

## **FOUNTAIN COUNTY COMMISSIONERS**

**APRIL 7, 2008**

**9:00 A.M.**

The Fountain County Commissioners met on April 7, 2008 at 9:00 a.m. at the Courthouse with the following members present: Janet Shoaf, Lowell Osborn and Terry Ellingwood.

The minutes of the March 17, 2008 meeting were approved as read.

### **CLAIMS**

A motion was made by Janet Shoaf and seconded by Lowell Osborn to approve the claims 1 – 288 and the monthly claims. Vote: 3-0

### **PLAN COMMISSION**

Jim McKee presented the Commissioners with a Resolution by the Advisory Plan Commission of Fountain County along with a copy of the Proposed Zoning Ordinance. Richard Holmes, County Attorney, asked the Commissioners if they had to give the public a ten day published notice before voting on the Ordinance. Mr. Holmes will let the Commissioners know if such a notice is required and if so, will get it to the paper by the deadline on April 9, 2008 at 4:00 p.m. It was also decided that the public hearing would be held on April 28, 2008 at 9:00 a.m. to vote on the proposed Resolution 2008-10.

### **AMBULANCE**

Virginia Scherer presented the Commissioners a check in the amount of \$70,226.78 for the March 2008 collections.

### **EMS BUILDING**

Virginia Scherer and Garth Kagels asked the Commissioners if they would move the location of the proposed EMS Building. The Committee would like to move it to the Northeast corner of State Road 41 and County Road 50 South. Some of the reasons cited were being a higher elevation, easier access and more room for a helipad.

Terry Ellingwood was not interested in moving the location. He stated it would hurt the economic development in that area. Janet Shoaf disagreed.

Janet Shoaf made a motion to move the location of the proposed EMS building to the northeast corner of SR 41 and CR 50 S. Lowell Osborn seconded the motion.

Vote: 2-1

### **EMERGENCY MANAGEMENT**

Deb Wagner of FEMA and Rick Card of CSEPP were introduced. Deb Wagner stated that she would make herself available to answer any questions. They want to ensure that all equipment is in the County in which it belongs. She also stated that CSEPP will pay for one employee salary (Connie Sanders) and minimum costs until December 31, 2008 to help with the finalization of the closeout.

Joe Whitaker handed out a list of inventory of the Emergency Management Department. The Commissioners reviewed the list. The Commissioners signed a letter retaining ownership of all equipment and supplies which have been purchased with CSEPP monies.

Joe also presented them with a transfer of ownership letter of the Decon Equipment for Vermillion and Parke County. Fountain County will pay for maintenance on said equipment until September 30, 2008.

Janet Shoaf made a motion to accept the list of inventory that will be transferred to Parke and Vermillion County. Terry Ellingwood seconded the motion.

Vote: 2-0

Joe Whitaker will furnish the Auditor with a signed copy of the letter of transfer.

Joe Whitaker also gave the Commissioners a letter from Parke County transferring ownership of five reader boards to Fountain County. Parke County will pay maintenance of the boards up to September 30, 2008.

Rick Card stated that 85% of the VX agent has been destroyed. The waste will be shipped out approximately 60 days after the last destruction.

Joe stated that he will be doing a presentation to the council at their April 14, 2008 meeting.

### **COUNTY EXTENSION**

Kathy Murray would like to have her office handicap accessible. Ideas on how to accomplish this were discussed. A ramp had been suggested but due to the stairs it would be too much of a grade without cutting into the marble.

Kathy also informed the Commissioners that a new educator had been hired. Amanda Smith will be starting on May 19, 2008. Kathy will be on medical leave prior to this time. The educators from neighboring counties will be covering Fountain County.

### **CREATIVE BENEFIT DESIGN**

Michael Andrew and Dierk Davis presented a discount prescription program to the Commissioners. Mr. Andrew stated that they have worked with many self-funded groups. Their company has over 56,000 pharmacies under contract, which is approximately 99% of the pharmacies. Vermillion County has signed up for their services and last month saved 23.76% on prescription drugs, which gives money back to the County.

Janet Shoaf suggested that they leave information for them and the insurance committee to review. Mr. Andrew and Mr. Davis left an article that was published in the Daily Clintonian and references. The Commissioners also requested that the Auditor get more information on the NACO prescription drug program.

### **HEALTH DEPT BUILDING**

Doug's Studio has requested permission to use the second floor of the Health Department Building to take photos. There is an outside entry and he does have liability insurance.

Terry Ellingwood agreed he could use the second floor if he would clean it up. Janet Shoaf agreed if it was acceptable with Fred Martin. It was also stated the Doug's Studio would have to furnish the county with a certificate of liability insurance.

### **BID ON OFFICE EQUIPMENT**

Janet Shoaf made a motion to accept a bid of \$15.00 for old office equipment for the Prosecutor's Office from Tim Ramey. Terry Ellingwood seconded the motion.

Vote: 2-0

### **LIABILITY INSURANCE**

Janet Shoaf made a motion and was seconded by Terry Ellingwood to pay the claim in the amount of \$72,596.00 to Valley Insurance for the county's liability insurance for the first half of 2008.

Vote: 2-0

## **LAWNCARE BID**

Terry Ellingwood opened a bid from Erick's Custom Lawn Care. This bid was turned into the Auditor's office. No bids had been requested from the Commissioners. Janet Shoaf stated that if there was problem with the lawn care the problem needed to be fixed.

## **LARRY BROCKWAY PLAN COMMISSION**

Larry Brockway contended that the Plan Commission was illegally formed. He stated that it was not politically balanced and that the Trustees of Fountain County did not choose a representative. Richard Holmes, County Attorney, would like to review the law and make a report back to the Commissioners.

Jim McKee, Chairman of the Plan Commission, stated that the citizen members of the plan commission were in fact politically balanced.

## **COUNTY HIGHWAY**

Walt Wilson reported the culvert on Towpath Road has been completed. An aluminum box culvert will be installed on CR 250 E north of Stonebluff Road.

Walt also reported that load limit for Bridge #113 has been reduced to three (3) tons. Terry Ellingwood stated that he would like to see a counter put on Bridge #5 and Bridge #113 to see how many people are using these bridges. Commissioner Ellingwood stated he felt too much money and time has been spent on the replacement of Bridge #5 for the amount of traffic on this bridge.

Walt reported that they have made some progress on the gravel roads. He would recommend that we do no cost sharing on chip and seal this year and possibly next year. It has been an extremely bad winter for our roads.

Terry Ellingwood wanted to know what the deal was with the potholes on Dixie Bee Road. He said that some had been patched and other had not. Walt stated that they have used winter mix to fill the potholes. This mix is good for deep holes but not for the shallow ones.

Commissioner Ellingwood went on to say that he is tired of things happening at the County Highway and then finding out about them after the fact. He would like to know when someone is hired or fired. He would also like to know prior to the time the bridges and culverts would be repaired or replaced.

Janet Shoaf reminded Ellingwood that the reason they have department heads was to take care of these details. She also stated that the Commissioners are furnished with a list of bridges each year that could possibly need work or replaced. She told him to look at his list.

## **JAIL INSPECTION REPORT SHERIFF BASS**

Sheriff Bass stated that he needed to respond immediately to the Jail Inspector and the Department of Corrections regarding the latest jail inspection report. He requested a plan of action with a timeline. The main concern was the cleaning of the air ventilation system. Sheriff Bass stated that the County Attorney was to contact Mr. Riggen about the possibility of him finishing the work that was to be done last year. Mr. Holmes stated that he had contacted legal counsel for Mr. Riggen and he has no desire to work for Fountain County again.

Sheriff Bass stated that he felt criminal action should be taken against Mr. Riggen for breach of contract. The County has paid him approximately \$45,000.00 to clean the ventilation system and it was not done properly. An air sample was to be taken of the jail

but was not delivered to the lab. The air system still has dead rodents in the duct work. Terry Ellingwood stated that this was not feasible because of the litigation costs.

Sheriff Bass stated that Jeff Rogers gave an estimate of \$10,000 to finish cleaning the air ventilation system in May of 2007.

Terry Ellingwood said that he did not want to work on the ventilation system until another air sample was taken. He stated that the Health Department could perform the test.

Commissioner Shoaf stated that the duct work still had to be cleaned and could not see the necessity of an air sample.

Janet Shoaf made a motion to have the duct work cleaned. The motion died due to the lack of a second. Commissioner Osborn was not in attendance as he had to leave the meeting early.

Sheriff Bass stated that he is legally responsible and did not want the legal responsibility of this situation. He again asked how he was to respond to the jail inspection report. He suggested that Mr. Ellingwood and/or Mr. Holmes respond to their letter.

Commissioner Ellingwood exchanged words with Sheriff Bass. Commissioner Ellingwood asked that Mr. Holmes escort Sheriff Bass from the meeting. Commissioner Shoaf gathered her things and left the meeting stating that she would not be a part of meeting when the President acted in this manner.

The meeting concluded at this point prior to all items on the agenda being completed.

**THE NEXT MEETING WILL BE MONDAY, APRIL 21, 2008 AT 6:30 P.M.**

Attest: \_\_\_\_\_

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Lowell Osborn

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Janet Shoaf

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Terry Ellingwood