

**MARSHALL COUNTY BOARD OF COMMISSIONERS
MINUTES**

TUESDAY, SEPTEMBER 6, 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., Tuesday, September 6, 2011, for a regular meeting. Present were Kevin Overmyer, President; Jack Roose, Vice President; Greg Compton, Member; County Attorney James Clevenger and Auditor Penny Lukenbill. The meeting was opened in due form and the business before it heard.

**MARSHALL COUNTY ELECTION BOARD
PRECINCT/ REDISTRICTING PROGRAM**

On behalf of the Marshall County Election Board, Clerk Julie Fox presented a request to purchase a program to assist with redrawing precinct boundaries and redistricting. She explained that several precincts are over the 1200 voter limit, and must be changed to balance the number of voters.

The Schneider Corporation has an application that will utilize our GIS information in conjunction with 2010 Census data to calculate the number of voters within a proposed precinct, saving the board time and money. The state has set deadlines for the return of proposed changes, and this tool will assist in meeting the deadlines. The cost of the application is \$2,000 and funds will be transferred from other lines within the election board budget.

Jack Roose moved, seconded by Greg Compton, to enter into an agreement with Schneider Corporation for the purchase of an application to assist with redistricting and redrawing precinct boundaries. Motion carried 3-0.

**CLYDE AVERY – EMA DIRECTOR
MONTHLY REPORT**

Meetings attended: Commissioners; Council budget hearings; meetings re: Animals in Disaster Plan; EMA Directors; District 2 Planning Council; Blueberry Festival Security Committee; Transportation Committee;

Miscellaneous: Monthly radio check and Web EOC status change; monthly IDHS conference call; centers; assisted Sheriff and Bourbon Town Council member with NIMSCAST; discussed damage assessment team with Bourbon Fire Dept.; discussed shelter alternatives in Plymouth with the Mayor and Rick Davenport.

Training: OSSI training, ESF-8 (Health and Medical Course), District 2 workshop

Community Outreach: Public service interview with LJHS broadcasting club.

General Information:

1. Marshall County Ingestion Pathway Plan- If there are no changes, Mr. Avery recommends adoption as a hazard specific annex to the County Comprehensive Emergency Management Plan.
Greg Compton moved, seconded by Jack Roose, to adopt the Marshall County Ingestion Pathway Plan as part of the County Comprehensive Emergency Management Plan. Motion carried 3-0.
2. September is National Preparedness Month. Everyone should take time to put together a preparedness kit, develop a family and business emergency plan, stay informed of the hazards that are most likely to affect you and learn what you need to do to keep safe, get involved with community organizations that help when disasters do happen.
3. The National Incident Management Capabilities Assessment Tool (NIMSCAST) was sent to the state prior to the August 31 deadline. I would like to thank all the agencies and jurisdictions that submitted their information in order for us to meet the deadline.
4. **Grant Updates:**
 1. 20 new tables and 40 new chairs were purchased for Room 207 for \$15,986.00.

2. ACAMS grant application for courthouse security updates have been submitted.

Training and Meeting Requests for September and October:

1. September 6 – Task Force Service/Support Team meeting at Knox.
2. September 12 – Annual site visit to National Weather Service in North Webster for Storm Ready Community re-certification.
3. September 19 – 21 – Indiana Interoperable Communications Conference in Indianapolis.
4. October 5-7 – Emergency Management Alliance Conference in Indianapolis.

SHERIFF TOM CHAMBERLIN
VEHICLE PURCHASE

Sheriff Chamberlin requested approval to purchase two 2011 Ford Crown Vic police vehicles for his department. Oliver Ford has located two in another county that had been ordered but never purchased. One would replace a recently totaled 2010 Crown Vic, and the other would be part of the 2012 vehicle rotation. The cost of each vehicle is \$22,789, for a total of \$45,578. The commissioners recommended purchasing the cars from Cum Cap Development, and will request an additional appropriation for consideration at the September 12 Council meeting.

Greg Compton moved, seconded by Jack Roose, to approve the purchase of two 2011 Crown Victoria police cars and to recommend an additional appropriation from Cum Cap Development. Motion carried 2-0-1, with Mr. Roose abstaining due to his wife's employment with Oliver Ford.

Sheriff Chamberlin reported that one of the 2011 Dodge trucks was involved in an accident, and estimates were submitted by Burt's Body Shop for \$13,620 and Lincolnway Auto Body for \$8,180.

ASSESSOR DEBBIE DUNNING
NEXUS GROUP CONTRACT

Assessor Debbie Dunning requested approval of a contract with Nexus Group for the services of attorney Marilyn Meighen to represent her on appeals with the Indiana Board of Tax Review and the Indiana Tax Court. Indiana law requires that the Assessor be represented in such cases by either the Attorney General or a private attorney. Mr. Clevenger pointed out that assessment appeals are a specialized area of the law which requires expertise, and he feels that Ms. Meighen is well-qualified to assist. The contract provides for fees of \$150 per hour for consultation and hearing time, and will be paid from the Assessor's budget.

Mr. Clevenger has reviewed the contract and recommended changes, most of which have been implemented. Ms. Dunning explained that the original contract is in the mail, and will be presented for signatures as soon as it arrives.

Jack Roose moved, seconded by Greg Compton, to approve the contract with the Nexus Group for legal services on behalf of the Marshall County Assessor. Motion carried 3-0.

USI GROUP
PIERCE STREET BRIDGE UPDATE

Phil Beer and Mark Hollingsworth of USI presented an update on the Pierce Street bridge project. The old bridge has been demolished and the pier 3 piling is complete. They are now installing forms and tying steel to pier 3. They are pouring the concrete pier stems and preparing to form the second pier. Work will then be out of the water and can continue even if the river rises with the fall rains. The project is 20% complete.

Mr. Hollingsworth presented Change Order #1 for \$13,600 covering the removal of the old foundation of the original bridge, which was not included in the original project. The county will be responsible for 20% of the change order.

Jack Roose moved, seconded by Greg Compton, to approve Change Order #1 in the amount of \$13,600 on the Pierce Street Bridge project. Motion carried 3-0.

NEAL HAECK - HIGHWAY REPORT

Mr. Haeck presented the following road cuts:

Town of LaPaz: Jack Roose moved, seconded by Greg Compton, to approve the request from the Town of LaPaz for two road cuts on 1B Road between Kimble and Albert and Kimble and Maple for the installation of a storm sewer. Motion carried 3-0.

AT&T: Jack Roose moved, seconded by Greg Compton, to approve the request from AT&T for a 4,800 ft. right-of-way cut on Tulip and West 20A Roads, between Old SR 17 and Sage Road, and cuts for two gravel driveways and a bore of one asphalt driveway in Union Township to install new fiber cable. Motion carried 3-0.

CenturyLink: Jack Roose moved, seconded by Greg Compton, to approve requests from CenturyLink for the following four road cuts: 1) An 815' cut on the south side of A Road west of State Road 331 in German Township to replace cable; 2) A 1,720 cut on 17th and Kenilworth between US 31 and Old US 31 in Green Township for service upgrade to a Verizon cell site; 3) A 2,348 cut on 2B between Birch and Cedar in German Township for service upgrade for AT&T; and 4) A 21,724' cut on 17A, Muckshaw, 18B and Pine Roads between 17th and Pine in Green and Union Townships for service upgrade for AT&T. Motion carried 3-0.

Bryan Thomas: Jack Roose moved, seconded by Greg Compton to approve Bryan Thomas's request for a road bore on East 4B between East County Line and Beech Roads in German Township for an electrical service upgrade. Motion carried 3-0.

Lake Maxinkuckee outlet pipes: Work will begin on this project on September 19, and is expected to take one or two days. The water level is down, enabling Strang Engineering to replace the pipes at the exact same level. Area schools and emergency services will be notified.

Underwater bridge inspections: USI has completed the underwater inspections.

Road striping: White lines have been restriped at the edges of North Michigan Road. Other lines will be completed in the near future.

PINE ROAD UPDATE

Rieth-Riley is applying the final coat of asphalt today and plan to pave Jim Neu Drive later in the week. G.E. Marshall will complete backfilling approaches and repair wash-out areas this week. During the week of the 12th, striping and monuments will be in place, with sign placement scheduled for the week of the 19th. DLZ anticipates that Pioneer will be opened to traffic between September 21 and 30, three to four weeks ahead of schedule. The project is now 90% complete.

COUNTY ATTORNEY REPORT

County Attorney James Clevenger presented his report, which included:

Old Business:

Jail sewer line easement: Steve Harper and Adam Mann have not yet completed their appraisals on the Eckard and AZZ Galvanizing properties

Marshall County Council on Aging: He is working with Jackie Wright and Mike Miley of Gibson Insurance to transfer to the commissioners titles of vehicles purchased through stimulus funds. The Council on Aging will continue to pay the insurance.

13th Road Bridge #89: Neither the contractor nor INDOT have responded to our notice that the bridge has not been completed on time.

Assessor: Mr. Clevenger has reviewed the contract with Nexus for the assessor and suggested changes which have now been made.

Sheriff/LaPaz: A Memorandum of Understanding has been drafted between the County, Sheriff and the Town of LaPaz for law enforcement services. After the commissioners have had a chance to review it and make necessary changes, it will be signed and forwarded to LaPaz.

New Business:

Health Department: The Health Department is considering a new fee schedule for septic system installation, and recent changes in state law will require local adjustments to ordinances and procedures. Also, a company is interested in providing testing bottles to his department.

Tort claim: The county will soon receive a tort-claim notice in regard to an inmate whose ear was bitten off by another inmate while both were housed in the Marshall County Jail.

RICH ULRICH
COURT HOUSE TREES

Tree experts have examined the trees on the court house lawn and have recommended removal of two diseased large trees at the northeast and southwest corners of the lawn. It has been determined they are a safety hazard to individuals and buildings. The remaining trees will be trimmed and groomed, and the diseased trees will be replaced with native trees to provide symmetry. Pro Tree Service from Rochester will perform the work, and will cut the wood in smaller portions for distribution to area needy.

AUDITOR REPORT

August 15 meeting minutes: **Jack Roose moved, seconded by Greg Compton, to approve the minutes of the August 15, 2011 meeting as presented. Motion carried 3-0.**

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

COMMISSIONERS ITEMS

September 11 – Remembrance Day: The commissioners requested Mr. Ulrich to ring the court house bells at 8:52 a.m. on September 11, and lower flags to half staff for the remainder of the day.

United Way resolution: The commissioners affirmed a resolution issued in August, declaring Friday, August 19, 2011 as the Kick-Off Day for the 2011 United Way Campaign, with the theme “Each of us, Helping All of Us”.

Greg Compton moved, seconded by Jack Roose, to approve the resolution designating August 19, 2011 as the 2011 United Way Campaign Kick-Off Day. Motion carried 3-0.

Steven Edwards – Letter of authority: Mr. Overmyer presented a letter authorizing Steven Edwards of the Advanced Products Group to request quotations and negotiate service changes to the county’s contracts with CenturyLink.

Jack Roose moved, seconded by Greg Compton, to authorize Steven Edwards of Advanced Products Group to request quotations and negotiate service changes for the county. 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 9:40 a.m. Motion carried 3-0.**

Kevin Overmyer, President

Jack Roose, Vice President

Greg Compton

Attest: _____
Penny Lukenbill, Auditor