

**MARSHALL COUNTY BOARD OF COMMISSIONERS
MINUTES**

MONDAY, AUGUST 17, 2009

The Board of Commissioners of Marshall County, Indiana, met in the Commissioners' Room, Plymouth, Indiana on Monday, August 17, 2009, at 9:30 for a regular meeting. Present were Kevin Overmyer, President; Jack Roose, Vice President; Tom Chamberlin, member; County Attorney James Clevenger and County Auditor Penny Lukenbill. The meeting was opened in due form and the business before it heard.

**JACKIE WRIGHT – OLDER ADULT SERVICES
2010 TRANSPORTATION OPERATING GRANT**

Jackie Wright was present to request approval to apply for the 2010 Operating Grant through the US Department of Transportation and INDOT. The \$109,000 grant will be used for operating costs for the transportation program, including drivers, fuel and insurance. Matching funds are in the form of in-kind contributions and include support from the commissioners, United Way and Medicaid. The grant application is due August 31.

County Attorney James Clevenger presented Resolution 2009-06 authorizing Older Adult Services to file the grant application on behalf of the county.

Tom Chamberlin moved, seconded by Jack Roose, to approve Resolution 2009-06 - Resolution Authorizing Filing of an Application for a Grant Under Section 5311 of the Federal Transit Act, as Amended. Motion carried 3-0.

Tom Chamberlin moved, seconded by Jack Roose, to authorize Kevin Overmyer as president of the commissioners to sign the Older Adult Services grant application upon completion. Motion carried 3-0.

**BILL CLEAVENGER – CORONER
800 MHZ RADIO AND VEHICLE ISSUE**

County Coroner Bill Clevenger was present to discuss the use of the 800 MHz radios purchased with EMA grant monies. He stated that the Culver EMS radio is locked up with instructions that no one can use it. If it is not being used, he would like to see it placed in the coroner's vehicle. The commissioners agreed that the grant requires the radios to be used, and that the EMA Director should verify that all radios are being used, then collect and redistribute any unused units.

Tom Chamberlin moved, seconded by Jack Roose, to authorize EMA Director Clyde Avery to check all emergency radios purchased and distributed under the grant, and to remove and redistribute units that are not being used. Motion carried 3-0.

Mr. Clevenger also asked for clarification on whether the coroner's vehicle is considered an exempt emergency vehicle for IRS purposes. Take-home vehicles are considered a fringe benefit, but emergency vehicles are exempt from the benefit charge. He occasionally takes the vehicle home after an emergency call, and feels it should be considered an emergency vehicle and not subject to the daily charge. Deputy Auditor Brenda Harper will research the definition of an emergency vehicle.

Mr. Clevenger also asked the commissioners to consider a cell phone with GPS capability for the coroner's vehicle.

AUDITOR'S REPORT

August 3, 2009 Minutes: **Tom Chamberlin moved, seconded by Jack Roose, to approve the minutes of the August 3, 2009 meeting. Motion carried 3-0.**

August mid-month claims: **Jack Roose moved, seconded by Tom Chamberlin, to approve the August mid-month claims as presented. Motion carried 3-0.**

Public Health Emergency Response Fund: The Indiana Department of Health has advised that the county will be receiving approximately \$22,000 from the CDC to assist in administering the H1N1 Flu vaccine. They have directed that a new fund be established to receive the monies and asked that counties expedite payment of claims submitted for this fund.

DAVID MILLER – TECHNOLOGY SQUARED METRONET GRANT APPLICATION UPDATE

Mr. Miller reported that the initial August 14 deadline for submitting the Metronet Grant had been extended to August 20, and that the application is now complete and will be submitted after the meeting. More than 250 pages of data had to be entered into the on-line system; the required upload to the USDA had taken five days. Mr. Miller reported he has three additional letters of support but hesitates adding them to the application, since it could result in a delay submitting the application. The commissioners recommended that he proceed without the additional letters, with the understanding that they could be added for the second round if needed.

Mr. Miller stated that over 40 letters of support had been received, including Senators Lugar and Bayh, Congressman Donnelly, Governor Daniels, along with those from local agencies, emergency services, and educational institutions. He stated there is a great deal of competition for the funds, including several telecommunications companies.

The commissioners extended their appreciation to Mr. Miller, Curt Feece, Brent Martin and Doug Anspach for their assistance in preparing and submitting this application

NEAL HAECK – HIGHWAY REPORT

Road Cuts: **Jack Roose moved, seconded by Tom Chamberlin, to approve the request by Verizon for a 1290' road cut at 15B and Fir Roads to install telephone cable. Motion carried 3-0.**

Jack Roose moved, seconded by Tom Chamberlin, to approve the request by Verizon for a 30' road bore under the road at 15955 Gumwood Road to install a new phone line. Motion carried 3-0.

Jack Roose moved, seconded by Tom Chamberlin, to approve the request by Embarq for a 105' road cut on 3rd Road West of Fir to relocate a telephone pedestal. Motion carried 3-0.

South Michigan Street Bridge parking: Mr. Haeck has informed Rick Gaul of the City of Plymouth of the commissioners' decision not to allow parking on the bridge.

Muckshaw Road Railroad crossing update: He has contacted INDOT and is waiting for a reply.

ARRA Road Projects Contracts: INDOT has approved and provided the contracts for the resurfacing and chip and seal projects, scheduled for June or July 2010 completion. The contracts must be signed and returned by August 19.

Mr. Clevenger stated that the contract is the standard INDOT form, and it appears they want us to select a construction engineer. Project inspections could be performed by the county. RFPs for Pine Road Construction Engineer: The RFP notification has been posted on the INDOT website and will remain until August 28. The proposals will then be sent to the Highway Department for review. Mr. Haeck asked the commissioners to form a selection committee to review and score the proposals, and recommend the construction engineer. **Tom Chamberlin moved, seconded by Jack Roose, that all three commissioners and the highway superintendent serve as the selection committee for the Pine Road construction engineer. Motion carried 3-0.**

COUNTY ATTORNEY REPORT

Attorney James Clevenger presented his monthly report:

Old Business:

Pine Road: Thompson: The hearing to swear in and instruct the appraisers is set for August 26 at 1:00. LifePlex: Negotiations continue. The court has set a hearing for the same appraisers on the same date as Thompson. Hayloft: Still working on paperwork for closing. Stanley-Integrator: The proposed language changes are apparently agreeable and will be incorporated into a revised agreement.

Anthony Ross – Yellow River: A letter has been sent to the Army Corp of Engineers as the commissioners requested.

New Business:

Maximus Contract: At the Auditor's request, he has reviewed the new contract with Maximus Consulting Services for the recovery of funds and indirect costs. The major changes in the contract from previous years were that the increase in the maximum fee of \$100 and a termination provision. The contract renewal cost is \$5400 for one year, or \$4900 per year for three years.

Tom Chamberlin moved, seconded by Jack Roose, to approve the contract renewal with Maximus Consulting Services for a period of three years at \$4900 per year. Motion carried 3-0.

Health Department-former Garner Truck Stop property: Mr. Clevenger has been working with Wes Burden regarding the clean-up of this property, and has now been advised that the property is close to being acceptable.

Metronet grant application: On behalf of the commissioners, Mr. Roose signed numerous forms and the completed Metronet application for the Broadband Initiatives Program and the Broadband Technology Opportunities Program. Mr. Clevenger extended appreciation to Commissioner Overmyer, the T-squared committee and the County Council for their willingness to assist with funding the grant match.

The Auditor is the county's Authorized Organization Representative with the Central Contractor Registration database, and as such is authorized to submit grants on behalf of the county. Mr. Clevenger recommended official action to authorize the Auditor to submit the Metronet Grant.

Tom Chamberlin moved, seconded by Jack Roose, to authorize the Auditor to submit the Metronet application on behalf of the County.

ARRA contracts: It appears that construction engineering costs can be covered by the stimulus monies as long as they fall under the cap, but Mr. Haeck cannot serve as the construction engineer on this project. INDOT has a list of four, and will make the selection from the list.

Mr. Clevenger feels a common wage hearing is not necessary. Since this is a Federal project and INDOT is choosing the contractor, it is assumed that they will comply with Davis Bacon. All employment and audit reports must be completed online.

COMMISSIONER ITEMS

Health Insurance RFP: Deputy Auditor Jan Quivey reported he received proposals from the following four firms in response to the RFPs for a health insurance broker/provider: KL Benefits/TCU Insurance; the Healey Group; American Fidelity Assurance; and Apex Benefits Group. He distributed copies of the proposals to the commissioners to review prior to their recommendation, scheduled for the September 8 meeting.

Tom Chamberlin moved, seconded by Jack Roose, to accept the proposals and take them under advisement. Motion carried 3-0.

Mr. Quivey stated that the deadline could be extended if additional time is needed for in-depth reviews of the proposals.

Mr. Clevenger cautioned the board to carefully consider service as well as costs in the final selection.

ADJOURNMENT

With no further business to come before the Board, **Tom Chamberlin moved, seconded by Jack Roose, to adjourn the meeting at 10:55 a.m. Motion carried 3-0.**

Kevin Overmyer, President

Jack Roose, Vice President

Tom Chamberlin, Member

Attest: _____
Penny Lukenbill, Auditor