

REGULAR MEETING DUBOIS COUNTY COMMISSIONERS

MARCH 1, 2010

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 March 1, 2010. 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 February 2010 meetings of the Commissioners were approved as presented. The minutes were then signed. Incomes for the month of January were as follows: Recorder \$8,960.56; Health Department \$21,641.41, Auditor \$225.00; Clerk \$41,501.71. 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: NIEHAUS SECOND ADDITION – FERDINAND

Ken Brosmer, Surveyor, appeared to submit a proposed plat of the Niehaus Second Addition, outside the Town of Ferdinand, for 2.84 acres in the SE SE Section 16-T3S-R4W. The plat has received preliminary approval from Town of Ferdinand. The Highway Engineer expressed his approval. On motion duly made and seconded, the plat was approved and dedication of street approved.

RE: MANN SUBDIVISION ORDINANCE EXCEPTION

Ken Brosmer, on behalf of Dan and Darlene Mann who were present, submitted a request for exemption from the Subdivision Ordinance. The Manns have lost the location of their current home to the area coal mine and desire to move their residence to their son's farm, on a one-acre tract in Section 31-T1N-R5W. Due to special circumstances of the mine, on motion duly made and seconded, the Commissioners granted the request for exception on the John D. Mann property.

RE: BROWN & BROWN INSURANCE CO.

Kelly Hagen and Mary Gogel, of Brown & Brown Insurance, appeared to discuss the County's health insurance program. Brown is a national company with a local office in Dubois County. They referred to the area companies, which they represent. They requested consideration to be the County's insurance broker.

RE: JASPER ARTS COMMISSION – CHALK WALK

Dalesse Bowles, representing the Jasper Arts Commission, appeared to again request permission to use the Courthouse lawn and basement restrooms as part of the annual Chalk Walk on May 1, 2010, with rain date of May 8. On motion duly made and seconded, the Commissioners authorized use of Courthouse exterior and basement restrooms.

RE: IRELAND COLLECTION SITE – LEASE

The Highway Supervisor submitted a proposed lease with the Catholic Diocese for use of the solid waste collection site at Ireland. The lease is for three years at \$400 per year. On motion duly made and seconded, the lease was approved.

RE: HIGHWAY – SUPERVISOR REPORT

The Highway Supervisor reported:

CR 580 N & 700 W	He is in process of preparing road-closing agreement on roads with Coal Company.
Chip Spreader	New chip spreader has been delivered, at cost of \$18,405.
Snow & Ice Events	To date, material costs experienced have been \$68,000 for salt, sand, & rock chips.
Road Damage	Report was made of damage to County roads caused by recent weather. A soft road base currently exists and future damage could be great if

heavy traffic uses the roads in violation of the County Freeze – Thaw Ordinance.

RE: PERRY SPENCER TELEPHONE

The Supervisor reported that Perry Spencer Telephone is pursuing a grant for installation of fiber optic lines to replace copper lines now in use, mostly along roads in Cass and Patoka Township. The Company has requested modification of County requirements on buried lines. The Supervisor was instructed to submit written statement of proposed modifications.

RE: PROSECUTOR'S OFFICE

Burger stated that regarding Prosecutor's Office issue, he had reviewed the County Employee Handbook and had determined that under the provision of the Handbook, since the subject employee is a State employee and is subsequently paid by the State, the issue is not a Commissioner responsibility. In reply to a question, the County Attorney stated that he had previously made a written recommendation that the employment question is not within County jurisdiction, but that there has subsequently been an objection to his participation in the matter and therefore he can currently make no recommendation on the subject. On motion by Burger that the Commissioners not accept the matter for hearing or responsibility, seconded by Vollmer. Fleck advised the Commissioners that an objection had also been presented to his participation in this matter and that he must therefore remove himself from consideration of the matter, and he did thereupon reclude himself and took no part in the discussion or vote. Thereupon the Commissioners voted in favor of the motion to not accept jurisdiction, two in favor of two motions, one Commissioners not voting, and the motion was adopted.

RE: TIM BELL – COUNTY INSURANCE COVERAGE

Tim Bell, representing German American Insurance, appeared to discuss renewal of the County's liability insurance coverage for public officials. The annual premium would be \$15,944, composed of public official coverage at \$6,627 and employment practice of \$9,317. On motion duly made and seconded, the coverage was approved as submitted.

RE: BRIDGE INSPECTION CONTRACT

On recommendation of the Highway Engineer, on motion duly made and seconded, the Commissioners approved the Indiana Bridge Inspection Contract.

RE: DUBOIS STORMWATER PROJECT

The Highway Engineer discussed the Dubois Stormwater Project and the fact that a public meeting will be held on March 1 in Dubois. He described the process to be followed to obtain grant funds.

RE: HOLLAND KENTUCKY STREET

The Engineer reported that he is awaiting a second offer from Beam, Longest & Neff regarding the Kentucky Street project in Holland.

RE: CAT POPULATION – BETTY FENDEL

Betty Fendel appeared to again request County attention to the over population of cats in Dubois Co. She was reminded that such a program is not a part of the current budget and with the current finance, funds do not appear to be available in the future. She stated that grants may be available for this program. Question was raised as to who would supervise this program.

RE: US 231 PROJECT – REQUEST FOR GIS

The County Auditor advised the Commissioner that INDOT has requested that they be granted access to County GIS information. A proposed agreement was submitted and will be reviewed.

RE: MEDICAL COVERAGE

On motion duly made and seconded, the Commissioners agreed that in the event of medical statement from a physician that an employee is physically unable to work and is unable to return to work at the end of FMLA leave, that employee shall be entitled to continue participation in the County employee medical coverage to the final day of employment without being present for work on the final day.

RE: BUSINESS ASSOCIATE AGREEMENT

The Auditor submitted a proposed Agreement as prepared by the County insurance provider, SIHO, relating to amendments to the federal Health Insurance Accountability Act (HIPAA), which requires County approval. On motion duly made and seconded, the Agreement was approved.

RE: SECURITY CENTER UPGRADE – ENGINEERING

Sheriff Tanner appeared to advise the Commissioners that he had requested proposals from four engineering companies, and had received proposals from three of the four for the upgrade of the County Security Center. The Commissioners agreed to hold a public meeting on March 8, 2010 at 9:00 am to interview the companies submitting proposals.

RE: COUNTY TAX STATEMENTS

County Treasurer Blessinger submitted a proposed agreement with PROFORMA for the distribution of annual property tax statements. The Treasurer advised that three proposals have been received and that PROFORMA is the lowest and best proposal. On motion duly made and seconded, the Commissioners approved the agreement.

RE: COURTHOUSE CUSTODIAN

The Auditor advised the Commissioners that the current Courthouse Custodian has now completed his first three months as a probationary employee and is performing well in filling all job requirements. It is the Auditor's recommendation that the Custodian be approved as a non-probationary employee with full pay. After discussion, on motion duly made and seconded, Custodian Hopf was placed on non-probationary status at full pay, without discount.

RE: MARCH CONTINUED MEETING

As previously announced, the Commissioners set a continued meeting for general business for March 15, 2010 at 9:00 am. That meeting is in addition to the meeting set earlier in the day for March 8, 2010.