

**REGULAR MEETING OF THE JASPER COUNTY BOARD OF COMMISSIONERS**  
**October 6, 2014**

The Jasper County Board of Commissioners met this date at 8:15 A.M. in the Commissioners' Room, Suite 202, of the Jasper County Courthouse located at 115 West Washington Street, Rensselaer, Indiana, with the following members present: Kendell Culp, Richard E. Maxwell and James A. Walstra. Also present was the Auditor of Jasper County, Kimberly K. Grow; Deputy Auditor, Donna J. Horner; Highway Engineer/Supervisor, Jack R. Haberlin and the Attorney who represents the Commissioners, Eric Beaver. The meeting was called to order and those present stood and recited the Pledge of Allegiance by Jack Fagen, Financial Arts, Inc.

CLAIMS: Mr. Maxwell made a motion to approve the claims as presented. Mr. Walstra seconded and the motion carried.

PAYROLL CLAIM & ALLOWANCE DOCKET(S): Mr. Walstra made a motion to approve the Payroll Claim & Allowance Docket(s) for the check dates equal to September 15, 2014 and September 30, 2014. Mr. Maxwell seconded and the motion carried.

MINUTES: Mr. Walstra made a motion to approve the Minutes of the Regular Meeting held on September 2, 2014. Mr. Maxwell seconded and the motion carried.

EXTERIOR MASONRY PRESERVATION / COURTHOUSE: Donnie J. Furry, President / Midwest Restoration, was present to update the Commissioners on the exterior masonry preservation project that is currently taking place at the courthouse. Mr. Furry explained that the high pressure washing is around 600 psi. You don't necessarily use the high pressure to find voids in the building; however, it does find them. The sealer is made by the same manufacturer that we are using for the stone repair. The sealer really increases the life of the mortar joints which is where you will find the worse wear on a building like this. The water proofing provides for extra protection and does carry a 10-year manufacturer's warranty. Mr. Culp asked if Mr. Furry has used this particular product before? Mr. Furry replied that they have used similar products; however, they have not used the one by this manufacturer. Sean Mettert, Etica Group, stated that the alternate cost of the sealant for the limestone is \$64,075.00. Mr. Furry stated that they are in the process of issuing to the architect what would be part of Change Order #1. This would include the deduction of the north and south landings resulting in \$53,390.00 being deducted from the original contract. In the base contract, there is also a contingency fund of \$5,000.00 that we have not used for anything. In response to a question from Mr. Culp, Mr. Furry replied that the tower would not be sealed. After further discussion, the decision was made to not apply sealer at this time. Mr. Furry reported that they are done cleaning the building and the mortar joints have been cut out. We are currently patching and tuckpointing. The products are weather sensitive which is why we are trying to expedite the patching. The caulking is not as weather sensitive; therefore, it will be done last. In the course of removing the voids under the windows, we found that we believe that those were louvers at one time for air flow. Instead of patching, we've decided to have stone fabricated and placed in the voids. There is a 6-8 week lead time to get the large stone for the landing and the walls.

RESOLUTION ADVOCATING HYPERBARIC OXYGEN THERAPY / VETERANS: Patrick Donnelly, Veteran Service Officer, requested that a resolution be written and sent to the State Legislature advocating the use of Hyperbaric Oxygen Therapy (HBOT) in treating Traumatic Brain Injury. This method, which has been used in other states, has a 40% success rate. After some discussion, Mr. Maxwell made a motion to approve sending a letter to our Legislatures for the treatments and therapy for TBI. Mr. Walstra seconded and the motion carried. The Commissioners will request that Mr. Donnelly draft the letter.

COMMUNITY CORRECTIONS / PERMISSION TO FILL POSITION(S): William Wakeland, Director / Community Corrections, stated that one of his full-time Correctional Officers will be retiring as of November 1. Mr. Wakeland would like permission to fill this full-time position. If the full-time position is filled with a current part-time employee, Mr. Wakeland would like permission to fill the part-time position. Mr. Maxwell made a motion to allow Mr. Wakeland to fill his vacancy of the full-time position and, should a part-time position move up and create that vacancy, then he would have permission to fill that as well. Mr. Walstra seconded and the motion carried.

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COMMUNITY CORRECTIONS / PERMISSION TO FILL POSITION(S) CON'T: Mr. Wakeland stated that, during the budget hearings, he proposed taking his full-time Administrative Assistant position and making it part-time. The full-time position would then be made into a fifth (5<sup>th</sup>) Correctional Officer position. The Council did approve the changes to be effective January 1, 2015. Mr. Wakeland would like permission to fill these positions. Mr. Walstra made a motion to approve the request. Mr. Maxwell seconded and the motion carried.

TRAINING / COMMUNITY CORRECTIONS: Mr. Wakeland requested permission for 2-4 people to attend ICAC training in Indianapolis on November 19 & 20. The cost of the training, hotel and meals will be paid out of the Work Release Fund. Mr. Maxwell made a motion to approve the request. Mr. Walstra seconded and the motion carried.

DATA SHARING AGREEMENT: Alan Shanks, Surveyor's Office, stated that since we are no longer with WTH, the agreement needs to be rewritten. Would the Commissioners be willing to look at the pricing structure? The decision was made to send the pricing structure to the GIS team for their review before coming back to the Commissioners. Attorney Beaver will work with Mr. Shanks on the rewriting of the agreement.

EASY WATER SYSTEM: Dean Freije, Easy Water System, was present to give an update on the no salt conditioners that were installed at the jail facility and the highway department approximately six (6) months ago. A proposal was submitted for conditioner systems to be placed at Community Corrections, Courthouse, Annex/Surveyor building and the Annex/Prosecutor building. Mr. Freije stated that they are currently doing business with approximately 20 counties within the state. Mr. Culp stated that he would like to propose that the Commissioners visit with the Sheriff as well as Bill Wakeland, Director / Community Corrections before proceeding.

HEALTH INSURANCE: Jack Fagen, Financial Arts, Inc, was present to review the following changes to the health insurance plan previously decided on by the Commissioners.

1. Change ambulance to the same as any other illness with a limit of \$25,000.00 for air and \$5,000.00 for ground.
2. Raise the out of pocket maximum to \$3,000.00 single and \$6,000.00 family in network / Out of network is \$6,000.00 single and \$12,000.00 family.
3. Make open enrollment from 11/15/14 to 11/30/14 if mandated.
4. Raise generic co pay at the pharmacy to \$5.00 per script with a maximum 90-day supply
5. Change the disease management to no opt out.
6. Implement the diabetes program with the meter that hook up to the computer
7. Optional blood tests for all of the employees. Since the decision was made to not make the blood tests mandatory, the minimum cost will be \$4,250.00. The price of each test is \$85.00. The reason for the minimum cost is that they are asking for a minimum of 25 employees to show up at each location. Two locations will be set up.
8. Add lab card back in at 100% benefits.
9. Give the employees the option to take the health risk assessment.
10. Raise the employee's premiums \$59.00 a month. An employee will now pay \$30.00 per pay period / \$60.00 per month for employee only coverage.

Mr. Maxwell made a motion to approve the ten (10) changes to the county's employee health plan. Mr. Walstra seconded and the motion carried. These changes will be effective January 1, 2015.

MUSKEGON RIVER YOUTH OPPORTUNITIES / AGREEMENT: Mike Sinks, Probation Office, presented the agreement with Muskegon River Youth Center. Mr. Sinks stated that we are contracting for 100 bed days rather than the 500 previously. Attorney Beaver has reviewed the agreement. Mr. Walstra made a motion to approve the agreement. Mr. Maxwell seconded and the motion carried.

REZONE / WALKER TOWNSHIP (VANMEERTEN): A request was made to change the zoning classification of real estate in Walker Township from the A1 Conservation Agriculture District to the A2 General Agricultural District. Mary Scheurich, Director / Planning & Development, explained that the applicant has a 6.65 acre tract with an existing house that they want to split in order to build a new house on an approximate 3 acre piece. The Plan Commission did unanimously approve the request. Mr. Walstra made a motion to approve **Ordinance No. 9-6-2014A**. Mr. Maxwell seconded and the motion carried.

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REZONE / WALKER TOWNSHIP (HELTON): A request was made to change the zoning classification of real estate in Walker Township from the A1 Conservation Agriculture District to the M1 Low Intensity Multiple-Family Residential District. Ms. Scheurich explained that the applicant has had two residences on their property for quite some time - one of them there as a temporary for the healthcare of Ms. Helton. The applicant would like to remove the current trailer that has been on the property as the temporary structure and build a two-family dwelling. The Plan Commission did unanimously approve the request. Mr. Maxwell made a motion to approve **Ordinance No. 9-6-2014B**. Mr. Walstra seconded and the motion carried.

REZONE / MARION TOWNSHIP (IROQUOIS BIO-ENERGY CO LLC): A request was made to change the zoning classification of real estate in Marion Township from the I2 High Intensity Industrial District to the GC General Commercial District. Ms. Scheurich explained that IBEC would like to rezone a one (1) acre parcel to general commercial for the purpose of putting a fuel pump up for the sale of their ethanol. The Plan Commission did unanimously approve the request. Mr. Walstra made a motion to approve **Ordinance No. 9-6-2014C**. Mr. Maxwell seconded and the motion carried.

ANIMAL CONTROL BOARD / INTERIM PAY: Mr. Walstra made a motion to approve the payment of \$1,000.00 to Mitzi Risner, Animal Shelter, for the time she served as Interim Director. Mr. Maxwell seconded and the motion carried.

ANIMAL CONTROL / PART-TIME: Kyler Laird, Animal Control Board, and Kristin Bahleda, Animal Control Director, requested permission to utilize the part-time employee for on-call emergencies during the time that Mitzi Risner, full-time employee, is using her accrued comp time and vacation days. Auditor Grow stated that the part-time employee cannot work over 1560 hours per year. The management of those hours is up to the Animal Control Board.

DONATION FUND / ANIMAL CONTROL: Mr. Laird stated that they would like a line item for Outreach & Education added within their Donation Fund account. Ms. Bahleda explained that having this line would allow for them to move money around to promote the shelter. Mr. Culp stated that the Commissioners had received a letter from a local Eagle Scout requesting a donation to be used towards the refurbishment of the dog kennels located in DeMotte. Would your fund allow you to donate to this? The request can be reviewed by the Animal Control Board. Mr. Laird stated that they would like to use the donation fund to reimburse expenses used for the parade float. Do we need approval from the Commissioners to do so? Mr. Laird stated that he assumes that it is up to the board to determine what the purpose of the fund is. Auditor Grow stated that, personally, she would like to contact the State Board of Accounts before paying the claim. These funds do have certain guidelines to follow. Mr. Culp advised Mr. Laird that Auditor Grow will contact the State Board of Accounts to see what the limitations and restrictions are regarding the use of that fund.

ATTORNEY / ANIMAL CONTROL: Mr. Laird stated that they have an attorney position on the board making eight (8) board members; however, we have not had an attorney attend a board meeting since I've been on which makes it harder to get a quorum. We need to either get an attorney or drop it off as a voting position. Mr. Culp asked if the attorney was considered a voting position? Ms. Bahleda explained that Pauline Boring, Board Member, stated that there are nine (9) members to the board with eight (8) members being voting positions and Ms. Bahleda's position being a non-voting position. Without an attorney, it is difficult to get a quorum. Upon request, Sheriff Risner stated that for the first few years that an attorney was present, he excused himself from all voting. They only gave advice when required. Mr. Culp stated that he would think that if the by-laws state that, they should be updated. I would not think that a hired individual would be a voting member.

VOLUNTEER POLICY AND APPLICATION: A draft of the volunteer policy and application will be mailed to the Commissioners for their review. Mr. Laird stated that they would like to get a volunteer policy in place soon. We have put a hold on having volunteers at the shelter until a policy is in place. The policy has been approved by the Animal Control Board.

COUNTY AUCTION: Sheriff Terry Risner stated that he does have three (3) vehicles plus some assorted bicycles that can be put on the county auction. Mr. Culp stated that the auction is scheduled for Saturday, November 15.

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JAIL FACILITY / UPDATE: Kurt Stevens, KB Solutions, was present to give an update on the jail progress. A progress meeting is scheduled for tomorrow morning at 9:00 a.m. Mr. Stevens stated that he is hopeful the project will be completed by the November meeting; however, he would like to continue with the monitoring at least through the winter.

Upon request, Sheriff Risner gave a short update on the communications tower.

MORGUE / UPDATE: Sheriff Risner stated that an electrician did come do a check with the Fase Center and the Annex/Morgue for the emergency back-up power system. Mr. Boersma stated that the electrician has expressed concern about using the older generator.

The cooler has now been up and running for almost four weeks. Mr. Boersma expressed concern that there is no AED at the Fase Center. There is one at the Annex/Morgue building.

Mr. Boersma requested permission to complete the wall that was not completed during the construction of the morgue. The cost would be approximately \$1,500.00. Mr. Boersma stated that he believes that he will have enough money within his funds to complete the project. Discussion took place in regards to voting. Will there still be enough room? Mr. Boersma replied that he thinks that they need to consider moving to the other side or possibly moving to the Fase Center. Mr. Maxwell made a motion to refer the decision on the completion of the wall to Mr. Walstra. Mr. Culp seconded and the motion carried.

At this time, there was a short break.

NIPSCO / SCHAHFER GENERATING STATION LANDFILL EXPANSION: Larry Graham, a representative with NIPSCO, was present to discuss a future landfill expansion at the Schahfer Generating Station. As part of the project, a request was made to consider vacating CR 250E. Depending on whether or not the road is vacated, it could be a 5-7 year permitting process to site a new landfill. The only way that the landfill can be considered an expansion is if CR 250E is vacated. In response to a question from Mr. Culp, the NIPSCO representative replied that the other two stations are basically landlocked and they have no room for a landfill; therefore, they also bring fly ash to the Schahfer Station. Mr. Maxwell asked what kind of percentage of the fly ash is coming from out of county? Mr. Graham replied that probably the majority of the overall landfill would be from the Michigan City station. The exact percentage is unknown. Further discussion took place. Sheriff Risner requested that, if the road is vacated, they maintain the area for emergency traffic. Mr. Haberlin asked if fly ash would ever be brought in from somewhere else? Mr. Graham replied that the permit is specific to NIPSCO. We could not bring in fly ash from anywhere or anyone else other than NIPSCO. Bernard Seegers, concerned citizen, expressed concern in regards to the hardship that could be caused to the farmers by taking away this possible route. Mr. Culp stated that the first step would be to schedule a hearing. With this being harvest time and the concern brought up regarding farmers, Mr. Culp stated that he is not sure that 30-days notice would be adequate. If we are going to schedule a hearing, I would rather schedule it for 60 days out. Attorney Beaver stated that there is a statute that provides for an adjoining landowner to file a petition with the Commissioners. The public hearing would be held to address the petition.

AIRPORT / UPDATE: Brad Cozza, Airport Manager, reported that the drain work that had previously been approved is currently underway. The work had been delayed due to weather.

Approval was requested to include up to two (2) vehicles in the county auction. Mr. Cozza will get the details to the Auditor's office.

ECONOMIC DEVELOPMENT ORGANIZATION / UPDATE: Kevin Kelly, Director / Jasper County Economic Development Organization, reported that the City of Rensselaer has approached him about the former Rensselaer School Corporation Administration Building. We are looking at this for possible relocation. The main floor of the building is 2400 square feet and the upstairs is an estimated 1600-1800 square feet. Mr. Kelly suggested the possibility of the county utilizing the second floor as possible office space or off-site storage.

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PRAIRIE RIDGE SUBDIVISION / OVERGROWN WEEDS: Matt Lubarski, concerned citizen, stated that he moved into Prairie Ridge Subdivision approximately two years ago. The property has approximately 14 undeveloped lots that are one or more acres in size. Michelle Taylor, Health Department, has identified the owners of the lots as Leroy and Patsy Hershman. The weeds on these undeveloped lots are normally mowed twice per year. This year, upon request from Ms. Taylor, the weeds were mowed once. Mr. Lubarski has contacted the township trustee who stated that they did not have any control over weeds in our area and that her only responsibility is poor relief; however, according to Indiana State Statute, she is responsible. Pictures of the undeveloped lots were displayed. Is there anything that can be done to make sure that these properties are maintained on a regular basis? Mr. Walstra stated that he will take care of the issue.

HOOSIER S.T.A.R.T. ANNUAL PLAN REVIEW: Auditor Grow distributed information in regards to the Hoosier S.T.A.R.T. Annual Plan Review.

SCHNEIDER / AUTHORIZATION TO PROCEED: Kim Grow, Auditor, submitted an Authorization to Proceed that will allow Schneider Corporation to complete up to 170 split / combinations per year for the County. Mr. Walstra made a motion to approve the Authorization to Proceed with Schneider Corporation for parcel maintenance. Mr. Maxwell seconded and the motion carried.

MILEAGE CLAIM / TOURISM COMMISSION: Ms. Grow submitted two mileage claims by the Tourism Commission for approval. Mr. Culp explained to Kevin Kelly, Economic Development Director, that there are a couple of issues that need to be addressed. The first is that there is a mileage claim form that the county utilizes that would show odometer readings. The second issue is that JCEDO pays at the IRS rate and the county pays at \$.44. Mr. Kelly replied that they use the IRS rate which is \$.56 per mile. We are a 501c3 corporation and that has been the policy of our organization. JCEDO is basically staffing the tourism commission and the tourism commission is paying back our marginal expenses. Mr. Kelly stated that it's easier to pay the rate at \$.56. Mr. Maxwell stated that it's not easy for me to pay someone else \$.56 when all of the other county employees are paid \$.44. Mr. Kelly replied that we're not county employees....we're contractors. Mr. Culp stated that the question is do we recognize the difference? Attorney Beaver stated that there may be a Department of Local Government Finance regulation that sets some of these rates. The State of Indiana has a rate that is less than the IRS as well. Mr. Kelly stated that the amount of the mileage rate that isn't paid by the county on behalf of the tourism commission will be paid through JCEDO. This will require two sets of books. After further discussion, Mr. Maxwell made a motion to pay the mileage claims submitted on behalf of the tourism commission at the county rate. Mr. Walstra seconded and the motion carried.

GRANT APPLICATION FORM / RECYCLING COSTS REIMBURSEMENT: Mr. Maxwell made a motion to approve the grant application form to be submitted to the Northwest Indiana Solid Waste District for recycling costs reimbursement. Mr. Walstra seconded and the motion carried.

EMPLOYEE BOND: Mr. Maxwell made a motion to approve the employee bond for Cheryl C. Ekstrom, Clerk Registrar / Health Department. Mr. Walstra seconded and the motion carried.

COMPENSATORY TIME / REQUEST TO EXTEND: William Wakeland, Director / Community Corrections, has requested permission for Melinda Scheffer, Work Release Supervisor, and Regina Coulter, Electronic Monitoring Supervisor, to extend the use of their comp time until December 20 due to being short two part-time Correctional Officers. Permission was also requested by Donna Horner, Deputy Auditor, to extend approximately 4 days of comp time until the end of the year. Mr. Maxwell made a motion to approve the requests. Mr. Walstra seconded and the motion carried.

ELECTION ADMINISTRATOR'S CONFERENCE / CLERK: Vickie Bozell, Clerk, has requested approval for herself and one deputy to attend the 2015 Election Administrator's Conference in Indianapolis on December 15-17. The costs incurred will be registration fees, lodging and meals. The county vehicle will be used. Mr. Maxwell made a motion to approve the request. Mr. Walstra seconded and the motion carried.

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BEST PRACTICE WORKSHOP / PROSECUTING ATTORNEY: Christine Haskell, Prosecuting Attorney, advised per letter that Kim Hitchcock, IV-D Director, and herself attended the Best Practice Workshop conducted by the Indiana Prosecuting Attorneys Council. The event was held on September 25 & 26 in Syracuse. Hotel and other expenses will be paid from the IV-D Incentive Fund. Mr. Walstra made a motion to approve. Mr. Maxwell seconded and the motion carried.

VETERAN SERVICE OFFICER / QUARTERLY MEETING: Patrick Donnelly, VSO, will be attending the quarterly meeting at Asera Cara in Valparaiso on October 16 at 11:00 A.M. This meeting concerns the We Honor Veterans Hospice Program. This is Mr. Donnelly's scheduled day off; therefore, he will be turning in his time and mileage from his home. Mr. Maxwell made a motion to approve. Mr. Walstra seconded and the motion carried.

METH LAB SUMMIT / HEALTH DEPARTMENT: Michele Taylor and Amy Todd have requested permission to attend a Meth Lab Summit in Indianapolis on October 28. If available, the county car will be used. Mr. Walstra made a motion to approve. Mr. Maxwell seconded and the motion carried.

COMMISSIONERS CONFERENCE: Mr. Haberlin requested permission to attend Commissioners' Conference from December 1-4 in Indianapolis. Mr. Walstra made a motion to approve. Mr. Maxwell seconded and the motion carried.

AUDITOR'S CONFERENCE: Auditor Grow requested permission for herself and two (2) deputies to attend the fall auditor's conference to be held on October 21-24 in Indianapolis. The costs will include hotel and meals. Mr. Walstra made a motion to approve. Mr. Maxwell seconded and the motion carried.

EPSILON SIGMA PHI CONFERENCE / EXTENSION: Bryan Overstreet, Extension Educator, requested permission to use monies from the Extension budget's Professional Improvement Fund to attend the National Epsilon Sigma Phi (ESP) conference in Indianapolis. ESP is an organization for Extension professionals that have at least 5 years of experience. The conference starts on October 6 and ends on the 9<sup>th</sup>. Purdue Extension will also be holding their Professional Development Conference October 15-17. Anna Williams, Alice Smith and Mr. Overstreet will be attending this program. This program is fully funded by Purdue University. Mr. Maxwell made a motion to approve the request. Mr. Walstra seconded and the motion carried.

TRUCK / WEED BOARD REPLACEMENT: The following quotes were submitted for a new truck to replace the one used by the Weed Board.

Wiers Chevrolet Cadillac & GMC, DeMotte	\$27,336.00.
Gutwein Motor Company, Monon	\$27,419.00
Fieldhouse Ford Mercury, DeMotte	\$27,332.00

Mr. Maxwell stated that Homer Lakin, Head Mechanic / Highway Garage, expressed concern with the purchase of a Ford pick-up due to the amount of time and labor that are involved with the installation of a snow plow. Mr. Walstra made a motion to purchase the Chevy pick-up truck from Wiers. Mr. Maxwell seconded and the motion carried. After some discussion, the decision was made to pay for the new truck out of the new equipment line within the Highway Department's budget. The Highway Department will keep the new truck and an older truck will be given to the Weed Board for their use.

SNOW EMERGENCY VIOLATION / SETTLEMENT AGREEMENT: Attorney Beaver submitted the lawsuit that he filed on behalf of the County regarding the emergency ordinance. A tentative agreement has been entered into subject to the Commissioners' approval. A judgment would be entered against the defendant stating that he would pay \$400.00 plus the court costs. Mr. Maxwell made a motion to approve the settlement agreement as a result of the snow emergency violation. Mr. Walstra seconded and the motion carried.

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COUNTY ROAD 1000N / JASPER-PULASKI FISH AND WILDLIFE AREA: In regards to the vacate of CR 1000N, Attorney Beaver stated that he has been unable to confirm that there is a right-of-way owned by the County. The adjoining landowners of the property may file a petition with the Commissioners. Attorney Beaver stated that his thought is that the DNR has come to the County with this proposal and we would invite the DNR to perform a title search to see if there is a right-of-way that actually exists. The County's records do not have this listed as a right-of-way and the road is also not part of the County's road inventory with the State Department of Transportation.

**AFTER THE JASPER COUNTY DRAINAGE BOARD MEETING:**

There being no further business, Mr. Walstra made a motion to continue the meeting until October 20, 2014 on an as needed basis only. Mr. Maxwell seconded and the motion carried.

**JASPER COUNTY BOARD OF COMMISSIONERS:**

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Kendell Culp, President

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James A. Walstra, Vice President

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Richard E. Maxwell, Member

ATTEST:

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Kimberly K. Grow, Auditor of Jasper County

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