

MONDAY, DECMEBER 17, 2007

The Board of Commissioners of Marshall County, Indiana, met in the Commissioner's Room in the City of Plymouth, Indiana at approximately 9:30AM, Monday, December 17, 2007 for a regular meeting with Kevin Overmyer, President; Tom Chamberlin, Vice President; and Jack Roose, member present. The County Attorney, James N. Clevenger and County Auditor, Jan A. Quivey were also present. The meeting was opened in due form and the business before is heard.

JAIL PROJECT UPDATE

Commissioner Chamberlin presented the following update on the Marshall County Jail:

- The furniture has been delivered and is being set up;
- Integrated training starts Wednesday or Thursday;
- Plumbing Contractor was in last week and did pressure testing on pipes, Several joints were replaced;
- The second floor railing in the correctional area has been replaced by Casteel ;
- Final cleaning in the Administration area and kitchen is completed;
- There are additional costs for plumbing and electrical for air system leveling of warm and cool air in the server area;
- Dedication will be scheduled for January 2008, with open houses to be scheduled.

ATTORNEY REPORT

Attorney James N. Clevenger appeared before the Board and presented the following:

Contractor Registration Ordinance Number 2007-13: was presented for passage on third reading. This ordinance amends ordinance 1996-9 concerning the registration of contractors. The main change is the elimination of the words *performance bond* and replace it with *licensing bond*, to protect the County.

Jack Roose moved and Tom Chamberlin seconded the motion to approve Ordinance 2007-13, an ordinance amending Ordinance Number 1996-9 concerning the registration of contractors. Motion carried 3-0.

Economic Development Corporation: A proposed contract with County Corp. services has been given to the Commissioners. Attorney Clevenger recommends waiting to approve the contract until the January 7, 2008 Commissioner Meeting when Roger Umbaugh is scheduled to attend. Attorney Clevenger will notify him of his 9:00AM appearance.

Tax Sale Matters: Attorney Clevenger continues to work on a couple of different tax sale matters on behalf of the Auditor and Treasurer.

Executive Meeting: Will be advertised for January 7, 2008 following the regular Commissioners Meeting to discuss litigation.

New Business:

Indiana Assessment Contract Revision: Debbie Dunning, Assessor, requested that the Commissioners sign a revised Indiana Assessment contract because the DLGF requested some revisions to the contract that was originally approved on November 19, 2007. Revisions included monthly progress reporting; that the assessment be conducted by a Level II certified assessor and a deadline of when the work is to be completed must be established and met.

(Debbie Dunning left the meeting to retrieve the original of the new contract).

Appointment to Common Construction Wage Committee:

Tom Chamberlin moved and Jack Roose seconded the motion to appoint John Gingle to the Common Construction Wage Committee for the Union-North School Corporation Project. Motion carried 3-0.

Upon Debbie Dunning's return with the draft of the Indiana Assessment Service Contract: **Tom Chamberlin moved and Jack Roose seconded the motion to accept and sign the revised contract between the Assessor's Office and the Indiana Assessment Company. Motion carried 3-0.**

CLYDE AVERY – NATURE'S WAY MEMORANDUM OF UNDERSTANDING

Clyde Avery, EMA Director, appeared before the Board and asked if the Commissioners were prepared to sign the Memorandum of Understanding between Marshall County and Nature's Way.

Commissioner Roose was concerned about who would monitor the expenses. Commissioner Chamberlin asked if there were any other options available. Clyde stated that we don't have a lot of options available at this time. Nature's Way will charge \$200.00 per call out and \$0.41 per mile per vehicle. All other manpower and equipment costs would depend on the scope of the emergency. Clyde did inform the Board that the Federal Law now requires that animals be taken care of in the event of an emergency. Clyde would like us to use government employees and resources whenever possible.

Our County Humane Society can only handle small animal emergencies. They are not equipped to handle large animals. Clyde stated that the animal owner would be the first to be billed for any rescue costs, followed by the local agency who called for resources and finally the County would probably be liable.

If a federal disaster area is declared, FEMA reimbursement would be available.

Commissioner Overmyer said this is something we are required to do and there has to be some way to deal with animal emergencies, especially large animals. This will become part of the County's Plan in dealing with emergencies.

Jack Roose moved and Tom Chamberlin seconded the motion to approve the Memorandum of Understanding between Marshall County and Nature's Way. Motion carried 3-0.

Clyde will give a copy of the signed contract to the Auditor's Office.

Discussions regarding emergency radios and the 800 MHz system ensued. A new tower is being installed in Starke County. With other towers in surrounding counties, Marshall County should be prepared to move forward, although some local agencies are still resistant to the 800 MHz radio system.

Clyde said a planning meeting will be set up in January 2008 and it's important for Marshall County to participate.

Kathy Bottorff, WTCA Reporter, advised that there was some communication issues regarding the natural gas accident that occurred on US 31 south of Plymouth last week. She said it was difficult to find someone to provide information to the media.

HIGHWAY REPORT

Neal Haeck, Highway Superintendant, appeared before the Board and presented the following:

North Michigan Pipe: This project is still not completed but should be soon.

Muckshaw Railroad Crossing: Neal called Sandi Seanor and still waiting for a response. Kevin Overmyer said there is a new INDOT process that will not make responses available until March 2008.

Annual Bids: Will be opened at 1:30PM today. All bids will be taken under advisement. Starke County has also received bids and Marshall County will work with Starke County in selecting the most cost efficient bids..

Winter Weekend Update: Neal advised that the weekend was very busy; his crews were working long hours to keep up with the snow removal. Some of the trucks got stuck but overall there were not many breakdowns. Blowing conditions on Sunday made things difficult. Neal informed the Board that \$44,000 of salt has been ordered in the past two weeks. They use three parts sand to one part salt most on most of the roads.

JAN FISHER/STEVE HARPER – ELECTION BOARD POLLING SITES

Jan Fisher, Clerk of the County and Steve Harper from the Election Board appeared before the Board to recommend relocating two polling site. The first location change was in Precinct Center 5 – a request to move from the Marshall County Civil Defense Building to the Plymouth Baptist Church located at 11345 9A Road, Plymouth, Indiana.

The second request was in Precinct Center 4 – moving from the Plymouth High School to the Knights of Columbus Building located at 901 E. Jefferson Street, Plymouth, Indiana.

Tom Chamberlin moved and Jack Roose seconded the motion to approve the change in polling sites as recommended the Marshall County Election Board. Motion carried 3-0.

AUDITOR'S REPORT

Jan Quivey, Auditor, appeared before the Board and presented the following:

Minutes: The December 3, 2007 Commissioner Meeting Minutes were presented for approval and signatures.

Tom Chamberlin moved and Jack Roose seconded the motion to approve and sign the December 3, 2007 Commissioner Meeting Minutes as presented. Motion carried 3-0.

Claims: The mid month claims were presented for approval and signatures.

Tom Chamberlin moved and Jack Roose seconded the motion to approve and sign the mid month claims as presented. Motion carried 3-0.

Sick Bank Contribution for 2008: The Sick Bank Committee recommends that only one (1) sick be donated to the Sick Bank in 2008 for current members.

Tom Chamberlin moved and Jack Roose seconded the motion to approve the recommendation of the Sick Bank Committee reducing the number of sick days to be contributed by current members to one (1) day for 2008. Motion carried 3-0.

FMLA: Paula Babcock, Deputy Auditor, appeared before the Board and presented two (2) FMLA requests.

Jack Roose moved and Tom Chamberlin seconded the motion to approve both FMLA requests as presented. Motion carried 3-0.

Sick Bank Committee Appointments: Jan Quivey, Auditor, requests that the Sick Bank Committee Appointments for 2008 be made at the December 28th Commissioner Meeting. Larry Fisher has agreed to continue on the Board for next year. Jan Quivey

will send an email asking if anyone would be interested in becoming a member of the Sick Bank Committee.

Commissioner Overmyer indicated that some employees have requested permission to donate sick and/or vacation time to Traci O'Brien to care for her son who was involved in a hit and run accident and is currently in critical condition at Memorial Hospital in South Bend.

Tom Chamberlin moved and Jack Roose seconded the motion to allow any county employee who would like to donate any sick and/or vacation time to Traci O'Brien while she is taking care of her son during this time. Motion carried 3-0. The Auditor is to send out an e-mail to the various departments outlining the method of contribution and asking for donations from those who wish too.

Commissioner Overmyer stated that Michael Wolfington, Marshall County Visitor's Bureau, has requested permission to reappoint David Bacon to the Marshall County Tourism Board.

Tom Chamberlin moved and Jack Roose seconded the motion to reappoint David Bacon to the Marshall County Tourism Board. Motion carried 3-0.

Commissioner Overmyer received a request to reappoint Kate May to the ABC Board.

Jack Roose moved and Tom Chamberlin seconded the motion to reappoint Kate May to the ABC Board for 2008. Motion carried 3-0.

Commissioner Overmyer thanked the Auditor's Office Staff for staying behind and working the Tax Sale on December 12th in lieu of attending the County's Christmas Party.

Commissioner Overmyer presented resolutions to the following elected officials who will be leaving office at the end of the year in recognition of their service to Marshall County:

Resolution 2007-16 – to Jan A. Quivey, Auditor
Resolution 2007-15 – to Janice S. Fisher, Clerk
Resolution 2007-17 – to Penny Lukenbill, Treasurer

Commissioner Overmyer also extended a thank you to the Treasurer's Office for assisting with the Tax Sale in lieu of attending the County's Christmas Party.

TAC

No Comments

KEN HERCEG & ASSOCIATES, INC.

Heather Short-Davis appeared before the Board to introduce herself and present a “Basic Services” portfolio on Ken Herceg & Associates, Inc.

CONTRACTS

Manatron: A contract between Manatron and the Marshall County Recorder’s Office in the amount of \$8,567.98 was presented for approval.

Jack Roose moved and Tom Chamberlin seconded the motion to approve the contract between Manatron and the Marshall County Recorders Office in the amount of \$8,567.98. Motion carried 3-0.

Gidget Montague: A contract between Gidget Montague (cleaning services) and Marshall County in the amount of \$2,839.00 monthly for 2008 was presented for approval.

Tom Chamberlin moved and Jack Roose seconded the motion to approve the contract between Gidget Montague and Marshall County in the amount of \$2,839.00 monthly for 2008. Motion carried 3-0.

COMMISSIONER BUSINESS

Commissioner Chamberlin presented the following invoices for the new Marshall County Jail to be paid from CAGIT:

Legal Services from Clevenger etal	\$6,274.14	
Umbaugh & Associates	2,800.00	Disclosure Work
Stockberger Trucking	1,525.04	
Kablin Hardware	58.50	
Office Interiors	57,801.43	Furniture Balance
Michiana Contracting	12,000.00	Radio Tower Base
Bob Barker & Co.	106.50	Inmate Slippers
New Horizon Communication	138.70	Chg. Order-Conduit

Jack Roose moved and Tom Chamberlin seconded the motion to approve the invoices presented for the new Marshall County Jail to be paid from CAGIT funds. Motion carried 3-0.

RECESS UNTIL 1:30PM

HIGHWAY BIDS FOR 2008

Meeting resumed – All Highway Bids for 2008 (shown below) were opened by Attorney James Clevenger and received by the Marshall County Commissioners.

FOLLOWING COMPANIES IN RED RESPONDED TO OUR 2008 BIDS

Item 1 Diesel Fuel, Bio diesel fuel (Purchased on an as needed basis and compared for best price) **BELLMAN OIL, GOOD OIL, NORTH CENTRAL CO-OP**

Item 2 No-Lead Gasoline, Ethanol blended fuel (Purchased on an as needed basis and compared for best price) **BELLMAN OIL, GOOD OIL, NORTH CENTRAL CO-OP**

Item 3 5,000 Gallons or less Lubricating Oil. **BELLMAN OIL**

Item 4 One Year's Supply of Tires and Tubes as needed and One year's Supply of Tire repair. **SHERWOOD**

Item 5 Repair Parts and Accessories as needed. **AM. WIRE & ROPE, NAPA, WIERS**

Item 6 80,000 Gallons Dust Control / Calcium Chloride or less **GREAT LAKES CHLORIDE.**

Item 7 30,000 Tons or less Crushed Limestone – **picked up HANSON, PHEND & BROWN, ROPCK, STOCKBERGER**

Item 8 30,000 Tons or less Crushed Limestone - **delivered, ROCK, STOCKBERGER**

Item 9 100,000 Tons or less Pea Gravel, Processed Gravel, Bank-Run Gravel Washed stone and Ice Sand as needed – **picked up ELKHART COUNTY GRAVEL, IRVING MATERIALS, PHEND & BROWN, ROCK, STOCKBERGER**

Item 10 100,000 Tons or less Pea Gravel, Processed Gravel, Bank-Run Gravel Washed Stone and Ice Sand as needed - **delivered IRVING MATERIAL, ROCK, STOCKBERGER**

Item 11 600,000 Gallons or less Bituminous Materials as needed. **PIERCETON, SEM MATERIALS PHEND & BROWN, REITH-RILEY, WALSH & KELLY**

Item 12 10,000 Tons or less Bituminous Patching Mix or Cold Mix as needed. **PHEND & BROWN, RIETH-RILEY, WALSH & KELLY**

Item 13 40,000 Tons or less Hot Mix Base, Binder, Surface Material - **BROOKS, E&B, PHEND&BROWN, RIETH-RILEY, WALSH & KELLY**

Item 14 5,000 Feet or less Corrugated Polyethylene Pipe as needed. **BAUGHMAN TILE, DEBCO CULVERT,**

Item 15 10,000 Feet or less Galvanized Corrugated Steel, Aluminized Corrugated Steel or Aluminum Corrugated Drainage Structures and Guardrail. **DEBCO, ST. REGIS DECLINED TO BID**

Item 16 Road Signs as needed. **HALL SIGNS**

Item 17 2,000 Gallons or less Standard Quality Traffic Paint, Road Striping, Glass Beads. **AIR MARKING, MGI, SHERWIN WILLIAMS**

Item 18 Equipment Rental as needed. **BEER & SLABAUGH, PHEND & BROWN**

Item 19 Pre-Engineered Bridge Construction as needed, Pre-cast and Pre-stress and/or Bridge packages or components. Bridge Piling, Reinforcing Bars, Bridge Railing and Angle Iron. **DEBCO**

Tom Chamberlin moved and Jack Roose seconded the motion to receive the above bids which will be reviewed and considered at the January 7, 2008 meeting. Motion carried 3-0.

There being no further business: Jack Roose moved and Tom Chamberlin seconded the motion to adjourn. Motion carried 3-0.

Kevin Overmyer, President

Tom Chamberlin, Vice President

Jack Roose, Member

Attest: _____
Jan A. Quivey, Auditor

