

THE SHELBY COUNTY COMMISSIONERS MET AT 1:00 P.M. ON MONDAY OCTOBER 4, 2010. PRESENT WERE COMMISSIONERS NEWTON, NIGH, MOHR, COUNTY ATTORNEY AND COUNTY AUDITOR

MINUTES:

MOTION TO APPROVE THE MINUTES FROM SEPTEMBER 27, 2010 WAS MADE BY NIGH SECOND BY MOHR, APPROVED 3-0

PROBATION:

TERRI BODINE PRESENTED TO THE COMMISSIONERS THE NEED FOR ANOTHER ADULT PROBATION OFFICER. THE WORK LOAD IS VERY HIGH SHE HAS 4 FULL TIME PROBATION OFFICER AND THEY MANAGE AROUND 1,100 PROBATIONERS, AND KNOW THE STATE IS REQUIRE THEM TO DO A RISK ASSESSMENT ON ALL PROBATIONERS, AND ENTERED INTO THE STATE COMPUTER. THEY HAVE LOOKED AT EVERY ANGLE TO REDUCE WORK AND GET THIS DONE. THERE IS JUST NO WAY TO CHANGE THINGS, THEY ARE IN COURT ½ OF A DAY, AND MEETING WITH PROBATIONER'S THE OTHER 1/2, THESE GUYS ARE WORKING OVERTIME, WEEKENDS. WE ARE SUPPOSED TO MEET WITH ALL PROBATIONERS ONCE A WEEK, BUT WE ARE AT EVERY OTHER WEEK. AS FAR AS FUNDS, SHE WOULD HAVE THE FUNDS FOR THE FIRST YEAR AND POSSIBLY ½ OF THE SECOND YEAR. AND THEN AFTER THAT SHE WILL HELP WITH USER FEES AS MUCH AS POSSIBLE, BUT SHE IS UNSURE OF WHAT SHE WILL BE ABLE TO DO. THE STARTING SALARY WOULD BE \$29,268.00 PER YEAR THIS IS WITHOUT BENEFITS. AT THIS TIME NIGH FEELS THAT THEY JUST CAN'T APPROVE THIS POSITION, WITH THE CUTS THAT THE COUNCIL IS GOING THROUGH AND WOULD LIKE TO WAIT UNTIL THE COUNCIL GETS THE BUDGET PUT TOGETHER, MOHR AGREES. MOTION TO TABLE THIS UNTIL NOVEMBER 1, 2010 AND SEE HOW THE BUDGET GOES MADE BY MOHR, SECOND BY NIGH, APPROVED 3-0

PLAN COMMISSION:

AMY DILLON PRESENTED TO THE COMMISSIONERS THE REQUEST FOR MIKE BOWMAN @ 6542 W 300 N IN SUGAR CREEK TWP, TO REZONE 16.743 ACRES FROM A1 TO RE, SO THAT HE CAN BUILD HIS FAMILY HOME. THIS WAS PRESENTED TO THE PLAN COMMISSION ON SEPTEMBER 28, 2010 PUBLIC COMMENT WAS SOUGHT AND ON PERSON SPOKE AFTER HEARING PUBLIC COMMENT THE MOTION WAS TO FORWARD ON TO THE COMMISSIONERS WITH A VOTE OF 7-0 WITH 3 STIPULATIONS. MOTION TO APPROVE ORDINANCE 2010-26 MADE BY NIGH SECOND BY MOHR, APPROVED 3-0

AMY DILLON PRESENTED SHANE COFFMAN TO THE COMMISSIONERS TODAY TO PRESENT THEM A PERFORMANCE BOND IN THE AMOUNT OF \$3,850.00 FOR THE DURATION OF 5 YEARS; THIS IS FOR STORM STRUCTURE AND RIGHT OF WAY. MOTION TO ACCEPT MADE BY MOHR, SECOND BY NIGH, APPROVED 3-0

SPEED LIMIT ORDINANCE:

JOHN DEPRez PRESENTED THE COMMISSIONERS WITH ORDINANCE 2010-27 THIS SET NEW SPEED LIMITS ON OLD RUSHVILLE ROAD FROM LEE BLVD TO THE NORTHERN PROPERTY LINE AT 2214 EAST OLD RUSHVILLE ROAD TO 40 MPH, AND IN CARMARLA SUBDIVISION FROM MICHIGAN ROAD TO 700 NORTH TO 35 MPH. MOTION TO APPROVE ORDINANCE 2010 -27 MADE BY NIGH, SECOND BY MOHR, APPROVED 3-0

AUTHUR PHARES:

ARTHUR PHARES CAME BEFORE THE COMMISSIONERS TONIGHT TO REQUEST THAT THE \$50.00 FEE THAT HE WAS GIVEN FROM THE INSPECTORS OFFICE BE DROPPED. HE HANDED THE COMMISSIONERS A PACKET. FIRST MR. PHARES REQUEST THAT NEWTON BE REMOVED NEWTON FROM THE VOTE, BECAUSE HE HAD TALKED WITH HIM AT AN EARLIER DATE. AT THIS TIME THAT MOTION HAS BEEN DENIED. NEWTON DID TELL MR. PHARES THAT AMY DILLON HAS THE AUTHORITY TO HAND

OUT FINES. HE SPOKE WITH AMY DILLON ON 9/7/10 FOR APPROXIMATELY 7 MINUTES AND IN THOSE 7 MINUTES HE WAS TOLD SHE HAD A PROBLEM WITH THE WAY HE HANDLED THE INSPECTION PROCEDURES AND THAT BECAUSE HE WASN'T AT HER OFFICE ON TUESDAY MORNING AT 7:00 A.M. HE WAS BEING FINES. MR. PHARES HAD DONE WORK AT THE CORNELIUS HOME WITH OUT A PERMIT. HE SAID THIS ISN'T ABOUT THE FINE IT IS ABOUT THE WAY HE WAS FOUND GUILTY WITHOUT EVEN GETTING A CHANCE TO EXPLAIN. THIS IS ABOUT PRINCIPLES. MR. PHARES DIDN'T THINK THAT AMY DILLON COULD HAVE CONTROL OVER 2 OFFICES AND 2 BUDGETS. NEWTON EXPLAINED THAT IS ONLY FOR ELECTED POSITIONS. HE ALSO EXPLAINED THAT HE WAS NOT PROPERLY NOTIFIED OF THE PENALTY. HE WAS NOT NOTIFIED THROUGH THE MAIL THAT IS STATED IN THE I.C. CODES. MR. PHARES SAID HE TRIED TO GET A HOLD OF DAVID ADAMS, BUT HE DIDN'T ANSWER HIS PHONE, MR. PHARES WAS ASKED IF HE LEFT A MESSAGE, HE ADVISED NO. AND WITH IN A MINUTE OF HIS ATTEMPT TO CALL MR. ADAMS HE CALLED THE CITY. NIGH SAID HE DIDN'T EVEN GIVE DAVE A CHANCE TO CALL HIM BACK. AT THIS TIME NEWTON ADVISED HIM THAT HE DIDN'T OBTAIN A PERMIT AND DIDN'T GIVE MR. ADAMS A CHANCE TO DO HIS JOB, THEREFORE HE WOULD BE ASSESSED THE PENALTY AND THEY COULD TAKE THE PENALTY UP TO \$100.00 (ACCORDING TO THE COUNTY GUIDELINES), AT THIS TIME NIGH MADE A MOTION TO UPHOLD THE \$50.00 FINE, SECOND BY NEWTON, APPROVED 3-0

PHONE SYSTEM SUPPORT AGREEMENT:

DIANE HAEHL PRESENTED THE COMMISSIONERS WITH 2 NEW CONTRACTS:

1. THE FIRST ONE IS THAT NORTEL DECLARED BANKRUPCY AND TDS IS NO LONGER GOING TO SUPPORT OUR PHONE SYSTEM. SHE HAS MET AND TALKED WITH A COMPANY CALLED CPI THAT IS WILLING TO TAKE OVER OUR CONTRACT FOR TWO YEARS. THE PRICE WILL BE \$823.00 PER MONTH AND PAID QUARTERLY. DIANE ASKED FOR A MOTION TO APPROVE PENDING CHANGES. MOTION TO APPROVE THE CONTRACT WITH CPI PENDING CHANGES MADE BY MOHR, SECOND BY NIGH, APPROVED 3-0
2. A COMPANY BY THE NAME OF AVAYA BOUGHT OUT NORTEL AND REQUIRES THAT THE COUNTY PURCHASE PASS (PARTNER ASSURANCE SUPPORT SERVICES) WHICH INCLUDES SOFTWARE UPGRADES AND TECHNICAL SUPPORT. IT IS A 2 YEAR CONTRACT IN THE AMOUNT OF \$24,938.93 IN TWO ANNUAL PAYMENTS OF \$12,469.47. DIANE ASKED FOR A MOTION TO APPROVE PENDING CHANGES. MOTION TO APPROVE THIS CONTRACT PENDING CHANGES MADE BY NIGH SECOND BY MOHR, APPROVED 3-0

UTILITY REQUEST:

VECTREN REQUEST TO BORE A 2" GAS MAIN EXTENSION AT 2423 S. TUCKER ROAD. MOTION TO APPROVE MADE BY NIGH SECOND BY MOHR, APPROVED 3-0

CLAIMS:

REGULAR CLAIMS – MOTION TO APPROVE PAYROLL MADE BY MOHR, SECOND BY NIGH, APPROVED 3-0

TRANSFERS AND ADDITIONALS:

REQUEST FOR AN ADDITIONAL APPROPRIATION IN FUND 0100-131-02-4100 (SUPPLIES) TO PURCHASE SUPPLIES, MOTION TO APPROVE MADE BY MOHR, SECOND BY NIGH, APPROVED 3-0

REQUEST TO TRANSFER \$200.00 FROM 0100-113-03-1500 (NEWS PAPER) TO 0100-113-03-1200 (DRUG SCREEN), MOTION TO APPROVE MADE BY NIGH SECOND BY MOHR, APPROVED 3-0

REQUEST FOR AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$15,000.00 IN THE EDIT FUN FOR GRAND AND FEDERAL AID PROCUREMENT, MOTION TO APPROVE MADE BY NIGH SECOND BY MOHR, APPROVED 3-0

DRUG FREE COALITION REQUEST TO TRANSFER \$1,362.00 FROM 4408-000-03-4000 (CONTRACTUAL SERVICES TO 4408-000-02-1300 (COPIES), \$401.11 FROM 4409-000-03-2900 (ADVERTISING) TO 4409-000-02-1500 (PROMOTIONAL

MATERIALS), \$336.75 FROM 4409-000-03-1000 (RED RIBBON CAMPAIGN) TO 4409-000-03-2000 (SHELBY CO. YOUTH COUNCIL) AND \$1,447.28 FROM 4409-000-04-4011 (OFFICE EQUIPMENT) TO 4409-000-01-1822 (PERF), MOTION TO APPROVE MADE BY MOHR SECOND BY NIGH, APPROVED 3-0

DRUG FREE COALITION REQUEST TO TRANSFER \$266.90 FROM 4409-000-02-1100 (OFFICE SUPPLIES) TO 4409-000-03-9100 (TELEPHONE/INTERNET) AND \$504.00 FROM 4409-000-02-1100 (OFFICE SUPPLIES) TO 4409-000-03-9600 (RENT), MOTION TO APPROVE MADE BY NIGH SECOND BY MOHR, APPROVED 3-0

MISCELLANEOUS:

NIGH WANTED TO TELL ANDERSON WHAT A NICE JOB THEY DID ON THE PAVING OF THE ROADS.

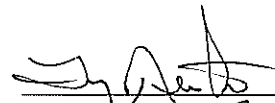
NEWTON SAID HE HAD RECEIVED A PHONE CALL FROM ED BENEDICT WITH THE FLAT ROCK CHRISTIAN CHURCH REQUESTING TO CLOSE A SECTION OF 300 W OUT TO 1200 ½ FOR A BENEFIT WALK. MOTION TO APPROVE MADE BY NIGH SECOND BY MOHR, APPROVED 3-0

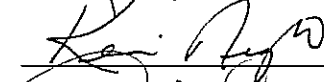
COMMISSIONERS VOTED ON LEAVING THEIR NIGHT MEETINGS TIME FOR OCTOBER AT 7:00 P.M. UNTIL NOVEMBER. MOTION TO APPROVE MADE BY MOHR, SECOND BY NIGH, APPROVED 3-0

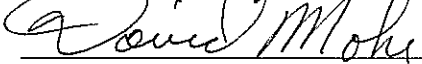
THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD. A MOTION TO ADJOURN WAS MADE BY MOHR SECOND BY NIGH, APPROVED 3-0

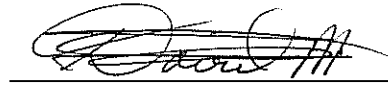
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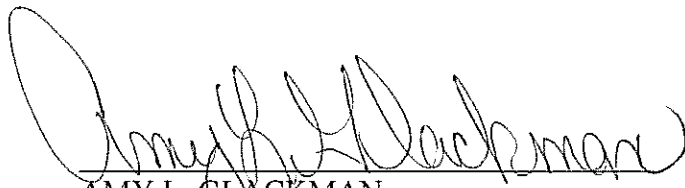








ATTEST:



AMY L. GLACKMAN
SHELBY COUNTY AUDITOR