services to adults with development and physical disabilities; and KABS which provides bus service throughout the County. Greene stated the SusAmigos program will be phased out by the end of 2010 due to issues with obtaining funding. President Truex commended Cardinal Services for its efforts assisting the Hispanic population through the program.
- ❖ Arrowhead RC & D – Stan Moore thanked the County for their past contributions and introduced Randy Moore, Director/Coordinator who requested \$500 for 2011. Moore noted Arrowhead receives \$500 from ten (10) counties. Moore referenced the Warsaw Community High School freshman class river rafting trip as well as programs to raise public environment awareness within the County.
- ❖ Kosciusko Economic Development Corporation – Kim Nance from the Kosciusko Economic Development Corporation (KEDC) requested \$152,000, stating this is the same amount approved by Council in April, 2010. Nance noted within sixty (60) days, an Economic Director will be hired. Nance further noted organizations throughout the County are working together toward economic development. President Truex commended Nance for stepping in upon Joy McCarthy-Sessing's resignation. President Truex also commended Max Courtney for his hard work and dedication to the KEDC.
- ❖ Home Health Care – Rick Paczkowski, Executive Director, requested \$42,750 for 2011 stating the requested funds are used to allow individuals to remain in their homes rather than be institutionalized. Paczkowski further stated there were 3,000 visits to clients with health care employees driving 40,000 miles to those visits. Paczkowski noted he will continue to search for additional funding to help with rising costs and decreased funding from the State. Paczkowski thanked the County for its past support.
- ❖ Historical Society – Jack Elam, Museum Director requested \$20,255 for 2011, the same as 2010, adding they are aware of the financial circumstances everyone is facing.
- ❖ Council for Aging – Jack Felger began by thanking the Commissioners for their past support and requested \$35,000 for 2011. Felger stated the Council serves senior citizen residents of the County five (5) days a week transporting residents to medical visits allowing them to remain at home and not be placed in a medical or health care facility. Felger noted patients were surveyed regarding their dependence on Council's services and 85% could not remain in their home without those services.
- ❖ Animal Welfare League – Darla McCammon, AWL Executive Director, stated the AWL is not only a shelter but also provides many community programs. McCammon requested \$75,750 for 2011. McCammon also noted there has been an increase in animals in the shelter due to the economy; therefore, they have had to look for more innovative ways to get the animals out of the shelter.
- ❖ Bowen Center – Kurt Carlson, Bowen Center CEO, introduced Jay Baumgartner, Bowen Center CFO, where Baumgartner requested \$502,610 the amount mandated by the State. Baumgartner explained the Center serves lower income families with 73% of clients served earning \$30,000 or less. Carlson noted one (1) of every twenty (20) Kosciusko County residents receive services through Bowen Center.

IN THE MATTER OF FIRE DISTRICT II STATE GRANT REQUEST:

Darrell Eiler, Fire District II Coordinator, presented the Indiana Department of Homeland Security grant agreement for renewal. Eiler stated the request is for the County Auditor to continue on as the fiscal body for the grant. Eiler noted the State is attempting to streamline the budget process eliminating unnecessary paperwork.

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

Marsha McSherry, County Auditor, stated her office would be willing to continue on as the fiscal body for this grant.

MOTION: Brad Jackson

TO: Approve grant application with the

SECOND: Bob Conley

County Auditor to continue on as the fiscal

AYES: 3 NAYS: 0

agent for the grant for a period of one (1) year.

UNANIMOUS

IN THE MATTER OF NORTHERN INDIANA LAKES FESTIVAL PLANNING COMMITTEE PROCLAMATION:

Nathan Bosch, Kosciusko Lakes & Streams Director introduced Lyn Crighton from Tippecanoe Watershed Foundation, stating they are working on the Northern Indiana Lakes Festival.

Crighton requested the Commissioners proclaim June 26 through July 5, 2010 as Lakes Appreciation Week with the Northern Indiana Lakes Festival kicking off the week on June 26, 2010.

MOTION: Bob Conley

TO: Approve Proclamation to declare June 26

SECOND: Brad Jackson

through July 5, 2010 as Lakes Appreciation

AYES: 3 NAYES: 0

Week.

MOTION CARRIED

IN THE MATTER OF JOHNSON CONTROLS PROPOSAL:

County Administrator, Ron Robinson, presented a proposal from Johnson Controls for a compressor unit for the Justice Building with a cost of \$32,056. Robinson noted the compressor helps to cool the Justice Building and County Jail and currently there is only one (1) of two (2) compressors working.

MOTION: Brad Jackson

TO: Approve proposal for compressor unit

SECOND: Bob Conley

from Johnson Controls for the Justice Building

AYES: 3 NAYES: 0

as presented.

MOTION CARRIED

IN THE MATTER OF 2011 HOLIDAY AND MEETING SCHEDULE:

Ron Robinson, County Administrator, presented the 2011 county calendar for the Commissioners approval, noting the calendar includes the same number of paid holidays as 2010.

MOTION: Brad Jackson

TO: Approve 2011 calendar as presented.

SECOND: Bob Conley

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF INDOT PAPERWORK FOR OLD ROAD 30 ROUNDABOUTS:

County Administrator, Ron Robinson, requested the Commissioners' signatures on documentation from INDOT regarding the roundabouts on Old Road 30.

IN THE MATTER OF JUSTICE BUILDING CORPORATION ANNUAL REPORT:

County Auditor, Marsha McSherry, presented the annual report from the Justice Building Corporation. McSherry noted Neil Carlson and Sue Charlton signed and submitted the report noting no changes.

MOTION: Brad Jackson

TO: Accept the Justice Building Annual

SECOND: Bob Conley

Report as presented.

AYES: 3 NAYES: 0

MOTION CARRIED

IN THE MATTER OF REDEVELOPMENT COMMISSION APPOINTMENT:

County Administrator, Ron Robinson, requested the appointment of a non-voting member to the Redevelopment Commission be tabled until the June 22, 2010 Commissioners meeting.

IN THE MATTER OF WARSAW PUBLIC LIBRARY BOARD APPOINTMENT:

County Administrator, Ron Robinson, requested suggestions from the Commissioners on an appointee to the Warsaw Public Library Board. Robinson noted the appointee must be a resident of the City of Warsaw or Wayne Township.

IN THE MATTER OF NATURE’S FUEL ISSUE:

Atwood resident, Carol Sparrow, addressed the Commissioners regarding the ongoing pollution and odor issues with Nature’s Fuel, located on Main Street in Atwood. President Ron Truex noted two (2) letters were sent to IDEM this week from Area Plan Commission regarding those issues. Sparrow also referenced a public notice from IDEM that Nature’s Fuel was requesting an additional permit.

President Truex stated IDEM is looking into whether Nature’s Fuel currently holds the correct permit for the procedures within their facility.

Sparrow stated the residents want to make sure the Commissioners are aware of the issues and they are hoping to obtain results before residents relocate due to the odor.

Atwood resident, Phillip Byrer, expressed concern with the components of the permit requested by Nature’s Fuel. Byrer requested the Commissioners’ help with obtaining a thirty (30) day extension on Nature’s Fuel’s application for the new permit. Truex stated he would ask for the extension but did not feel IDEM would change their regulations.

President Truex stated with IDEM requiring Nature’s Fuel to obtain a new permit it may benefit the residents by adding further restrictions and giving IDEM more authority over Nature’s Fuel. President Truex assured those in attendance that IDEM is looking into the issue.

IN THE MATTER OF HIGHWAY BID ACCEPTANCE FOR BRIDGE 190 REPLACEMENT ON COUNTRY CLUB ROAD - WAYNE TOWNSHIP:

Dennis Pletcher, Highway Superintendent, recommended accepting the low bid for Bridge 190 replacement from Primco, Inc. even though their bid is over the engineer’s estimate.

MOTION:	Brad Jackson	TO:	Accept the bid from Primco, Inc. for the
SECOND:	Bob Conley		replacement of Bridge 190 on Country Club
AYES:	3	NAYS:	0
			Road as recommended.
UNANIMOUS			

IN THE MATTER OF UTILITY AGREEMENTS FOR BRIDGE 190 REPLACEMENT ON COUNTRY CLUB ROAD - WAYNE TOWNSHIP:

Dennis Pletcher, Highway Superintendent, presented two (2) Utility Agreements between the County and Kosciusko County REMC and CenturyLink, respectively. Pletcher explained the Agreements state the utilities have the right to be there but the companies have to move the utilities at their own expense to accommodate the bridge. Pletcher noted County Attorney, Mike Miner, previously reviewed the agreements. Pletcher requested the Commissioners’ signatures on both documents.

IN THE MATTER OF KOSCIUSKO COUNTY SOLID WASTE DISTRICT INTER-LOCAL AGREEMENT:

Highway Superintendent, Dennis Pletcher, presented an Inter-local Agreement between the County and Kosciusko County Solid Waste District for the Commissioners signature. Pletcher explained the Agreement is for exchange of services with KCHD hauling and placing limestone for KC Recycling and KC Recycling accepting items for disposal from KCHD at no charge. Pletcher noted County Attorney, Mike Miner, previously reviewed the agreement.

IN THE MATTER OF HIGHWAY UPDATES:

Dennis Pletcher, Highway Superintendent, presented the following updates to the Commissioners:

- ❖ Old Road 30: E & B Paving is scheduled to begin paving on June 9, 2010 on both east and west sections of Old Road 30.
- ❖ Chip and Seal Program: KCHD will begin maintaining county roads with chip and seal this week.
- ❖ Packerton Road south of County Road 600S: The low section was filled last year with a layer of cold mix asphalt. This summer the final layer of asphalt will be added to finish the project.

IN THE MATTER OF LAKELAND REGIONAL SEWER DISTRICT UPDATE:

President Ron Truex updated the Commissioners on the countywide sewer petition stating the Application (petition) was presented to the LRSD board. President Truex explained the Application expands the boundaries of LRSD to include the entire County excluding cities, towns, other sewer districts and publicly owned ground. The application also calls for the LRSD to be renamed "Kosciusko County Regional Sewer District". President Truex noted an Ordinance is needed designating how the County-wide sewer district will be managed which is a mirror image of how the LRSD board is managed. President Truex noted County Attorney, Mike Miner, previously reviewed the Ordinance.

MOTION: Brad Jackson

TO: Approve Ordinance establishing policies for the Kosciusko County Regional Sewer District.

SECOND: Bob Conley

AYES: 3 NAYS: 0

UNANIMOUS

ORDINANCE NO. 10-06-10-001 County Sewer

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF LAKELAND REGIONAL SEWER DISTRICT

CLARIFICATION:

James Newcombe, Leesburg resident, requested clarification on the timing of the filing of the Ordinance. President Ron Truex responded a discussion was held with County Attorney, Mike Miner, and all components of the procedure have been followed.

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

KOSCIUSKO COUNTY COMMISSIONERS
June 22, 2010

The Kosciusko County Commissioners met for their regular meeting on June 22, 2010 at 9:00 A.M. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN.

Those present were:

Ron Truex – President

Brad Jackson

Bob Conley

Marsha McSherry – County Auditor

Ron Robinson - County Administrator

Mike Miner – County Attorney

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

IN THE MATTER OF COUNTY ASSESSOR REASSESSMENT REQUEST:

County Assessor, Laurie Renier, presented the Commissioners with contracts for pictometry and street view photography. Renier noted both options would be useful tools for Reassessment which begins July 1, 2010. Renier stated \$220,000 was budgeted for 2010 for these items with actual cost of the pictometry at \$114,173.50 and street view photography at \$103,642.50. Renier explained the pictometry photography is aerial photography that is oblique and allows the assessor's office to measure from the office versus physically measuring a property or structure. Renier then stated street view imagery through Yadda Company also provides a lake or water view of a property. Renier noted the pictometry will result in a cost savings by allowing the assessor to obtain accurate measurements from the office and not traveling to the property. President Ron Truex clarified with Renier that both photography options will increase accuracy, save the County money and also increase efficiency.

President Truex questioned the benefit of the street view photography versus the existing pictures. Renier responded the pictures on the County website are outdated or inaccurate and updated photos would assist the Sheriff's Department as well as the 911 Center when responding to emergency calls.

David Rosenberry, Director of Personnel for 911 Dispatch, added the street view photographs are beneficial to 911 personnel noting many pictures are missing on the County website and many houses are not numbered making the County website even more valuable.

Commissioner Brad Jackson suggested re-visiting the street view photography issue after discussing same with 911 Center and GIS for its value to other County departments.

MOTION: Brad Jackson

TO: Approve agreement with Pictometry International Corp for reassessment purposes as presented.

SECOND: Bob Conley

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF AMERICAN STRUCTUREPOINT INC PRESENTATION:

Joe Fragomeni from American Structurepoint, Inc. introduced Todd Rutledge, Administration Manager to discuss the roundabout project on Old Road 30. Rutledge noted the importance of an administration firm for a Federal aid project and also the importance of the scope of services provided by that company. Rutledge then outlined Structurepoint, Inc. Rutledge added Structurepoint will be submitting specifications for the roundabout project and both Rutledge and Fragomeni thanked the Commissioners for their time and consideration.

IN THE MATTER OF ANIMAL WELFARE LEAGUE ISSUE:

President Ron Truex stated the Commissioners cannot discuss personnel issues in a public forum. President Truex noted any comments made should be general and not directed at any personnel. President Truex further noted the Commissioners have received many telephone calls as well as written documentation and are aware of the issue at hand.

County Attorney, Mike Miner, stated as the meeting is a public forum, any comments should be factual and not hearsay, noting any statement made that is not factual, can be construed as slander by the person being discussed.

Kim Evans, Kosciusko County resident, stated there are sixteen (16) signed eye witness testimonies within the information given to the Commissioners noting the abuses are in violation of Indiana's animal cruelty code. President Truex stated the Commissioners will review the information presented and follow up with the proper action.

Becky Marti, Kosciusko County resident, questioned what department should be contacted to report an animal control issue. County Administrator, Ron Robinson, responded he has spoken to Marti regarding her issue and is currently dealing with same. Commissioner Bob Conley provided his contact information to Marti to discuss the matter as she resides in his District.

Cheryl Biltz, Kosciusko County resident and previous employee of the Animal Welfare League (AWL), stated her main purpose for speaking out is to obtain justice for the animals. Biltz noted she witnessed two (2) separate occasions of abuse and expressed concern regarding the safety of the animals.

President Truex stated the County is working with the AWL Director and Board adding the County will take whatever action the Board President and Director indicate needs to be done to help the animals in the shelter as the County does have the animals' welfare in mind.

President Truex noted at this time, no complaints have been received directly from the Board President or Director of the AWL regarding any employees or any abuse issues. Biltz questioned what actions the public can take to help the animals. President Truex added any issues with the AWL should be directed to the AWL Board of Directors and if that does not work, then use the media to obtain a resolution.

Danny Hall appeared and spoke in support of the animal control officer(s) of the County.

Launda Ewell of Seven's Heaven Wildlife Rehabilitation expressed concern with citizens feeling intimidated by approaching the Commissioners with issues. Miner responded it was not his intent to intimidate by his earlier statements but merely to warn citizens that libelous statements made against another person can open up the speaker to slander allegations. Miner added any statements, written or verbal, made to the Commissioners are not libelous as those statements are not made in a public forum.

President Truex then added citizens should not be afraid to come to the Commissioners in person or in writing with any issue or allegations but warned a public meeting is not always the appropriate forum for such discussions.

President Truex reassured those in attendance the Commissioners will look into the information provided and take whatever action may be needed.

IN THE MATTER OF WCDC USE OF COURTHOUSE LAWN:

Ron Robinson, County Administrator, stated the WCDC requested the use of the Courthouse lawn on July 2, 2010 and August 6 and 7, 2010 for the "First Fridays" celebrations. Robinson had no objection as the Courthouse lawn was cleaned up completely with prior uses.

MOTION: Bob Conley

TO: Authorize use of the Courthouse lawn by WCDC on July 2, 2010 and August 6 and 7, 2010.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF WARSAW PUBLIC LIBRARY BOARD APPOINTMENT:

County Administrator, Ron Robinson, presented a recommendation to the Commissioners to appoint Sherri Shafer to the Warsaw Public Library Board. Robinson added he spoke with Shafer and she is willing to serve on the Board.

MOTION: Brad Jackson

TO: Appoint Sherri Shafer to the Warsaw

SECOND: Bob Conley

Public Library Board for a term of four (4)

AYES: 3 NAYS: 0

years.

UNANIMOUS

IN THE MATTER OF REDEVELOPMENT COMMISSION APPOINTMENT:

County Administrator, Ron Robinson, stated he has not received a response from the School Boards within the County for a recommendation for an appointee to the Redevelopment Commission. Robinson recommended reappointing Ron Yeiter to serve until January 1, 2011 when his term expires on the Warsaw Community School Board.

MOTION: Bob Conley

TO: Reappoint Ron Yeiter to the

SECOND: Brad Jackson

Redevelopment Commission until January 1,

AYES: 3 NAYS: 0

2011.

UNANIMOUS

IN THE MATTER OF PROTOCOL FOR WILD ANIMAL PICK UP:

Commissioner Brad Jackson stated guidelines have been established for the removal of wild animals from private property. Jackson added when a resident calls Dispatch to report a wild animal on or in their private property, the caller will be directed to private businesses within the County to handle those type of situations. Jackson noted the County will continue to pick up domestic animals as they have in the past.

MOTION: Brad Jackson

TO: Approve 2010 Guidelines for Animal

SECOND: Bob Conley

Control Officer and Dispatchers regarding

AYES: 3 NAYS: 0

wild animal removal on private property.

UNANIMOUS

IN THE MATTER OF HIGHWAY UPDATES:

Dennis Pletcher, Highway Superintendent, presented the following updates to the Commissioners:

- ❖ Old Road 30 West is almost complete.
- ❖ Old Road 30 East is in progress. Pletcher and Commissioner Bob Conley have a meeting with E & B Paving to discuss the project.
- ❖ Chip and Seal Program has met with an obstacle due to inclement weather but will proceed as long as weather permits.

IN THE MATTER OF STOP SIGN REQUEST AT COUNTY ROAD 400 N AND 700E – TIPPECANOE TOWNSHIP:

Dennis Pletcher, Highway Superintendent, stated he has received many requests to make the intersection at County Road 400 N, County Road 700 E and EMS B48 Ln a four-way stop. Pletcher noted CR 700 E is a through road that currently does not stop for CR 400 N or EMS B48 Ln. Pletcher added the posted speed limit for CR 700 E is 30mph and the past Highway Superintendent rejected the stop sign request due to the low speed limit and insufficient crash data. Pletcher, due to the same lack of information on the area, stated he cannot make a recommendation either for or against the stop sign request but will support the Commissioners' decision. President Ron Truex noted the addition of the stop signs will increase the safety for drivers on EMS B48 Ln and CR 400 N entering CR 700 E however, deferred a recommendation to Commissioner Brad Jackson as the area in question is located in his District.

MOTION: Brad Jackson

TO: Approve the installation of stops signs on

SECOND: Bob Conley

CR 700E at the intersection with CR 400 N

AYES: 3 NAYS: 0

and EMS B48 Ln as presented.

UNANIMOUS

ORDINANCE NO. 10-06-22-001 Stop

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF SHEETS VACATION – TURKEY CREEK TOWNSHIP:

Dan Richard, Area Plan Director, presented a vacation request from Larry D & Barbra R Sheets to vacate a portion of Whitehead Drive on Dewart Lake in Turkey Creek Township. Richard explained this right-of-way appears on the original plat but has not been improved with an actual roadway. Richard then noted APC could not make an official recommendation as the vote was 4-3-1. Richard stated five (5) votes were needed for an official recommendation. Richard went on to say the initial request was made by the County Health Department as they recognized Petitioners need additional space for a septic system. Richard then stated APC suggested the Commissioners allow the septic system on the ROW without vacating same. Richard noted there were court cases referenced with regard to the vacation and APC asked the County Attorney to review those court cases for their relevance to this vacation.

Steve Snyder, Attorney for Larry D & Barbra R Sheets, stated the Girl Scout Council owns the property on the other side of the ROW and they currently have no use for that ROW. Snyder provided the Commissioners with an Affidavit from the property owner of Lot 7 to the south of the Petitioners stating at no time has the affiant seen anyone use the land as a roadway or for access to the lake. Snyder further noted the portion of Whitehead Drive to be vacated does not provide access to any other properties. Snyder added by vacating the ROW, the Petitioners are following the direction of the Health Department to expand their septic system and the land also goes back on the tax rolls.

No one else appeared in favor of the vacation.

No one appeared in opposition to the vacation.

Commissioner Brad Jackson questioned whether the Petitioners want the land solely for the septic system or for another purpose. Snyder responded the Petitioners legally own the land under the ROW; they are merely eliminating the public ROW so they can use the land.

Further discussion ensued regarding the public use of a right-of-way with Snyder noting the ROW does not allow access to the lake.

MOTION: Bob Conley

SECOND: Brad Jackson

AYES: 2 NAYS: 1

MOTION PASSED

TO: Allow the vacation of a portion of Whitehead Drive by Dewart Lake for the expansion of the Petitioners' septic system as presented without a full APC recommendation.

ORDINANCE NO. 10-06-22-002V

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF ANIMAL WELFARE LEAGUE ISSUE CLARIFICATION:

Suzanne Abel, Kosciusko County resident, requested clarification asking if the Director and President of the Animal Welfare League (AWL) have not made any specific complaints then no action will be taken. President Ron Truex responded the Commissioners have not received any specific complaints from the Director and President however the Commissioners will review the complaints received from residents and take appropriate actions.

IN THE MATTER OF LAKELAND REGIONAL SEWER DISTRICT UPDATE:

President Ron Truex provided an update on the countywide sewer petition explaining the Application expands the boundaries of LRSD to include the entire County excluding cities, towns, other sewer districts and publicly owned ground. President Truex further explained by not submitting the application to LRSD until the LRSD receives their loan approval from the USDA, the application will not interfere with the LRSD's loan, as the County's Application (petition) calls for the LRSD to be renamed the Kosciusko County Regional Sewer District.

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

**KOSCIUSKO COUNTY COMMISSIONERS
July 6, 2010**

The Kosciusko County Commissioners met for their regular meeting on July 6, 2010 at 9:00 A.M. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN.

Those present were:

Ron Truex – President
Brad Jackson
Bob Conley

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

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

IN THE MATTER OF COUNTY ASSESSOR REASSESSMENT REQUEST:

GIS Director, Bill Holder, stated at the June 22, 2010 Commissioners meeting the County Assessor presented the Commissioners with information on street view photography as a useful tool to be used during reassessment which began July 1, 2010. Holder noted the existing photos are not consistent from township to township or is sometimes nonexistent. Holder then stated imagery through Yotta MVS, Inc. will provide a street view as well as a lake or water view of a property. Holder added the images are used by other departments, including 911, Area Plan as well as the Sheriff's department. Holder requested the Commissioners approve the Contract for Yotta MVS, Inc. Company to complete street and lake view photographs of all properties in the County.

Commissioner Brad Jackson inquired regarding the cost of the street/lake view photography. Holder responded the cost is \$103,642.50. Jackson then asked how often the street/lake view photography will be completed. Holder stated he could not speak for the Assessor but felt this photography would only need to be done during a major reassessment year, with the Assessor's office doing annual updates.

President Ron Truex asked Sheriff Rocky Goshert and David Rosenberry, Director of Personnel for 911 Dispatch if they believed this method of photography would be beneficial to their respective departments. They both responded in favor of the street/lake view photography.

MOTION: Brad Jackson TO: Approve agreement with Yotta MVS,
SECOND: Bob Conley Inc. for reassessment purposes as presented.

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF PAYGOV, LLC SERVICE AGREEMENT:

County Recorder, Deb Wright, presented a service agreement between the County and PayGOV, LLC. Wright explained PayGOV processes credit and debit card payments. Wright explained there is no cost to the County as the "convenience fee" is charged back to the customer. Wright further explained if there are any issues or problems with the credit card payments, PayGOV manages those issues with no risk or cost to the County. She noted the Recorder, Auditor and Treasurer's offices are interested in the service at this time.

County Auditor, Marsha McSherry, clarified PayGOV company would allow those offices to accept credit/debit card payments at the counter where previous companies have handled credit/debit payments on line only.

MOTION: Bob Conley TO: Approve service agreement between
SECOND: Brad Jackson County and PayGOV, LLC as presented.

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF KABS 2010 CAPITAL CLAIM:

KABS Director, Matt Boren, presented the ARRA Capital Claim Voucher for signature. Boren explained the expenses were for graphics on the recently purchased mini-van and GPS units for the buses.

MOTION: Brad Jackson TO: Approve ARRA Capital Claim Voucher
SECOND: Bob Conley as presented.

AYES: 3 NAYES: 0

UNANIMOUS

IN THE MATTER OF BUTLER FAIRMAN & SEUFERT PRESENTATION:

Tobias Steffen from Butler, Fairman & Seufert introduced his firm as one (1) of the consulting firms bidding on the roundabout project on Old Road 30. Steffen discussed the importance of an administration firm for a Federal aid project inquired what services the County was looking for that firm to provide.

IN THE MATTER OF AIR CONDITIONER UNIT ISSUE:

County Administrator, Ron Robinson, stated one (1) of two (2) air conditioner units for the Courthouse failed. Robinson noted the coil needed to repair the unit is a special order item and the need to get on the waiting list was imperative and time sensitive. Robinson explained President Truex was in the building when the issue occurred and was able to examine the unit and gave Robinson approval to order the coil.

MOTION: Bob Conley TO: Approve purchase of coil for the air
SECOND: Brad Jackson conditioner unit as presented.

AYES: 3 NAYES: 0

UNANIMOUS

**IN THE MATTER OF ROAD NAME CHANGE ON COUNTY ROAD 900E –
TIPPECANOE TOWNSHIP:**

Dennis Pletcher, Highway Superintendent, stated he received a road name change request for County Road 900E – Tippecanoe Township. Pletcher stated the request was to change the name to Turtle Way. Pletcher noted changing the name of a road creates an issue for residents along that road because of address changes, etc. Pletcher then recommended added the Turtle Way name to a portion of the road like a “nickname” instead of a name change for the entire length of the road.

William Gribbins addressed the Commissioners stating it was his six (6) year old son, Bryson, who suggested the road be named Turtle Way. Gribbins described the area along that portion of CR 900E as a marsh where numerous species of turtles breed and live. Gribbins understood the cost involved for those living on CR 900E if the road were to be renamed and requested signage to designate the area as a turtle haven instead.

Gribbins then referenced the trash being dumped along this area and stated he would be willing to donate his time to clean up the portion of the road and also inquired if “no dumping or trash” signs could be posted to help with the problem. Gribbins noted he was proud of his son’s idea regarding the name change and his concern for the turtles as they are vital to the environment. President Truex clarified the County does have an Ordinance regarding the dumping of trash on a public roadway and both he and Commissioner Brad Jackson supported placing those ordinance signs along that roadway. Further discussion ensued regarding the name change and signage with Pletcher reiterating his preference to naming only a portion of CR 900E Turtle Way.

MOTION: Brad Jackson

SECOND: Bob Conley

AYES: 3 NAYS: 0

UNANIMOUS

TO: Allow a portion of CR 900E to be designated Turtle Way with KCHD to place the appropriate signage as well as signs regarding the no trash or dumping ordinance.

IN THE MATTER OF HIGHWAY UPDATES:

Dennis Pletcher, Highway Superintendent, stated the chip and seal program is under way and KCHD will be on County Road 1300 N in Syracuse.

IN THE MATTER OF ANIMAL CONTROL OFFICER ALLEGATIONS:

President Ron Truex stated the Commissioners have reviewed the sixteen (16) reports (allegations) tendered to them at the June 22, 2010 Commissioners meeting. President Truex added any statements given to the Commissioners by citizens in confidence will remain in confidence and asked Commissioner Bob Conley to address the issue.

Conley reiterated the Commissioners independently reviewed the sixteen (16) allegations and focused on the issue of animal abuse by the animal control officer, Jerry Clase. Conley noted some of the allegations were the product of a citizen not receiving the result they wanted therefore a complaint was filed. Conley also noted many incidents relayed were not eye witness accounts and were hearsay.

Conley referenced an incident in 1993 where an injured dog was shot as a way to euthanize the dog and end its suffering. Conley then read from the Indiana Code 35-46-3-12, allowing an animal control officer to euthanize an animal to end its suffering.

Conley then referenced a report regarding two (2) dogs that were shot and brought to the owners for identification. Conley noted a June, 2010 letter was received from the individual who shot the dogs because the dogs were attacking his sheep. Conley stated Clase was then called to pick up the dogs.

Conley reported he received many personal accounts in support of Jerry Clase and positive accounts of incidents involving Clase.

Conley recounted an incident involving a pit bull brought to the AWL shelter stating Clase was attempting to keep the employees and other animals safe by restraining this animal.

Commissioner Brad Jackson stated it was suggested the animal control officer use tranquilizer darts to subdue an animal. Jackson noted due to the danger and toxins involved, this was not a viable option, however he wanted to assure everyone that the comments/suggestions the Commissioners were given were taken into consideration.

IN THE MATTER OF ANIMAL CONTROL OFFICER ALLEGATIONS CONTINUED:

Conley stated Clase has been through several training sessions and is performing his job as his training instructs.

MOTION: Brad Jackson

SECOND: Bob Conley

AYES: 3 NAYS: 0

UNANIMOUS

TO: Impart to Clase it is imperative that he abide by every aspect of statutes that govern his job, as well as use the utmost caution when handling all animals. Also, if additional or new information is brought to the Commissioners, the investigation will be reopened.

Mary Geyer, Kosciusko County resident, addressed the Commissioners asking if allegations made in the press were addressed. President Truex responded the only incidents that were reviewed were ones included in the Commissioners' packet of information and also those made personally to the Commissioners. Geyer urged the Commissioners to continue to examine the situation as the animals need someone to speak and watch out for them.

John Routh, Kosciusko County resident, stated he offered to take the dog that was euthanized by Clase shooting it to the veterinarian to be euthanized in a more humane way.

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

KOSCIUSKO COUNTY COMMISSIONERS

July 20, 2010

The Kosciusko County Commissioners met for their regular meeting on July 20, 2010 at 9:00 A.M. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN.

Those present were:

Ron Truex – President

Brad Jackson

Bob Conley

Marsha McSherry – County Auditor

Ron Robinson - County Administrator

Mike Miner – County Attorney

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

IN THE MATTER OF SHERIFF'S GRANT RENEWALS:

Sheriff Rocky Goshert presented the following grants for renewal: Impaired Driving/DUI Task Force Patrol Grant, Aggressive/Dangerous Driving (Red Light Running), Fatal Alcohol Crash Team (F.A.C.T.) Grant, and Operation Pull Over/Big City-County Traffic Grant. Goshert explained the Grants are currently in place and the applications would allow for a one (1) year renewal.

MOTION: Bob Conley

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve Impaired Driving/DUI Task Force Patrol Grant application as presented.

MOTION: Bob Conley

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve Aggressive/Dangerous Driving (Red Light Running) Grant application as presented.

MOTION: Bob Conley

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve Fatal Alcohol Crash Team (F.A.C.T.) Grant application as presented.

MOTION: Bob Conley

SECOND: Brad Jackson

AYES: 2 NAYS: 1

MOTION CARRIED

TO: Approve Operation Pull Over/Big City-County Traffic Grant application as presented.

IN THE MATTER OF EAGLE ACCOUNTS GROUP COLLECTION PLAN CLERK:

County Clerk, Jason McSherry, stated he has begun collection proceedings for unpaid infractions dating from 1994 to the present through the Clerk’s present collection agency, Eagle Accounts Group. McSherry noted this collection process is covered under the current contract with Eagle Accounts Group with no additional cost to the County.

IN THE MATTER OF OLD ROAD 30 ROUNDABOUT LAND SETTLEMENT:

County Administrator, Ron Robinson, presented a Recommendation for Administrative Settlement regarding the Old Road 30 roundabout project noting a negotiated price in the amount of \$20,000. Robinson then noted INDOT and County Attorney, Mike Miner, agreed a settlement was in the best interest of the County as opposed to possible litigation costs. Robinson stated the Roundabout project is progressing with the land settlement being the final issue. Robinson added construction of the roundabouts is slated to begin in August.

IN THE MATTER OF JOHNSON CONTROLS PROPOSAL:

County Administrator, Ron Robinson, presented a Proposal from Johnson Controls for the replacement of existing direct digital controls for the HVAC system in the Justice Building and Courthouse in the amount of \$159,477. Robinson stated the new equipment will be covered under a five (5) year warranty and should net an annual savings of approximately \$30,000.

MOTION:	Bob Conley	TO: Approve purchase of new HVAC
SECOND:	Brad Jackson	equipment for both Justice Building and
AYES:	3	Courthouse as presented.
NAYS:	0	
UNANIMOUS		

IN THE MATTER OF SMALL STRUCTURE MANUALS:

Highway Department Road Supervisor, Jeff Rohrer, presented the small structure manuals to the Commissioners for their review.

IN THE MATTER OF HIGHWAY UPDATES:

Highway Department Road Supervisor, Jeff Rohrer, stated the work on Old Road 30 west is complete and negotiations for corrective work on Old Road 30 east are still pending. Commissioner Bob Conley added proposed solutions from E & B Paving had been deemed unacceptable by INDOT. Conley noted INDOT is requiring E & B to sand seal the original asphalt back to its original state.

IN THE MATTER OF STUTZMAN REZONING REQUEST – SCOTT TOWNSHIP:

Dan Richard, Area Plan Director, presented a rezoning request from Alma Stutzman to rezone a five (5) acre tract from Agricultural to Agricultural II in Scott Township. Richard explained the property is on the north side of Hepton Road, just to the west of County Road 850W. Richard stated rezoning would allow the parcel that has exhausted its sell-offs to be subdivided. Richard then stated Petitioner’s intent is to subdivide this parcel into two (2) lots with the larger lot encompassing the existing residence and the smaller lot will accommodate another smaller residence. Richard noted it was the unanimous recommendation of APC to approve the rezoning from agricultural to agricultural II. Richard added all of the neighboring landowners have been notified with no opposition received.

Loren Sloat, attorney for Alma Stutzman stated the original home is too large and Petitioner would like to split the property allowing them to build a smaller home on the east end of the property. Sloat added Agricultural II provides for low density residential in an agricultural area. No one appeared in opposition to the rezoning.

MOTION:	Brad Jackson	TO: Accept the recommendation of APC to
SECOND:	Bob Conley	allow the rezoning of the five (5) acre tract
AYES:	3	from agricultural to agricultural II in Scott
NAYS:	0	Township as presented.
UNANIMOUS		

ORDINANCE NO. 10-07-20-001Z

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF WOODWARD REZONING REQUEST – WAYNE TOWNSHIP:

Dan Richard, Area Plan Director, presented a rezoning request from Woodward Realty, LP to rezone a nine-tenths (.9) of an acre tract from Commercial to Residential in Wayne Township. Richard explained the property was originally platted as outlot 1 of Woodward Village Subdivision off Country Road 350E, just to the south of Wilcox Road. Richard noted the properties surrounding the tract are zoned agricultural, commercial and residential. Richard further stated it was the unanimous recommendation of APC to approve the rezoning from commercial to residential. Richard added all of the neighboring landowners have been notified with no opposition received.

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

Bruce Woodward from Woodward Realty, LP spoke in favor of the rezoning. Woodward concurred with Richard stating the rezoning will protect the land values of the properties around this parcel.

No one appeared in opposition to the rezoning.

MOTION: Bob Conley

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Accept the recommendation of APC to allow the rezoning of the nine-tenths (.9) of an acre tract from commercial to residential in Wayne Township as presented.

ORDINANCE NO. 10-07-20-002Z

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF PHOTO IMAGERY FOR REASSESSMENT:

Commissioner Bob Conley stated as previously approved by the Commissioners, Yotta MVS, Inc. will begin taking street view photographs of all properties in the County as part of reassessment. Conley advised County residents Yotta field reps will be in a white van with the Kosciusko County Assessor's name on the side.

IN THE MATTER OF LAKELAND REGIONAL SEWER DISTRICT UPDATE:

President Ron Truex provided an update on the countywide sewer petition stating they are awaiting the outcome of the funding application by LRSD before submitting the petition to the LRSD calling for the LRSD to be renamed the Kosciusko County Regional Sewer District.

IN THE MATTER OF PHOTO IMAGERY FOR REASSESSMENT:

Jim Newcomb, resident of Kosciusko County, requested clarification of the photo imagery information asking if Yotta employees have the authorization to access his property.

Commissioner Bob Conley clarified by stating photos will be taken from the street and/or lake only.

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

**KOSCIUSKO COUNTY COMMISSIONERS
August 3, 2010**

The Kosciusko County Commissioners met for their regular meeting on August 3, 2010 at 9:00 A.M. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Ron Truex – President

Brad Jackson

Bob Conley

Marsha McSherry – County Auditor

Ron Robinson - County Administrator

Mike Miner – County Attorney

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

IN THE MATTER OF KABS OPERATING BUDGET FOR 2011:

Matt Boren, KABS Director, presented the Operating Capital and Inner City Application to INDOT for 2011 noting the Application has been reviewed and signed by County Attorney, Mike Miner. Boren explained there is no "capital" for 2011 due to the increased Federal stimulus monies so the application is for the operating budget for 2011.

MOTION: Bob Conley

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Approve 2011 budget application as presented.

IN THE MATTER OF KABS SECOND QUARTER AND AARA CLAIM VOUCHERS:

Matt Boren, KABS Director, presented the Contract Invoice Voucher for the Second Quarter of 2010 and the ARRA Voucher for the Commissioners' signatures. Boren noted new fare boxes were purchased for new and existing buses.

MOTION: Bob Conley

TO: Approve Vouchers as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF ENCHANTED HILLS STORM DRAINAGE PUBLIC HEARING:

Bob Murphy, R.P. Murphy & Associates opened the public hearing on the Enchanted Hills Subdivision storm drainage issue in Turkey Creek Township. Murphy requested the County apply on behalf of Enchanted Hills for a \$600,000 grant for the construction of storm drains within the subdivision. Murphy noted the previous \$1 million grant request from Federal Disaster Relief Funds was denied. Murphy added the \$600,000 grant does require a \$60,000 local match. Murphy stated the flooding is a health and safety issue noting when significant rainfall occurs and it floods in the subdivision, the sewers back up into the streets and yards. No one spoke in opposition to applying for a grant on behalf of Enchanted Hills.

MOTION: Bob Conley

TO: Allow Murphy to proceed with the

SECOND: Brad Jackson

Application for the grant as presented with the

AYES: 3 NAYS: 0

understanding there was no monetary

UNANIMOUS

obligation on the County's part.

IN THE MATTER OF COMMUNITY AND RURAL AFFAIRS:

Ryan Daniel, Northeastern Liaison for Community and Rural Affairs, referenced the Community Development Block Grant (CDBG) program in discussing the Enchanted Hills drainage issue. Daniel noted Turkey Creek Township total income was too high for the previous grant despite the fact that the subdivision income is low. Daniel explained there are two (2) types of grants available: Planning grants for up to \$50,000 and Community construction grants for up to \$600,000. Daniel then discussed the eligibility criteria for the grants.

IN THE MATTER OF COURTHOUSE MAINTENANCE:

County Administrator, Ron Robinson, presented a quote of \$5,236.80 to repair the south and east steps as well as the cracked and deteriorated sections of sidewalk around the Courthouse.

MOTION: Bob Conley

TO: Approve proposal for steps and sidewalk

SECOND: Brad Jackson

repair for Courthouse as presented.

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF OLD ROAD 30 ROUNDABOUT UPDATE:

County Administrator, Ron Robinson, presented paperwork needing the Commissioners' signatures regarding right-of-way purchases for the Old Road 30 roundabout project.

IN THE MATTER OF NOT-FOR-PROFIT RECOMMENDATION:

County Administrator, Ron Robinson, stated a recommendation is needed from the Commissioners to Council on the 2011 not-for-profit budget requests.

President Ron Truex responded the Commissioners' recommendation is for the not-for-profit organizations to receive the same allocation for 2011 as in 2010.

IN THE MATTER OF 2010 KOSCIUSKO ECONOMIC DEVELOPMENT CORPORATION AGREEMENT:

President Ron Truex presented an Agreement for signatures between the County and the Kosciusko Economic Development Corporation in the amount previously approved by the Commissioners. President Truex explained the term of the Agreement is for one (1) year.

IN THE MATTER OF ANIMAL CRUELTY ISSUE:

Jennifer Bell, resident of Kosciusko County, stated her neighbors left their dogs unattended while on vacation and after five (5) days, she entered the property, fed the dogs and cleaned their cages. Bell then stated she contacted Animal Control and was told nothing could be done. Bell then presented documentation to the Commissioners showing the result of starving an animal.

Bell questioned what course of action should she and other residents take when abuse or cruelty is witnessed.

IN THE MATTER OF ANIMAL CRUELTY ISSUE CONTINUED:

County Attorney, Mike Miner, stated if there is abuse or cruelty, it is a criminal offense and those offenses are handled by the Prosecutor's office.

Commissioner Brad Jackson and President Ron Truex agreed that the Animal Control Officer is not an investigator of abuse or cruelty and those issues should be taken to the Prosecutor's office.

President Truex offered Bell assistance in contacting the Prosecutor's office however; Bell felt this particular issue has been resolved. She did question how the public would know who to contact in these instances. President Truex stated Bell had done what needed to be done by coming forth at the Commissioners' meeting and now the media has the appropriate information to pass along to the public.

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

**KOSCIUSKO COUNTY COMMISSIONERS
August 17, 2010**

The Kosciusko County Commissioners met for their regular meeting on August 17, 2010 at 9:00 A.M. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Ron Truex – President
Brad Jackson
Bob Conley

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

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

IN THE MATTER OF KABS AUTHORIZING RESOLUTION:

Matt Boren, KABS Director, presented an Authorizing Resolution to the Commissioners stating this document should have been attached to the grant application previously approved by the Commissioners on August 3, 2010. Boren explained the Resolution authorizes Boren to apply to INDOT for grants on behalf of the County.

MOTION: Bob Conley

TO: Approve Resolution as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF OLD ROAD 30 ROUNDABOUT UPDATE:

County Administrator, Ron Robinson, stated the County received an additional \$1.5 million in funding from INDOT to complete Phase IV of the Old Road 30 roundabout project.

IN THE MATTER OF HEALTH DEPARTMENT DEMOLITION REQUEST:

County Administrator, Ron Robinson on behalf of the Health Department, presented quotes for the demolition of the structure(s) at 33 EMS B62, Warsaw. Robinson recommended accepting the lowest bid for the demolition in the amount of \$1,900. Robinson noted a lien for \$1,900 would be filed against the property in addition to the liens already in place for delinquent property taxes.

County Attorney, Mike Miner, added the lien would be satisfied if and when the property would sell, even if sold at tax sale.

MOTION: Brad Jackson

TO: Accept proposal in the amount of \$1,900 for property clean up at 33 EMS B62 Lane, Warsaw, as presented.

SECOND: Bob Conley

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF COUNTY UPDATES:

County Administrator, Ron Robinson, provided the following updates to the Commissioners:

- ❖ The air conditioner coil is being installed in the Courthouse today; and
- ❖ Work on the sidewalk and stairs will begin on Wednesday, weather permitting.

IN THE MATTER OF SPEED LIMIT REDUCTION ON COUNTY ROAD 150W – PLAIN TOWNSHIP:

Highway Superintendent, Dennis Pletcher, presented a request to reduce and post the speed limit to 35 mph on County Road 150W, starting at CR 300N, going north 1,160 feet. Pletcher explained with the construction of Madison Elementary School, the Statute mandates a 35 mph speed limit. Pletcher added the City of Warsaw is changing the speed limit on the road(s) under their jurisdiction. Pletcher noted there is also a statute mandated school speed limit zone around the school during certain times in the day.

MOTION: Bob Conley

TO: Accept recommendation of KCHD to

SECOND: Brad Jackson

reduce the speed limit to 35 mph on the

AYES: 3 NAYS: 0

portion of CR 150W as presented.

UNANIMOUS

ORDINANCE NO. 10-08-17-001 Speed

As recorded in of the office of the Kosciusko County Recorder

President Ron Truex questioned if this issue exists by the new Leesburg Elementary or Claypool. Pletcher responded updated signs are being installed by both Leesburg and Claypool Elementary Schools.

IN THE MATTER OF DRAIN TILE ISSUE ON COUNTY ROAD 275E – WAYNE TOWNSHIP:

Highway Superintendent, Dennis Pletcher, stated a drain tile issue exists on County Road 275E, between CR 225S and Pierceton Road. Pletcher explained the privately owned drain tile does not work properly and water goes over the road during heavy rain and also creates a problem with ice in the winter. Pletcher suggested, as recommended by the County Surveyor, KCHD petition the Drainage Board for the construction of a drain with KCHD to act as executor of the project.

Commissioner Bob Conley expressed his concern for the residents near the drain tile, who travel that road and are directly affected by the excess water and flooding.

MOTION: Bob Conley

TO: Allow KCHD to petition the Drainage

SECOND: Brad Jackson

Board for the construction of a drain on

AYES: 3 NAYS: 0

County Road 275E as presented.

UNANIMOUS

IN THE MATTER OF JORDAN VACATION – SEWARD TOWNSHIP:

Dan Richard, Area Plan Director, presented a vacation request from Judy K. Jordan to vacate a portion of a platted roadway in the Roy Hohman Subdivision on Yellow Creek Lake in Seward Township. Richard explained how the original platted roadway goes through the subdivision and also where previous vacations have been allowed vacating portions of the platted roadway.

Richard then stated the roadway has been re-established where those prior vacations were done. Richard added APC made a recommendation (in a vote of 6-1) to deny the vacation requesting additional information and time to further review case law. Discussion ensued regarding the position of the platted roadway and the physical roadway.

Rick Helm, Attorney for Petitioner, stated the existing blacktop roadway has been a designated roadway for over 40 years as a “highway by user”. Helm noted there is a drive and walkway on the plat but numerous portions have previously been vacated. Helm added in those previous vacations, a Deed of Dedication was tendered for the existing blacktop roadway. Referencing the case law, Helm noted the vacation is not denying public access or hindering access to someone’s property since there is an existing public roadway.

President Ron Truex questioned the process and costs associated with vacating the entire platted roadway and dedicating the existing roadway. Richard responded in previous cases the funds came from the APC budget but those funds are not currently available for this case. Richard stated APC would like a joint effort to dedicate the entire roadway as it exists as opposed to the platted roadway.

County Attorney, Mike Miner, stated APC believes if a road goes to a lake then that road gives public access to the lake. Miner disagreed with that interpretation of the case law but thought interpretation of the law is a matter for the courts to decide.

Helm stated three (3) other residents are planning to submit a petition to vacate a portion of this platted roadway once Jordan’s vacation is approved.

Discussion ensued regarding the platted roadway, existing roadway and GIS.

President Truex requested APC further research any previous vacations in the area and what those vacations accomplished to help to define the County’s responsibility.

IN THE MATTER OF JORDAN VACATION – SEWARD TOWNSHIP CONTINUED:

Richard stated the Commissioners deserve a fair representation of the properties, any vacations and the platted and existing roadways.

No one appeared in opposition to the vacation.

MOTION: Brad Jackson

TO: Table the Jordan vacation until the

SECOND: Bob Conley

August 31, 2010 Commissioners' Meeting.

AYES: 3 NAYS: 0

MOTION PASSED

Commissioners Brad Jackson and Bob Conley requested letters of support for the vacation from the land owners adjacent to the platted and existing roadways if they will not be attending the August 31, 2010 meeting.

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

KOSCIUSKO COUNTY COMMISSIONERS August 31, 2010

The Kosciusko County Commissioners met for their regular meeting on August 31, 2010 at 9:00 A.M. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Ron Truex – President
Brad Jackson
Bob Conley

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

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

IN THE MATTER OF RW ARMSTRONG PRESENTATION:

Susan Al-Abbas, Senior Project Manager, and Kelly Vicente-Mayoral, Business Development, of RW Armstrong provided a brief overview of the company with Al-Abbas stating RW Armstrong worked with the County during the last phase of the Old Road 30 roundabout project.

Vicente-Mayoral thanked the Commissioners for the opportunity to make the presentation and work on projects within Kosciusko County. Vicente-Mayoral stated the engineering firm is based in Indiana but also have international offices. Vicente-Mayoral added RW Armstrong is involved in urban planning, wind farms, environmental design and project inspection.

Al-Abbas discussed the South Bend office and its specialties that range from design and inspection to environmental projects. Al-Abbas also referenced projects RW Armstrong has worked on with neighboring counties as well as Kosciusko County.

IN THE MATTER OF OLD ROAD 30 ROUNDABOUT PROJECT:

County Administrator, Ron Robinson, presented the following items for the Commissioners' signatures regarding the Old Road 30 roundabout project:

- ❖ Right-of-way certification from the Indiana Department of Transportation for the roundabout at Fox Farm Road.
- ❖ Contract with American StructurePoint for the inspection phase of the Fox Farm Road roundabout. Robinson noted the Contract was previously reviewed by County Attorney, Mike Miner.

**IN THE MATTER OF SPEED LIMIT REDUCTION IN WOODLAND ACRES
SUBDIVISION – TURKEY CREEK TOWNSHIP:**

Highway Superintendent, Dennis Pletcher, presented a request from a Woodland Acres resident to reduce and post the speed limit to 20 mph within Woodland Acres Subdivision in Turkey Creek Township. Pletcher explained the speed limit by Statute is 35 mph when not posted within a subdivision. Pletcher added the County's Ordinance states 35-45-55 as a speed limit on county roads. Pletcher also noted the subdivision is entitled to install speed bumps at its discretion.

**IN THE MATTER OF SPEED LIMIT REDUCTION IN WOODLAND ACRES
SUBDIVISION – TURKEY CREEK TOWNSHIP CONTINUED:**

Commissioner Brad Jackson added a 35 mph speed limit within a subdivision can be too fast when children and other vehicles are a factor.

President Ron Truex requested Pletcher return with an Ordinance to reduce the speed limit to 25 mph within the Woodland Acres Subdivision.

IN THE MATTER OF HIGHWAY SUPERINTENDENT ANNOUNCEMENT:

President Ron Truex introduced Scott Tilden as the new Highway Superintendent, effective September 13, 2010. President Truex noted Tilden was Highway Superintendent in Fulton County for fourteen (14) years before coming to work for KCHD in 2007 and has a working relationship with Dennis Pletcher, current Highway Superintendent. President Truex gave accolades to Pletcher for his hard work and dedication to KCHD when asked to step into the Superintendent position when the previous Highway Engineer stepped down.

IN THE MATTER OF JORDAN VACATION – SEWARD TOWNSHIP:

Dan Richard, Area Plan Director, presented a vacation request from Judy K. Jordan that was tabled from the August 17, 2010 Commissioners meeting. Richard explained the previous recommendation from APC was to deny the vacation allowing for further research of the matter. Richard noted one of the APC's concerns was whether the public had access to the lake by the right-of-way Jordan was seeking to have vacated. Richard explained APC found through its research that the public is not given access to the lake by that right-of-way. Richard stated APC made a recommendation to approve the vacation with the stipulation the remaining property owners also vacate the right-of-way and rededicate the right-of-way that is currently being used. Rick Helm, Attorney for Petitioner, stated with the approval of the Jordan vacation he believes the remaining property owners will also seek to vacate the platted right-of-way.

No one appeared in opposition to the vacation.

Jerry Bass, Kosciusko County resident, questioned if the platted "walkway" could be vacated at the same time as the right-of-way. President Ron Truex responded the Commissioners cannot add the walkway but by vacating the right-of-way, the remaining property owners will know the Commissioners support vacating the right-of-way.

MOTION: Brad Jackson

SECOND: Bob Conley

AYES: 3 NAYS: 0

MOTION PASSED

TO: Accept the recommendation of APC to approve the vacation of the platted right-of-way and accept the Deed of Dedication for the existing blacktop roadway in the Roy Hohman Subdivision on Yellow Creek Lake in Seward Township as presented.

ORDINANCE NO. 10-08-31-001V

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF LOUIS DREYFUS UPDATE:

Commissioner Bob Conley introduced Jeremy Mullins, General Manager of Louis Dreyfus, stating the Commissioners wrote a letter in favor of Louis Dreyfus to the USDA. Conley stated Dreyfus did not qualify for federal distribution of funds since they are a foreign-owned company. Conley added a letter writing campaign to the USDA was initiated in the community whereby the USDA found in favor of Louis Dreyfus.

Mullins thanked the Commissioners for the opportunity to address them and the public and also thanked the community for their support. Mullins explained the USDA program was set up to encourage the production and use of advanced bio-energy and biodiesel fuel. Mullins further explained the Federal government changed the terms of the program and excluded foreign-owned companies and those companies not in rural counties. Mullins added Louis Dreyfus as well as the surrounding community felt Louis Dreyfus was being discriminated against and over 1,300 letters were received by the USDA in the letter writing campaign. Mullins stated Louis Dreyfus is still considered the world's largest integrated soybean bio-diesel plant.

Mullins thanked the Commissioners and community again for their support and looks forward to doing business in the area for a long time.

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

KOSCIUSKO COUNTY COMMISSIONERS

September 14, 2010

The Kosciusko County Commissioners met for their regular meeting on September 14, 2010 at 9:00 A.M. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Ron Truex – President
Brad Jackson
Bob Conley

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

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

IN THE MATTER OF 2008 HOMELAND SECURITY GRANT:

County Administrator, Ron Robinson for Ed Rock, Emergency Management Director, presented a 2008 Homeland Security Grant in the amount of \$3,502.50. Robinson explained the grant monies are for supplies and do not require any matching funds from the County.

MOTION: Brad Jackson TO: Approve Homeland Security Grant as
SECOND: Bob Conley presented.
AYES: 3 NAYS: 0
UNANIMOUS

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

Marsha McSherry, County Auditor, presented Inter-local Agreements between the County and Warsaw, Claypool, Mentone, Milford, North Webster, Pierceton, Silver Lake, Syracuse and Winona Lake for the Commissioners' signatures. McSherry explained these Agreements would allow other law enforcement municipalities to access the County and State data with mobile air cards.

MOTION: Bob Conley TO: Approve Inter-local Agreements as
SECOND: Brad Jackson presented.
AYES: 3 NAYS: 0
UNANIMOUS

IN THE MATTER OF REVISED SPEED LIMIT RESOLUTION:

Highway Superintendent, Scott Tilden, presented a revised Resolution for County-wide speed limits to add 25 mph to the 35-45-55 mph speed limits, as requested by the Commissioners in the August 31, 2010 meeting. Tilden explained this Resolution adds 25 mph for subdivisions and urban areas where 35-45-55 may not apply.

County Attorney, Mike Miner, explained any speed reduction requests must still come before the Commissioners for approval otherwise merely posting a speed limit without their approval does not constitute an enforceable speed limit.

After discussion with Commissioners Conley and Jackson, President Ron Truex stated the Commissioners will maintain the 35-45-55 speed limit guidelines for the County. President Truex noted any speed limit reduction requests will be dealt with on a case-to-case basis. President Truex informed Tilden he presented what had been requested by the Commissioners; however, they would not be taking any action on the revised Ordinance.

IN THE MATTER OF SPEED LIMIT REDUCTION IN WOODLAND ACRES SUBDIVISION – TURKEY CREEK TOWNSHIP:

Highway Superintendent, Scott Tilden, presented an Ordinance originating from an August 31, 2010 request to reduce and post the speed limit to 25 mph within Woodland Acres Subdivision in Turkey Creek Township. Highway Department Road Supervisor, Dennis Pletcher explained the speed limit by Statute is 30 mph when not posted within a subdivision. Pletcher added due to the curves, poor visibility and high school students using the subdivision as a shortcut, a 25 mph speed limit within the subdivision would add to the safety of the neighborhood.

**IN THE MATTER OF SPEED LIMIT REDUCTION IN WOODLAND ACRES
SUBDIVISION – TURKEY CREEK TOWNSHIP CONTINUED:**

Sergeant Chad Hill added the school resource officer for Wawasee High School could also help to inform the high school students of the reduced speed limit and also enforce said speed limit before and after school hours.

MOTION: Brad Jackson

TO: Approve and post the speed limit as 25 mph within the Woodland Acres Subdivision as presented.

SECOND: Bob Conley

AYES: 3 NAYS: 0

UNANIMOUS

ORDINANCE NO. 10-09-14-001 Speed

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 28, 2010**

The Kosciusko County Commissioners met for their regular meeting on September 28, 2010 at 9:00 A.M. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Ron Truex – President
Brad Jackson
Bob Conley

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

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

IN THE MATTER OF WCDC USE OF COURTHOUSE LAWN:

Ron Robinson, County Administrator, stated the WCDC had requested the use of the Courthouse lawn for their annual “Spooktacular” event on October 29, 2010. Robinson had no objection; however he will meet with the WCDC Director, Cindy Dobbins, to set forth parameters for using the Courthouse lawn.

MOTION: Brad Jackson

TO: Authorize use of the Courthouse lawn by WCDC for “Spooktacular” event on October 29, 2010.

SECOND: Bob Conley

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF COUNTY HIGHWAY UPDATES:

Highway Superintendent, Scott Tilden, presented the following updates to the Commissioners:

- ❖ Bridge 190 on Country Club Road barring any weather issues will re-open by the end of the week;
- ❖ Chip/seal project is done for the year, completing approximately sixty (60) miles of road throughout the County. Tilden also stated 6.5 miles of road were ground up to re-stabilize the road bed with 4.5 miles already hard surfaced;
- ❖ One goal is to get back on track to chip and seal 100 miles of road throughout the County each year;
- ❖ Phillips Subdivision paving project is almost complete with the driveway aprons to be complete; and
- ❖ Road striping is also nearing completion.

Tilden also stated he is getting settled into his new position and will work on a list of KCHD needs and budget figures for those needs for the Commissioners.

IN THE MATTER OF OSBON VACATION REQUEST– SEWARD TOWNSHIP:

Area Plan Director, Dan Richard, stated the Osbon vacation was mistakenly scheduled before the Commissioners instead of Area Plan Commission. Richard noted the Osbon vacation is scheduled to be heard before APC on October 6, 2010 at 1:00p.m. Richard then informed the residents in attendance of the timeline and proper procedure for the hearing with the vacation to be heard by Commissioners on October 26, 2010.

IN THE MATTER OF KNEPP REZONING REQUEST – VANBUREN TOWNSHIP:

Dan Richard, Area Plan Director, presented a rezoning request from Jason Knepp to rezone a twenty (20) acre tract from Agricultural to Residential in VanBuren Township. Richard explained the property is off Syracuse-Milford Road, west of County Road 300E.

Richard stated Petitioner's intent is to divide the parcel into a subdivision. Richard noted it was the unanimous recommendation of APC to approve the rezoning from agricultural to residential. Richard added all of the neighboring landowners have been notified with no opposition received.

Jason Knepp, property owner, appeared in favor of the rezoning stating his intent is to split the parcel into four (4) or five (5) tracts.

No one appeared in opposition to the rezoning.

MOTION: Bob Conley

TO: Accept the recommendation of APC to

SECOND: Ron Truex

allow the rezoning of the twenty (20) acre

AYES: 2 NAYS: 0; *1 Abstain*

tract from agricultural to residential in

UNANIMOUS

VanBuren Township as presented.

ORDINANCE NO. 10-09-28-001Z

As recorded in the office of the Kosciusko County Recorder

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

KOSCIUSKO COUNTY COMMISSIONERS October 12, 2010

The Kosciusko County Commissioners met for their regular meeting on October 12, 2010 at 9:00 A.M. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN.

Those present were:

Ron Truex – President

Marsha McSherry – County Auditor

Brad Jackson

Ron Robinson - County Administrator

Bob Conley

Mike Miner – County Attorney

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

IN THE MATTER OF ENCHANTED HILLS STORM DRAINAGE ISSUE:

Bob Murphy, R.P. Murphy & Associates stated he previously addressed the Commissioners in a public hearing on the Enchanted Hills Subdivision storm drainage issue in Turkey Creek Township. Murphy stated in that hearing he requested the County apply on behalf of Enchanted Hills for a \$600,000 grant for the construction of storm drains within the subdivision. Murphy noted the previous \$1 million grant request from Federal Disaster Relief Funds was denied. Murphy added the \$600,000 grant does require a \$60,000 local match wherein Enchanted Hills will extend their line of credit to cover the local match. Murphy requested the Commissioners adopt a Resolution authorizing President Ron Truex to sign on behalf of Kosciusko County regarding the local match issue.

County Attorney, Mike Miner, expressed concern regarding the wording of the Resolution wherein it states the line of credit from Enchanted Hills will be the local match and does not specifically state funds will not be required from the County. Discussion ensued regarding the wording of the Resolution and the State requirements. Murphy added his intent with the Resolution is to commit funds from Enchanted Hills, not County funds. Miner reiterated there is risk with the wording of the Resolution if Enchanted Hills does not obtain the \$60,000 through the line of credit. Murphy added the County can bid the project and not award the project until the \$60,000 is obtained by Enchanted Hills.

Murphy added a public hearing will be held in Enchanted Hills on October 14, 2010 at 7:00p.m. to hear any questions and/or concerns from the residents regarding the storm drain issue.

MOTION: Brad Jackson

TO: Sign Resolution authorizing President

SECOND: Bob Conley

Ron Truex to sign documents on behalf of the

AYES: 2 NAYS: 0; *1 Abstain*

County as presented.

MOTION CARRIED

Murphy noted when he receives the letter certifying the funds from Enchanted Hills' line of credit; he will provide same to Miner and County Auditor, Marsha McSherry.

IN THE MATTER OF NATURE'S FUEL ISSUE:

Atwood resident, Phillip Byrer, requested a status of a loud noise at the Nature's Fuel plant on October 11, 2010. President Ron Truex responded the Atwood Fire Chief informed him that a valve burst causing a loud explosive-type noise. President Truex added the valve bursting was designed as a safety feature and there was no fire or explosion on the premises on October 11, 2010. President Truex then added Nature's Fuel was attempting to further process oil in their tanks in order to sell same so when Nature's Fuel shuts down, their tanks will be empty. President Truex stated IDEM gave Nature's Fuel a date in January to abide by their consent agreement.

IN THE MATTER OF ATTORNEY GENERAL CONTRACT:

County Administrator, Ron Robinson, presented a contract between the County and the Office of the Attorney General. Robinson explained the contract is a renewal from last year wherein the Attorney General has an office in the Justice Building. Robinson added County Attorney, Mike Miner, previously reviewed the contract.

MOTION:	Bob Conley	TO: Approve contract between County and
SECOND:	Brad Jackson	Office of the Attorney General as presented.
AYES: 3	NAYES: 0	
UNANIMOUS		

IN THE MATTER OF MAXIMUS, INC. CONTRACT:

County Auditor, Marsha McSherry, presented a Contract between the County and Maximus, Inc. stating Maximus does cost allocation for the County and has recovered approximately \$700,000 since the Contract's inception. McSherry added the cost is \$6,500 for one (1) year or \$6,300 per year for three (3) years.

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

MOTION:	Brad Jackson	TO: Approve Contract with Maximus, Inc.
SECOND:	Bob Conley	for three (3) years paid annually, as presented.
AYES: 3	NAYS: 0	
UNANIMOUS		

IN THE MATTER OF COUNTY-WIDE BRIDGE INSPECTION FINAL REPORT:

Highway Superintendent, Scott Tilden, presented Phase One of the County-wide Bridge Inspection Report for the Commissioners' signatures. Tilden added the bridge inspections are federally mandated.

IN THE MATTER OF COUNTY HIGHWAY UPDATES:

Highway Superintendent, Scott Tilden, presented the following updates to the Commissioners:

- ❖ KCHD continues to patch county roads to prepare for winter/cold weather;
- ❖ Bridge 190 on Country Club Road - A change order to modify a guardrail was needed in the amount of \$1,686.00. There is also an issue on the south end of the bridge where the asphalt has rutted and KCHD is working at getting that issue fixed;
- ❖ Bridge 29 on Old Road 15, south of Milford - Requested a date be set for bid acceptance for December 7, 2010 at 9:30a.m.;
- ❖ Discussion was held on the budgeted amount for new equipment and the need for additional single axle trucks outfitted with all of the apparatus for KCHD needs;
- ❖ Commissioners requested Tilden compile a list of wants and needs as they apply to county roads and equipment;
- ❖ Meeting on October 14, 2010 in Claypool regarding the overhead bridge project near Louis Dreyfus; and
- ❖ Commissioner Bob Conley expressed concern with proper lighting on the KCHD trucks. Tilden responded the newer trucks have better lighting.

IN THE MATTER OF TRUCK SALVAGE:

Highway Superintendent, Scott Tilden, requested the salvage of a 1991 Ford pick-up since it is no longer running.

MOTION:	Brad Jackson	TO: Approve salvage of 1991 Ford pick-up
SECOND:	Bob Conley	as requested.
AYES: 3	NAYS: 0	
UNANIMOUS		

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

KOSCIUSKO COUNTY COMMISSIONERS

October 26, 2010

The Kosciusko County Commissioners met for their regular meeting on October 26, 2010 at 9:00 A.M. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Ron Truex – President
Brad Jackson
Bob Conley

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

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

IN THE MATTER OF REPLACEMENT VEHICLE REQUEST FOR HEALTH DEPARTMENT:

Bob Weaver, County Health Administrator, stated the 2010 Maintenance Grant budget includes \$15,000 to replace existing vehicles. Weaver requested authorization to utilize that line item to replace one (1) vehicle. Weaver added the existing vehicle has reached 100,000 miles exhausting the warranty making any repairs costly to the County.

MOTION: Bob Conley

TO: Approve use of grant money to purchase one (1) replacement vehicle as requested.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF SIMPLIFILE, LC AGREEMENT:

Deb Wright, County Recorder, presented an Agreement between the County and Simplifile, LC for the Commissioners' review and signature, stating County Attorney, Mike Miner, previously reviewed the Agreement. Wright explained Simplifile provides electronic filing of documents such as mortgages, etc. Wright noted the user submits their documents through the Simplifile website, pays the fees directly to Simplifile with no cost or liability to the County. Simplifile then forwards the County's portion of the recording fees electronically to the County. Wright added the user can submit a document electronically, the Recorder can accept or deny said document without going through the existing process of sending documents back through the mail.

County Treasurer, Sue Ann Mitchell, expressed her approval of the strides Wright has made toward electronic procedures that involve less paper. Wright added the County Assessor, Auditor and Treasurer attended the Simplifile presentation and all agree to its significance once the ability to accept Deeds becomes available.

MOTION: Brad Jackson

TO: Approve Agreement with Simplifile, LC as presented.

SECOND: Bob Conley

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF KABS 2010 QUARTERLY REPORT:

KABS Director, Matt Boren, presented the Quarterly Operating Financial Statement and the Indiana Department of Transportation Contract Invoice-Voucher for 2010 third quarter for the Commissioner's signature.

IN THE MATTER OF KABS OPERATING BUDGET FOR 2011:

Matt Boren, KABS Director, stated he previously presented the 2011 Operating Capital and Inner City Grant Application to the Commissioners for signature. Boren then stated INDOT approved the Application and the subsequent Grant Agreement requires the Commissioner's signature.

MOTION: Bob Conley

TO: Approve Grant Agreement as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF FLU SHOT REMINDER:

County Administrator, Ron Robinson, reminded all County employees that flu shots will be given on the 3rd floor of the Courthouse on October 26, 2010 from 2:30 to 4:30p.m.

IN THE MATTER OF SYSTEMS ADMINISTRATOR REQUEST:

County Administrator, Ron Robinson, stated the IT Department budgeted for the updating and replacement of the computers in the Surveyor's and Treasurer's offices in the amount of \$25,000 as part of the five year rotation plan and was requesting authorization to proceed with the upgrades.

MOTION: Bob Conley

TO: Approve replacement of computers in

SECOND: Brad Jackson

Surveyor's and Treasurer's offices as

AYES: 3 NAYS: 0

requested.

UNANIMOUS

IN THE MATTER OF BRIDGE 29 PLANS AND TITLE SHEET:

Highway Superintendent, Scott Tilden, presented the plans for Bridge 29 on Old Road 15, south of Milford. Tilden noted the bid opening is slated for December 7, 2010. The plans were approved as presented and signed by all three (3) Commissioners.

IN THE MATTER OF COUNTY HIGHWAY UPDATES:

Highway Superintendent, Scott Tilden, presented the following updates to the Commissioners:

- ❖ KCHD continues to patch county roads to prepare for winter/cold weather;
- ❖ Work will begin on filling gravel roads throughout the County;
- ❖ Snow plow routes are being revised making hard to reach areas more accessible;
- ❖ Grinding work on Pierceton Road is almost complete.
- ❖ Tilden will email the KCHD list of wants and needs as they apply to county roads and equipment to the Commissioners for their review and discuss said list at the November 9, 2010 meeting.

IN THE MATTER OF MURZIN VACATION REQUEST – HARRISON TOWNSHIP:

Dan Richard, Area Plan Director, presented a vacation request from Vladimir Murzin to vacate a portion of Shirey Drive on Palestine Lake, Harrison Township. Richard noted all of the properties along the drive are owned by Petitioner, adding that portion of Shirey Drive is not County maintained. Richard stated it was the unanimous recommendation of APC to approve the vacation with the stipulation the Murzin properties be combined.

Adam Turner, Petitioner's Attorney, reiterated information provided by Richard.

No one appeared in opposition to the vacation.

MOTION: Bob Conley

TO: Accept the recommendation of APC to

SECOND: Brad Jackson

approve the vacation of Shirey Drive with the

AYES: 3 NAYS: 0

stipulation the lots are combined as presented.

UNANIMOUS

ORDINANCE NO. 10-10-26-001V

As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF WINTER VACATION REQUEST – TURKEY CREEK TOWNSHIP:

Dan Richard, Area Plan Director, presented a vacation request from Mark Winter to vacate a portion of an unnamed roadway in Lake View Park and Wright Place on Lake Wawasee, Turkey Creek Township. Richard noted there are portions of the unnamed roadway that have previously been vacated. Richard stated it was the unanimous recommendation of APC to approve the vacation.

Jack Birch, Petitioners' Attorney, stated the homes located along the unnamed roadway are 50+ years old and the road does not serve a purpose.

No one appeared in opposition to the vacation.

MOTION: Brad Jackson

TO: Accept the recommendation of APC to

SECOND: Bob Conley

approve the vacation of the unnamed roadway

AYES: 3 NAYS: 0

in Lake View Park and Wright Place as

UNANIMOUS

presented.

ORDINANCE NO. 10-10-26-002V

As recorded in the office of the Kosciusko County Recorder

**IN THE MATTER OF WASHINGTON TOWNSHIP VACATION REQUEST –
WASHINGTON TOWNSHIP:**

Dan Richard, Area Plan Director, presented a vacation request from Washington Township to vacate a portion of County Road 360S, south of the Pierceton Cemetery in Washington Township.

County Attorney, Mike Miner, stated he represents Washington Township in this matter and will therefore be unavailable to answer legal questions as County Attorney in this matter.

Richard noted the vacation is being requested to increase the size of the cemetery and make a more uniform appearance. Richard added there was no remonstrance to this vacation. Richard stated it was the unanimous recommendation of APC to approve the vacation.

Dean Rhoades, Washington Township Trustee, appeared in favor of the vacation stating the Township purchased the property to the south of CR 360S and with the vacation of the roadway, the Cemetery could have a more unified appearance. Rhoades added no utilities exist along CR 360S that would be hindered by the vacation.

President Ron Truex questioned if there was any response from emergency agencies. Richard responded emergency agencies were notified and there was no remonstrance.

No one else appeared in favor of the vacation.

Jack Hicks, Pierceton resident, appeared in opposition to the vacation stating he believes vacating the roadway will not increase the size of the Cemetery by anymore than a gravesite.

Hicks then stated the vacation will hinder access to and from SR 13 by larger vehicles such as semi trucks or farm equipment. He also added entering on County Road 700E from the north is difficult and unsafe to navigate.

Dave Johnston of Pierson-Hollowell Forest Products, Inc requested clarification on the impact the vacation will have on their property. After clarification, Johnston stated his company had no issue with the vacation.

No one else appeared in opposition to the vacation.

MOTION:	Bob Conley	TO:	Deny APC's recommendation to vacate
SECOND:	Brad Jackson		a portion of CR 360S in Washington
AYES:	3	NAYS:	0
UNANIMOUS			Township as requested.

IN THE MATTER OF HOFFER REZONING REQUEST – TIPPECANOE TOWNSHIP:

Dan Richard, Area Plan Director, presented a rezoning request from Larry Hoffer to rezone 18.9 acres from Residential to Agricultural in Tippecanoe Township. Richard explained the property is off EMS B1 Lane, Tippecanoe Township with surrounding properties zoned residential, agricultural and public use for a church camp. Richard added this tract was granted an exception in July, 2009 to raise deer with limitations as to the number of head of deer. Richard then stated it was the unanimous recommendation of APC to approve the rezoning from residential to agricultural.

President Ron Truex questioned whether leaving the exception on the residential zoning would be advantageous. Richard stated that option was discussed with APC however Petitioner preferred the open-ended agricultural zoning.

Jack Birch, Petitioner's Attorney, spoke in favor of the rezoning. Birch concurred with Richard stating Hoffer currently leases out the property for the purpose of raising the deer and now has a purchase agreement in place pending the rezoning.

President Truex questioned whether the neighbors were contacted and if there were any issues. Richard responded the only issues brought before APC were drainage issues and the allowance of other farm animals, i.e. cows, chickens, etc. with the agricultural zoning.

No one appeared in opposition to the rezoning.

MOTION:	Brad Jackson	TO:	Accept the recommendation of APC to
SECOND:	Bob Conley		allow the rezoning of the 18.9 acre tract from
AYES:	3	NAYS:	0
UNANIMOUS			residential to agricultural in Tippecanoe
			Township as presented.

ORDINANCE NO. 10-10-26-004Z
As recorded in of the office of the Kosciusko County Recorder

IN THE MATTER OF WILLIAMSON REZONING REQUEST – TIPPECANOE TOWNSHIP:

Dan Richard, Area Plan Director, presented a rezoning request from Robert Williamson to rezone 5.8 acres from Industrial II to Commercial in Tippecanoe Township. Richard explained the property is on State Road 13, south of North Webster, Tippecanoe Township with surrounding properties zoned primarily commercial and agricultural. Richard noted the proposed use of the property is a retail sales establishment. Richard then stated it was the unanimous recommendation of APC to approve the rezoning from industrial II to commercial.

Bob Reed, Petitioner's Attorney, spoke in favor of the rezoning. Reed concurred with Richard stating the property was purchased with the intent of a retail store.

No one appeared in opposition to the rezoning.

MOTION: Brad Jackson

TO: Accept the recommendation of APC to allow the rezoning of the 5.8 acre tract from industrial II to commercial in Tippecanoe Township as presented.

SECOND: Bob Conley

AYES: 3 NAYS: 0

UNANIMOUS

ORDINANCE NO. 10-10-26-005Z

As recorded in of the office of the Kosciusko County Recorder

IN THE MATTER OF WEAVER REZONING REQUEST – WAYNE TOWNSHIP:

Dan Richard, Area Plan Director, presented a rezoning request from Tarah and Samuel Weaver to rezone 1.75 acres from Commercial to Residential in Wayne Township. Richard explained the property is on County Road 350E, south of Wilcox Road, Wayne Township with surrounding properties zoned residential and agricultural. Richard then stated it was the unanimous recommendation of APC to approve the rezoning from commercial to residential. Petitioner Samuel Weaver spoke in favor of the rezoning. Weaver stated the rezoning would make the approval of potential improvements easier.

No one appeared in opposition to the rezoning.

MOTION: Bob Conley

TO: Accept the recommendation of APC to allow the rezoning of the 1.75 acre tract from commercial to residential in Wayne Township as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

ORDINANCE NO. 10-10-26-006Z

As recorded in of the office of the Kosciusko County Recorder

IN THE MATTER OF MILLER REZONING REQUEST – WAYNE TOWNSHIP:

Dan Richard, Area Plan Director, presented a rezoning request from Scott and Sara Miller to rezone 5.7 acres from Agricultural to Residential in Wayne Township. Richard explained the property is off of Old Road 30, east of Warsaw, Wayne Township with surrounding properties zoned agricultural and residential. Richard added the reason for the rezoning is Petitioners have exhausted the allowed number of sell-offs. Richard stated their intent is to petition off an additional tract for a subdivision. Richard then stated it was the unanimous recommendation of APC to approve the rezoning from agricultural to residential.

Jack Birch, Petitioner's Attorney, spoke in favor of the rezoning. Birch concurred with Richard stating the rezoning would allow a two (2) lot subdivision.

No one appeared in opposition to the rezoning.

MOTION: Bob Conley

TO: Accept the recommendation of APC to allow the rezoning of the 5.7 acre tract from agricultural to residential in Wayne Township as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

ORDINANCE NO. 10-10-26-007Z

As recorded in of the office of the Kosciusko County Recorder

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

KOSCIUSKO COUNTY COMMISSIONERS

November 9, 2010

The Kosciusko County Commissioners met for their regular meeting on November 9, 2010 at 9:00 A.M. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Ron Truex – President
Brad Jackson
Bob Conley

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

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

IN THE MATTER OF KABS – ARRA PURCHASES:

KABS Director, Matt Boren, presented the Contract Invoice Voucher for ARRA purchases. Boren explained the claim is to purchase shop equipment and is federally funded requiring no matching funds from the County.

MOTION: Brad Jackson

TO: Approve claim as presented.

SECOND: Bob Conley

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF HVAC CONTRACT:

Ron Robinson, County Administrator, presented the HVAC contract for annual maintenance between the County and Johnson Controls in the amount of \$34,986.

MOTION: Brad Jackson

TO: Approve HVAC Contract with Johnson Controls as presented.

SECOND: Bob Conley

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF JUSTICE BUILDING METAL DETECTOR CONTRACT:

Ron Robinson, County Administrator, presented the annual maintenance contract in the amount of \$5,600.00 between the County and Auto Clear Controls Screening for the metal detector located in the Justice Building. Robinson explained the testing and maintenance is required by the State on the metal detector at the entrance to the Justice Building.

MOTION: Bob Conley

TO: Approve contract with Auto Clear Controls Screening as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF ORDINANCE FOR ARRA MONEY TRANSFER:

Ron Robinson, County Administrator, stated the County previously received \$5,471,000 in bonds through the Federal (ARRA) stimulus package. Robinson explained the bonds were originally pledged for a joint project with the City of Warsaw and that project fell through. Robinson then explained he received a request from Porter County that the unused bonds be transferred to them to use on their project. Robinson added the State approved the transfer of the bonds to Porter County. Robinson presented an Ordinance for the Commissioners' signatures allowing the transfer of bonds to Porter County. The Commissioners noted that due to the timeframe for the monies to be expended, Kosciusko County would not be able to utilize the bonds for other projects.

MOTION: Bob Conley

TO: Approve Ordinance as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF COUNTY HIGHWAY ANNUAL BIDS:

County Attorney Mike Miner opened the annual bids for the Highway Department for 2011. Bids were received from the following vendors:

- ❖ Robert McCullough - Gravel
- ❖ Jerry Bailey Trucking - Limestone
- ❖ Dalton Foundry – Weed Spray
- ❖ North Central Co-op – Diesel Fuel
- ❖ Asphalt Materials – Liquid Bituminous Materials
- ❖ R.L. McCoy – Bridge Packages
- ❖ G&G Excavating – Limestone & Gravel
- ❖ Great Lakes Chloride – Dust Control
- ❖ Pierceton Trucking – Liquid Bituminous Materials
- ❖ West Plains Mining - Limestone
- ❖ Brooks Construction - Asphalt
- ❖ Lightle Enterprises – Road signs & Posts
- ❖ Elkhart County Gravel - Gravel
- ❖ IMI - Limestone
- ❖ James A Drew Corporation – Guard rails
- ❖ Ro-Cal Inc – Signs & Posts
- ❖ Niblock - Asphalt
- ❖ Niblock – Plant Rental
- ❖ Niblock – Asphalt delivered
- ❖ Bellman Oil – Diesel Fuel
- ❖ Rock Industries - Limestone
- ❖ Zimmerman-Newcomer Gravel Co. - Gravel
- ❖ St. Regis – Culverts/pipe
- ❖ Hanson Aggregate - Limestone
- ❖ Phend & Brown –Sand & Gravel
- ❖ Phend & Brown – Asphalt
- ❖ Phend & Brown – Plant Rental
- ❖ Phend & Brown – Asphalt delivered
- ❖ Speedway Sand & Gravel - Gravel
- ❖ PrimeCo – Bridge decks
- ❖ Deblo – Culverts/pipe

It was noted these bids are open ended for the year and the County can choose to use any, all or none of the bids and they will be available for inspection at the Highway Department. Highway Superintendent, Scott Tilden, will make a recommendation to the Commissioners at their meeting on November 23, 2010.

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

KOSCIUSKO COUNTY COMMISSIONERS
November 23, 2010

The Kosciusko County Commissioners met for their regular meeting on November 23, 2010 at 9:00 A.M. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Ron Truex – President
Brad Jackson
Bob Conley

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

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

IN THE MATTER OF RECOVERY BONDS CLARIFICATION:

George Robertson, KEDCO Director, addressed the Recovery Bonds that were transferred to Porter County at the November 9, 2010 Commissioners meeting. Robertson stated there has been some confusion with the media stating the Commissioners gave the money away in giving it to Porter County. Robertson explained recovery bonds are a debt instrument, not actual federal money. Robertson added the Commissioners made a wise decision not to use the recovery bonds as they are used for large projects in excess of \$10 million.

President Ron Truex clarified the bonds were intended to be offered to attract new businesses or to assist existing businesses. Truex added the bonds were pledged to the City of Warsaw for a project that ultimately fell through. Truex noted Kosciusko County was then contacted by Porter County requesting the bonds be transferred to their County for their large project, adding the transfer was approved by the State.

Commissioner Brad Jackson further clarified Kosciusko County gave away the opportunity to borrow the money for a project; the County did not actually give away any money.

County Attorney Mike Miner added the bonds were in place to benefit a company wanting to borrow money at a low interest rate and there were no companies that expressed interest in the bonds.

IN THE MATTER OF COUNTY ROAD 100E CLARIFICATION:

Commissioner Brad Jackson addressed the issue of closing County Road 100E to the east of Warsaw Municipal Airport. Jackson stated the Commissioners do not want to see CR 100 E closed however they also do not want to have an airport that is insufficient for the companies within the County. Jackson noted any decision made by the Commissioners will be one for the good of the County as a whole.

President Ron Truex added the FAA is investigating whether this project would be viable and qualify for funding. President Truex noted the Commissioners must look at what is good for the community long term, adding projects may be undertaken to support the County's major businesses and keep them from relocating.

Commissioner Bob Conley expressed concern with the calls he received pertaining to taxpayers' fears of slow response times from police, fire and EMS if CR 100 E is closed. Conley and Jackson added the Commissioners will explore every option and do what they feel is appropriate for the County as a whole. Jackson noted the orthopedic companies are conducting more business internationally requiring additional use of the airport and the County should do what they can to help those companies so they do not feel the need to relocate.

IN THE MATTER OF MULTI-HAZARD MITIGATION PLAN:

Ed Rock, Emergency Management Director, stated the State of Indiana gave the County an opportunity to develop a mitigation plan, i.e. to identify risks within the County and then develop a plan to minimize or eliminate those risks. Rock explained once there is a plan in place, Federal funding becomes available. Rock added a plan has been developed and approved on both the State and Federal level.

Rock stated the next step is for the County to approve a Resolution adopting the Multi-Hazard Mitigation Plan. Rock reiterated the mitigation plan is an attempt to reduce a potential hazard and solve that issue before a crisis or disaster occurs. Rock noted any hazard is addressed on an individual basis.

IN THE MATTER OF MULTI-HAZARD MITIGATION PLAN CONTINUED:

Commissioner Bob Conley questioned the use of the HAZMAT equipment through this plan. Rock responded HAZMAT is not an integral part of the mitigation plan however the equipment is in place awaiting properly trained personnel to safely respond to an emergency.

MOTION: Bob Conley

TO: Approve multi-hazard mitigation plan resolution as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

RESOLUTION 10-11-23-002 Mitigation
As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF KABS – ARRA PURCHASES:

KABS Director, Matt Boren, presented a Contract Invoice Voucher for ARRA purchases. Boren explained the claim is for additional equipment purchased and is federally funded requiring no matching funds from the County.

MOTION: Brad Jackson

TO: Approve claim as presented.

SECOND: Bob Conley

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF WORKONE WORKFORCE SYSTEMS:

Kathleen Randolph, President/CEO Partners for Workforce Solutions, stated the current Chair of Regional Workforce Board, David Findlay, is requesting endorsement to allow the Workforce Board to seek designation as a Workforce Investment Board. Randolph outlined a few key points for updating from a Regional Board to an Investment Board as:

- ❖ Must be Workforce Investment Board to allow the Region to access Federal money from the United States Department of Labor;
- ❖ The need for a Chief Elected Official within the five (5) county area;
- ❖ Regional Board cannot respond to a crisis or opportunity locally, must go through the ninety-one (91) county board that is a “one size fits all” mentality.
- ❖ The need is for Board to expand from sixteen (16) to twenty-two (22) members consisting of business representatives, Chief Elected Official and key partner organizations who receive federal dollars to support local growth. Equal representation from the five (5) counties will be a key factor to the Board being effective and fair.

Randolph noted Work One is transitioning to train and educate their clients in order to provide the needed skilled employees for specialty companies such as the orthopedic industry. Randolph requested the Commissioners sign a ballot transitioning back to an Investment Board.

MOTION: Brad Jackson

TO: Sign/support both individually and as a

SECOND: Bob Conley

Board the ballot supporting an Investment

AYES: 3 NAYS: 0

Board as presented.

UNANIMOUS

IN THE MATTER OF WESTERN ROUTE:

County Administrator, Ron Robinson, presented a Contract between the County and INDOT regarding the roundabouts on Old Road 30 requiring the Commissioners’ signatures. Robinson noted the County is receiving additional funding on the Old Road 30 roundabout project.

MOTION: Brad Jackson

TO: Sign Contract as presented.

SECOND: Bob Conley

AYES: 3 NAYES: 0

UNANIMOUS

IN THE MATTER OF SYSTEMS ADMINISTRATOR REQUEST:

County Administrator, Ron Robinson, stated the IT Department is requesting to use funds budgeted to purchase software that would allow the department remote support to the computers within the County as well as aid in inventory control. Robinson noted \$7,020 as the amount requested.

MOTION: Bob Conley

TO: Approve purchase as requested.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF WAWASEE SCHOOLS WAGE COMMITTEE:

County Administrator, Ron Robinson, stated he offered that Commissioner Brad Jackson serve again on the Wawasee Schools Wage Committee.

IN THE MATTER OF COUNTY HIGHWAY 2011 ANNUAL BID

RECOMMENDATION:

Highway Superintendent, Scott Tilden, presented the 2011 annual bid recommendation for bids opened at the November 9, 2009 meeting. Tilden recommended accepting all bids.

MOTION: Bob Conley

TO: Accept Highway Department bid recommendations for 2011 as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF REPEAL OF SPEED REDUCTION ON OLD ROAD 30 WEST - ETNA TOWNSHIP:

Highway Superintendent, Scott Tilden, stated he received a request for a repeal of the speed reduction establishing a 45mph speed limit on Old Road 30 West at a point commencing 400 feet east of County Road 300N (Ordinance No 97-4SP). Tilden noted since there is no business occupying the building east of Etna Green, there is no longer a need for the 45 mph speed limit and it should revert back to 55 mph.

MOTION:	Brad Jackson	TO:	Repeal the Ordinance establishing a
SECOND:	Bob Conley		45mph speed limit and re-establish the 55mph
AYES:	3	NAYS:	0
UNANIMOUS			speed limit on Old Road 30 at a point commencing 400 feet east of CR 300N.

ORDINANCE 10-11-23-003 Speed Repeal
As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF SPEED REDUCTION IN DELLS SUBDIVISION - PLAIN TOWNSHIP:

Highway Superintendent, Scott Tilden, stated he received a request for a speed reduction in the Dells subdivision. Tilden added he will perform a traffic study and bring a recommendation back to the Commissioners.

IN THE MATTER OF HIGHWAY ACCOLADES:

Commissioner Brad Jackson stated he has spoken to a KCHD employee who complimented Highway Superintendent Scott Tilden and his efforts since being appointed Superintendent at the KCHD.

IN THE MATTER OF BRIDGE 29:

Highway Superintendent, Scott Tilden, noted the bid opening for Bridge 29 is slated for December 7, 2010. Tilden noted the plans were previously approved as presented and signed by all three (3) Commissioners.

IN THE MATTER OF SEMI TRUCK TRAFFIC ISSUE:

Scott Tilden, Highway Superintendent, stated in 2009 there were traffic issues on Ferguson Road between State Road 25 and County Road 200S and on Rozella Road between SR 25 and SR 15 presented to the Commissioners that were never resolved. Tilden recommended posting signs reading “No Thru Trucks – Local Delivery Only” as well as the fine for violating the posting. It was noted an ordinance would be needed establishing the fine. The Commissioners requested County Attorney, Mike Miner, research state statutes for one that would support the ordinance and fine.

IN THE MATTER OF BAKER VACATION REQUEST – PRAIRIE TOWNSHIP:

Dan Richard, Area Plan Director, stated this request would not be presented at this time as the Petitioner is attempting to obtain support of other local residents to incorporate a contiguous vacation before proceeding before the Area Plan Commission.

IN THE MATTER OF OSBON VACATION REQUEST – SEWARD TOWNSHIP:

Dan Richard, Area Plan Director, presented a vacation request from Steven Osbon to vacate a portion of a platted, unnamed roadway in Bensart’s North Shore Parke on Beaver Dam Lake, Seward Township.

Richard noted at each APC meeting, there were remonstrators against the vacation including input from the local police, fire and EMS to leave the roadway open. Richard stated it was the unanimous recommendation of APC to deny the vacation.

Steve Osbon spoke in favor of the vacation stating the vacation was initially filed to fix a drainage issue that occurs during heavy rainfall.

Donald Hobbs, neighbor of Osbon, added a sewage issue also exists during excessive rain and raw sewage runs down the roadway, across Hobbs’ property and into Beaver Dam Lake.

Richard clarified the portion of roadway Osbon is seeking to have vacated is a platted, public roadway that is not county maintained.

President Ron Truex suggested involving the County Health Department and the County Drainage Board to address the drainage/sewage issues.

IN THE MATTER OF OSBON VACATION REQUEST – SEWARD TOWNSHIP
CONTINUED:

Jay Lavender, Petitioner’s attorney, noted other portions of the roadway were previously vacated and allowing this vacation would allow Osbon to maintain the area.

No one else appeared in favor of the vacation and no one appeared in opposition to the vacation.

MOTION: Brad Jackson

TO: Accept the recommendation of APC and

SECOND: Bob Conley

deny the vacation of the unnamed roadway in

AYES: 3 NAYS: 0

Bensart’s North Shore Parke as presented.

UNANIMOUS

IN THE MATTER OF MOON REZONING REQUEST – SEWARD TOWNSHIP:

Dan Richard, Area Plan Director, presented a rezoning request from Jack and Karen Moon to rezone 19.89 acres from Agricultural to Residential in Seward Township. Richard explained the property is on County Road 500S, south of Palestine Lake, Seward Township with surrounding properties zoned primarily agricultural. Richard noted the Petitioners’ intent is to split a portion off for their daughter however all sell-offs have been exhausted. Richard added after discussion in the APC hearing, the Moons were agreeable to rezoning the south six (6) acres only. Richard stated it was the unanimous recommendation of APC to approve the rezoning of the south six (6) acres from agricultural to residential.

Petitioner Jack Moon spoke in favor of the rezoning stating he spoke to the neighbors and no one opposed the rezoning. He reiterated their intent is to split off a portion for their daughter and son-in-law to build on.

No one else appeared in favor of the rezoning and no one appeared in opposition to the rezoning.

MOTION: Bob Conley

TO: Accept the recommendation of APC to

SECOND: Brad Jackson

allow the rezoning of the 6.0 acre tract from

AYES: 3 NAYS: 0

agricultural to residential in Seward Township

UNANIMOUS

as presented.

ORDINANCE NO. 10-11-23-001Z

As recorded in of the office of the Kosciusko County Recorder

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

KOSCIUSKO COUNTY COMMISSIONERS
November 23, 2010

The Kosciusko County Commissioners met for their regular meeting on November 23, 2010 at 9:00 A.M. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Ron Truex – President

Marsha McSherry – County Auditor

Brad Jackson

Ron Robinson - County Administrator

Bob Conley

Mike Miner – County Attorney

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

IN THE MATTER OF RECOVERY BONDS CLARIFICATION:

George Robertson, KEDCO Director, addressed the Recovery Bonds that were transferred to Porter County at the November 9, 2010 Commissioners meeting. Robertson stated there has been some confusion with the media stating the Commissioners gave the money away in giving it to Porter County. Robertson explained recovery bonds are a debt instrument, not actual federal money. Robertson added the Commissioners made a wise decision not to use the recovery bonds as they are used for large projects in excess of \$10 million.

President Ron Truex clarified the bonds were intended to be offered to attract new businesses or to assist existing businesses. Truex added the bonds were pledged to the City of Warsaw for a project that ultimately fell through. Truex noted Kosciusko County was then contacted by Porter County requesting the bonds be transferred to their County for their large project, adding the transfer was approved by the State.

IN THE MATTER OF RECOVERY BONDS CLARIFICATION CONTINUED:

Commissioner Brad Jackson further clarified Kosciusko County gave away the opportunity to borrow the money for a project; the County did not actually give away any money.

County Attorney Mike Miner added the bonds were in place to benefit a company wanting to borrow money at a low interest rate and there were no companies that expressed interest in the bonds.

IN THE MATTER OF COUNTY ROAD 100E CLARIFICATION:

Commissioner Brad Jackson addressed the issue of closing County Road 100E to the east of Warsaw Municipal Airport. Jackson stated the Commissioners do not want to see CR 100 E closed however they also do not want to have an airport that is insufficient for the companies within the County. Jackson noted any decision made by the Commissioners will be one for the good of the County as a whole.

President Ron Truex added the FAA is investigating whether this project would be viable and qualify for funding. President Truex noted the Commissioners must look at what is good for the community long term, adding projects may be undertaken to support the County's major businesses and keep them from relocating.

Commissioner Bob Conley expressed concern with the calls he received pertaining to taxpayers' fears of slow response times from police, fire and EMS if CR 100 E is closed. Conley and Jackson added the Commissioners will explore every option and do what they feel is appropriate for the County as a whole. Jackson noted the orthopedic companies are conducting more business internationally requiring additional use of the airport and the County should do what they can to help those companies so they do not feel the need to relocate.

IN THE MATTER OF MULTI-HAZARD MITIGATION PLAN:

Ed Rock, Emergency Management Director, stated the State of Indiana gave the County an opportunity to develop a mitigation plan, i.e. to identify risks within the County and then develop a plan to minimize or eliminate those risks. Rock explained once there is a plan in place, Federal funding becomes available. Rock added a plan has been developed and approved on both the State and Federal level.

Rock stated the next step is for the County to approve a Resolution adopting the Multi-Hazard Mitigation Plan. Rock reiterated the mitigation plan is an attempt to reduce a potential hazard and solve that issue before a crisis or disaster occurs. Rock noted any hazard is addressed on an individual basis.

Commissioner Bob Conley questioned the use of the HAZMAT equipment through this plan. Rock responded HAZMAT is not an integral part of the mitigation plan however the equipment is in place awaiting properly trained personnel to safely respond to an emergency.

MOTION: Bob Conley

TO: Approve multi-hazard mitigation plan
resolution as presented.

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

RESOLUTION 10-11-23-002 Mitigation
As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF KABS – ARRA PURCHASES:

KABS Director, Matt Boren, presented a Contract Invoice Voucher for ARRA purchases. Boren explained the claim is for additional equipment purchased and is federally funded requiring no matching funds from the County.

MOTION: Brad Jackson

TO: Approve claim as presented.

SECOND: Bob Conley

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF WORKONE WORKFORCE SYSTEMS:

Kathleen Randolph, President/CEO Partners for Workforce Solutions, stated the current Chair of Regional Workforce Board, David Findlay, is requesting endorsement to allow the Workforce Board to seek designation as a Workforce Investment Board. Randolph outlined a few key points for updating from a Regional Board to an Investment Board as:

- ❖ Must be Workforce Investment Board to allow the Region to access Federal money from the United States Department of Labor;
- ❖ The need for a Chief Elected Official within the five (5) county area;
- ❖ Regional Board cannot respond to a crisis or opportunity locally, must go through the ninety-one (91) county board that is a "one size fits all" mentality.

IN THE MATTER OF WORKONE WORKFORCE SYSTEMS CONTINUED:

- ❖ The need is for Board to expand from sixteen (16) to twenty-two (22) members consisting of business representatives, Chief Elected Official and key partner organizations who receive federal dollars to support local growth. Equal representation from the five (5) counties will be a key factor to the Board being effective and fair.

Randolph noted Work One is transitioning to train and educate their clients in order to provide the needed skilled employees for specialty companies such as the orthopedic industry. Randolph requested the Commissioners sign a ballot transitioning back to an Investment Board.

MOTION: Brad Jackson TO: Sign/support both individually and as a
SECOND: Bob Conley Board the ballot supporting an Investment
AYES: 3 NAYS: 0 Board as presented.
UNANIMOUS

IN THE MATTER OF WESTERN ROUTE:

County Administrator, Ron Robinson, presented a Contract between the County and INDOT regarding the roundabouts on Old Road 30 requiring the Commissioners' signatures. Robinson noted the County is receiving additional funding on the Old Road 30 roundabout project.

MOTION: Brad Jackson TO: Sign Contract as presented.
SECOND: Bob Conley
AYES: 3 NAYS: 0
UNANIMOUS

IN THE MATTER OF SYSTEMS ADMINISTRATOR REQUEST:

County Administrator, Ron Robinson, stated the IT Department is requesting to use funds budgeted to purchase software that would allow the department remote support to the computers within the County as well as aid in inventory control. Robinson noted \$7,020 as the amount requested.

MOTION: Bob Conley TO: Approve purchase as requested.
SECOND: Brad Jackson
AYES: 3 NAYS: 0
UNANIMOUS

IN THE MATTER OF WAWASEE SCHOOLS WAGE COMMITTEE:

County Administrator, Ron Robinson, stated he offered that Commissioner Brad Jackson serve again on the Wawasee Schools Wage Committee.

IN THE MATTER OF COUNTY HIGHWAY 2011 ANNUAL BID RECOMMENDATION:

Highway Superintendent, Scott Tilden, presented the 2011 annual bid recommendation for bids opened at the November 9, 2009 meeting. Tilden recommended accepting all bids.

MOTION: Bob Conley TO: Accept Highway Department bid
SECOND: Brad Jackson recommendations for 2011 as presented.
AYES: 3 NAYS: 0
UNANIMOUS

IN THE MATTER OF REPEAL OF SPEED REDUCTION ON OLD ROAD 30 WEST - ETNA TOWNSHIP:

Highway Superintendent, Scott Tilden, stated he received a request for a repeal of the speed reduction establishing a 45mph speed limit on Old Road 30 West at a point commencing 400 feet east of County Road 300N (Ordinance No 97-4SP). Tilden noted since there is no business occupying the building east of Etna Green, there is no longer a need for the 45 mph speed limit and it should revert back to 55 mph.

MOTION: Brad Jackson TO: Repeal the Ordinance establishing a
SECOND: Bob Conley 45mph speed limit and re-establish the 55mph
AYES: 3 NAYS: 0 speed limit on Old Road 30 at a point
UNANIMOUS commencing 400 feet east of CR 300N.

ORDINANCE 10-11-23-003 Speed Repeal
As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF SPEED REDUCTION IN DELLS SUBDIVISION - PLAIN TOWNSHIP:

Highway Superintendent, Scott Tilden, stated he received a request for a speed reduction in the Dells subdivision. Tilden added he will perform a traffic study and bring a recommendation back to the Commissioners.

IN THE MATTER OF HIGHWAY ACCOLADES:

Commissioner Brad Jackson stated he has spoken to a KCHD employee who complimented Highway Superintendent Scott Tilden and his efforts since being appointed Superintendent at the KCHD.

IN THE MATTER OF BRIDGE 29:

Highway Superintendent, Scott Tilden, noted the bid opening for Bridge 29 is slated for December 7, 2010. Tilden noted the plans were previously approved as presented and signed by all three (3) Commissioners.

IN THE MATTER OF SEMI TRUCK TRAFFIC ISSUE:

Scott Tilden, Highway Superintendent, stated in 2009 there were traffic issues on Ferguson Road between State Road 25 and County Road 200S and on Rozella Road between SR 25 and SR 15 presented to the Commissioners that were never resolved. Tilden recommended posting signs reading “No Thru Trucks – Local Delivery Only” as well as the fine for violating the posting. It was noted an ordinance would be needed establishing the fine. The Commissioners requested County Attorney, Mike Miner, research state statutes for one that would support the ordinance and fine.

IN THE MATTER OF BAKER VACATION REQUEST – PRAIRIE TOWNSHIP:

Dan Richard, Area Plan Director, stated this request would not be presented at this time as the Petitioner is attempting to obtain support of other local residents to incorporate a contiguous vacation before proceeding before the Area Plan Commission.

IN THE MATTER OF OSBON VACATION REQUEST – SEWARD TOWNSHIP:

Dan Richard, Area Plan Director, presented a vacation request from Steven Osbon to vacate a portion of a platted, unnamed roadway in Bensart’s North Shore Parke on Beaver Dam Lake, Seward Township.

Richard noted at each APC meeting, there were remonstrators against the vacation including input from the local police, fire and EMS to leave the roadway open. Richard stated it was the unanimous recommendation of APC to deny the vacation.

Steve Osbon spoke in favor of the vacation stating the vacation was initially filed to fix a drainage issue that occurs during heavy rainfall.

Donald Hobbs, neighbor of Osbon, added a sewage issue also exists during excessive rain and raw sewage runs down the roadway, across Hobbs’ property and into Beaver Dam Lake.

Richard clarified the portion of roadway Osbon is seeking to have vacated is a platted, public roadway that is not county maintained.

President Ron Truex suggested involving the County Health Department and the County Drainage Board to address the drainage/sewage issues.

Jay Lavender, Petitioner’s attorney, noted other portions of the roadway were previously vacated and allowing this vacation would allow Osbon to maintain the area.

No one else appeared in favor of the vacation and no one appeared in opposition to the vacation.

MOTION: Brad Jackson

TO: Accept the recommendation of APC and

SECOND: Bob Conley

deny the vacation of the unnamed roadway in

AYES: 3 NAYS: 0

Bensart’s North Shore Parke as presented.

UNANIMOUS

IN THE MATTER OF MOON REZONING REQUEST – SEWARD TOWNSHIP:

Dan Richard, Area Plan Director, presented a rezoning request from Jack and Karen Moon to rezone 19.89 acres from Agricultural to Residential in Seward Township. Richard explained the property is on County Road 500S, south of Palestine Lake, Seward Township with surrounding properties zoned primarily agricultural. Richard noted the Petitioners’ intent is to split a portion off for their daughter however all sell-offs have been exhausted. Richard added after discussion in the APC hearing, the Moons were agreeable to rezoning the south six (6) acres only. Richard stated it was the unanimous recommendation of APC to approve the rezoning of the south six (6) acres from agricultural to residential.

IN THE MATTER OF MOON REZONING REQUEST – SEWARD TOWNSHIP
CONTINUED:

Petitioner Jack Moon spoke in favor of the rezoning stating he spoke to the neighbors and no one opposed the rezoning. He reiterated their intent is to split off a portion for their daughter and son-in-law to build on.

No one else appeared in favor of the rezoning and no one appeared in opposition to the rezoning.

MOTION: Bob Conley

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

TO: Accept the recommendation of APC to allow the rezoning of the 6.0 acre tract from agricultural to residential in Seward Township as presented.

ORDINANCE NO. 10-11-23-001Z

As recorded in of the office of the Kosciusko County Recorder

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

KOSCIUSKO COUNTY COMMISSIONERS
December 7, 2010

The Kosciusko County Commissioners met for their regular meeting on December 7, 2010 at 9:00 A.M. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Ron Truex – President
Brad Jackson
Bob Conley - *Absent*

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

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

Commissioner Brad Jackson addressed the forum by stating Commissioner Bob Conley's absence was due to Conley undergoing a medical procedure.

IN THE MATTER OF COUNTY BOARD OF HEALTH APPOINTMENT:

Bob Weaver, Health Department Director, stated two (2) positions on the Board of Health expire at the end of 2010. Weaver added both Dr. Thomas Howard and Dr. Dennis Woodward are amenable to serving another four (4) year term.

MOTION: Brad Jackson

SECOND: Ron Truex

AYES: 2 NAYS: 0

MOTION CARRIED

TO: Reappoint Dr Thomas Howard and Dr Dennis Woodward to the County Board of Health for a four (4) year term.

IN THE MATTER OF EMERGENCY MANAGEMENT INCENTIVE GRANT:

Ed Rock, Emergency Management Director, stated the State of Indiana offers a competitive grant with an incentive to score better on the grade card. Grant monies can then be used to enhance the Emergency Management office. Rock added he would like to purchase small generators with the \$3,750 grant. Rock noted the grant is 100% State and Federally funded requiring no additional funds from the County.

MOTION: Brad Jackson

SECOND: Ron Truex

AYES: 2 NAYS: 0

MOTION CARRIED

TO: Approve incentive grant agreement as presented.

IN THE MATTER OF SWEARING-IN CEREMONY:

County Administrator, Ron Robinson, invited everyone to the Swearing-In Ceremony for all newly elected County officers on December 28, 2010 at 1:00 p.m. in the Old Courtroom of the Courthouse.

IN THE MATTER OF 2011 COUNTY ATTORNEY CONTRACT:

County Auditor, Marsha McSherry, presented the 2011 County Attorney Contract to the Commissioners for signature. Mike Miner, County Attorney, noted the Contract is identical to the 2010 Contract.

MOTION: Brad Jackson

TO: Approve 2011 County Attorney Contract as presented.

SECOND: Ron Truex

AYES: 2 NAYS: 0

MOTION CARRIED

IN THE MATTER OF 2011 INTER-LOCAL AGREEMENT WITH SOLID WASTE DISTRICT:

Marsha McSherry, County Auditor, presented an Inter-local Agreement between the County and Solid Waste District. McSherry explained the Agreement allows the County Auditor to serve as Controller of the Solid Waste District for 2011.

MOTION: Brad Jackson

TO: Approve the Inter-local Agreement between the County and Solid Waste District for County Auditor to serve as Controller as presented.

SECOND: Ron Truex

AYES: 2 NAYS: 0

MOTION CARRIED

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

Marsha McSherry, County Auditor, presented the Inter-Local Agreement between the County and KCCRVC. McSherry explained the Agreement allows the County Auditor to serve as Controller for the KCCRVC.

MOTION: Brad Jackson

TO: Approve the Inter-local Agreement between the County and KCCRVC for the County Auditor to serve as Controller as presented.

SECOND: Ron Truex

AYES: 2 NAYES: 0

MOTION CARRIED

IN THE MATTER OF SPEED REDUCTION IN DELLS SUBDIVISION – PLAIN TOWNSHIP:

Highway Superintendent, Scott Tilden, stated both KCHD and the Sheriff's Department performed a traffic study regarding the request for a speed reduction from 30mph to 25mph in the Dells Subdivision. Tilden added both departments were in agreement that 30mph is too fast for the subdivision.

MOTION: Brad Jackson

TO: Approve speed reduction from 30mph to 25mph in the Dells Subdivision, Plain Township as presented.

SECOND: Ron Truex

AYES: 2 NAYS: 0

MOTION CARRIED

ORDINANCE 10-12-07-001 Speed
As recorded in the office of the Kosciusko County Recorder

IN THE MATTER OF CITY OF WARSAW ROAD MAINTENANCE AGREEMENT:

Scott Tilden, Highway Superintendent, presented a three (3) year road maintenance agreement between the County and the City of Warsaw for the Commissioners approval. Tilden added the agreement will go before the City of Warsaw for approval on December 17, 2010.

MOTION: Brad Jackson

TO: Approve road maintenance agreement as presented.

SECOND: Ron Truex

AYES: 2 NAYS: 0

MOTION CARRIED

IN THE MATTER OF HIGHWAY BID OPENING FOR BRIDGE 29 REPLACEMENT:

Mike Miner, County Attorney, opened all sealed bids received for Bridge 29 replacement on Old State Road 15 south of Milford. The bids were as follows:

- ❖ JCI - \$274,393.50
- ❖ PrimeCo – \$263,412.21
- ❖ Pioneer Associates - \$262,151.06
- ❖ RL McCoy - \$298,458.70
- ❖ Beer & Slabaugh - \$277,915.00

Highway Superintendent Scott Tilden added he will review the bids and present a recommendation to the Commissioners at the December 21, 2010 meeting.

Phil Beer of USI Consultants added the Engineer's estimate for Bridge 29 is \$299,453.50.

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

KOSCIUSKO COUNTY COMMISSIONERS

December 21, 2010

The Kosciusko County Commissioners met for their regular meeting on December 21, 2010 at 9:00 A.M. in the Courtroom on the third floor of the Courthouse, 100 W. Center St., Warsaw, IN. Those present were:

Ron Truex – President
Brad Jackson
Bob Conley

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

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

IN THE MATTER OF CSI MAINTENANCE AND SYSTEM SUPPORT

AGREEMENTS:

Jason McSherry, County Clerk, presented a Maintenance Agreement and System Support Agreement between the County and CSI for the Commissioners' review and signature. McSherry explained both Agreements were for the Clerk's computer software system.

MOTION: Bob Conley TO: Approve Maintenance Agreement and
SECOND: Brad Jackson System Support Agreement as presented.

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF ANNUAL APPOINTMENTS:

The Commissioners considered the following appointments:

Alcohol Beverage Commission - Gordon Vanator
Area Plan Director - Dan Richard
Area Plan Board - Bob Conley
Board of Health – Med. Director Dr. William Remington
Board of Zoning Appeals - Vic Virgil, Charlie Haffner
County Administrator - Ron Robinson
County Attorney - Mike Miner
County Highway Superintendent - Scott Tilden
CVB Commission - Mary Mills (2 years), John Hall (2 years), Wes Stouder (2 years)
Drainage Board - Ron Truex, Mike Long
Economic Development - Wes Stouder
GIS - Bill Holder
Homeland Security/LEP - Ed Rock
KDI - Ron Truex
Lakeland Regional Sewer District - Bob Conley
PTABOA - Phil Beer, Gerald “Jake” Bitner, Gary Salyer
Public Defenders Board - John Hall, Alan Alderfer, Steve Harris
Redevelopment Commission - Max Courtney, Bruce Woodward, Henry DeJulia &
Dan Robinson (School Board)

St. Joe River Basin - John Roberts
System Administrator - Bob Momeyer
Veteran Officer - Rich Maron
Wage Committee - Brad Jackson
Weights & Measures - Larry Marner

MOTION: Bob Conley

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

SECOND: Brad Jackson

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF ENCHANTED HILLS STORM DRAINAGE PUBLIC HEARING:

Bob Murphy, R.P. Murphy & Associates opened the public hearing on the Enchanted Hills Subdivision storm drainage issue in Turkey Creek Township. Murphy stated he previously addressed the Commissioners in a public hearing on the Enchanted Hills Subdivision storm drainage grant but the State has postponed making a decision on the Grant until December 30, 2010.

Murphy explained there would not be ample time to conduct a public hearing in order to meet the next Grant deadline on January 14, 2010; therefore this hearing was preemptive in case they did not receive grant monies in the December grant cycle.

No one else spoke in favor of the grant application.

No one spoke in opposition of the grant application.

MOTION: Brad Jackson

TO: Allow Murphy to proceed with the

SECOND: Bob Conley

Application for the grant as presented.

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF WHITKO SCHOOL DISTRICT WAGE COMMITTEE:

Ron Robinson, County Administrator, stated he was contacted by Whitko School District requesting a wage committee appointment from the Commissioners. Robinson recommended Don Baker to serve on the wage committee.

IN THE MATTER OF SYSTEMS ADMINISTRATOR REQUEST:

County Administrator, Ron Robinson, stated the IT Department needs to update the firebox protecting the County's computer system. Robinson noted the current protection is obsolete and with this update, there will be an added savings of \$2,000.00 per year in the maintenance of the system.

MOTION: Bob Conley

TO: Approve update for protection for

SECOND: Brad Jackson

County computer system as requested.

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF PERSONNEL POLICY CHANGES:

County Administrator, Ron Robinson, stated there have been changes to the personnel policy handbook changing from a "one size fits all" handbook to four (4) separate handbooks.

Robinson noted the hours for certain departments are different from the main County offices; therefore, those differences were addressed in individual handbooks. Robinson noted there will be separate handbooks as follows: Sheriff's Department, Dispatch, Highway Department and main County offices (located in the Courthouse, Justice Building and County Annex).

President Ron Truex questioned what, if any, other changes were made to the handbook and if department heads reviewed the changes. Robinson responded the only changes made were to the hours and the department heads had reviewed the policies.

MOTION: Bob Conley

TO: Approve revisions of County personnel

SECOND: Brad Jackson

policy changes as presented.

AYES: 3 NAYS: 0

UNANIMOUS

IN THE MATTER OF 2011 SHERIFF'S CONTRACT:

Marsha McSherry, County Auditor, presented the 2011 Sheriff's Contract for approval. McSherry noted the contract was previously approved by Council at their December 9, 2010 meeting.

MOTION: Brad Jackson

TO: Approve 2011 Sheriff's contract as

SECOND: Bob Conley

presented.

AYES: 3 NAYES: 0

UNANIMOUS

IN THE MATTER OF EXTENSION CONTRACTUAL SERVICES AGREEMENT:

Marsha McSherry, County Auditor, presented the annual Extension Contractual Services Agreement to the Commissioners for signature.

MOTION: Bob Conley

TO: Approve Extension Contractual Services

SECOND: Brad Jackson

Agreement as presented.

AYES: 3 NAYES: 0

UNANIMOUS

**IN THE MATTER OF HIGHWAY BID ACCEPTANCE FOR BRIDGE 29
REPLACEMENT ON OLD ROAD 15 – MILFORD TOWNSHIP:**

Scott Tilden, Highway Superintendent, stated five (5) bids were received and sent to USI to review the specifications of each bid. Tilden recommended accepting the low bid for Bridge 29 replacement from Pioneer Associates in the amount of \$262,151.06, an amount lower than the engineer's estimate. All Agreements were signed in conjunction with the bridge replacement.

MOTION: Brad Jackson

TO: Accept the bid from Pioneer Associates

SECOND: Bob Conley

for the replacement of Bridge 29 on Old Road

AYES: 3 NAYS: 0

15 as recommended.

UNANIMOUS

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