

CONTINUED MEETING DUBOIS COUNTY COMMISSIONERS

August 24, 2009

The continued monthly meeting of the Dubois County Commissioners was held at the Courthouse Annex in Jasper, Indiana, beginning at 9:00 a.m. (EST) on August 24, 2009. Present were Commissioners Randall L. Fleck, John G. Burger and Lawrence M. Vollmer. Also present were County Auditor Janet L. Sendelweck, 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 August 3, 2009, meeting of the Commissioners were approved as presented.

RE: SCOTT HUNEFELD – FAMILY FARM EXEMPTION

Scott Hunefeld of Holland appeared to request authority to purchase a 5 acre tract from his grandmother's (Ruth Hunefeld) farm in the Nw quarter of Section 14-T3S-R6W in Cass Township. The farms is in excess of 70 acres and Scott maintains the farm for his grandmother. Commissioners granted exception.

RE: FOXY HOLLOW FARM – FAMILY CORPORATION

Brian Tretter appeared to request an exemption from the Subdivision Ordinance in order that he may build on the family corporate farm, which is over 200 acres. On motion duly made and seconded, the Commissioners continued to allow an exception on family corporation tracts.

RE: COLETYN ESTATES – FERDINAND TOWNSHIP

The Donna K. Leinenbach Revocable Trust submits a plat of proposed plat of Coletyn Estates Addition in Ferdinand Township, consisting of 1.14 acres in the Nw Ne Section 23-T3S-R4W, consisting of one lot. On motion duly made and seconded, the Commissioners approved the plat as submitted. Proof of Publication presented.

RE: CRAIG BECK

Ken Brosmer appeared for Craig Beck relating to a County Road access on CR 500 E south of SR 164. The access has a questionable sight distance onto CR 500 E. After discussion of the site, the Commissioners approved the proposed drive, conditioned upon waiver by the property owner of all claims for damages resulting from the access location.

RE: TRASH – OLD SR 64 IN PATOKA TOWNSHIP

Gene Thieman and a number of residents along Old SR 64 in Patoka Township appeared to complain about trash being dumped along their County Road. They stated that the County is not enforcing the trash dumping ordinance and that the amount of penalty should be increased. The dumps include not only kitchen-type trash but tires and furniture. They stated that the lack of publicity on dumping penalties is encouraging additional trash dumps. The Commissioners will discuss with Solid Waste Director.

RE: COUNTY GIS PROGRAM

Andy Welsh, representing the County Real Estate agents, appeared to report that the agents have \$11,500 pledged to fund placing GIS and plats on the County website. Tony Gray representing WTH also appeared to acknowledge that WTH would include GIS for an initial fee of \$4500 plus \$3600 for annual fee. Welsh also stated that \$7000 has been pledged for inclusion of County Recorder information on the County website. Hoosier Office will scan the Recorder data. On motion duly made and seconded, the Commissioners approved the GIS website, at an annual cost not to exceed \$3600.

RE: CHRISTMAS TREE – CURRENT HARDWOOD TREES

Nancy Eckerle, Jasper Chamber of Commerce, appeared to request removal of the current 2 small hardwood trees; from the west Courthouse lawn; and continued use of one large pine Christmas Tree. The Auditor stated that discussion revolves around replacement of the hardwood trees with 2 smaller pine trees.

RE: HIGHWAY IMPROVEMENT BIDS

It being 10:00 am, the time set for receipt of bids for the second round of contracts on highway improvement projects, and proofs of publication being presented and notice read, the following bids were received and opened and read aloud:

	CR 300 N #09-07	Dubois Rd NE #09-08	CR 130 W & 225 S #09-09	CR 500 W #09-10	St. Henry #09-11
J.H Rudolph	49,866	117,923.25	71,540.50	127,436.50	24,775.50
Gohman Asphalt	57,904.90	148,360	67,390	145,436	21,516.60
Tri-County Paving	49,189.62		73,840.50	148,757.56	21,859.25
CalCar		121,580.70	75,731.40		22,579.40
O'Mara Cont.	48,912		73,309		
Estimate	54,771	138,142	77,600	151,336	20,171

The Commissioners submitted the bids to the Highway Clerk & Engineer for review. After review, the Engineer reported that on bid #09-09, Gohman failed to provide verification of alternate spec. Based thereon, on recommendation of the Engineer, and on motion duly made and seconded, the Commissioners awarded: O'Mara project #09-07; Rudolph project #09-08, #09-09, and #09-10; and Gohman #09-11. Also, on motion made and seconded, the Commissioners authorized the transfer of \$12,000 from project #09-10 to project #09-09 in the Local Road Fund.

RE: HIGHWAY REPORT

Highway Supervisor Berg reported:

Kyana Road	Randy Schneider has expressed concern regarding narrow road on hills between CR 625 S and 700 W, and requested hills be cut down.
HRE Act 1514	Public works limits increased from \$100,000 to \$150,000. Small purchases set at \$50,000 and quotes required from \$50,000 to \$150,000
CR 700 W	Bond check of \$108,214.97 received from Solar Sources and CR 700 W may now be closed. "Dead End" sign will be installed.
CR 580 N	Meeting and discussion held on CR 580 N and future use because of area mining operation.
CR 500 W Bridge	Progress being made. Two footers poured, two walls poured, beams and deck being set today and poured Tuesday. Bridge set to be open September 4.
CR 1200 S East of US 231	Discussion of chip and seal paving. Additional easement is required on both sides of road, south side being in Spencer County. A review of maintenance agreements with Spencer County along 1200 S will be made.
Summer Employees	Harrison Prusz has completed employment. Request to retain Ron Schwenk as Temporary Full Time until paving is complete. Commissioners approved employment through end of year, subject to County Council approval.

RE: COURTHOUSE SECURITY

Doug Fischer of Astro Security appeared with Mike Shaw to review Courthouse Security. He compared a proposed system with the current system.

RE: HIGHWAY ENGINEER REPORT

County Engineer Heile reported:

ARRA Projects	INDOT has awarded bid for Jasper – Dubois Road and CR 1100 S to Calcar Paving for \$1,127,841.06
Bridge Inspection	Proposals to be received September 4, 2009.
White River Scour Hole	Corps of Engineers permit received for repair of hole. Funding expires September 30, 2009.
Scour Critical Bridges	INDOT and FHWA have mandated monitoring on Mill Creek bridge on Portersville Road and on Dillon Creek bridge Cuzco – Norton Road.
Meridian Road Culvert	City of Jasper requesting replacement of undersigned culvert with box culvert.

RE: HOLLAND – KENTUCKY / 5TH STREET PROJECT

On motion duly made and seconded, the Commissioners changed the classification of Kentucky Street, Fifth Street CR 720 W, CR 1075 S from Rural Minor to Rural Major Collection classification, all in Cass Township.

RE: SIGN PURCHASE

The Highway Supervisor advised of quotes received for new sign inventory purchases as follows:

Hall Signs	\$4822.90
Stello Signs	\$8472.35

On motion duly made and seconded, the Commissioners accepted the quote of Hall Signs for \$4822.90.

RE: PORTERSVILLE BRIDGE – TOLLING AGREEMENT

On motion duly made and seconded, the Commissioners approved the Tolling Agreement on possible violations under the Clean Water Act relating to the close out of the Portersville Bridge project, as a condition of issuance of a construction permit.

RE: AREA BOARD OF ANIMAL HEALTH

On motion duly made and seconded, the Commissioners appointed Kenneth James Eck as a member of the Dubois County Area Board of Animal Health.

RE: DOGWOOD ANIMAL CLINIC – CLAIMS

On motion duly made and seconded, the Commissioners approved and authorized payment of two claims from Dogwood Animal Clinic in the amount \$ 273.80 for services rendered to four dogs delivered to the Clinic by the Sheriff's Department.

RE: HAZARD MITIGATION GRANT PROGRAM

The County Attorney submitted a proposed Grant Agreement for Hazard Mitigation projects, between the County and Indiana Department of Homeland Security, as provided by Indiana 15 Regional Plan Commission. Under the Agreement, the State will fund \$43,552 towards a total program cost of \$58,069. On motion duly made and seconded, the Commissioners approved the Agreement.

RE: STATE COMMUNITY DEVELOPMENT BLOCK GRANT – DUBOIS STORMWATER PROJECT

The County Attorney submitted a proposed State Community Development Block Grant agreement with the State of Indiana relating to a \$30,000 grant for engineering services on the proposed Dubois Stormwater project, as provided to the County by Indiana 15 Regional Plan Commission. On motion made and seconded, the Commissioners approved the agreement.

RE: COMMUNITY CORRECTIONS – LEASE OF BI HOME GUARD UNITS – GAB BANK

The County Attorney advised the Commissioners that the Community Corrections Advisory Board had approved the lease – purchase of 45 units of “Home Guard – 200” units at a cost of \$38,686.38, to be purchased under a base – purchase arrangement financed through German American Bank, with financing cost of 5.5%. The County Attorney submitted lease – financing documents as prepared by the Bank, with payments over a five (5) year term. On motion duly made and seconded, the Commissioners approved the lease – purchase and forms and adopted the following Resolution:

“ WHEREAS, the Lessee is entering a State and Municipal Lease – Purchase Agreement (“Lease”) dated August 24, 2009, with GABC Leasing, Inc.

“ WHEREAS, Lessee has carefully reviewed its financing requirements for the current calendar year and reasonably expects that it will not issue more that Ten Million Dollars (\$10,000,000.00) of tax-exempt obligations during the calendar year;

“NOW, THEREFORE, BE IT RESOLVED, that the Lessee be, and hereby is, authorized to enter into the Lease with GABC Leasing, Inc. for a period of 60 months, and be it further

“RESOLVED, that an official of the Lessee be, and hereby is, authorized, empowered and directed to sign on its behalf the Lease and any addenda, schedules, notes, UCC financing statements or other instruments issued under the

provision of the Lease and any other instrument or document which may be necessary or expedient in connection with agreement upon or fulfillment of the provisions of the Lease.

“RESOLVED, that pursuant to Section 265 (b)(3) of the Internal Revenue Code of 1986, this Lease be and hereby is designated a “qualified tax-exempt obligation” includible within Ten Million Dollars (\$10,000,000.00) of the aggregate issues designated as “qualified tax-exempt obligations” for the calendar year within which this Lease is entered into.

“RESOLVED, that Lessee shall not designate more than Ten Million Dollars (\$10,000,000.00) of tax – exempt obligations during the current calendar year as qualified tax – exempt obligations and Lessee, together with its subordinate entities, does not reasonably expect to issue more than Ten Million Dollars (\$10,000,000.00) of tax – exempt obligations during the current calendar year.”

RE: GIS WEB GIS AGREEMENT – WTH

The County Attorney advised the Board that he had reviewed the proposed WTH agreement for the inclusion of the County GIS information on the County Website, as discussed earlier in the day, and that the same was correct as described. On motion duly made and seconded, the agreement was approved.

RE: FUTURE MEETING

The next regular meeting of the Commissioners will be held at the Commissioners Room in the Courthouse Annex on Friday, September 4, 2009 beginning at 9:00 a.m., with the continued meeting to be held on September 21, 2009, also beginning at 9:00 a.m.