

**MIAMI COUNTY COMMISSIONERS  
25 NORTH BROADWAY  
PERU, INDIANA 46970  
DECEMBER 1, 2008**

**Commissioner Hawley opened the meeting of the Board of commissioners.**

**COUNTY ATTORNEY**

**David Grund told the Board there has been some renewed interest in the position of County attorney.**

**SMOKING ORDINANCE**

**Neil McCreary urged the Board to vote on the smoking ban before the end of the year. He asked about the mention of a lawsuit at the last public hearing the Board held on the issue. Commissioner Hawley said he is not sure the man who made the threat was speaking of a specific organization. He was an attorney and said he would represent all private clubs. Commissioner Hawley said he took a tally at the last meeting 37 people spoke. 19 people spoke against the ordinance and 18 spoke in favor of the ordinance.**

**Commissioner Deeds stated that the State of Indiana needs to make the call on a statewide ban or allow Counties to place the question on the ballot as a referendum. Mr. Deeds said he does not like the fact that there is one rule for one community and another for a similar community. Commissioner Boyer said he would also like the State to take action on this issue.**

**Mr. Mike Wilson also came to the Board for the same reason. He said they are waiting for the 3 Commissioners to act. He said the Board has reviewed this from every angle that it can be looked at. The Smoking Coalition also would like the State to take action but it is obvious they are not going to do it. He also said if a lawsuit does happen, they have funding to help with this and also to do publicity if the Board adopts this ordinance to publicize it in an effective way. Commissioner Boyer said he wishes these people would write their State Legislators to adopt or pass a statute to allow this on a referendum.**

**It was noted that there is a Representative from Lake County that is trying to introduce a bill fashioned after what the Commissioners want. No further action needed, the Board thanked Mr. McCreary and Mr. Wilson for coming in.**

**INSURANCE**

**Gary Mock told the Board he will be bringing another man with him to give his quote on insurance for the fleet owned by the County.**

**COUNTY ATTORNEY**

**The Board received an application from Patrick Roberts for the position of County attorney.**

**PEST CONTROL**

**The Board had taken the two bids under advisement last week and because Indiana Pest Control has had a good record and the lowest bid a motion was made by Commissioner Deeds to accept Indiana Pest Control the contract for**

pest control for the Court House, Annex building and the jail. The motion was 2<sup>nd</sup> by Commissioner Boyer and passed 3-0.

#### **DUKES HEALTH CARE FOUNDATION**

Commissioner Deeds said that Sally Keith's term is up December 31, 2008 and she is willing to serve another term. He made a motion to appoint Sally Keith to the Dukes Health Care Foundation. The motion was 2<sup>nd</sup> by Commissioner Boyer and passed 3-0.

#### **MINUTES**

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

#### **JAIL PROJECT**

The Board received a notice from Beau Mitchell concerning a dispute with a sub contractor. No action was taken.

#### **CCI**

The Board reviewed the proposals for pay from CCI and forwarded them to RQAW for processing.

#### **HIGHWAY DEPARTMENT**

Mr. Einselen gave the Board the 5% report he receives. There is one accident listed in the report on 600 N. 400 East south of state road 18. He also informed the Board of the bridge inspections approved by the State. They will negotiate with the top ranked firm to do the County bridge inspections.

#### **11:00 A.M. BIDS FOR HIGHWAY MATERIALS**

Commissioner Hawley asked if all bids are good for 30 days. The Board has asked the County Attorney to review the process the Board is doing and they would like to hold the awarding of bids for one week. Commissioner Deeds moved to hold bids while the County Attorney reviews the process. The motion was 2<sup>nd</sup> by Commissioner Boyer and passed 3-0.

#### **HIGHWAY DEPARTMENT**

Mr. Waltz said he priced the materials for the salt shed roof and it was \$2,000 for just the material. The entire roof and a vapor barrier were put on the building for \$4,800. He feels the County got a good deal on this.

Ken Einselen also asked the Board about encumbering funds for business 31 south. Commissioner Boyer moved to have Ken Einselen follow up on encumbering what he can. The motion was 2<sup>nd</sup> by Commissioner Deeds and passed 2-0. Commissioner Hawley left the room prior to this discussion and vote.

#### **MOWING LEINS**

Darrell Wooten had 3 documents for the Board to sign for mowing properties. The 3 properties are Robert Brown Sr. of Amboy, David and Melinda Madden on State Road 18 and Gary Myers on State Road 19. Commissioner Boyer moved to move forward with filing these liens. The motion was 2<sup>nd</sup> by Commissioner Deeds and passed 2-0. Commissioner Hawley stepped out of the room prior to this vote.

Commissioner Boyer moved to recess until 1:30 pm. The motion was 2<sup>nd</sup> by Commissioner Deeds and passed 3-0.

1:30 reconvene.

David Armstrong and Mayor Jim Walker joined the Commissioners and Ken Einselen to review the State projects for 2010 through 2013.

The Board was told the bridge #28 project is set for 2009. Old Business 31 construction is due construction 2010 and the North Broadway project is due to begin construction 2011. No action was taken but the Board had several of their questions answered concerning funding and time frames for the various projects concerning the City of Peru and Miami County.

#### HEALTH DEPARTMENT

Dr. Farag spoke to the Board concerning the microfilm. He would like to know where the County would like it stored. Commissioner Boyer told Dr. Farag to ask the Recorder if there is room in her box at the bank to store these rolls of film and if not the Health Department will need to rent a box at the bank for storage. No further action taken.

Commissioner Boyer moved to adjourn the meeting. The motion was 2<sup>nd</sup> by Commissioner Hawley and passed 2-0. Commissioner Deeds was absent for this action.

#### MIAMI COUNTY COMMISSIONERS

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

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

\_\_\_\_\_, MEMBER  
CRAIG BOYER

ATTEST: \_\_\_\_\_, Auditor  
Brenda Weaver