

CONTINUED MEETING DUBOIS COUNTY COMMISSIONERS

April 27, 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 April 27, 2009. Present were Commissioners Randall L. Fleck, John G. Burger and Lawrence M. Vollmer. Also present were County Auditor Janet L. Sendelweck, County Surveyor Kenneth L. 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 April 13, 2009, meeting of the Commissioners were approved as presented. As to CR 700 E, the extended blacktop extension shall be 500 feet rather than 1,000, based on actual measurements.

RE: LITTLE SANDY COAL CO.

Ray Judy, representing Little Sandy Coal Company, appeared with Don Foertsch and Charlie Bates, to discuss use of Old SR 64, CR 700 S, CR 675 S, and CR 860 W, in Cass Township as possible haul roads for a Company coal operation, which the Company proposes to test in the area. The test would consist of 50 loads plus equipment transported to the site in Section 10-T3S-R6W. The Commissioners compared the proposed use to that procedure used for oil / gas development companies. On motion duly made and seconded, the Commissioners authorized use of the roads for approximately 50 loads and for equipment required for testing, subject to posting of bond for road repair if required.

RE: NOBLE ENERGY BOND RELEASE

On motion duly made and seconded, the Commissioners authorized release of bond previously posted by Noble Energy for heavy load use on CR 100 S in Madison Township. The Company elected not to proceed with the project and the road was never used by Noble.

RE: COBRA SUBSIDY AMENDMENT

On request by SIHO representative Mary Beth Hurst, on motion duly made and seconded, the Commissioners adopted Amendment #3 to the Employee Health Plan to comply with new HIPAA requirement, which allows a participant eligible for COBRA to become eligible for reduced premiums if employer has eliminated employment.

RE: HIGHWAY DEPARTMENT – SUPERVISOR REPORT

Highway Supervisor Berg submitted a report of current status of Department projects, as follows:

Solar Sources	Distance of CR 700 W has measured out as 500 feet to blacktop rather than 1,000 feet. Company should provide difference on other roads and bond will be revised.
Portersville Bridge	Permit application for spoil area is still in process. Explanation given for cost overrun on concrete mat, with extra mat being required due to extra area requiring mat application.
Dubois – Cuzco Road	Elevation shots taken for required ditch cleaning to aid drainage.
INDOT Mileage Certificate	New Mileage certificate as to road changes was submitted.
Veolia Compactor Contract	Is being reviewed and has problems to be discussed with Company.
Sanitation Floater	Joe Schmutzler has been employed as floater #3 for Sanitation Department.

RE: BRETT RING – FAMILY FARM EXEMPTION

On motion duly made and seconded, and after review of proposed family farm residential exemption from County Ordinance, and the location being over 1600 feet south of any proposed airport extension, the Commissioners granted an exception to Brett Ring for construction of a residence in Section 20-T3S-R5W in Patoka Township on family farm. Brett is a son who works on the farm.

RE: ROAD DEDICATION PETITION – CR 450 S EXTENSION

The Highway Engineer submitted a petition filed for dedication of CR 450 S, extended in Jackson Township. On motion duly made and seconded, the Commissioners accepted the dedication, but delayed acceptance of the road into the County highway System pending completion of road improvements to County road standards.

RE: HIGHWAY DEPARTMENT – FLOOD GATE POLICY #0427-09

On motion duly made and seconded, the Commissioners adopted the County policy relating to highway floodgate operation on the Old Huntingburg Road, being Policy #0427-09.

RE: HIGHWAY ENGINEER

The Commissioners agreed that the position of Highway Engineer, being a salaried employee and by past practice is not a position which is subject to overtime compensation or comp. time.

RE: HIGHWAY IMPROVEMENT

The Commissioners discussed with the Highway Supervisor the possible use of Micro-Surfacing on currently improved paved roads to increase life to current road surfaces. It was agreed that several roads should be used on a test basis so that the success of the application may be studied.

RE: DISTRESSED ROAD FUND REPORT

Highway Clerk Ann Messmer appeared to submit the annual report on the Distressed Road Fund. The balance at year's end is \$659,903.61. On motion duly made and seconded, the Report was approved.

RE: JASPER WOOD PRODUCTS

Chad Blessinger, County Treasurer, appeared to discuss the status of the Jasper Wood Products factory building on Jasper's northeast side. He stated that he is an officer of The Brosmer House, Inc., an Indiana not-for-profit corporation, which desires to be given ownership of the Jasper Wood Products office building. Brosmer House would request that the County donate the office building to Brosmer House. The history of the Wood Product facility was discussed. No decision was made.

RE: HIGHWAY ENGINEER REPORT

Highway Engineer Heile submitted his report of Highway Engineering projects, including:

CR 600 W Bridge	Culvert is failing and recommends bridge with 38-foot span. Engineer told to proceed with project.
Stimulus Projects	Current status of federal Stimulus funds was discussed. Required forms have been filed on four road pavement projects for stimulus funding. Vincennes District of INDOT has \$12 million available for entire District. On motion duly made and seconded, the Commissioners approved request for funding on Cuzco Road South, CR 1100 S, Hickory Grove Road, and Jasper – Dubois Road.
Portersville Bridge Kentucky Street	Permits are needed for work on erosion control on scour hole. Request will be made for INDOT funding of Road improvement project.

RE: CLAIM PAYMENT

At request of the County Auditor, on motion duly made and seconded, the Commissioners authorized the County Auditor's Office to pay all filed claims on May 4, 2009 and June 1, 2009. This authority is required due to the late dates for the required regular meetings of the Commissioners in May and June.

RE: CLAIM – DOGWOOD ANIMAL CLINIC

On motion duly made and seconded, the Commissioners approved and authorized payment of a claim filed by Dogwood Animal Clinic in the amount of \$68.45 for services for one dog delivered to the Clinic by the Sheriff's Department.

RE: WORKFORCE DEVELOPMENT

On motion duly made and seconded, the Commissioners appointed John Burger as County appointee to the Grow Southwest Indiana Workforce Board, being the Region 11 Regional Workforce Board.

RE: COURTHOUSE BIRD PROBLEM

Commissioner Vollmer reported on his discussions with a local user of a birdcall system, which has successfully eliminated a bird problem at this location. The Commissioners agreed to request Custodian Loveall to investigate the use of the system on the West porch area.

RE: MAY & JUNE MEETINGS

The Commissioners approved the following future regular and continued meetings: May 11 and May 26, and on June 8 and June 22, 2009, all meetings beginning at 9:00 a.m., to be held in the Courthouse Annex.