

The Pulaski County Board of Commissioners convened in Regular Session at 6:00 p.m. Eastern Time in the Commissioner's Room, at the Courthouse in Winamac, Indiana, the call to order by Larry L. Brady, President. Upon the Pledge of Allegiance the meeting began. Present also was Tracey Shorter, Vice-President, Terry L. Young, Commissioners, Kevin Tankersley, County Attorney and Shelia K. Garling, Auditor.

Also present, other than those who are on the agenda, were: Amber Tomlinson, Mark Dickerson, Jeff Richwine, Jason Bunger, Anita Goodan, Michael T. Tiede, Bob White, Mashall Roudebush, Garry L. Brady, Larry Rausch, Raymond Hansen, Dr. Rex Allman and Sherry Fagner.

**IN RE: COMMISSIONERS MINUTES**

The Minutes of the Commissioners Meeting of May 5, 2014, were approved as submitted upon a motion by Tracey Shorter, seconded by Terry L. Young. Motion carried.

**IN RE: PAYROLL & OTHER CLAIMS AND ALLOWANCES**

Payroll claims for the period (Hourly: April 13, 2014 – April 26, 2014) were received, considered and action taken thereon as shown on the Payroll Claim & Allowance Docket they were paid on May 9, 2014.

Regular Claims & Allowance Docket dated May 19, 2014 were received, considered, and action taken thereon as shown. Motion made by Tracey Shorter to pay claims and payroll as presented, seconded by Terry L. Young. Motion carried.

**IN RE: HIGHWAY REPORT**

Comes now, Mark Fox, Superintendent, the culverts pretty well caught up for spring, want to start berming and then we will start paving. We would like to start berming next week. We have several paving jobs, a few are more expensive than estimated because of the winter we had. I don't have the total mileage yet to be paved. We did get the new mower order and the truck is ordered with an 8 week lead time. The Mack Truck is ordered, with 6 months before we will receive. Motion made by Tracey Shorter to approve conference request for Mark & Travis to attend IACHES Conference on June 4 & 5, 2014. Seconded by Terry L. Young. Motion carried.

**IN RE: T.V. CABLE IS PURCHASED BY PULASKI-WHITE RURAL TELEPHONE**

Comes now, Erik Galbreath, TV Cable and Mark Dickinson Pulaski-White Rural Telephone, Pulaski-White Rural Telephone has purchased the TV Cable franchise. The resolution says that they will move the franchise from them to us. Pulaski-White Rural Telephone has entered into an agreement with the TV Cable from Rensselaer. Motion made to accept and sign the resolution by Tracey Shorter, seconded by Terry L. Young. Motion carried.

**A RESOLUTION PROVIDING APPROVAL FOR ASSIGNMENT TO PULASKI WHITE COMMUNICATIONS, INC. OF THE CABLE TELEVISION FRANCHISE**

Resolution # 2014-004

**WHEREAS**, Pulaski County, Indiana ("Franchising Authority") has granted a cable television franchise ("Franchise") to TV Cable of Winamac, Inc. ("Franchisee"); and

**WHEREAS**, on April 25, 2014 TV Cable of Winamac, Inc. ("TV Cable of Winamac") executed an Asset Purchase Agreement contemplates a sale of substantially all of its assets ("Transaction" to Pulaski-White communications, Inc. ("Pulaski White"); and

**WHEREAS**, upon closing of the Transaction, Pulaski White expressly agrees to assume the obligations under the Franchise; and

**WHEREAS**, the Franchising authority wishes to grant its approval for the Transaction as described above;

**NOW, THEREFORE, BE IT RESOLVED BY FRANCHISING AUTHORITY;**

Section 1. The Franchising authority hereby approves the Transaction.

Section 2. Upon closing of the Transaction, Pulaski White shall assume the obligations under the Franchise.

Section 3. This Resolution shall have the force of a continuing agreement with TV Cable of Winamac and Transferee and the Franchising Authority shall not amend or otherwise alter this Resolution without the consent of TV Cable of Winamac and Transferee.

Section 4. This Resolution shall become effective immediately upon passage by the Franchising Authority.

**ADOPTED, SIGNED and APPROVED this 19<sup>th</sup> day of May, 2014.**

Pulaski County Commissioner  
/s/ Larry L. Brady, President

ATTEST: /s/ Shelia K. Garling  
Auditor, Pulaski County

**IN RE: MAINTENANCE CLARIFICATION**

Comes now, Jeff Johnston, Manager, to clarify his job by reading a statement to the Commissioners.

Emergency meetings regarding the open door law. We have to comply with the open door law.

Raising the limit for purchases before coming to the Commissioners for approval, Larry L. Brady entertained a motion for Kevin Tankersley, County Attorney to do a resolution regarding the spending limit. Motion made to by Terry L. Young to raise the spending limit for Maintenance to \$2,500.00. Seconded by Tracey Shorter. Motion carried. The other department heads will be contacted regarding this issue. Also the Emergency meeting protocol for the department heads to read and approve.

**IN RE: EMS REPORT**

Comes now, Nikki Lowry, Manager don't have much to report. March calls were 82, Aprils were 104 of which 25 were transfers. We currently have 3 working ambulance. Credit was given on great effort in tracking the numbers, on

transfers. RPI's emailed to you, did you received; I have heard nothing from the insurance adjuster. Jason Bunger commented regarding the ambulance that was in the fire.

**MAY 19, 2014**

**REGULAR SESSION**

**COUNTY COMMISSIONERS**

**IN RE: TRANSFER STATION/RECYCLING REPORT**

Comes now, Ed Clark, Manager to give his monthly report. The Horizontal balers belts (2) were repaired, the cylinder was leaking and got it repaired. Horizontal baler that will be used tomorrow #2 sorted plastics. We are sorting, selling and baling, we will keep doing what we are doing.

I had a part time person quit, may not replace. I have a full time employee that will possible resign he has not signed off on this, he has given me a medical release for not being able to work.

Tracey Shorter asked if the fork lift was repaired. I called and he didn't call back. We are using his fork lift till we hear from him. Rental for the fork lift was \$200.00 a week.

**IN RE: CDC REPORT**

Comes now, Terry Howard, CDC assistance, to give the unemployment rates. Reminder, the CDC meets on Tuesday June 3, 2014 at 7:00 p.m. Territorial Engineering will be presenting on West side rail study. The website project should be live by mid-June.

**IN RE: COMMUNITY GARDEN**

Comes now, Natalie Federer and Debra Winters Extension office, is requesting to utilize some ground and have a community garden behind the county annex. They would be 6-8 raised beds for the garden. On June 5 the Boy Scout will help build the beds and the food would be used for families, anything left would go to the food pantry. Motion made by Tracey Shorter to approve from the extension to put in a community garden. Seconded by Terry L. Young. Motion carried.

**IN RE: BUILDING INSPECTOR REPORT & RESOLUTIONS**

Comes now, David Dare, Building Inspector and David Weber, Assistant. David Weber is requesting to have an Resolution on the Wind Ordinance approved. Since then we have had no interest in leasing the land. Motion made by Tracey Shorter to approve, seconded by Terry L. Young. Motion carried.

**RESOLUTION: AMENDMENTS TO THE WIND ENERGY ORDINANCE  
Resolution # 2014-002**

**This resolution of the Pulaski County Board of Commissioners is effective this 19<sup>th</sup> day of May, 2014.**

**WHEREAS** the Pulaski County Wind Energy Ordinance lacks both a fee schedule and definitions, now be it resolved and established that the Pulaski County board of Commissioners amend the Wind Energy Ordinance by the following:

- 1) The addition of Section 1.5 Definitions to the Table of Contents
- 2) The addition of Section 1.6 Fee Schedule to the Table of Contents
- 3) The addition of the following sections under 1.5 Definitions:

**1.5 Definitions:**

A) Meteorological Tower: A tower that hosts weather instrumentation to evaluate meteorological conditions.

B) WECS, Commercial: A WECS that is designed and built to provide electricity to the electric utility's power grid: In general, a commercial WECS will have 100 KW (kilowatt) and above total generating capacity.

C Micro-WECS : a type of non-commercial WECS which typically has a total generating capacity of 10 kilowatts or less and utilizing supporting towers of sixty (60) feet or less.

D) WECS: Non-Commercial: In general, a non-commercial WECS has less than 40 kilowatts in total generating capacity. A Non-Commercial WECS is generally designed and built for localized power consumption.

E) WIND FARM: a wind farm is a collection of wind turbines in the same location and used for the generation of electricity.

F) "Owner" means the entity or entities with an equity interest in the WECS (s), including their respective successors and assigns. Owner does not mean the property owner from whom land is leased for locating the WECS (unless the property owner has an equity interest in the WECS); or any person holding a security interest in the WECS(s) solely to secure an extension of credit, or a person foreclosing on such security interest provided that after foreclosure, such person seeks to sell the WECS(s) within one year of such event.

G: "Applicant" means the entity or person who submits to the County, an application for the siting of any WECS or Substation or thereafter operates or owns a WECS.

H: "Operator" means the entity responsible for the day-to-day operation and maintenance of the WECS, including any third party subcontractors.

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**IN RE: BUILDING INSPECTOR & RESOLUTION (CONT.)**

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1.6 FEE SCHEDULE:

A) Meteorological Tower = One hundred seventy five dollars (\$175.00) per tower

B) Commercial WECS = 1) \$20,000.00 per Special Exception Application Fee per phase:

C) Micro – WECS = \$175.00 per turbine:

D) Non – Commercial WECS = \$300.00 per turbine.

2) An Improvement Location Permit (Building Permit) Fee of one thousand seven hundred dollars (\$1,750.00) per megawatt per phase to be pro-rated to determine a permit fee for fractional megawatt capacity for a commercial WECS only.

Resolved and Established this 19<sup>th</sup> day of May, 2014

**PULASKI COUNTY COMMISSIONERS**

/s/ Larry Brady, President

/s/ Tracey Shorter, Vice-President

/s/ Terry L. Young

ATTEST: /s/ Shelia K. Garling,  
Auditor, Pulaski County

**IN RE: RESOLUTION: PETITION TO RE-ZONE**

Resolution to rezone 7 parcels of land. Motion to approve made on May 5, 2014.

**RESOLUTION: PETITION TO RE-ZONE:**

Resolution # 2014-003

This resolution of the Pulaski county Board of Commissioners is effective this 5<sup>th</sup> day of May, 2014.

**WHEREAS**, the following parcels of land are zoned RR 1:  
66-07-28-301-001.000-010

**AND WHEREAS** the following parcels of land are zoned R1:

66-07-28-301-001.000-010  
66-07-28-301-002.000-010  
66-07-28-301-003.000-010  
66-07-28-301-004.000-010  
66-07-28-301-005.000-010  
66-07-28-301-006.000-010  
66-07-28-301-007.000-010

GENERALLY KNOW AS MOSS CREEK ACRES SUBDIVISION:

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NOW THEREFORE BE IT RESOLVED AND ESTABLISHED BY THE BOARD OF COMMISSIONERS OF PULASKI COUNTY:

That by a request brought by petitioner Doug McKinley:

1) That all the above identified parcels identified as Moss Creek Acres Subdivision be **RE-ZONED** from RR1 (Recreational and R1 (Residential) respectively to **A1 (Agricultural)**.

**RESOLVED AND ESTABLISHED THIS 5<sup>TH</sup> DAY OF MAY, 2014**

**PULASKI COUNTY COMMISSIONERS**

/s/ Larry L. Brady, President

/s/ Tracey Shorter, Vice-President

/s/ Terry L. Young

ATTEST: /s/ Shelia K. Garling  
Auditor, Pulaski County

Comes now, David Dare regarding order to repair, rehabilitate or demolish unsafe premises of Lawrence R. Sears at 408 N US 421, Medaryville IN 47957, Mashell Roudebush as a public advocate, ask if we had checked to see if he is having medical issues. Motion made by Terry L. Young to delay demolishing till July 21, 2014. Strike the first motion. New Motion made by Terry L. Young to delay the order from the building department to rehab or demolish the property in Medaryville. Seconded by Tracey Shorter. Motion carried.

A letter from Michael T. Tiede, former Commissioner to support the Commissioners on the order for the unsafe building on 421 Medaryville IN.

Storm sewer over flow water does not have a cover on it, it's 3 foot wide. In a residential area, rotten guard (call Terri Hansen) will check into.

**IN RE: GENERATOR FOR HEALTH DEPARTMENT**

Comes now, Terri Hansen, Health Department and Dr. Rex Allman, Medical Director, we are wondering from the article. Jeff Johnston, Maintenance Director is working with the Town of Winamac is looking into How much electricity is being consumed by your building and the county home also. We have 5 portable generators that we can hook up certain things. We are looking at putting a plug into the building that would run anything.

**MAY 19, 2014**

**REGULAR SESSION**

**COUNTY COMMISSIONERS**

**IN RE: GENERATOR FOR COUNTY HOME**

Comes now, Debora Girton, Superintendent, Bob White, Mashell Roudebush and Larry Rausch the County Home Board regarding the generator for the county home. Bob White had heard the Sheriff Gayer, may have had a handle on some generators from Texas. Do we know anything on this?

**IN RE: CONFERENCE APPROVALS**

Motion made by Terry L. Young to approve Conference request, seconded by Tracey Shorter. Motion carried. Larry L. Brady to attend IACC District meeting in Plymouth on June 11, 2014. For Larry L. Brady to attend the Veterans Outreach Event on May 29, 2014 at Ivy Tech College in Richmond IN. For Steven VanDerAa and employee to attend the Coroner's Conference on June 19 – 22, 2014 in Indianapolis IN.

Motion made by Tracey Shorter to approve Conference request, seconded by Terry L. Young. Motion carried. Shelia Garling and Holly Hoover to attend state call Auditors conference by the SBOA on May 13, 14, 15, 2014 in Indianapolis IN. For Tina Dunn to attend Training session in Plymouth IN on May 8, 2014. For Christi Hoffa to attend the Northwest Indiana County Recorders District Meeting in Middlebury IN on July 23, 2014.

**IN RE: ON-SITE HEALTH SCREENING SERVICES**

Motion made by Tracey Shorter to approve on-site Health Screening Services on July 17, 2014. Seconded by Terry L. Young. Motion carried.

**IN RE: CONGRESSIONAL SCHOOL FUND REPORT**

Motion made by Terry L. Young to approve the Congressional School Fund Report for 2014. Seconded by Tracey Shorter. Motion carried.

**IN RE: TRANSFER OF TITLE OF VEHICLES**

The transfer of titles of vehicles will be paid from the Commissioners budget because the vehicles are titled to the Commissioners.

**IN RE: NIPSCO POWER LINES**

Larry L. Brady has been in contact with NIPSCO. This is an email that was received and was read:

"I apologize for the delayed response. Regarding your inquiry about any road damage that may be caused by construction of the Reynolds Topeka transmission line, NIPSCO and its contractors take measures prior to and during construction to minimize any damage, however damage does sometimes occur (contractor's trucks hauling heavy equipment or materials to the job is a good example). In these instances a claim should be sent to NIPSCO so we can determine responsibility for any road damage and repairs. Repair requirements are typically spelled out in the permits and/or licenses that we (or our contractors) pull for construction within each jurisdiction's boundaries and/or road ROW. You can submit a claim to Larry Graham, Public Outreach Manager at NIPSCO at [ljgraham@nipsco.com](mailto:ljgraham@nipsco.com) or through the Reynolds Topeka website."

**IN RE: VERIZON GOVERNMENT PLAN**

The Commissioners approved to move forward with the Government Plan for our cell phones.

**IN RE: NO GPS SERVICE AFTER THORNHOPE**

Mashell Roudebush commented on no GPS on the phone once you're past Thornhope.

**PUBLIC COMMENT:**

Larry L. Brady commented: We will take employee applications at any time. We encourage you to fill an application out and we will keep it on file for 1(one) year.

The meeting was adjourned at 8:10 p.m. Motion made by Tracey Shorter, seconded by Terry L. Young. Motion carried. The next regular meeting will be held on Monday, June 2, 2014 in the Commissioners Room, in the Courthouse at 6:00 p.m. Eastern Time.

Signed and dated this 2nd day of June, 2014

**PULASKI COUNTY BOARD OF COMMISSIONERS**

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Larry L. Brady, President

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Tracey Shorter, Vice-President

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Terry L. Young

ATTEST: \_\_\_\_\_  
Shelia K. Garling, Auditor, Pulaski County

