

REGULAR MEETING DUBOIS COUNTY COMMISSIONERS

NOVEMBER 4, 2013

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 November 4, 2013. Present were Commissioners Lawrence M. Vollmer, Randall L. Fleck, and Doug M. Uebelhor. Also present were County Auditor Kathleen M. Hopf, 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 Vollmer. Minutes of the October 2013 meetings of the Commissioners had been previously distributed to the Commissioners and were approved as presented. The minutes were then signed. Incomes for the month of September, 2013 were as follows: Recorder \$14,395.41; Health Department \$16,852.87; Auditor \$58.00; Clerk \$35,374.58. 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: HIGHWAY DEPARTMENT SUPERVISOR REPORT

Supervisor Berg submitted the following report of current Department projects:

Ireland Streets Roadwork	Town of Ireland maintenance projects completed. Shoulder work being done on Schnellville Rd; striping being done on Meridian Rd, Kellerville Rd, and Cuzco Rd N.
Pickup Quotes	Department desires red truck and low bidder would increase bid price. Uebelhor would furnish red trucks at bid price \$37,464. Trade-in trucks are not in adequate condition for use by other departments. On motion duly made and seconded, the Commissioners authorized purchase for \$37,464, with trade-in to be discussed.
Former Jasper Landfill (SWD Collection Site)	IDEM is requiring installation of several methane sniffers in the area of the former landfill near Jasper. The well would be 2ft by 2ft located aside of road but in road right-of-way of CR 350. The well would be managed by the City. On motion made and seconded, the Commissioners authorized installation of the well on public right-of-way.
CR 250 E Improvement	Paul Lueken requests rock on CR 250 E, a dirt road. The Commissioners stated that improvement must be done at landowner's expense.

RE: MARILYN HOPSTER – AMBULANCE ACCIDENT

Marilyn Hopster appeared to discuss an accident in which an ambulance struck the Hopster vehicle, with neither vehicle being over the center line. Because neither vehicle was over the center line, there was no violation of law and neither vehicle was at fault. The Sheriff stated that logically the larger vehicle (ambulance) would be required to run closer to the center line. The Sheriff stated that there was no violation, but that the ambulance was probably crowding the centerline and would probably be more towards the center than Hopster, and that he recommended that the County pay the damage. After discussion, the Commissioners tabled a decision until they had time to review the data submitted.

RE: SOLAR SOURCES – 700 W CLOSURE HEARING

It being 9:30 am, being the time advertised for hearing and proofs of publication being presented, and no member of the public being present to object to the closing of CR 700 W, north of CR 580 N, for a period of 5 years, and the Highway Supervisor reporting that all paper work had been reviewed and approved, on motion duly made and seconded, the Commissioners approved the petition to close CR 700 W for 5 years.

It was also requested by Solar Sources that the County extend the closing of CR 700 W south of CR 580 N for an additional 5 year period. The subject road is being used, as agreed, as a haul road for the entire mining operation, thus saving use of and damage to other County roads. On motion duly made and seconded, the Commissioners agreed to continue the closing of CR 700 W, south of 580 N, for 5 years.

RE: HIGHWAY DEPARTMENT – CHANGE ORDER

Ann Messmer, Highway Department Clerk, submitted the following change orders on paving projects:

Project DR 13-05 Schnellville Rd . Dave O'Mara	(\$1,171.57)
DR 13-05 Cuzco Rd N . Gohmann Asphalt	\$14,403.87
DR 13-10 Beaver Lake Rd . Dave O'Mara	\$553.94

On motion duly made and seconded, the Commissioners approved the change orders.

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RE: AMBULANCE BIDS

Suzan Henke, Ambulance Service Director, reported that as requested by the Commissioners, the Department had contacted local emergency agencies and determined that the Ireland Fire Department would have need of the trade-in vehicle. After discussion, on motion duly made and seconded, the Commissioners authorized transfer of the trade-in vehicle to Ireland Fire, and the purchase of the new vehicle without trade-in, as previously bid.

RE: SRI – COMMISSIONERS SALE

Glen Luedtke of SRI appeared to discuss the tax sale conducted by SRI for the County. He stated that 19 tracts were not sold at the sale. The City of Huntingburg has requested 7 sites to be conveyed to the City, leaving 12 sites to be sold by the County, of which 3 are oil/gas interests, leaving 9 properties for public sale, probably to adjacent property owners at reduced price, under IC 6-1.1-24-6.1. On motion duly made and seconded, the Commissioners authorized the transfer of real estate as requested by Huntingburg, subject to County cost. Further, on motion duly made and seconded, the Commissioners approved sale of the 9 tracts at public sale. The attorney was given a copy of a proposed addendum with SRI for the additional sale services.

RE: 4-H FAIR PROJECTS

Dan Collignon, 4-H Fair President, appeared to discuss improvements required at the Fair Grounds, including parking lot pad and ramp and 630 feet of retaining wall repairs. It is requested that the Highway Department workers provide labor, with reimbursement back to Highway Department by 4-H Council. Eight weeks of labor would be required. Material costs and labor costs would be requested from County Council. Work would probably be done in 2014.

RE: HIGHWAY ENGINEER'S REPORT

County Engineer Heile submitted the following report of project:

Bridge #250 (Ruxer Bridge)	Rehab of bridge will require 2 months of closure, at estimated cost of \$400,000. Will require spec be prepared. Engineering will be approximately \$35,000. Commissioners authorized Engineer to request \$400,000 appropriation from County Council.
Claim . Bridge #114	On recommendation of the Engineer and on motion made and seconded, the Commissioners approved and authorized payment of claim from Blackenberger Bros for \$20,518.97 for closeout of costs on Bridge #114.
Claim . ADA Transition Plan	On recommendation of the Engineer and on motion made and seconded the Commissioners approved and authorized payment of claim of \$258.37 from Bernardin Lochmueller on ADA Transition project services.
Traffic Analyzer & Related Items	On recommendation of the Engineer and on motion duly made and seconded, the Commissioners authorized replacement of the Departments traffic count equipment from Hoosiers Company at a cost of \$4,437 and authorized disposal of the old system, which is outdated and can no longer be serviced.

RE: SURPLUS CHAIRS

On motion duly made and seconded, the Commissioners declared as surplus and of no value, and authorized disposal of, the former chairs from Commissioners Room.

RE: MAXIMUS CONSULTING SERVICE

On recommendation of the County Auditor and Circuit Court, on motion duly made and seconded, the Commissioners approved a professional consulting service agreement with Maximus Consulting Services for IV-D services.

RE: GREATER DOWNTOWN JASPER BUSINESS ASSOCIATION

On request from the Greater Downtown Jasper Business Association, and on motion duly made and seconded, the Commissioners authorized placement of Santa's House on the west Courthouse lawn from Nov 27 to Jan 10, and authorized use of basement restrooms for public use on Dec 6 from 5 pm to 8 pm, on Dec 7 from 8 am to 5 pm, and on December 8 from 12:00 noon to 4 pm.

RE: CORONER OFFICE – EMPLOYEES

The Auditor reported that the Coroner had filed a claim for stipends for deputies who had attended State training sessions. This was the first time such stipends have been claimed. While most of the deputies receive

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salaries, two are volunteers who receive no compensation. To be consistent with other offices, extra compensation is not paid for such educational trip. However, mileage is paid and seminar fees are paid. After discussion, it was the position of the Commissioners that fees would be paid and that stipends would be paid to volunteers who receive no other compensation, but that stipends should not be paid to compensated deputies.

RE: HEALTH WELLNESS PROGRAM

On motion duly made and seconded, the Commissioners agreed to establish a committee to promote Health Wellness practices and lifestyle among County employees. The programs will benefit the employees both health wise and financially and will be financially beneficial to the County. The initial committee will consist of Doug Uebelhor, Donna Oeding, Steve Berg, Nick Hostetter, Ann Messmer and Sheryl Sendelweck.

RE: FUTURE MEETING

The Commissioners determined that future meetings of the Commissioners will be held on November 18, December 2 and December 16, 2013, all meetings to begin at 9:00 am at the Dubois County Courthouse Annex.

RE: MARILYN HOPSTER DAMAGE REQUEST

The Commissioners then returned to discussion regarding the request of Marilyn Hopster for damages to her vehicle, as discussed earlier in the meeting. After extended discussion between the Commissioners and those County officials present, it was the determination of the Commissioners that no liability had been shown as to any County employee, that no negligence had been shown, that each party using public roads assume a certain amount of risk which is not covered by reimbursement for damage, and that the County had no obligation to reimburse Mrs. Hopster for her damage.

RE: COUNTY SUBDIVISION ORDINANCE – MOBILE HOME

The County has heretofore established exceptions to the rule that any split from existing tracts must contain not less than 10 acres. The exceptions include: if subdivided; if a family farm residence exists; and if a residence existed prior to the adoption of the Subdivision ordinance. Question has been presented regarding a mobile home residence which existed prior to the ordinance adoption, and whether the exception mobile home must be the same as existed at time of adoption. It was the determination of the Commissioners that a mobile home is a residence and would qualify, and that by the nature of mobile home, the mobile home on an existing site will change from time to time and will satisfy the exemption rule.