

REGULAR MEETING DUBOIS COUNTY COMMISSIONERS

December 7, 2009

The regular monthly meeting of the Dubois County Commissioners was held in the Commissioners' Room of the Courthouse Annex in Jasper, Indiana, beginning at 9:00 a.m. (EST) on December 7, 2009. Present were Commissioners Randall L. Fleck, John G. Burger and Lawrence M. Vollmer. Also present were County Auditor Janet L. Sendelweck, County Surveyor Ken Brosmer, Highway Supervisor Steven L. Berg, Highway Engineer Jason T. Heile, and County Attorney Arthur C. Nordhoff, Jr. A quorum was declared present and the meeting was opened for business by President Fleck. Minutes of the November 2009, meetings of the Commissioners were approved as presented. The minutes were then signed. Incomes for the month of November 2009, were as follows: Recorder \$10,611.88; Health Department \$21,613.98; Auditor \$267.00; Clerk \$33,004.11. Claims against the County were examined and those found to be just, due and owing were allowed and those found to be not due and owing were disallowed, all as more fully set forth in the Claims and Allowance Docket of the County.

RE: PEARL HARBOR DAY

This day being the 68th Anniversary of Pearl Harbor, the President requested those present to observe a moment of silence in honor of those who served and now serve in the military.

RE: VACATION OF CR 450 S & VACATION OF PART OF FRANCIS M. SANDER'S FIRST ADDITION TO MENTOR

Keith Hedinger, President of Crestwood Farms, Inc. and Bill Kaiser, his attorney, appeared to request the vacation of a portion of CR 450 S and of all of the Francis M. Sander's First Addition to Mentor in Jefferson Township. Proof of publication and of certified mail receipts were presented. No member of the public was present to object to either request. After discussion, and on motion duly made and seconded, the vacation of CR 450 S was approved. After further discussion, and on motion duly made and seconded, the plat of the Francis M. Sander's First Addition to Mentor was vacated. The County Attorney is to provide road vacation ordinance.

RE: PLAT OF BRAUN'S SECOND ADDITION – CITY OF JASPER

Ken Brosmer, representing Braun Timber Industries, LLC, appeared to submit a proposed plat for Braun's Second Addition, in Bainbridge Township, consisting of 5.57 acres in Bainbridge Township, and containing two lots. On motion duly made and seconded, the plat was approved. The Jasper Plan Commission has previously approved the plat.

RE: REPLAT OF LOT # 4 IN LAKE VIEW ACRES – MARION TOWNSHIP

Ken Brosmer, appearing for Donald L. & Joan E. Welp, appeared to submit a proposed replat of Lot # 4 of Lake View Acres, a subdivision in Marion Township, reallocating said Lot # 4 into two lots. On motion duly made and seconded, the replat was approved. The Jasper Plan Commission had previously approved the plat.

RE: NICHOLAS MERKLEY – FAMILY FARM EXEMPTION

Ken Brosmer appeared on behalf of Southern Indiana Hardwood Inc, to request an exemption to the County Subdivision Ordinance for 2.97 acre tract in the SE q of the NW q of Section 31-T2S-R3W in Jackson Township, owned by Southern Indiana Hardwood, Inc. and requested the release for a residence for Nicholas Merkley, the son of the owner of the business, which son is involved in the family business. Question was raised as to whether the corporation's business is classified as a farm operation, and the County Attorney advised that the State BMV and an area court have determined that a full time logging operation is classified as agriculture. On motion duly made and seconded, the Commissioners granted the exception.

RE: HUNTINGBURG AMBULANCE GARAGE

Suzan Henke, County Director of Ambulance Services, appeared to discuss a request from the City of Huntingburg requesting a base with \$2400 rent for space occupied by the ambulance service. The cost of utilities at the location is approximately \$1800. The County currently pays the cost of utilities at Dubois but no rent, and pays nothing at

Ferdinand. The Commissioners took the matter under advisement but expressed their concern about the concept of renting space for the benefit of the local community.

RE: TODD TOBY – TRASH COURT APPEAL

This being the time requested for appeal of prior Commissioners determination of violation on complaint of unlawful trash disposal, and Toby not appearing, the prior determination was confirmed.

RE: SOLID WASTE DIRECTOR

The Commissioners stated that at a prior meeting of the County Solid Waste Board, the recommendation was made that Toni Lubbers be employed as successor Director. Extended discussion was held on the wage and term of probation. On motion duly made and seconded, the Commissioners engaged Toni Lubbers as Director of Solid Waste District, effective January 1, 2010, at the current wage assigned to that position, less 10% during period of probation, and that Toni Lubbers be employed as part-time, working maximum of 29 hours per week, District employee beginning December 14, 2009, as assistant Director, with wage based on hourly wage computed on prorated Director's annual wage, discounted for probation and without regular employee benefits.

RE: TODD TOBY – TRASH COURT APPEAL

Todd Toby appears to appeal the prior determination of the Commissioners regarding a trash violation complaint. He stated that since 2008 he has not lived in the area where the trash was discovered. The trash was located in April of 2009. His former wife still lives in the area where the trash was located. The Commissioners expressed their displeasure with Toby's failure to appear at prior hearings. The Commissioners took the matter under advisement in order to discuss the matter of unlawful trash disposal with Toby's former wife.

RE: COMMUNITY CORRECTIONS AMENDMENT

James Wuchner, representing County Community Corrections, appeared to submit a proposed amendment to the July 1, 2009 Agreement with the Indiana Department of Corrections, which Amendment increases grant funding from D of C to the County by \$40,293.00. On motion duly made and seconded, the amendment was approved.

RE: EXCAVATOR PURCHASE

The Highway Supervisor recommended that the County accept the bid from Wayne Supply of \$188,104.08, plus trade in, for purchase of a M318D excavator. This being the only acceptable conforming bid, on motion duly made and seconded, the bid was accepted. The bids were received by the Commissioners at a prior meeting.

RE: MATERIAL – SUPPLY BIDS

The Highway Supervisor submitted the following recommendations for bids acceptance on bid received at the last Commissioners' meeting:

- Item 1 Accept all bids
- Item 2 Accepted Gudorf Supply & Southern IN Supply
- Item 3 Accept all bids
- Item 4 Accept all bids
- Item 5 Accept all bids, based on price
- Item 6 Accept all bids, based on price
- Item 7 Accept all bids, based on price
- Item 8 Accept bid of Asphalt Materials
- Item 9 Accept all bids
- Item 10 Accept all bids
- Item 11 Accept all bids
- Item 12 Accept all bids

Item 13 No bid

Where more than one bid is accepted, the purchase from time to time will be based upon delivery location and then current lowest market price. On motion duly made and seconded, the recommendation was accepted and bids approved.

RE: SINGLE AXLE TRUCK BID

The Highway Supervisor discussed with the Commissioners the prior bids received for purchase of single axle truck and recommended the Freightliner bid. On motion duly made and seconded, the Commissioners authorized the purchase, with trade-in.

RE: SANITATION COLLECTION SITES – HOLIDAY HOURS

On motion duly made and seconded, the Commissioners authorized the normal "Holiday Hours" for operation of sanitation collection sites.

RE: REGION 15 – ENERGY GRANT

On motion duly made and seconded, the Commissioners agreed to serve as lead agency for a grant application for an energy efficiency block grant for use at the Indiana Region 15 office, and approved the filing of said application.

RE: SANITATION SHED REPLACEMENT

On motion duly made and seconded, the Commissioners authorized replacement of the buildings at the Ireland and Huntingburg collection sites.

RE: DENNY FREYBERGER – FAMILY FARM EXEMPTION

Denny Freyberger appeared to request an exception to the County Subdivision Ordinance for a 1.9 acre tract in the W ½ SE Section 29-T1N-R3W in Columbia Township, owned by Freyberger Farms, Inc., for a sale to Adam Freyberger, a family member who works part-time on the farm. On motion duly made and seconded, the exception was granted. The proposed house replaces a mobile home along SR 56.

RE: HIGHWAY ENGINEER'S REPORT

County Highway Engineer Heile submitted the following report on Highway Department projects:

ARRA Stimulus Projects	Completed
Bridge Inspection	Contract being prepared by Butler, Fairman and Seifert
Old Portersville Bridge	Low quote for planting of 60 trees required by IDEM was \$2397 by Meyer Landscaping

RE: HIGHWAY - SIGN PURCHASE

The Highway Engineer advised the Commissioners that signs are required for Dubois NE and that the following quotes have been received:

Stello Signs	\$1523.51
Hall Signs	\$1572.66

On motion duly made and seconded, the quote from Stello was approved and purchase authorized.

RE: HIGHWAY - STEEL SHEET PURCHASES

The Highway Engineer advised the Commissioners that sheet steel is required for repair to current dumpster boxes, and that the following quotes have been received:

Westfield Steel	\$404.40
Patriot Steel	443.40
O'Neal Steel	535.80
Modern Welding	703.50

On motion duly made and seconded, the quote from Westfield Steel was approved and purchase authorized.

RE: 9-1-1 COMMUNICATIONS

Janice Love, Communications Director, appeared to advise that the radio repeater at the Schnellville tower has been out of operation and needs repair or replacement. The project would be comprised of four segments, each costing less than \$2500. After discussion of the need and description of the project, the Commissioners, on motion duly made and seconded, approved the repair; with funding to be provided from the Department's maintenance account. The Commissioners also discussed future legislation relating to 9-1-1 funding and assessments.

RE: SOLAR SOURCES – BOONE TOWNSHIP ROADS

Mike Owen, representing Solar Sources, appeared to file a Petition for temporary closing of portions of CR 580 N and CR 700 W as part of the Company's coal mining operation. He advised that discussions are on-going to purchase five homes located on said roads. It was determined that the Company will provide legal ad for a public hearing on the petition. Discussion was held regarding road improvements proposed to be made during and following the mining operation. The hearings will be held on January 4, 2010 at 10:00 a.m.

RE: DUBOIS COUNTY PARK

Jason Schmitt, President of the County Park Board, appeared to advise the Commissioners that the State Board of Health has requested certification of the water and sewer facilities at the County camp grounds. It was determined that the Highway Engineer would review the requested paperwork and inspect the site.

RE: DUBOIS STORMWATER PROJECT

The Commissioners were advised that the County Council has approved appropriation of the \$30,000 grant funding for the Dubois Stormwater project. Based on the appropriation, on motion duly made and seconded, the Commissioners approved the project consulting contract with VS Engineering.

RE: VETERAN SERVICE OFFICER

On motion duly made and seconded, the Commissioners approved a Service Contract with the Veteran Service Officer, as suggested by the State Board of Accounts.

RE: SALE OF SURPLUS SECURITY EQUIPMENT

The County Auditor submitted a list of old security equipment which has been replaced by new equipment. She also presented a proposal by Astro Security Company for \$350 for purchase of the old equipment. On motion duly made and seconded, the Commissioners declared the old equipment as surplus and authorized its sale for \$350 to Astro.

RE: CR 450 S – JACKSON TOWNSHIP

Emily Hill, a resident who lives along the dedicated CR 450 S, appeared to discuss her concerns regarding the proposed blocking of the County Road at Deer Trail Road. She stated that the proposed blocking would cause confusion for emergency vehicles. County Surveyor Brosmer confirmed that the road numbering for the newly dedicated road is based upon continuation of CR 450 S. The Commissioners took the information under consideration.

RE: NEXT MEETING

The continued monthly meeting of the Commissioners will be held on December 21, 2009, to begin at 9:00 am and to be held at the Courthouse Annex. The regular January meeting is to be held on January 4, 2010 and with the continued meeting to be January 19, 2010, both meetings to begin at 9:00 am and to be held at the Courthouse Annex.