

**MIAMI COUNTY COMMISSIONERS
25 NORTH BROADWAY
PERU, INDIANA 46970
MINUTES
June 9, 2008**

Chairman Hawley called the weekly meeting of the Board to order.

Commissioner Deeds is on vacation.

EMA ISSUE

Mike Peconga informed the Board that his e-mail and phones are not working at the EMA office. He also said that his Assistant Chris Marks and himself would be attending a 3-day seminar at Grissom.

Commissioner Hawley thanked him for the help in the recent storms that blew through Miami County. Commissioner Boyer asked some questions concerning the number of generators and sizes of them to be used during emergencies. No action taken at this time.

SMOKING ORDINANCE

Mike Wilson thanked the Board for a successful public hearing on May 27, 2008. He said he feels the Ordinance they now have is excellent and that it would stand the test of a court hearing if it ever came to that.

Commissioner Hawley explained to Mr. Wilson that input is still coming in and the Ordinance could be modified again. If the Board were to determine it did need further modification another public hearing would be held. He would inform the public if that occurred. Mr. Wilson said was surprised by the Attorney that came to the meeting and threatened to sue if the Board passes this ordinance. The Tobacco Control Legal Consortium provides access to legal council in such an event. No action was taken and Mr. Wilson said he would check back with the Board.

WILLOW CREEK SUBDIVISION ISSUE

Bill Gornto brought a resident from Willow Creek Subdivision concerning no streetlights in the subdivision. He said there is no ordinance to address lighting in sub divisions. No action was taken. It was noted that the residents who have streetlights had them placed and pay for the services themselves.

COMMUNITY CORRECTIONS/DOC CONTRACT

Angie Bever brought the yearly contract with the Department of Corrections for the Board to sign. Commissioner Boyer moved to sign the contract. The motion was 2nd by Commissioner Hawley and passed 2-0.

SPEED LIMIT REQUEST OVER MISSISSENEWA DAM

The Board received a letter of request and a petition from Robert E. Cook to raise the speed limit across the Dam from 30 mph to 50 mph. The Board will have Ken Einselen evaluate the issue.

LETTER FROM AIC CONCERNING HB 1001 and DOC/child services

Commissioner Boyer moved to form a meeting with all the judges and the Probation Department to discuss the issues. The motion was 2nd by Commissioner Hawley and passed 2-0.

DISCUSSIONS CONCERNING TIRE WAREHOUSE AT GRISSOM

The Board discussed the inter-local agreement to apply for a grant to move the sewer around the Tire warehouse at Grissom. A motion to sign the inter-local agreement to apply for a grant was made by Commissioner Boyer and 2nd by Commissioner Hawley. The motion passed 2-0.

UMBAUGH INVESTING JAIL MONEY

Jeff Messer sent a letter to the Board concerning providing the County the service of investing the jail money. Commissioner Boyer moved to pursue Umbaugh investing money from the Jail project. The motion was 2nd by Commissioner Hawley and passed 2-0.

COURT HOUSE CENTENNIAL

Jeff Price told the Board there is a glitch in the plans. The Masonic Lodge was to help with the cornerstone project but the Grand Lodge said they could not. It is being held on a date that goes against their bylaws. The Celebration is October 12, 2008. The Board will have to find a local mason to find out how to go about removing and replacing the cornerstone if a time capsule is found to be encased there. The Board will speak with RQAW concerning this issue and see if they have any solutions.

IVY TECH DOCUMENTS

The Board discussed the questions the abstract company has concerning the processing of the documents. Commissioner Hawley will discuss this with the abstract company.

WIND POWER

The Board discussed the surrounding Counties that are establishing wind power ordinances. It was noted that Darrell Wooten is working on the Ordinance for Miami County concerning this issue.

LETTERS OF CONCERN OVER CONFINED FEEDING OPERATION

The Board received letters concerning the Wildermuth Confined Feeding Operation application from Mr. & Mrs. Phil McCarter, Mr. & Mrs. Max Stucker and Jane Koten.

BMV LETTER

The Board received a letter requesting application for municipal plates for County vehicles.

CERTIFICATE OF LIABILITY INSURANCE

The Board received the Certificate for Moss Well Drilling. No action taken.

BRIDGE INSPECTION PHASE 2

Ken Einselen presented the Board with claim #8 for bridge inspections by USI. A motion to allow Commissioner Hawley to sign the reimbursement claim was made by Commissioner Boyer. The motion was 2nd by Commissioner Hawley and passed 2-0.

RQAW CLAIMS

The Board received claims submitted by Poindexter for the jail project. The Board discussed the complex project concerning the billing for the jail project. A motion to send the bills to the Holding Corporation for signing was made by Commissioner Boyer. The motion was 2nd by Commissioner Hawley and passed 2-0.

JAIL WEEKLY REPORT

Sheriff Roland gave the Board the weekly report and made arrangements for them to visit the jail site this afternoon.

TOURISM/INNKEEPERS TAX ORDINANCE

Tourism Director, Debbie Bowsher asked the Board if they had heard from the County Attorney concerning the Ordinance and Resolution concerning the Innkeepers tax. She along with the County Auditor had given Mr. Grund examples of surrounding Counties ordinances and resolutions. The Board asked the Auditor to give the County Treasurer the example of the forms she will need for collections of the tax and tell her to go ahead and order the forms. The Commissioners will decide where to pay for these forms out of when they are ordered.

The Resolution is needed to form a Commission. It was noted that the tax is suppose to be in effect July 1, 2008. The Commissioner's will ask the Council for an extension if the documents are not completed in time to enact the tax on July 1, 2008.

JUDGE BANINA/AIR CONDITIONING

Judge Banina said the air conditioning is not working in his Courtroom office. He said it is 77 degrees in his Courtroom and rising. The Board said there was a problem with the chiller last week, but thought it is fixed by now.

CCI CLAIM

Commissioner Boyer moved to pay the CCI claim. The motion was 2nd by Commissioner Hawley and passed 2-0.

WABASH VALLEY RESTORATION

The Board received a claim concerning the experimental work on the Museum water issue. Commissioner Boyer moved to set this bill aside until they find out if anything has been done at the Museum.

Commissioner Boyer moved to pay the claims for the jobs completed. The motion was 2nd by Commissioner Hawley and passed 2-0.

IDEM NOTICE

The Board received a notice of air quality permit from Square D.

INDIANA PIPELINE AWARENESS ASSOCIATION

The Board received updates on the new rules for the Indiana Pipeline Awareness Association.

CLAIMS AND PAYROLL

A motion was made by Commissioner Boyer to approve claims and payroll. The motion was 2nd by Commissioner Hawley and passed 2-0.

MINUTES

A motion was made by Commissioner Boyer to approve the minutes. The motion was 2nd by Commissioner Hawley and passed 2-0.

IT DEPARTMENT

Mr. Powell told the Board that the issue at EMA is a wiring issue. He can either jury rig it or re wire it totally. Commissioner Hawley said to get the jury out again and rig it. Then Commissioner Boyer moved to rewire. The motion was 2nd by Commissioner Hawley and passed 2-0.

HIGHWAY

Ken Einselen gave the Board the mileage Certificate from the State. Miami County lost 15 miles in our road inventory.

COURT HOUSE SIDEWALK

A motion was made by Commissioner Boyer to have Ken Einselen send out bid requests to local contractors to do the work desired to the sidewalks around the Court House. The motion was 2nd by Commissioner Hawley and passed 2-0.

CHANGE ORDER FOR REDUCTION IN BLACKTOP

Commissioner Boyer moved to approve the credit and change order for plumbing fixtures and reduction in blacktop. The motion was 2nd by Commissioner Hawley and passed 2-0.

Commissioner Boyer moved to adjourn. The motion was 2nd by Commissioner Hawley and the motion passed 2-0.

Adjourned

THE MIAMI COUNTY BOARD OF COMMISSIONERS

_____, CHAIRMAN
GARY D. HAWLEY

_____, VICE CHAIRMAN
GREGORY DEEDS

_____, MEMBER
CRAIG BOYER

ATTEST: _____, Auditor
Brenda Weaver

