

**MIAMI COUNTY BOARD OF COMMISSIONERS  
25 NORTH BROADWAY  
PERU, INDIANA 46970  
September 2, 2008**

Commissioner Hawley opened the meeting.

**DOG TAX**

Commissioner Deeds asked the Board if the software being currently used by the Drainage Deputy is sufficient or should they move to a system that prints labels. After some discussion The Board suggested to pay the \$50 cost for the current program and if it becomes necessary in the future to purchase a more sophisticated system they will revisit this.

**LETTER FROM DOWNEY INSURANCE**

The Board received a letter from Frank Smith stating he was impressed with the quality of work and safety standards set by the workforce at the Highway Department.

**CCI PERFORMANCE BOND OF A CONTRACTOR**

The Board received a copy of the performance bond for Central Indiana Glass & Glazing. This is just a notice and no action was needed.

**CERTIFICATE OF LIABILITY**

The Board received a certificate of liability from Auto Owners Insurance for Burns Country Garage. This is to be filed for future reference.

**INSURANCE BILL**

The Board received the yearly bill from Saine-Sommers for commercial property insurance. The cost is \$1,320 and was to begin on July 21, 2008. A motion was made by Commissioner Boyer to pay the claim. The motion was 2<sup>nd</sup> by Commissioner Deeds and passed 3-0.

**SMOKING ORDINANCE/MIKE WILSON**

Mr. Wilson told the Board that nearly 3,000 people signed petitions supporting the County adopting a smoking ordinance to ban smoking in public places. He said 80% of the residents agree that employees need a smoke free environment. He stated that 48% of smokers agree with a smoke free ordinance. He is waiting for the Board to move forward. Commissioner Boyer said we have an appointment with the County attorney on September 22, 2008 to discuss this. He said they have to take great care in drafting this ordinance. We do not want the County to end up in a big lawsuit. Mr. Wilson said typically lawsuits of this nature rarely have any merit. Commissioner Hawley said the cost to defend such a lawsuit is what the County would like to avoid. He does not want the County to have to spend thousands of dollars defending a suit that we may or may not win. There was no further action taken.

**MINUTES**

Commissioner Deeds moved to approve the minutes. The motion was 2<sup>nd</sup> by Commissioner Boyer and passed 3-0.

**PAYROLL**

Commissioner Boyer moved to approve the payroll. The motion was 2<sup>nd</sup> by Commissioner Deeds and passed 3-0.

**STRUCTURE POINT**

The Board received a claim for Structure Point for the Section 4F document and other work. The amount due is \$1,190 from the 2007 CEDIT money. Commissioner Deeds moved to pay this amount out of the stated money. The motion was 2<sup>nd</sup> by Commissioner Boyer and passed 3-0.

**RUBIN & LEVIN**

The Board received a notice of a suit between a subcontractor and a prime contractor. No action neither needed nor taken by this Board.

## **TOURISM**

Debbie Bowsher told the Board the sign has been ordered for the Court House lawn. The Commissioners asked Commissioner Hawley to meet with Mrs. Bowsher to locate the place to put the sign.

Commissioner Deeds asked if the Tourism Commission has met. The Board members have no idea. After some discussion it was decided that the Commission would meet on the 9<sup>th</sup> at 7:00 pm in the Court House.

## **AMCO ELEVATORS**

The Board received the inspection notice and fees for 3 elevators. This will be processed and the inspection notices will be displayed properly.

## **CCI CHANGE ORDERS**

The Board discussed some of the change orders on the jail project. A motion was made by Commissioner Deeds to approve the claims for the change orders for CCI. The motion was 2<sup>nd</sup> by Commissioner Boyer and passed 3-0.

## **FAIR GROUNDS REQUEST**

The Board received a request for dirt from the new jail site to be used for the Horse ring at the fair grounds. The Board has no problem with it.

## **CLAIMS**

A motion to approve the claims was made by Commissioner Boyer and 2<sup>nd</sup> by Commissioner Deeds. The motion passed 3-0.

## **USI CHECK FOR CHANGES IN THE INSPECTIONS**

The Board received a refund check in the amount of \$5,144.84 for inspections not needed on bridge #28. The contract was based on recommended inspections and the frequency of those inspections. They have had to do fewer inspections so the refund was calculated and sent to us. The Board instructed this be put back in Cumulative Bridge.

## **HIGHWAY DEPARTMENT**

Sam Waltz gave his weekly report and said the parking lot at IVY Tech is finished. Mr. Waltz said he might need to transfer funds for fuel before the end of the year. He also commented that he sees value in the property by Sease's Greenhouse and would hope the Board does not trade properties with Mr. Sease. No comments or actions taken on this issue.

## **COUNTY ATTORNEY**

David Grund said he has filed the 2<sup>nd</sup> request for time to answer questions concerning a legal matter. The Board moved to set an executive session for next week at 8:30 regarding the threat of litigation.

## **RIGHT OF WAY ISSUE**

The Board and Mr. Grund discussed an issue at Strawtown Pike and 1100 south. Mr. Dale Lemasters brought this to the Board. County Attorney Grund said the road is not on the County inventory. Mr. Grund will do a resolution concerning the Commissioners position on this issue.

## **SHERIFF ROLAND**

Sheriff Roland brought a 457-retirement plan to the Board from McCready Keene for Morgan Stanley. The County has a retirement plan for the Sheriff's department through Tyra Walker but this is another choice. The Board saw no problem with letting the employees chose whether they want to look at this or not. No further action taken.

## **NIPSCO BILL**

The Board received a bill from NipSCO for \$455.62. A motion to approve the claim was made by Commissioner Deeds and 2<sup>nd</sup> by Commissioner Boyer. The motion passed 3-0.

**DNR/WABASH RIVER CORRIDOR COMMISSION**

**Ken Einselen asked to be allowed to attend a meeting next Wednesday as the Boards representative. A motion to allow Mr. Einselen to attend the meeting was made by Commissioner Boyer and 2<sup>nd</sup> by Commissioner Deeds. The motion passed 3-0.**

**Commissioner Boyer moved to recess until after lunch. The motion was 2<sup>nd</sup> by Commissioner Deeds and passed 3-0.**

**Reconvened**

**The Board of Commissioners discussed the process of collecting taxes with the Treasurer, Auditor and 2 of the Assessor's first deputies. The Council needs to appoint a member to the PTBOA Board as quickly as possible. Commissioner Deeds said the lack of one person on that Board should not stop the process of beginning appeals.**

**REMC REQUEST/JIM YATES**

**Mr. Yates asked the Board if he could have a half truckload of dirt from the new jail site. This is to fill holes from removed power poles. The Board has no problem with it but Mr. Yates will have to speak with CCI at the job site.**

**Commissioner Boyer moved to adjourn. Commissioner Deeds 2<sup>nd</sup> the motion. The motion passed 3-0.**

**Adjourned**

**THE MIAMI COUNTY BOARD OF COMMISSIONERS**

\_\_\_\_\_, CHAIRMAN  
**GARY D. HAWLEY**

\_\_\_\_\_, VICE CHAIRMAN  
**GREGORY DEEDS**

\_\_\_\_\_, MEMBER  
**C. CRAIG BOYER**

Attest: \_\_\_\_\_, Auditor  
**Brenda Weaver**