

November 19, 2001

Commissioner Chairman, Lester Templin, called the meeting to order at 9:00 A.M. with all members present. Minutes of the 11/13 meeting were approved with the correction that Dec 31, 2001 is Emergency Management director, Paul Bergman's last day, moved by Brian Hauptert, second by Darle Dawes, and passed. Commissioners reviewed the Benicomp monthly insurance report and the Jail/Memorial Hall custodian hours. Toby Steffan with Butler, Fairman & Seufert (BF&S), presented change order (C/O) # 5 for the Carroll St. bridge project, totaling \$55,268.11. It lists over-runs exceeding \$5,000., plus a few additional unexpected expenses. Some of these costs are covered by funds from other area's that cost less than estimated. Darle moved to approve C/O #5, second by Brian, and passed. Toby also had a letter he's sending to Indiana American Water Co., requesting payment of \$51,472.55 for water line work. The final inspection was 11/9, with a return visit on 11/16 to check some requested corrections. Toby will be leaving in the next two weeks, but will be back in May to check the grass and see if more seeding is needed. Todd Rager gave Commissioners court papers dismissing the suit between himself and Celia Shankster regarding CR 950 N access. Rager says he has removed the gate, because "you can't have a gate on a county road", and also reports Shankster has removed road stakes placed by the Surveyor when he marked the road. Rager will present a petition to keep CR 950 N open, gathering signatures from Pleasant Township residents. Brian moved to address Mrs. Shankster's petition to close the road, presented last week and tabled, second by Darle, and passed. Commissioners set a hearing for the Shankster petition on 12/17/01 at 1:00 P.M. If Rager has a petition, they will hear it following the Shankster petition. Rager thinks it's time for the county to improve the road, as he thought they were going to grade the sod and add gravel. Les told Mr. Rager to petition the county to improve the road, showing why it needs improved, and reminded Rager that if the road remains open, a cul-de-sac on the north side of the bridge will be needed, along with an agreement that Rager, and his successors, will be responsible for maintenance of the bridge. Commissioner attorney, Tom Mattern, says everything in the telephone lease agreement is in favor of Verizon, with the county paying 7% interest, plus all delivery costs. He signed the lease, and the Auditor will return it to Verizon. Tom advised Commissioners he had signed the agreement between the county and BF&S for appraisal work for additional land acquisition on the Old Rd. 15 S project. Tom wondered why this wasn't done before he filed eminent domain suits in an attempt to acquire road right-of-way (R/W) from property owners who haven't granted to the county, yet. Tom thinks if the same people are involved, there may be more eminent domain lawsuits. Mike Murphy with Pyramid, presented quotes to replace the deteriorating pillar at the jail. Son Construction estimates \$11,580. and Kellam Construction estimates \$10,275 for the project. Murphy says Kellam has investigated the project thoroughly, and he recommends accepting their quote. Darle moved to accept the Kellam quote, second by Brian, and passed. Brian noted Kellam may be better equipped to do the job.

Larry Rice, Co. Highway Dept.: Larry and the Surveyor's office checked the blocked drain complaint on CR 100 S. The tile is blocked, but upstream and downstream of the complaint location. Larry will advise adjacent property owners by mail, that the county will repair the road drain, after owners make repairs. Right now water has no place to go but across the road. Larry will contact John Speidel, Jr. with BF&S, on the Dept. of Natural Resources joint Wabash/ Miami Co. project, that seems to have fallen thru the cracks, and needs to start again at square one. Although Wabash Co. was the lead agency on the original agreement, Miami Co. has agreed to take that position, which is fine with Commissioners. Larry says the unimproved section of Walnut St. in Richvalley, between the Biehl and Hunt properties, now has a 12 ft. wide gravel road down the middle of the road R/W. He estimates with labor and material, it cost about \$3500. Larry presented a request from Verizon to bury cable in the R/W, and bore under CR 750 W from 6495 S to CR 700 S. He thinks it looks okay, so Commissioners signed.

Commissioners and representatives from MSD of Wabash County and Manchester Schools discussed winter roads. The school systems must announce a delay by 6:15 A.M. and make a decision about canceling school by 8:15 A.M. Contact with the highway department helps them make their decisions, and the more they know by 6:15 the better. Delays of up to two hours are acceptable, but school cancellations pose make-up problems. They feel if county crews began clearing roads by 4:00 A.M., they'd have a good handle on conditions by 6:00. Commissioners and Larry Rice agree to an earlier start on bad weather days, however, Larry reminds it takes about 1/2 hour to get the trucks loaded and rolling, with those traveling the farthest going out first. Loading the night before doesn't work well because the sand/salt can freeze, and then it doesn't disperse well. Larry also says their clearing schedule varies, depending on wind direction, but they try to get heavily travelled roads first, before the snow gets packed down by traffic.

Judicial building update: Pyramid representatives, Tanya Zoellner and Mike Murphy attended. Mike says the heat comes on today, and the front entry will be closed for placement of ceramic tile. One of the decorative pillars is in place, and there's extra stone that needs moved, as it's in the way. The vendor won't take it back, so Commissioners will store it at the highway department for future use, and Mike will talk with Larry Rice about moving it. A storage shed also needs moved, and it might not survive the move. Commissioners suggest moving it to the east where Kellam made an access area during the south steps replacement. Mike says the R & M Construction retainage is exhausted at about \$6,000., and so far additional costs to complete their work has reached about \$16,000. Tanya has talked with Eclipse Masonry in response to their request for an additional \$17,175. for extended equipment rental. She says they may be due some extra funds, but they have already been paid for some additional equipment rental thru change orders. Commissioners signed a contract with Central Indiana Hardware Co., Inc. for \$45,417, and one with Premier Commercial Services for \$129,500. The first is for doors, frames, hardware and toilet accessories and partitions. The second is for general construction as part of bid package B. Tanya shared a letter authorizing the use of retainage funds to cover Minnick Construction losses, but says those funds are gone. Commissioners reviewed pay application # 18, totaling \$207,697.98. Brian moved to approve the claims., second by Darle, and passed. Les shared some concerns presented by security officer, Jon McDonald. Jon feels the lock on the holding cell should be a key lock and the cell door should have a window for the officer's safety. He thinks an alarm will be needed for the east and west doors in Memorial Hall, if entrance is illegally gained thru them. He's also concerned about attic access thru the third floor evidence room. Murphy says the room in question hasn't been designated for any particular use, yet, and the judges will be the only people in possession of keys to the room. The judges have agreed to this plan. Judge Sposeep says the wall color on his floor is okay, and Judge Vanderpool will have beige walls on his floor. With no further business, the meeting adjourned.

Lester D. Templin, Chairman

Darle V. Dawes

Brian K. Hauptert

Attest: _____
Carol Stefanatos, Auditor

November 20, 2001

At 1:30 P.M. Commissioners, their attorney Tom Mattern and Pyramid representatives, Terry Burnworth and Jeff Stinson met in executive session to discuss a lawsuit filed by Stephens Fabrication, naming Wabash County as a defendant. Tom will file for an extension, so Commissioners have time to investigate options.