

## **MONDAY, JULY 16, 2007**

The Board of Commissioners of Marshall County, Indiana, met in the Commissioners Room, in the City of Plymouth, Indiana at approximately 8:30AM, Monday, July 16, 2007 for a regular meeting with Kevin Overmyer, President, Tom Chamberlin, Vice President and Jack Roose, member present. The County Attorney, James Clevenger and County Auditor, Jan Quivey were also present. The meeting was opened in due form and the business before is heard.

### **DENNIS HUSTED – CCI JAIL UPDATE**

Dennis Husted, Construction Control Manager for the Marshall County Jail project appeared before the Board and presented the following information:

- In following the recommendations of Alt & Witzig, soil engineers, we now have the design for the deep foundation system to support the lift station on the project. The structural design is by RQAW and the piers will be installed by Acculevel. Ten (10) bid invitations have been sent out for the concrete work and Dennis will be following up on the invitations this week and hopefully the structure can be installed soon.
- The asphalt in the employee's parking lot, damaged by the diesel spill, has been removed and replaced. Very little diesel got through the asphalt into the sub grad material. Environmental Solutions of Plymouth has provided the documentation needed by the county recording the abatement of the material.
- The power was shutdown last Friday to change the transformer and REMC now has us on the permanent power source.
- Hall Aluminum Products is still working on finding the right size glazing wedge to fit in the exterior windows. They should have the right material this week.
- The ceiling grid is being installed in the holding area and in administration and the painters will be moving into detention.
- A factory start-up of the 10 roof top units is scheduled for the 23<sup>rd</sup>, a week from today. That should take about a week and then we can schedule the balances of the finishes like wood doors, casework and floor treatment.
- The electrical contractor will be changing the building over from temporary lighting to permanent lighting as more ceiling grid is installed and more light fixtures can be placed. They will be pulling low voltage wire in the next two (2) weeks for the security system.

Dennis advised that the project is on schedule for November 2007 completion.

## **JIM STAPAN – VETERAN’S SERVICE OFFICER**

Jim Stapan, Veteran’s Service Officer, appeared before the Board and presented a report indicating the steady growth in service to the Marshall County Veterans and their families. He indicated that the service requests have doubled since 2004.

Mr. Stapan is seeking support to hire his office assistant for fifteen (15) hours per week beginning in January 2008. Jim says he has been volunteering his services for the past three (3) years, is qualified and has been a tremendous help and should be paid.

Marshall County received five million in state funds five years ago and that has increased to eleven million now.

The Board advised that this matter has to be taken to the Council during budget time to determine if they will appropriate the funds to pay the requested position.

## **ATTORNEY REPORT**

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

### **Old Business:**

Highway v Watson - At some point an executive session needs to be held to discuss some ideas regarding this case.

Pine Road – There is still no word from INDOT regarding final approval of proposed right-of-way.

EMA - Mutual Aid Agreements – we are revising the first draft and need to talk to our insurance consultant and others.

Jail Software – OSSI: Koch Financial documents have been submitted and need revisions and approval. Attorney Clevenger has some concerns and feels a conference call with OSSI involving himself, Commissioner Chamberlin and Auditor Quivey to address some of the issues is necessary. The agreement will be again presented at the first meeting in August once the concerns are worked out.

Stratus – He hasn’t heard back from the proposed revisions that were agreed upon and were to be reviewed by their person.

Indiana Renewable Fuels – A meeting is scheduled for July 17, 2007 with Bond Counsel.

Richard’s Tort Claim Notices- The claims are based on 9<sup>th</sup> Road being too narrow at Union Road and an accident and his father’s heart attack upon coming upon the accident.

Health Department – Causey Unsafe Building

**MICHAEL MARSHALL**  
**AUDIO/VISUAL QUOTATIONS**

Michael Marshall, IT Director, appeared before the Board to present his recommendation for the Audio/Visual Equipment for the new meeting room. Four (4) bids were presented at the previous Commissioner's Meeting and after reviewing same, Michael recommends that we go with Focus Audio/Visual from South Bend, IN at a cost of \$8,725.00.

**Tom Chamberlin moved and Jack Roose seconded the motion to accept the audio/visual bid from Focus in the amount of \$8,725.00. Motion carried 3-0.**

**AUDITOR'S REPORT**

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

Minutes- The July 2, 2007 Commissioner Meeting Minutes were presented for approval and signatures.

**Tom Chamberlin moved and Jack Roose seconded the motion to approve and sign the July 2, 2007 Commissioner Meeting Minutes. Motion carried 3-0.**

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

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

Jan requested that the Board meet for a Budget Work Session following the August 6, 2007 Commissioner Meeting.

**COMMISSIONER BUSINESS**

Commissioner Chamberlin presented the following invoices to be approved for payment from CAGIT.

RQAW	\$ 13,200.02	Contractual
	105.56	Reimbursables
Stockberger Trucking	\$ 2,256.17	
CCI	\$17,400.00	Contractual (part of additional 3 month contract)
	3,097.94	General Conditions
	2,280.87	Reimbursables
Allied Waste	794.78	

**Jack Roose moved and Tom Chamberlin seconded the motion to approve payment of the invoices presented from CAGIT funds. Motion carried 3-0.**

The Commissioners request that bids be requested for General Liability Insurance for 2008.

**TRI - WAY GOLF ESTATES SUBDIVISION PLAN**

Bernie Feeney appeared on behalf of Don Kinney regarding the Tri - Way Plan Unit Development project. Mr. Feeney presented a plat for the TriWay Golf Estates and requested that the County accept the plan for the subdivision. There were some road size issues that the Highway Department had that have been addressed. The plan has been approved by the Plan Commission.

Ralph Booker says a bond has to be posted in the amount of the cost assessed to complete the roads before they can record the plan. Mr. Feeney says there is a bond but it hasn't reached the County yet.

**Jack Roose moved and Tom Chamberlin seconded the motion to table this request regarding the Tri - Way Golf Estates until such time as the required bond has been submitted. Motion carried 3-0.**

**HIGHWAY**

Neal Haeck, Superintendent, appeared before the Board and presented the following:

Road Cuts - NIPSCO – West Shore Drive, 4B Road between West Shore Drive and Plymouth/Goshen Trail, German Township, for a gas main extension.

**Jack Roose moved and Tom Chamberlin seconded the motion to approve the road cut request from NIPSCO as presented. Motion carried 3-0.**

FEMA Snowstorm Reimbursement – Neal advised that they received \$43,861.08 for snowstorm reimbursement from the State.

2006 Underwater Reimbursement – Neal advised that they received \$16,649.18 for the 2006 underwater reimbursement from the State.

<u>2007-2008 Salt Quotes-</u>	Cargill	\$51.83/ton delivered
	Morton	51.08/ton delivered
	North Am.	53.09/ton delivered

**Jack Roose moved and Tom Chamberlin seconded the motion to accept all three (3) quotes and use the least expensive when needed. Motion carried 3-0.**

Gasoline Reimbursements –

Marshall/Starke Development	- \$3,374.10	\$2.47/gal
Older Adult Services	- \$1,013.03	\$2.47/gal

Statements were sent to each entity and they were paid promptly, with no problems.

Commissioner Overmyer asked how the Highway department was funded. Neal advised that the Highway Department is solely funded by the motor vehicle gasoline tax. Distribution is based on population and road mileage.

There was discussion regarding a “Wheel Tax” and Neal stated he is not promoting it although forty plus counties have implemented it to assist with their funding.

Commissioner Overmyer said the Commissioners are NOT recommending a ‘Wheel Tax’ to the Council at this time. They are not in favor of implementing another tax, even if it means fewer road miles may be maintained. He said the property tax issue is enough to deal with at this time.

Neal advised that 50 miles of roads will be maintained this year compared to 80 last year, 110 the previous year and 120 miles the year before that. Higher costs for oil and other road building materials have resulted in less miles of road that can be maintained.

The price per gallon of gasoline does not affect the amount the County Highway receives. They receive so much per gallon, so as gas prices increase and usage decreases even less revenue would come to the County.

The Board suggests the bond for the Tri - Way Golf Estates be 110% of the costs of current road construction.

**HEMMINGER HOUSE CHANGE ORDER**

Brent Martin, BA Architects, appeared before the Board and presented a change order in the amount of \$11,750.00 from the Troyer Group for consulting fees required during the course of the mold investigation at the Hemminger House.

Because of the mold problem discovered during the remodeling process, the project construction was delayed and additional consulting fees were required. The cost to get rid of the mold was \$32,000.00. The costs to repair the damage caused by the mold was approximately \$60,000.00. The work is completed now.

Turning Point House Authority will contribute 20% of the additional change order costs of \$2,350.00 and 80% will be paid from the grant fund (INDOT).

**Tom Chamberlin moved and Jack Roose seconded the motion to accept the agreement from the Troyer Group for additional funds for consulting fees on the Hemminger House remodeling project . Motion carried 3-0.**

**TAC**

Mike Bernero said rallies have been scheduled for the elimination of property taxes on the following dates and places:

- July 30, 2007 Greenwood, IN
- July 31, 2007 Muncie, IN
- Aug. 1, 2007 Goshen, IN

Marvin Houin asked if anything was done on the Zoning Ordinances. Commissioner Overmyer stated that it was referred back to the Plan Commission at the last Commissioner Meeting on July 2, 2007.

**Jack Roose moved and Tom Chamberlin seconded the motion to adjourn the meeting. Motion carried 3-0.**

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Kevin Overmyer, President

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Tom Chamberlin, Vice President

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Jack Roose, Member

Attest: \_\_\_\_\_  
Jan A. Quivey, Auditor