

**MARSHALL COUNTY BOARD OF COMMISSIONERS
MINUTES
MONDAY, APRIL 4, 2011**

The Board of Commissioners of Marshall County, Indiana, met in the Commissioners Room, in the City of Plymouth, Indiana at 8:30 a.m., Monday, April 4, 2011, for a regular meeting. Present were Kevin Overmyer, President; Jack Roose, Vice President; Greg Compton, Member; and Auditor Penny Lukenbill. The meeting was opened in due form and the business before it heard.

**CHARLES DEWITT
MARSHALL COUNTY BUILDING COMMISSIONER**

Commissioner Overmyer introduced Chuck Dewitt, appointed as part-time Building Commissioner on March 25. Mr. Dewitt stated he is looking forward to his duties, and hopes to implement fresh ideas and updated technology in the Building Department.

**JULIE FOX - CLERK
PERSONNEL REQUEST**

Ms. Fox requested an update on her request to replace two deputy clerk positions, action on which was tabled at the previous meeting. Deputy Clerk Wanda Shively retired in December, and her duties included processing Circuit Court orders, verifying adult and juvenile judgment liens for collection, handling venued cases, restitution and returned items for the Sheriff and Circuit Court. Commissioner Overmyer stated he understood that the position had already been replaced without the approval of Commissioners or Council and questioned why she was seeking approval after the fact. In 2009, the Commissioners' and Council requested that department heads and elected officials obtain approval from both bodies before replacing a vacant position and this request was still in effect. Ms. Fox stated she thought the directive had expired and had followed the personnel policy, which states that hiring is at the discretion of elected officials/department heads. She stated she was not trying to "steamroll" the board, but was only trying to run her office effectively.

The Clerk then requested approval to replace the position left vacant by Deputy Clerk Lori Martin who retired April 1. She described the position as an "information specialist" whose responsibilities include opening mail, directing 50 – 60 incoming calls and 100 -150 visitors daily, serving as liaison to Superior Court 1, processing service work as ordered by the court, and scheduling marriage license and passport application appointments.

Greg Compton moved to recommend replacement of the Deputy Clerk position. Motion died for lack of second.

Mr. Roose stated he was not convinced that the position needed to be replaced at this time. Ms. Fox then asked the Commissioners to visit her office to better understand her office operations.

**KAREN RICHEY – EXTENSION OFFICE
PERSONNEL REQUEST**

Ms. Richey requested approval to replace a secretarial position soon to become vacant in the Extension Office. The position serves as secretary in the Agriculture, Natural Resources and Health Science areas, and as Ms. Richey's assistant. She pointed out that the only other clerical staff is the 4-H/Youth Secretary.

Jack Roose moved, seconded by Greg Compton, to recommend replacement of the secretarial position in the Extension Office. Motion carried 3-0.

MELODY KRUGER – CASA DIRECTOR
ANNUAL REPORT

Director Melody Krueger submitted a report of the Court Appointed Special Advocate program. She began by noting that April is National Child Abuse Prevention Month, and that nationwide there are 700,000 children in foster care as a result of abuse or neglect. In 2009, Indiana was eighth in the nation for abuse and neglect, and this year in Marshall County, there are currently 85 children identified as Children in Need of Services (CHINS) due to abuse or neglect.

CASA volunteers are advocates for CHINS children as they move through the court system. In 2010, 47 trained volunteers served 69 children, and by the end of February, 2011, there were already 85 CHINS, 48 of whom are represented by a CASA volunteer. She reported it can be difficult to retain volunteers, as it is an emotionally difficult experience; however, six new volunteers will begin training this week.

Ms. Krueger reported she has been selected to participate in Fostering Futures, a pilot program to train volunteers to help former foster children prepare to live independently, to learn to set goals and to build support systems.

CASA is funded through a state grant matched by county funds and contributions from various area service clubs. Ms. Krueger expressed appreciation to the Commissioners for providing office space, utilities, telephone and other in-kind support. The Commissioners thanked her for the excellent work she performs on behalf of children in need.

KATHLEEN RANDOLPH – WORKONE
TRANSITION TO WORKFORCE INVESTMENT BOARD

Ms. Randolph, Regional Operator for WorkOne, discussed the transition to a Workforce Investment Board in order to provide more local direction for the organization. The state agency works to connect with displaced workers, offering career planning, attaining skills, and retraining. Several counties would be combined into regional systems, each governed by a 24-member board, with representatives from specific sectors such as business, education, economic development, and community/ faith-based organizations. Region 2 will consist of Marshall, St. Joseph, Elkhart, Kosciusko and Fulton Counties

She presented an agreement which must be signed by local government executives in order to advance the process. The agreement affirms a “Chief Elected Official”, currently South Bend Mayor Stephen Luecke, and designates the Chief Elected Official and local elected officials as grant recipients.

Jack Roose moved, seconded by Greg Compton, to authorize Kevin Overmyer to sign the Local Elected Officials agreement with Work Force Solutions to establish a Workforce Investment Board. Motion carried 3-0.

PUBLIC HEARING- ORDINANCE #2011-03

**TO ESTABLISH STORM WATER RUN-OFF AND SEDIMENT CONTROL
REGULATIONS**

Plan Director Ralph Booker presented for second reading Ordinance #2011-03, establishing storm water run-off and sediment control regulations. It will provide guidelines to developers for site drainage information, and requires that drainage plans be approved prior to construction. The proposed ordinance was approved by the Plan Commission during a public meeting February 24. Mr. Booker made several minor changes in language suggested at first reading.

Jack Roose moved, seconded by Greg Compton, to suspend the rules and pass Ordinance #2011-03 on second and third readings. Motion carried 3-0.

NEAL HAECK – HIGHWAY REPORT

Road cuts: Mr. Haeck submitted four road cuts for approval, all of which have been reviewed by the Surveyor:

Marvin Houin – a cut across Grape Road at the corner of 3B in German Township, to install an irrigation waterline. Mr. Haeck will follow up on the work.

Jack Roose moved, seconded by Greg Compton, to approve Marvin Houin’s request for a road cut across Grape at the corner of 3B in German Township. Motion carried 3-0.

Century Link - a 90-ft. cut at Queen and 10B between 11th and State Road 17 in West Township for high-speed internet upgrade.

Jack Roose moved, seconded by Greg Compton, to approve CenturyLink’s request for a road cut at Queen and 10B, between 11th and State Road 17 in West Township. Motion carried 3-0.

Carl Barnhart – a cut on 12th Road between Jute and King in Center Township, to install drainage tile. Haeck will follow up on the work.

Jack Roose moved, seconded by Greg Compton, to approve Carl Barnhart’s request for a road cut on 12th road between Jute and King in Center Township. Motion carried 3-0.

H&D Drainage - a 20-ft cut on East B Road, between Beech and Dogwood in German Township, to install a drainage tile. Mr. Haeck will follow up on the work.

Jack Roose moved, seconded by Greg Compton, to approve the request from H&D Drainage for a road cut on East B, between Beech and Dogwood in German Township. Motion carried 3-0.

13th Road Bridge: A construction update meeting is scheduled today at 1:00 pm.

State diesel fuel reimbursement: Mr. Haeck has requested reimbursement from the state for the 16 cents-per-gallon diesel fuel tax paid by the county in 2010, totaling \$5,115.84. Indiana reimburses 23% of the tax on diesel used by on-road vehicles and 100% for off-road vehicles.

State Salt Bid: The County will again join with the State to purchase road salt for 2011-2012, resulting in significant savings.

Muckshaw Road crossing: Bob White, INDOT Project Manager for railroads, reported that work on the Muckshaw crossing is scheduled for July. The project is 100% federally funded, and will include two sets of lights, gates and cantilevers. Markings and signage will be supplied by the Highway Department.

**RON WIREMAN - DLZ
PINE ROAD UPDATE**

Mr. Wireman reported that Pioneer Drive from Lincoln Highway to Jim Neu Drive will be closed April 5, with access to the west entrance of the jail open until April 12. After that time, the jail will be accessed from Jim Neu drive. Depending upon the weather, GE Marshall will begin

excavation for two detention basins on the north side of Pioneer Drive, expected to take approximately two weeks, after which they will begin the demucking process on Pioneer. Reith-Riley expects to begin milling existing pavement at the end of April. The project is currently on schedule for the September 14 completion date.

Washouts that occurred during the winter along the new Pioneer Drive will be repaired and reseeded.

AUDITOR'S REPORT

Auditor Penny Lukenbill presented the following:

Minutes of the March 21, 2011 meeting: **Jack Roose moved, seconded by Greg Compton, to approve the minutes of the March 21, 2011 meeting. Motion carried 3-0.**

Minutes of the March 25, 2011 special meeting: **Jack Roose moved, seconded by Greg Compton, to approve the minutes of the March 25, 2011 special meeting. Motion carried 3-0.**

April claims: **Jack Roose moved, seconded by Greg Compton, to approve the April claims as presented. Motion carried 3-0.**

Homestead Verification proposal: The Auditor presented a proposal from SRI Consulting Services to manage the input, review and audit of the county's 13,000 homestead verification forms. SRI would image and integrate the forms with the state's database for 28 cents per form. They offer the option of assisting the County in collecting back taxes and penalties on ineligible homestead deductions for 25% of the recovered amounts, waiving the 28 cents per form charge. The Commissioners recommended that the proposal be reviewed by the county attorney and presented at the next meeting.

COMMISSIONER TAX CERTIFICATE SALE PROPERTIES – MINIMUM BIDS

The Commissioners had considered taking title to the Betty Burdeau property on West Dewey Street in Bremen since it adjoined county-owned property, but agreed it should be offered instead at the certificate sale.

Jack Roose moved, seconded by Greg Compton, to include the Betty Burdeau property in the certificate sale, and to set the minimum bid at \$100.00. Motion carried 3-0.

Jack Roose moved, seconded by Greg Compton, to set minimum bids as indicated on the following parcels to be offered at the tax certificate sale:

50-53-26-304-095.000-006	Burdeau, Betty, W Dewey Street, Bremen	100.00
50-22-06-000-011.000-007	Schillaci Howard, 16th Rd, Argos	100.00
50-22-90-203-960.000-016	Gonzales, Humberto & Carmen, West of N Grove, Argos	100.00
50-32-93-301-472.000-019	Whitaker, Kirby, W of Plum, S of Schuyler, Plymouth	100.00
50-42-92-303-142.000-019	Chizum, Pamela, 1008 N Plum, Plymouth	2000.00
50-42-92-303-217.000-019	Parrott, Vernon, E of Plum, S of Harrison, Plymouth	2000.00
50-41-27-302-053.000-017	Houghton, Thomas & Christine Yogi Bear Lot 1338	100.00
50-41-27-302-911.000-017	Gonzalez, Juan & Claudia Yogi Bear Lot 1015	100.00
50-41-27-302-924.000-017	Askren, Stephen Yogi Bear Lot 1186	100.00
50-41-27-401-713.000-017	Kmety, Daniel, Yogi Bear Lot 852	100.00
50-21-10-000-041.000-013	US Railvest S of 16 th , W of Redwood	1.00
50-31-26-000-007.000-017	US Railvest N of 14 th Rd	1.00
50-42-91-000-101.000-018	Plymouth Short Line N of Hoham, W of Michigan	1.00

Motion carried 3-0.

The following certificates will be assigned as indicated:

Certificates to be assigned to the City of Plymouth:

50-32-93-102-821.000-019) Vinod Gupta, Sering St, Plymouth

50-32-93-102-822.000-019)

50-32-93-102-823.000-019)

Certificate to be assigned to the Town of Culver:

50-21-21-000-065.000-013 US Railvest West of West Shore, East of Tamarack, Culver

Certificate to be assigned to the DNR:

50-31-24-000-222.000-017 US Railvest E of Peach Plymouth

Certificate to be assigned to LaPaz Legion:

50-52-95-202-073.000-010 Sanetra Trust, N Main, LaPaz

The County will take title to a portion of parcel 50-21-02-000-002.000-013, US Railvest, south of 15 B and east of Redwood which is adjacent to the road right-of-way.

The Auditor will contact SRI to set a date for the tax certificate sale.

COMMISSIONER ITEMS

Mr. Overmyer reported that the EMA director has secured a quote from Country Auto for a 2011 Dodge Ram pickup identical to those recently purchased by the Sheriff's Department. The purchase price is \$20,997, which reflects a trade-in of \$1230 for the current EMA vehicle.

Jack Roose moved, seconded by Greg Compton, to recommend that the County Council approve an additional appropriation from the General Fund for the purchase of a 2011 Dodge Ram pickup for the Emergency Management Agency. Motion carried 3-0.

ADJOURNMENT

With no further business to come before the Board, **Jack Roose moved, seconded by Greg Compton, to adjourn the meeting at 10:25 a.m. Motion carried 3-0.**

Kevin Overmyer, President

Jack Roose, Vice President

Greg Compton

Attest: _____
Penny Lukenbill, Auditor