

REGULAR MEETING DUBOIS COUNTY COMMISSIONERS

November 2, 2009

The regular monthly meeting of the Dubois County Commissioners was held in the Commissioners' Room of the Courthouse Annex in Jasper, Indiana, beginning at 9:00 a.m. (EST) on November 2, 2009. Present were Commissioners Randall L. Fleck, John G. Burger and Lawrence M. Vollmer. Also present were County Auditor Janet L. Sendelweck, County Surveyor Ken Brosmer, Highway Supervisor Steven L. Berg, Highway Engineer Jason T. Heile, and County Attorney Arthur C. Nordhoff, Jr. A quorum was declared present and the meeting was opened for business by President Fleck. Minutes of the October 2009, meetings of the Commissioners were approved as presented. The minutes were then signed. Incomes for the month of October 2009, were as follows: Recorder \$14,033.53; Health Department \$33,518.25; Auditor \$260.00; Clerk \$41,757.61. Claims against the County were examined and those found to be just, due and owing were allowed and those found to be not due and owing were disallowed, all as more fully set forth in the Claims and Allowance Docket of the County.

RE: ASSESSOR – BUILDING NOTIFICATION

Gail Gramelspacher, County Assessor, appeared to again request the establishment of a building permit process in order to obtain knowledge of new construction for assessment process. She stated that this became necessary because of the elimination of the Township Assessor positions. Highway Engineer Heile stated that the Highway Department has the same problem with Driveway Permits. In discussion, the Commissioners were of the opinion that some method of reporting is needed, with the Assessor having authority to assess penalties for non-reporting.

RE: COURTHOUSE TREES – NANCY ECKERLE

Nancy Eckerle appeared to discuss the retaining of two existing trees on the west Courthouse lawn and use of a large Christmas Tree this year. She stated that Tim Day will trim the trees free of charge. The chamber will discuss this matter further next year and return to the Commissioners.

RE: PROBATION OFFICER

On motion duly made and seconded, the Commissioners authorized the employment of an additional probation officer as requested by Circuit Court. The new employee would be subject to the 10% probation wage reduction. The Court must seek approval of the County Council.

RE: ROBERT LANE – JEFFERSON TOWNSHIP

Robert Lane and Glenn Bayer appeared to request an exception to the County Subdivision Ordinance due to the fact that a 5 acre tract in the NE quarter of Section 24-T2S-R3W in Jefferson Township had been surveyed in 2001 and a residence started thereon at that time, which is prior to the adoption of the Ordinance in 2004. Based on prior cases of pre-existing construction, the Commissioners, on motion duly made and seconded, approved the exemption, subject to written agreement by the owners that no additional houses will be built or sales made on the existing private road without filing of a plat.

RE: FERDINAND TOWNSHIP – CR 815 S

Thomas Luebbehusen appeared to discuss the condition of CR 815 S, which had been recently resurfaced. The problem results because of milling on the former road that has caused uneven surface in the new pavement.

RE: HIGHWAY DEPARTMENT – EQUIPMENT BIDS

The Highway Supervisor reported on the bids received at the prior meeting on a replacement excavator. He stated that neither of the bids meet the County requirements or specs. He suggested rejection of all bids and re-advertising for new bids. On motion duly made and seconded, the Commissioners rejected all excavator bids and authorized accepting new bids.

The Supervisor recommended acceptance of the low bids on the following equipment on which bids were received:

Single Axle Truck – Freightliner of Evansville	\$40,967
Dump Bed – W.A. Jones	\$6148
Snow Plow – Meyer Truck	\$6350

RE: COURTHOUSE SECURITY – MIKE SHAW

Courthouse Security Officer Mike Shaw appeared to present a request for County purchase of Body Armor Vest, as required by law. He stated that he has attempted other sources of funding and has found no funds available. The cost would be \$650. The Commissioners directed the Auditor to locate funds for the purchase.

RE: VOTING PRECINCT CHANGES

At the request of the County Clerk and on motion duly made and seconded, the Commissioners approved the following change in precincts:

Annexed area from Ferdinand #3 to Ferdinand #1
Bainbridge#7 to Bainbridge #6N

RE: JOE WAGNER – SERVICE OFFICER

County Service Officer Joe Wagner appeared to discuss comments made by the State Board of Accounts Auditor in her report that 1) A Contract is required, and 2) that hours are being charged beyond the allowed three working days per week. Comp time has been charged in the past, but a portion of the time is DAV business. The State Board of Accounts Auditor's questions were: DAV driving on one of three work days and holiday pay. Agreement is to be for three days per week; if holiday or DAV off-day, time must be made up within next week. As to prior excess days reported or holidays, the State Board of Accounts Auditor determined that \$1487 was overpaid for 16 days. It was determined that the eight holidays should be repaid (\$743.50) and that the pay for the remaining eight days was related to veteran services and would not be repayable.

RE: HIGHWAY DEPARTMENT REPORT

Highway Engineer Heile reported on the following projects:

Stimulus Projects	CR 1100 S completed; Jasper-Dubois Road being patched
Bridge Inspection	Phase II reports received
White River Scour Hole	Project complete
Meridian Road Culvert	Replacement completed

RE: SPEED LIMIT ORDINANCE #2009-06: CR 500 W & DUBOIS ROAD NE

The Highway Engineer submitted a proposed Ordinance to establish speed limits on recently improved CR 500 W and Dubois Road NE, which limits result from study of the road conditions. On motion duly made and seconded the Ordinance was adopted.

AN ORDINANCE ESTABLISHING A SPEED LIMIT ON A PORTION OF CO. RD. 500 WEST AND DUBOIS ROAD NE IN DUBOIS COUNTY, INDIANA

WHEREAS, any person operating a motor vehicle on a public highway within Dubois County, Indiana, shall operate the same at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to traffic, surface and width of roadway, and to other conditions then existing; but,

WHEREAS, It is the determination of the Board of County Commissioners that limits shall be placed upon the maximum speed which shall be allowed when traveling such public highways; and,

WHEREAS, As a result of study conducted and review made of road conditions at the following location, it has been determined that a more restrictive speed limit is required for the safety of the general public.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DUBOIS COUNTY, INDIANA, THAT:

1. Motor vehicles operated on Co. Rd. 500 West from Holland Road East to Co. Rd. 900 South being a distance of approximately 1.01 miles, shall be restricted to a maximum speed of 45 miles per hour.

- 2a. Motor vehicles operated on Dubois Road NE from 0.75 miles north of Dubois Cuzco Road to 1.25 mile north of Dubois Cuzco Road being a distance of approximately 0.50 miles, shall be restricted to a maximum speed of 45 miles per hour.
- 2b. Motor vehicles operated on Dubois Road NE from 1.25 miles north of Dubois Cuzco Road to Co. Rd. 735 East being a distance of approximately 0.85 miles, shall be restricted to a maximum speed of 35 miles per hour.
- 2c. Motor vehicles operated on Dubois Road NE from Co. Rd. 735 E to 0.64 mile south of SR 56 being a distance of approximately 0.94 miles, shall be restricted to a maximum speed of 45 miles per hour.
- 3. Each such public highway shall be posted for such maximum speed limit.
- 4. Violation of this Ordinance shall be punishable in that manner prescribed by Indiana Statute and by prior Ordinance pertaining to speed limits heretofore adopted by this Board of County Commissioners.
- 5. This Ordinance shall be effective from and following its passage and proper posting of the described speed limit.

RE: STOP SIGN ORDINANCE #2009-07: CR 735 E AT DUBOIS ROAD NE

The Highway Engineer submitted a proposed Ordinance for creation of stop requirement on Dubois Road NE at its intersection with CR 735 E, and stated that the recommendation is the result of a safety study of the site. On motion duly made and seconded, the Commissioners adopted Ordinance #2009-07.

AN ORDINANCE AMENDING ALL ORDINANCES AMENDATORY THEREOF, BEING AN ORDINANCE IMPOSING RESTRICTION UPON VEHICLES OPERATED ON COUNTY ROADS – DUBOIS ROAD NE AND 735 EAST – IN COLUMBIA TOWNSHIP IN DUBOIS COUNTY, INDIANA

WHEREAS, the Board of Commissioners of Dubois County, Indiana, after having received a report on and considered an engineering and traffic investigation conducted by the County Highway Engineer regarding the affected intersection, and having the jurisdiction and responsibility to establish rules and regulations for the operation of vehicles and traffic on the following highways in said County, and;

WHEREAS, the Board of Commissioners now find that it is in the best interests of the citizens of said County and required for public safety to establish rules and regulations for the operation of vehicles in the use of the streets and highways hereinafter designated.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF DUBOIS, STATE OF INDIANA:

The provisions of this ordinance relate to preferential highways and stop signs on certain highways in Dubois County, Indiana.

- 1. At the intersection of Dubois Road NE and County Road 735 East (CO13), there shall be no preferential highways and a stop sign shall be placed on the north and south approaches of Dubois Road NE with County Road 735 East, and on the east approach of CR 735 East with Dubois Road NE.

Violation of this ordinance shall be punishable in that manner prescribed by Indiana statute and by prior Ordinance pertaining to preferential roads heretofore adopted by this Board of County Commissioners.

This Ordinance shall be effective from and following its passage and publication and upon completion of any other requirement required by law.

RE: MILL STREET WETLAND MITIGATION

The Highway Engineer reported that the County has been required to eliminate a portion of cattail coverage from the Mill Street Wetland Mitigation site. A proposal to do to work would cost \$4,133.67. The Commissioners determined that the City of Jasper and County should do the work at a lower cost.

RE: COUNTY PARK – PRECIOUS ANGELS MONUMENT

Jason Schmitt appeared to request permission for the Precious Angels group to place a rock under the Precious Angels monument, at the expense of the group. On motion duly made and seconded, permission was granted.

RE: HIGHWAY DEPARTMENT – TRANSFER OF FUNDS

Ann Messmer, Highway Clerk, submitted the following transfer of appropriations:

Within Highway Fund	From: Gas Oil Diesel	\$3000
	To: Tires & Tubes	\$3000
Highway Fund	From: Seed / Straw	\$2000
	To: Repair – Building Grounds	\$2000

The Commissioners approved the transfers, with the \$2000 transfer being subject to approval by the County Council.

RE: WAGE SCALE COMMITTEES

On motion duly made and seconded, the Commissioners made the following appointments representing the County on Wage Scale Committees:

City of Huntingburg, Walking Trail Project – Brian Small
Greater Jasper Consolidated Schools, H/AC Project – Gerald Apple

RE: COMPREHENSIVE PLAN

On motion duly made and seconded, the Commissioners acknowledged receipt of the final draft of the Dubois County Comprehensive Plan and completion of contractual obligation of Bernardin Lochmueller & Associates in preparation of the Plan.

RE: HIGHWAY DEPARTMENT – WEED ORDINANCE

The Highway Supervisor reported that he had completed a policy detailing application and procedures for administration of the Weed Ordinance.

RE: HOLLAND PROJECT

The Highway Engineer reported that based on the point system, the highest rated engineering firm for the Holland Kentucky St. project is Beam, Longest & Neff. Based on the rating, BLN is recommended for submission to INDOT. On motion made and seconded, the recommendation was approved and submission authorized.

RE: COMMUNICATIONS

Commissioner Burger reported that he had been advised by the Director of County Communication that due to communication problems, by agreement with the City of Jasper, the County Communications will be notifying Jasper First Responders involving appropriate ambulance dispatches with the City. The Commissioners had no objection to the procedure.

RE: NOVEMBER CONTINUED MEETINGS

The Commissioners determined that their continued meeting for November will be held in two sessions, due to prior legal bid notices, the first being at 9:30 am at the Courthouse Annex, for the receipt of excavator and material bids with the continued session being at 3:00 pm at the Schnellville Fire Station, 8090 E Schnellville Rd, Birdseye, IN 47513.