

## AUGUST 3, 2009

Wabash County Commissioners met in regular session in the Wabash County Courthouse on Monday, August 3, 2009. Chairman Brian Hauptert called the meeting to order at approximately 9:00 A.M. with all members present: Brian K. Hauptert, Scott E. Givens, and Barry J. Eppley. The proceedings of the meeting were recorded by Wabash County Auditor Jane Ridgeway. The minutes of the July 27, 2009 meeting were reviewed. Givens made a motion to approve the minutes as written; his motion was seconded by Hauptert and passed with a 2-0 vote.

Phil Amones, County Highway Superintendent, reviewed:

1. To date, twenty-five (25) miles of chip and seal have been completed.
2. Verizon requested permission to bury cable at 1325 E 200 N. Commissioners unanimously approved request.
3. Bridge #175 at Richvalley: the asphalt surface has been milled off, approaches have been removed and replaced, the expansion joint has been cut out and replaced, and this morning are set to start hydro-demolition of the deck. Amones stated the contractors are ahead of schedule and the project is at least 50% complete.

Leroy Striker, Wabash County Sheriff reported:

1. The average daily population in the jail last week was 89.53.
2. The stairs and sidewalk repairs are to begin this month. Givens stated a portion of the area will be completed by the County Highway Department.

Bob Brown, EMA Director, reported he would be attending the State Department of Health meeting to be held Tuesday, August 4th at the Honeywell Center, regarding the H1N1 Virus. Commissioners are invited to attend.

Steve Downs, County Attorney, reported:

1. Regarding the 1400 North Project, Downs stated he has started a uniform acquisition form for the purchase of 2.11 acres of land from Leon Albright totaling \$17,688. Amones asked if a claim form needs to be done. Downs stated this could be done along with the offer to purchase. This will be followed by a title search and then the deed will be completed.
2. Prosecutor William Hartley has requested Downs revisit the creation of a Forfeiture Fund. The Prosecutor can seize and sell property in a criminal case when a conviction has occurred. The revenues collected could then be placed into the Prosecutor's Forfeiture Fund to purchase items related to law enforcement activities. Currently State Statute does not permit this process. The statute allows for the funds to go into the General Fund. The Prosecutor has requested an agreement be made with the County placing these revenues into the General Fund and then be appropriated for the purpose of law enforcement. Downs asked when money has been put into the General Fund can you then obligate this money? Hauptert stated this had been done for the Plan Commission

fees, but Council must approve appropriation of the fees. Downs, Ridgeway, and Commissioners discussed; stipulations on “law enforcement” items, how to deal with exorbitant amounts of revenues in regards to expenditure and how it could affect the County General Fund Budget, and tracking the funds. Commissioners agreed Hartley needs to present this to Council for review.

3. In May, the Sheriff’s Department privatized the handling of Sheriff Sales with Lieberman Technologies. Downs stated he advertises all Sheriff Sales with the News Journal three (3) times on three (3) separate weeks for a total of \$60. Downs stated the same advertisement in the Wabash Plain Dealer would cost \$462. Lieberman Technologies has requested the advertisement be moved to the Wabash Plain Dealer. Downs spoke with Sheriff Striker regarding the cost issue and Striker informed Downs to use the Plain Dealer as Lieberman requested. Downs stated on September 15<sup>th</sup> there are forty-three (43) Sheriff Sale properties to advertise for a total cost of \$17,414.93 with the Plain Dealer. This same advertisement would cost \$2,500 with the News Journal. The burden of this cost is placed on the banks and home owners. Downs requested permission to contact Lieberman to discuss the concept of following a more economical route with advertising costs. Ridgeway stated the Sheriff Sale information is also available on the county website for to review. Downs stated this is not an endorsement of any newspaper. It is an attempt to be conscious of costs to our county residents. Commissioner’s unanimously agreed.
4. Auditor Ridgeway informed Downs that an Ordinance passed in 2002; General Ordinance 2002-VI, to close unimproved County roadways had been reviewed by a searcher in the Auditor’s Office. The searcher found that this Ordinance was never recorded and it does not spell out who the vacated property goes to. Givens stated in the past he had acquired unimproved land and he remembered that the land owners around the vacated land had to petition the County to obtain the vacated land. Downs stated he would review regulations regarding vacated land. Ridgeway stated she would have the ordinance recorded.

Beverly Ferry, Executive Director Wabash County Council on Aging:

1. Presented and reviewed the 5311 Operating Grant Request Application for 2010 it includes the Federal Fiscal Year 2009 Certifications and Assurances for Sections 5311(f) Federal Assistance Programs:
  - a. Attachment 5: Standard Certification and Assurances
  - b. Attachment 6: Local Assurances
  - c. Attachment 7: Statement of Acceptance of the Special Section 5333(b) Warranty
  - d. Attachment 8: Special Section 5333(b) Warranty List of Public Transportation Providers & Labor Unions
  - e. Attachment 9: Categorical Exclusion Classification of Capital projects checklist

- f. Attachment 10: Applicant's Certification of Use of Project Equipment, Facilities and Property
  - g. Attachment 11: Pass-Through Agreement
- Commissioners reviewed, approved, and signed the application request.
2. Reviewed the 5311 Second Quarter 2009 Report – public transit pick-ups are down 32%. Ferry stated the economy and the road construction have had an impact.

Commissioners broke for Drainage Board meeting at 10:00 A.M. and reconvened at 11:00 A.M.

Toby Steffen, Butler, Fairman & Seufert, discussed:

1. Old SR 15, 1000 S to SR124. The State had put a wrong tag on piping. This has been corrected. A letter will be completed for final audit approval.
2. Bridge #175; 700 W 0.1 mile north of 250 N: the concrete looks good, hydro-demolition is being done on the deck, and the project is ahead of schedule. The bridge deck should be poured on Wednesday, August 5th. Highway Superintendent Amones stated the contract revision due to closure has not been completed. An official document needs to be drawn up to show the changes. Steffen stated he would begin the process on an addendum to the current contract.
3. Contract for Bridge #61 is still being drafted. After the contract is completed, it will be given to County Attorney Downs for his review.

Kelly Schenkel, County Assessor, reviewed changes by the State regarding the number of members on the Property Tax Assessment Board of Appeals. Commissioners can now decide whether to have three (3) or five (5) members plus the Assessor as an ex-officio. Current members are Bob Lundquist, Brenda Conner, Larry Urschel, and Jon Rosen. Schenkel recommended a three (3) member board: Rosen, Conner, and Lundquist. Conner would need to be appointed by Council as a "level II" and Commissioners would appoint the other two (2) certified members. Eppley made a motion to choose three (3) members for the PTABOA; his motion was seconded by Givens and passed with a 3-0 vote. Eppley then made a motion to approve Jon Rosen and Bob Lundquist as Commissioner Appointees to the PTABOA; his motion was seconded by Givens and passed with a 3-0 vote. The appointment for PTABOA by Council will be addressed at the Joint Special Session on August 11<sup>th</sup>.

Auditor Jane Ridgeway requested permission to purchase sixteen (16) new chairs for the Commissioners meeting room from the K&R Office Supply Warehouse sale to be paid from the CCD Fund Renovation Appropriation for a total of \$1,310:

1. Nine (9) lumbar chairs: regular price per chair \$329 - our price \$75 per chair totaling \$675.

2. Four (4) lower back lumbar chairs: regular price per chair \$289 – our price \$65 per chair totaling \$260.
3. Three (3) high back executive chairs: regular price per chair \$703 – our price \$125 per chair totaling \$375.

Commissioners unanimously approved the purchase of sixteen (16) new chairs and also requested Ridgeway purchase a new wall clock.

The Commissioners reviewed and approved the following items:

Accounts Payable Claims and Allowance Docket to be paid – August 3, 2009

Appointment to the Health Board – Eppley made a motion to approve Dr. Jamie Lyndsay to Health Board pending verifying qualifications; his motion was seconded by Givens and passed with a 3-0 vote.

Maximus Professional Services renewal agreement or Cost Recovery – *Tabled for further review*

IDEM – Request for CAFO Approval Voidance – Mauri Long

IDEM – Air Permit Application – Paperworks Industries, Inc

Hoosier Heartland Industrial Corridor, Inc. – 2010 Coalition Support Request – Eppley made a motion to approve \$3000; his motion was seconded by Givens and passed with a 3-0 vote.

No other business, the meeting recessed. Commissioners will meet in regular session on Monday, August 10, 2009 in the Commissioner's Meeting Room on the second floor of the Wabash County Courthouse at 9:00 A.M.