

## OCTOBER 13, 2009

Wabash County Commissioners met in regular session in the Wabash County Courthouse on Tuesday, October 13, 2009. Chairman Brian Hauptert called the meeting to order at approximately 9:00 A.M. with two members present: Brian K. Hauptert and Scott E. Givens. The proceedings of the meeting were recorded by Wabash County Auditor Jane Ridgeway. The minutes of the October 5, 2009 meeting were reviewed. Commissioner Barry Eppley had informed Auditor Ridgeway of one change to the EMA report..."government and public agencies"...to be added to clarify who could request the new EMA radios. Givens made a motion to approve the minutes with the clarification; his motion was seconded by Hauptert and passed with a 2-0 vote.

Phil Amones, Highway Superintendent:

1. Reported two (2) RFPs; October 30<sup>th</sup> for Bridge #24 (Ogden Road) and October 23<sup>rd</sup> for the annual all bridge inspection.
2. A request from United Engineering regarding Bridge #645 (Manchester Covered Bridge). United has requested any historical information that may be considered significant.

Bob Brown, EMA Director:

1. Thanked Sheila Rhoades of the Wabash Plain Dealer for her article on the weather alert radios. EMA has received over one hundred (100) phone calls regarding the radios which were still available. Brown stated it actually helped sign-up people up for the Code Red Weather Warning.
2. All eight (8) of the weather alert radios are spoken for. Brown stated they will need to be tested at each site to ensure they will work in the area. If not, there are alternate entities who would like the radios.
3. Will attend a mandatory Emergency Management Alliance Conference in Indianapolis on Thursday and Friday.
4. Reminder to Hauptert, there is an LAPC/EMAC meeting Wednesday, October 14<sup>th</sup> at 1:00 P.M.

Lori Draper, Clerk of the Courts:

1. Presented the DOX-POP Agreement which allows individuals to pay traffic tickets by credit card. Draper stated there will be no bank charges or any other fees to the county for this service. Draper presented a letter from Superior Court Judge Goff stating his approval for the credit card payment process. Commissioners approved and signed the DOX-POP Agreement.
2. Draper also presented the Data Base Maintenance Agreement with CSI. This is a renewal agreement. County Attorney Steve Downs will review.
3. The ISETS meeting for her staff has been postponed until spring.
4. Draper stated her office continues to receive monies from EAGL accounts; in September they collected \$676 and in October \$1,297.

Mike Howard, Planning Director: Presented the WECS Ordinance approved by the Plan Commission. Howard stated they are still working with County

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Attorney Steve Downs and Planning Commission Attorney Larry Thrush on whether to make this a stand alone ordinance or to amend the current planning ordinance. The current ordinance is being rewritten and but Howard would like to move forward with the WECS Ordinance and integrate it at a later date. Downs stated it is his understanding that current statues states this is a land use ordinance requiring it to be under a zoning ordinance as an amendment. Howard is contacting other counties to find out how they have made this a stand alone ordinance. Thrush and Downs will continue to work on this issue.

Commissioners opened the floor for Wabash County resident Phil Dailey to discuss his concerns with the costs/fees regarding the new WECS Ordinance.

Steve Downs, County Attorney:

1. Presented four (4) separate ordinances;
  - a. 85-9-2009 regulating traffic on 1400 N for .4 of a mile east from 100 W. Givens made a motion to approve the first reading, suspend rules, approve 2<sup>nd</sup> reading and adopt ordinance #85-9, 2009; his motion was seconded by Hauptert and was adopted by a 2-0 vote.
  - b. 85-10-2009 an ordinance regulating traffic on county road 200 West, between U.S. 24 and Division Road including a school zone. The ordinance does not have a specific speed limit. Amones stated there is a State statue that covers speed limits in a school zone. Amones stated this was to be set at 35 mph. Downs stated the 35 mph does need to be noted on the ordinance and it is not currently. County Council Chairman Mike Ridenour asked if the 35 mph speed limit will be set for all year or just when children are present. Hauptert stated it is for all year round. Downs stated he would review this ordinance. Commissioners will take under advisement.
  - c. 85-11-2009 Noise Ordinance; requested and approved by the Sheriff.
  - d. 85-12- 2009 Curfew Ordinance for Minors; requested and approved by the Sheriff.

*Commissioners will take Ordinance 85-10, 2009; 85-11, 2009 and 85-12, 2009 under advisement.*

- 2 Presented a proposed resolution on adopting rules and regulating public purchases for the Wabash County Highway Department. A county may still request bids but it has not been required since 1998 according to Tammy White at the State Board of Accounts. Downs stated the resolution outlines the public purchase laws; noting the Highway Superintendent\* the as authorizing agent for the county, to spend \$5,000 without approval, \$5,000 to \$50,000 getting three (3) quotes, more than \$50,000 competitive bidding. The Superintendent\* can request Commissioners proposal process according to the public purchase laws to dispense with the bidding process. Amones stated

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there are a number of items that are over \$5,000 and this would eliminate the need for bonds and certified checks. Givens agreed he would like to receive bids but eliminate bonds and certified checks –proof of financial responsibilities. Downs stated this is legally acceptable as long as the Commissioners agree. Amones stated Form 95, a non-inclusion affidavit, is in our local ordinance and needs to be amended. It is no longer necessary to submit. Downs stated he will obtain a sample public purchasing ordinance. Downs stated by the State statues with only a statement of income expenses and a balance sheet with the Commissioners approval it is okay. Ridenour asked if this will affect more than just the Highway Department. Hauptert stated it is geared to the highway. Ridenour stated this is a positive move. It will allow more local vendors to bid. Givens stated this is all supplies and rental equipment. Givens made a motion to move forward to waive Form 95, a non-inclusion affidavit, accept recommendation of County Attorney Downs to do away with bonding process and certified checks, his motion was seconded by Hauptert and adopted by a 2-0 vote.

Highway Superintendent Amones requested a date be set for annual highway supply and equipment rental bids. Commissioners set November 9<sup>th</sup> at 10:00 A.M. to receive the annual highway bids.

Jim Dils, County Coordinator:

1. The courthouse door replacement will begin today. Dils stated he had spoken with the contractor and a few questions where raised; 1) Do we want to save the old doors for possible use elsewhere? Commissioners stated there is no known use for them. Hauptert stated the aluminum could possibly be recycled. Hauptert will discuss at the Solid Waste meeting today. 2) Grids underneath the doors. The goal is to remove the grids intact, but there are no guarantees. Givens stated they need to be saved no matter the condition. Dils also stated the sequence of door installation may need to be altered do to the need to have specific doors available
2. The 2009 budget allows for the remodeling of the Commissioners meeting room. Jeff Kumfer with Searce Rudisel would like to meet with Commissioners to discuss their ideas. Commissioners set November 9<sup>th</sup> at 10:30 A.M.
3. A Council member suggested at the last Council meeting that employees receive their birthday off. Hauptert stated if this is done he would like to make it a fixed date for all parties. Hauptert stated he would like to speak with former Commissioner Lester Templin to learn how similar benefit changes were implemented during his tenure. Commissioners also discussed whether this would be a holiday or a vacation. Commissioners will take under advisement.
4. When the windows were installed we discussed the addition of blinds on the south side of the courthouse. A quote had been obtained but no

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action was taken. Commissioners unanimously approved that Dils revisit the possibility of installing blinds on a portion of the courthouse windows.

Jane Ridgeway, Auditor:

1. Commissioners stated they are still investigating the possibility of designating a break room for courthouse employees.
2. Commissioner funds appropriation accounts are being watched very closely, a few are low on appropriation balances; one in particular is unemployment compensation. It is overdrawn and will need a transfer or additional appropriation before the end of the year. This will need to go before Council in December. Commissioners unanimously agreed.

The Commissioners reviewed and approved the following items:

Tiede, Metz & Downs, P.C. – Claim for September, 2009

IDEM – Renewal– CAFO Permit: Robert D. White – Farm # 1292

IDEM – Renewal– CAFO Permit: Steve & Dan Haupt – Farm # 688

IDEM – Renewal– CAFO Permit: Donald Roser – Farm # 4361

Envoy, Inc. – Request for Consideration

BIS Digital – Quotes for Digital Recording System

Pathfinder Services Annual Dinner – Invitation

Clerk's Monthly Report – September 2009

No other business, the meeting recessed. Commissioners will meet in regular session on Monday, October 19, 2009 in the Commissioners' Meeting Room on the second floor of the Wabash County Courthouse at 9:00 A.M. Their meeting will follow a Joint Special Session with the Wabash County Council at 8:00 A.M. for a report on funding for possible expansion of the Jail and/or Community Corrections facilities.

\*Approved as amended – October 19, 2009