

## JUNE 28, 2010

Wabash County Commissioners met in regular session in the Wabash County Courthouse on Monday June 28, 2010. Chairman Barry J. Eppley called the meeting to order at 9:00 A.M. with all members present: Eppley, Brian K. Hauptert and Scott E. Givens. The proceedings of the meeting were recorded by Auditor Jane Ridgeway. The minutes of the June 21, 2010 were reviewed. Hauptert made a motion to approve the minutes as written; his motion was seconded by Givens and passed with a 3-0 vote.

Phil Amones, County Highway Superintendent, and John Martin, County Highway Supervisor, recommended the lowest bid of \$104,062 from Stoops Freightliner for the single axle truck submitted at last week's meeting. Hauptert made a motion to approve Stoops Freightliner's bid totaling \$104,062 for the single axle truck; his motion was seconded by Givens and passed by a 3-0 vote.

Bob Brown, EMA Director was present with no report.

Steve Downs, County Attorney:

1. Presented Resolution #2010-85-10 agreeing to furnish steel stingers for the Hoover private crossing. The resolution states the county will refurbish the crossing on a one time basis with the understanding that the county has no future obligation to maintain this crossing. Givens made a motion to approve Resolution #2010-85-10 to furnish steel stingers for the Hoover private crossing with no further obligation to the county to maintain the crossing; his motion was seconded by Hauptert and passed by a 3-0 vote.
2. Presented the Fair Housing Ordinance #2010-85-04 as originally drafted. OCRA requested no changes be made to the draft. Hauptert made a motion to adopt Ordinance #2010-85-04; his motion was seconded by Givens and passed by a 3-0 vote. Hauptert made a motion to suspend the rules to allow for a second reading of Ordinance #2010-85-04; his motion was seconded by Givens and passed by a 3-0 vote. Hauptert made a motion to adopt Ordinance #2010-85-04 on the second reading; his motion was seconded by Givens and was adopted by a 3-0 vote.

Trula Cramer, Convention and Visitor Bureau Executive Director:

1. Stated she will be retiring on June 30, 2010. Cramer introduced her successor Whitney Myers.
2. Presented the CVB 2011 Budget
  - A. Stated the anticipated Innkeeper's tax for 2011 is \$104,751
  - B. Stated CVB has a lease agreement with the Wabash County Museum for \$6,000 per year until 2013

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- C. Stated CVB changed phone service to the Cinergy MetroNet due to high expense with the previous carrier
- D. Stated CVB changed domain hosting to Visionary Web due to increase in costs with previous carrier
- E. Stated there was a decrease in phone service and a small increase for promotion and marketing – the Tourism Board has requested that a new marketing plan be implemented in 2011.
- F. Reported the completion of a new two (2) year visitor's guide.
- G. Stated the Indiana tourism travel map is double the normal cost due to the fact that it is a two (2) year program

Commissioners thanked Trula Cramer for her seventeen (17) years of service and welcomed Whitney Myers to her new position. Cramer thanked Commissioners for all of their support over the years.

Jim Dils, County Coordinator/HR Director:

1. Stated the heating and cooling unit that provides air to the Commissioners' meeting room was not working this morning. Dils stated he had contacted Quality Electric and they were currently on the premises.
2. Stated the Perry Corporation will be here Tuesday, June 29<sup>th</sup> at 10:30 A.M regarding a follow-up on the printer analysis. Dils extended an invitation to Commissioners. Haupert stated he would attend the meeting.

Sharon Shaw, Treasurer, stated the copy machine in the Treasurer's office is not working properly. Shaw requested permission to acquire a copier. Shaw stated she would need to ask for an additional appropriation to purchase a copier. Shaw will meet with the Perry Corporation tomorrow at 1:00 P.M and will have more details on a copier and cost. Ridgeway stated there are funds to implement an internal transfer in the County General Courthouse Complex Budget for a purchase or a lease. Commissioners and Ridgeway stated a lease has always been the best option for the past few acquisitions. Shaw will get quotes. Commissioners unanimously approved an internal transfer from County General Courthouse Complex Budget for the lease of a copier for the Treasurer's Office.

Pam Boor-Leeman and Brett Cain, Regions Insurance, Inc. previously known as Miles & Finch Insurance, presented information regarding their buying group. Cain stated they would like to present an insurance quote for Wabash County.\* Boor-Leeman stated this process could save the county up to 20% on their insurance costs. Dils stated our current health care provider, Gallagher Benefits, would also like the opportunity

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to provide a similar presentation. Commissioners requested Dils contact Regions Insurance Inc. to discuss the quote process.

Jeff Kumfer of Searce-Rudisel Architects:

1. Presented a budget for the proposed east side courthouse window/façade project. Kumfer stated they spoke with Pella Window and the shop drawings and windows could be completed in a timely manner. Kumfer asked Commissioners if they would like to move forward on this project. If so, Kumfer requested bids be received on July 26<sup>th</sup>. Hauptert made a motion to proceed with the east window/façade bid process; his motion was seconded by Givens and passed by a 3-0 vote
2. Presented plans regarding the Commissioners' Meeting Room. Kumfer presented pictures of the original judge's bench that could be refurbished and used as the Commissioners desk as well as other types of judicial benches for other desk options. Kumfer also presented different chair options for the audience/gallery chairs. Kumfer stated the gallery chairs are approximately 18-20 inches in width. Commissioners will take under advisement.

Ryan Daniel, Northeast Indiana Community Liaison for the Office of Community and Rural Affairs (OCRA), introduced himself to Commissioners and presented information regarding the two (2) types of grants available: 1) planning grant totaling up to \$50,000 and 2) construction grants – totaling up to \$600,000 depending on the project. Daniel stated there are four basic requirements for these grants:

1. The applicant must be a non-entitlement county, incorporated town or non-entitlement city
2. National objective is low to moderate income shown by census or income survey
3. There must be a 10% match on the total cost of the grant
4. A certified grant administrator is required

Ridgeway stated we received a notice from OCRA that Wabash County has been approved for a planning grant totaling \$32,000 with no indication what project the grant applies to. Daniel stated he was sure it was with regards to the Laketon Sewer Project but he would review his records and confirm with Ridgeway.

Rosemary Lawson, 21 N Grant Street, of Speicherville stated her neighbor Daniel Price has created a small ditch that runs from his property across the county unimproved alley onto Lawson's property causing water to run off of his property and onto hers. Lawson contacted Jennifer Scott, Health Department Environmental Specialist, last year and this year to have the standing water that runs from Price's property onto Lawson's property tested. Lawson stated the latest test shows sewage in the water standing on her property. County Coordinator Dils

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spoke with Scott who stated the Health Department Attorney Larry Thrush has drafted an Order of Abatement to Price. Commissioners requested Dils contact Attorney Thrush to find out the details on the Order of Abatement and update Lawson on his findings. Susan Cleveland, 50 N Grant Street, of Speicherville stated this is also a concern to herself and other neighbors because of the odor and the excessive mosquito population this problem has caused. Commissioners stated they will do all they can to assist regarding this issue.

Eppley presented an Order of the Board of Commissioners to Wabash County Sheriff Leroy Striker according to Indiana Code 36-2-2-15(d) ordering that on or before July 10, 2010 Sheriff Striker shall either resign as Sheriff or as full-time teacher of Heartland Career Center. Hauptert made a motion to approve the Order of Board of Commissioners to Sheriff; his motion was seconded by Givens and passed by a 3-0 vote. Commissioners stated inquiries have been made with the State Board of Accounts, the Indiana Attorney General and the Indiana Sheriff's Association regarding this decision but have not yet been contacted by these offices.

### **ORDER OF THE BOARD OF COMMISSIONERS OF WABASH COUNTY, INDIANA, TO THE SHERIFF OF WABASH COUNTY, INDIANA**

Leroy Striker is the duly elected Sheriff of Wabash County, Indiana.

Sheriff Striker is a "public servant," defined under Indiana law as a person who (a) is authorized to perform an official function on behalf of, and is paid by, a governmental entity, and (b) is elected to office to discharge a public duty for a governmental entity.

As a public servant, it is incumbent upon the Sheriff to act, at all times, in the best interests of the citizens of Wabash County.

As a public servant, the law imposes upon the Sheriff strict standards of diligence and responsibility to the citizens of Wabash County and to the Wabash County Sheriff's Department.

Inherent in those standards is the obligation that Sheriff Striker will always use his best efforts on behalf of the Citizens of Wabash County, i.e., using all possible skill, care, and diligence when performing his duties as Sheriff.

Sheriff Striker's interests, duties, and affiliations outside of the Sheriff's office should not detract or appear to detract from his ability to exercise undivided loyalty to the public's interest and/or to the Wabash County Sheriff's Department. He should not engage in any activity incompatible with the full and proper discharge of his duties and responsibilities as Sheriff.

In making decisions which reflect upon his office and the community he serves, Sheriff Striker should use his best skills, care, and diligence in serving the public. His decisions should reflect his best judgment on what course of action will produce the most positive results for the community he is elected to serve, not that course that will best serve his own self-interests for his own personal gain.

Sheriff Striker has recently announced that he has accepted a full-time teaching position with the Heartland Career Center, and that he intends to continue to serve as Sheriff while employed at Heartland.

Sheriff Striker's decision to accept a full time teaching position while serving as Sheriff is incompatible with the full and proper discharge of his public duties and responsibilities as Sheriff and puts his own financial interest ahead of the public's interest. Such a decision is damaging to the public's trust and confidence.

Any enterprise undertaken by any public official that tends to weaken public trust and confidence in its public servants is against public policy.

The County has a substantial and compelling interest in restricting the practices of public servants that negatively affect the integrity of the administration of local government and/or its ability to maintain public confidence in that government.

I.C. 36-2-2-15(d) requires the Sheriff to execute the orders of the Board of Commissioners of Wabash County, Indiana.

IT IS NOW THEREFORE ORDERED by the Board of Commissioners of Wabash County, Indiana, that on or before July 10, 2010, Sheriff Striker shall either resign as Wabash County Sheriff or resign his employment as a full time teacher at Heartland Career Center.

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BOARD OF COMMISSIONERS OF WABASH COUNTY, INDIANA

Auditor Jane Ridgeway presented the Payroll Claims and Allowance Docket for pay period ended June 26, 2010. Ridgeway stated this payroll includes a 23 day pay-out for Detective Captain Rick Monce who resigned effective June 18<sup>th</sup>. Commissioners unanimously approved.

The Commissioners reviewed and approved the following items:

Commissioners' Funds 2011 Budgets Review

Wabash County Tourism Commission – Minutes of May 17, 2010

Dean White letter: CAFO Permit expiration

LIFEMED, Inc – First Quarter Report, 2010

AIC Annual Conference – September 27-30, 2010

Weights & Measures Monthly Report – June 15, 2010

Drainage – 201 Seminar

No other business, the meeting recessed. The Commissioners will meet in regular session on Tuesday, July 6, 2010 in the Commissioners' Meeting Room on the second floor of the Wabash County Courthouse at 9:00 A.M.

Wabash County Council will meet in regular session on Monday, June 28<sup>th</sup> in the Commissioners' Meeting Room on the second floor of the Wabash County Courthouse at 5:00 P.M.

\*Approved as amended on July 6, 2010.