

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, Anita Goodan, Holly Hoover, Larry Hoover, Jay Podell, Pam Chumley, Bryanne Lockridge, Amber Lockridge, Jamie Keller, David Weber, David Dare, Bud Krohn Jr., and Barbara Whitaker.

IN RE: COMMISSIONERS MINUTES

The Minutes of the Commissioners Meeting of June 2, 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: May 11, 2014 – May 24, 2014) were received, considered and action taken thereon as shown on the Payroll Claim & Allowance Docket they were paid on June 6, 2014.

Regular Claims & Allowance Docket dated June 16, 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, he wants to advertise the tractor for bids. Will open the bids on July 21, 2014 at 6:00 pm. Last week, finished cutting berm, all mowers are running, we are still patching. I have an attentive list for paving county roads. We plan on starting Wednesday.

They are doing a survey regarding the money we receive from fuel tax that is coming to the highway. Mark has not received it, but Larry will forward it to Mark.

The 2nd dump truck is ordered. Getting it from the same agency we got the other one.

IN RE: MAINTENANCE REPORT

Comes now, Jeff Johnston, Manager, the budget for 2015 has been submitted. We have replaced the full time person that left.

Had water damage to the Judges bathroom in the courthouse. The bathroom was fixed.

The justice Center water heater needs replaced, I have 2 quotes, one from Benchmark for \$9,950.00, today I also received a quote from Action for \$6,000.00. Motion made by Terry L. Young to move forward in replacement of water heater for the Justice Center, with the final quotes. Seconded by Tracey Shorter. Motion Carried.

The Assessor window to replace, Starke Count Glass for \$1,315.00, Rochester glass \$1,825.00 no different in materials. Motion made by Tracey Shorter to have Starke County Glass to repair the Assessor's window. Seconded by Terry L. Young. Motion Carried.

The Annex stucco, the original contractor who was going to fix it is incarcerated. Will Schambers will fix the stucco at the end of June. The handicap buttons have been fixed. The concrete fountain is gone, it was cracked and broken, a concrete plug will be in tomorrow. That area, a suggestion was to putting in a couple of benches.

The roof repair, moving forward I have been working with the insurance company and the contractor.

We had 3 emergency calls, 2 regarding AC at Justice Center and gas smell in kitchen, no smell oven works fine.

IN RE: PULASKI ANIMAL CENTER

Comes now, Karen Shidler and Jamie Keller, they would like to discuss the status of PAC and the relationship and expectations between PAC and the County. We plan on working with the Animal Control Officer. Do you have a plan if animals come in after hours for the Animal Control officer? We do have a staff member that will accept emergency prior to 9:00 pm. I will give my phone number if it's after 9:00 pm and you can leave a message and a PAC member will arrange for drop off at the center during the next day. We will accept animals displaying no life-threatening medical issues or dangerous temperament issues. Ed Clark, Recycling will pick up recycling there. We are planning to use the Transfer station.

Do we need to have another meeting with the Animal Control Officer, or Sheriff's Department?

We will provide a monthly copy of the form along with an invoice for animals collected.

IN RE: EMS REPORT

Comes now, Nikki Lowry, EMS Director to give her report. RPI recommends to replace the brakes. Larry L. Brady recommended have them fixed by someone local.

Have not heard from the insurance adjuster regarding the ambulance in the fire. It needs to be inspected, it needs to be structural checked out and I have not heard anything. Barbara Whitaker, Novotny's insurance, will call the insurance adjuster and see why we haven't heard from him. The ambulance is at Tipton, we need to go get it. The ambulance has to be state certified in order for it to get back on the road. Motion made by Tracey Shorter to get the truck back here and get the brakes done locally. Work with Barbara Whitaker and see what we can do. Seconded by Terry L. Young. Motion carried. The ambulance has not been completely inspected and may have to be sent to New Jersey or Iowa before it is read to be state certified. I am tired (Nikki) of getting the run around. I want you to do something and make a decision.

The front suspension is shot and I request it be replaced, the estimated cost is \$1,040.00 to be done in Indianapolis IN.  Motion made by Tracey Shorter, seconded by Terry L Young. Motion Carried.

July 1, 2014 I will lose another full time person, going to be advertising for another full time position, going to try and fill the position with a Paramedic. Waiting for State Board of Health for the mold report. Terry L. Young spoke up and said it was negative. Larry L. Brady said he would get the report for Jeff Johnston, Maintenance.

IN RE: RECYCLING/TRANSFER STATION

Comes now, Ed Clark, Manager to give his monthly report. Thank you for getting me water, we have presser. Have hired a new employee Travis Wolford. Doing well. Motion made Terry L. Young to approve the hire of Travis Wolford for Recycling/Transfer Station. Seconded by Tracey Shorter. Motion Carried.

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IN RE: RECYCLING/TRANSFER STATION (CONT.)

Requesting pour a pad on the west side of the building at the Transfer Station. Doesn't know if Courthouse budget or where are we going to pay for it. Will look into it.

Selling products by way of the balers pay them off from the Solid Waste District per invoice.  Sent me a invoice for \$15,000.00 was the original amount. Motion made to by Terry L. Young to pay off with Solid Waste District funds to Scott Jones. Seconded by Tracey Shorter. Motion Carried.

IN RE: CDC REPORT

Comes now, Nathan Origer, CDC Director, The unemployment rates is 4.5. It's the lowest I've seen it. At our CDC meeting this month, Territorial Engineers presented a report on the first two sites completed for the rails on the west side. They provided a very thorough explanation of why they did certain things. They looked at highways, railroads and soil drainage and the costs to connect to utilities in Francesville and Medaryville. They possibly have one or two sites to go. The reports are available in his office if anyone would like to look at them. They are very happy at what they've seen so far. CDC has been stepping back from a project base mentality they've done in the past, they are trying to focus on community capacity building within the community. They are using the website to market themselves better. A Community entrepreneurship initiative. It's a partnership between small businesses development and an office community of rural affairs.  If we don't do something now we are going to be a community of assistant living and nursing homes.

Been working with planning commission regarding zoning and updating some of the ordinance.

IN RE: AIRPORT FULL TIME EMPLOYEE

Kevin Tankersley, County Attorney to make Bud Weidner a full time employee, needs a time clock at the airport. He makes per contracted \$1833.33 per month. There are 2 gas tanks; the federal grant won't come due till 2016. The pumps need changed and we need a credit card machine to purchase the gas. We need to look at the budget for 2015 and make the changes.

IN RE: CLERK REQUEST PT EMPLOYEE

Comes now, Tasha Foerg, Clerk to request for a part time employee. Commissioners said go ahead, and advertise internal.

IN RE: SHALLOW WELLS IN COUNTY

Comes now, Chris Dust. He loves the transfer station. In my day I put in a lot of shallow wells, I think by now they are legal.  I have talked with 4 farmers that have put down wells. They probably have been 10 – 12 wells put down this year from Monterey to Francesville. Larry I. Brady commented that he doesn't have enough information regarding this. This is a state issue and we would need to work with the legislation.

IN RE: ORDINANCE – PROHIBITING LEAF BURNING & MISC BLD MATERIALS

ORDINANCE 2014-005

AN ORDINANCE PROHIBITNG LEAF BURNING AND MISCELLANEOUS BUILDING MATERIAL ON ANY COUNTY ROAD DRIVING SURFACE EXCLUDING GRAVEL ROADS IN PULASKI COUNTY, INDIANA

WHEREAS, The Board of Commissioners of Pulaski County has the power to regulate the use of public ways and right-of-ways; and

WHEREAS, The County Highway Superintendent has determined the burning of leaves and building materials on asphalt pavement causes severe damage to the pavement surface and is also a safety hazard to vehicular traffic that may accidentally travel into the open fire; and

WHEREAS, Any person, firm or corporation who violates and provision of this ordinance shall be deemed to have committed on Ordinance violation and shall be fined Three Hundred Dollars (\$300.00) for a first offense, all subsequent violations by the same violator will be fined Seven Hundred & Fifty Dollars (\$750.00).

WHEREAS, In addition to any fine all violators will be required to pay unto the Pulaski County Highway Department any costs, expense, loss or damage suffered by the County due to violation including its reasonable attorney fees in the enforcement of this Ordinance.

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of Pulaski County as follows:

1. Any open fires within (5) five feet of a road pavement edge, is prohibited.
2. Violators are subject to a maximum fine of \$750.00 for each incident.
3. Violators shall be required to pay Pulaski County for all costs involved to make the pavement repairs including reasonable attorney fees.

This ordinance shall be in full force and effect on July 1, 2014.

Passed and adopted by the Board of Commissioners of Pulaski County this 16th day of June, 2014.

PULASKI COUNTY BOARD OF COMMISSIONERS

/s/ Larry Brady, President

/s/ Tracey Shorter Vice-President

/s/ Terry Young

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

JUNE 16, 2014

REGULAR SESSION

COUNTY COMMISSIONERS

IN RE: RESOLUTION – PROTOCOL ON EMERGENCY MEETINGS

**RESOLUTION ON PROTOCOL
ON EMERGENCY MEETINGS**

RESOLUTION # 2014 - 005

This Resolution of the Pulaski County Commissioners is effective this 16th day of June, 2014.

WHEREAS, the Board of Commissioners of Pulaski County (hereinafter referred to as "The Board") desire to operate in a professional and efficient fashion and have resolved that procedures need to be established on how to conduct and set emergency meetings, and

WHEREAS, Ind. Code 5-14-1.5-5(d) authorizes the Board to a call meeting to deal with an emergency involving actual or threatened injury to person or property, or actual or threatened disruption of the governmental activity under the jurisdiction of the public agency by any event; and

WHEREAS, notice of an emergency meeting shall be given pursuant to Ind. Code 5-14-1.5-5(d) to the news media that have requested notice of meetings, and they shall be given the same notice as is given to the members of the Board, and the public must be notified by posting a copy of the notice according to subsection(b)(1) of the statute; and

WHEREAS, the Board is authorized under Ind. Code 5-14-1.5-3.6 to hold meetings telephonically when necessary and hereby adopts a policy of a telephonic appearance for an emergency meeting. An emergency meeting will be held in one of the three ways as set forth below:

Form of Meeting:

- **All Commissioners In Person.** Board members may gather together at the Commissioners Room in the courthouse and convene a meeting to address the emergency.
- **All Commissioners Telephonically.** If the Board members cannot meet in person, the Board may meet telephonically by calling the **conference call number 1-712-432-1212; Meeting Id#655-746-460**. Once a quorum is present, emergency action can be approved by a majority of the Board present. The telephonic conference calls are recorded and the public may call-in and listen and record the meeting. A list of each phone number that called in the telephonic conference meeting will be available along with the length of their call time. The Board is required to use their county issued phone number when placing a telephonic conference call to insure their presence at the meeting.
- **Call-in to Commissioners' Room.** If one or two Board members cannot meet at the Commissioners room in person they may call into the Commissioners room to be placed on speaker phone and participate in the meeting. The public may attend at the Commissioners' room to observe and record the meeting.

WHEREAS, The notice of meeting shall state the form of meeting that will take place;

NOW THEREFORE BE IT RESOLVED THAT, the above stated formats will be followed for emergency meetings of the Board.

Signed this 16th day of June, 2014.

PULASKI COUNTY COMMISSIONERS

/s/ Larry Brady, President

/s/ Tracey Shorter, Vice-President

/s/ Terry Young

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

IN RE: RESOLUTION - MODIFY DEPT AUTHORITY ON SPENDING LIMIT WITHOUT APPROVAL

**RESOLUTION MODIFYING DEPARTMENT AUTHORIZED SPENDING LIMIT WITHOUT
APPROVAL**

RESOLUTION # 2014 - 006

This Resolution of the Pulaski County Commissioners is effective this 16th day of June, 2014.

WHEREAS, the Board of Commissioners of Pulaski County (hereinafter referred as "the Board") previously set a spending limit of Five Hundred Dollars (\$500.00) for all departments before approval must be obtained by the Board; and

WHEREAS, The Board desires to operate in a professional and efficient fashion and have resolved that the current spending limit for all departments of \$500.00 is not an adequate assessment for each department's needs and it will benefit the effective administration of each department to set individual limits for each department given their routine day-to-day expected expenditures; and

WHEREAS, It is the goal of the Board to insure each department head is given authority to function and operate their department efficiently, while still maintaining oversight on government spending; and

IN RE: RESOLUTION - MODIFY DEPT AUTHORITY ON SPENDING LIMIT WITHOUT APPROVAL(cont.)

WHEREAS, the Board now authorize for each department the following limit for spending without prior approval of the Board effective July 1, 2014:

Auditor's Office.....	\$500.00
Assessor's Office.....	\$500.00
Clerk's Office.....	\$500.00
Recorder's Office.....	\$500.00
Treasurer's Office.....	\$500.00
Microfilm.....	\$500.00
Surveyor's Office.....	\$500.00
Prosecutor's Office.....	\$2,500.00
Pulaski Superior Court.....	\$2,500.00
Pulaski Circuit Court.....	\$2,500.00
Probation.....	\$500.00
Maintenance Department.....	\$2,500.00
Health Department.....	\$2,500.00
Sheriff's Department.....	\$2,500.00
Highway Department.....	\$2,500.00
Recycling/ Transfer.....	\$1,000.00
County Home.....	\$2,500.00
Veteran's Office.....	\$500.00
Building Inspector.....	\$500.00
C.D.C Office.....	\$2,500.00
Extension.....	\$500.00
Coroner.....	\$500.00
EMA.....	\$2,500.00
EMS.....	\$2,500.00

WHEREAS, Any purchase that exceeds that department's limit is required to get approval **FIRST** from the Commissioners before the purchase can be made. To obtain approval for a purchase, the department head/elected official is to complete a Request Form available at the Auditor's Office no later than 4:00 p.m. on the Monday preceding the meeting they wish to attend and get approval for said purchase, and

WHEREAS, The Board reserves their right to reject any request; and

WHEREAS, The Board recognizes and acknowledges that emergency purchases may be necessary for the operation of the County. Any department head/elected official needing to make a purchase for an emergency situation over the department's spending limit must complete a Request Form and request that an emergency meeting be scheduled with the Board; at which time the issue may be addressed and voted upon;

NOW THEREFORE BE IT RESOLVED THAT, the department heads/elected officials are authorized to make purchases within their spending limit set forth above.

Signed this 16th day of June, 2014.

PULASKI COUNTY COMMISSIONERS

/s/ Larry Brady, President
/s/ Tracey Shorter, Vice-President
/s/ Terry Young
ATTEST: /s/ Shelia K. Garling, Auditor, Pulaski County

IN RE: BOARD OF TRUSTEE AT PMH APPOINTMENT

The Board of Trustees of Pulaski Memorial Hospital hereby requests the reappointment of Mark Wuethrich to the Hospital's Board of Trustees for a four year term concluding June 30, 2018. Motion made by Tracey Shorter to reappoint Mark Wuethrich to the Hospital's Board of Trustees. Seconded by Terry L. Young. Motion carried.

IN RE: SUMMIT HEALTH

The Onsite Biometric Screenings Change/Cancellation form was cancelled on July 17, 2014 and will be postpone to a later date. Motion made by Terry L. Young, seconded by Tracey Shorter. Motion carried.

IN RE: MEDICARE ENROLLMENT APPLICATION

A letter for Medicare Enrollment Application: "Letter of Owners Financial Responsibility" attests that the County of Pulaski will be legally and financially responsible in the event that there is any outstanding debt owed to Centers Medicare/Medicaid Services. Motion made by Tracey Shorter to sign. Seconded by Terry L. Young. Motion carried.

PUBLIC COMMENT:

Jay Podell said since the elections in which her sister Pam Chumley defeated Terry's son Brian Young, she and her family have been harassed by the two Young's during the last couple of weeks. I have come to you because I don't know where else to turn. Since election night it seems that it has opened up me and my family to a whole world of harassment by an elected official. I have had complaints about my animals, about my business and I've had slander going on and I don't know where to go. If you use a county seat for a personal vendetta then I feel that is wrong. Pam Chumley said she has spoken with several people including Pulaski County Sheriff Mike Gayer, State Representative Doug Gutwein and other county officials to try and figure out what they can do to get the harassment to stop. Jay Podell continues I don't know how else to get it to stop, other than to bring it out publicly, I can't take it anymore. Jay didn't mention any names on who the county official was until Commissioner Terry L. Young questioned If Jay was addressing him. Jay said she was addressing him. Terry L. Young said it's his job to check on things in the county including planning commission issues.

IN RE: BUDGETS 2015

Comes now, Shelia K. Garling, Auditor with the 2015 budgets to go over, line items and amounts with the Commissioners and they did go over the budgets for 2015.

IN RE: CLAIM FOR THE COMBS

Kevin Tankersley, County Attorney made a suggestion to approve the relocation costs of the Combs' business. Kevin suggested that someone at the state level may not have done their job to the best of their ability. Kevin Tankersley and Larry L. Brady visited the site where the Combs' business is now located and it appears that more than \$22,000.00 they are asking for, does not cover the total cost of the relocating. Motion made by Terry L. Young to pay them. Seconded by Tracey Shorter. Motion carried. This will be paid from Cumulative Bridge.

The meeting was adjourned at 9:04 p.m. Motion made by Tracey Shorter, seconded by Terry L. Young. Motion carried. The next regular meeting will be held on Monday, July 7, 2014 in the Commissioners Room, in the Courthouse at 6:00 p.m. Eastern Time.

Signed and dated this 7th day of July, 2014

PULASKI COUNTY BOARD OF COMMISSIONERS

Larry L. Brady, President

Tracey Shorter, Vice-President

Terry L. Young

ATTEST: _____
Shelia K. Garling, Auditor, Pulaski County