

MIAMI COUNTY COMMISSIONERS
25 N BROADWAY
PERU, IN 46970
08-08-11

Chairman Boyer opened the meeting.

NICKEL PLATE TRAIL

Jerry Piotter, asked the Board about rules for the trails. Commissioner Boyer said that when the State put in the bank program it took control away from the County. Mr. Kuepper, Rails to Trails, stated that with the rail banking, the trails are the successor to the railroad and therefore they follow the rules of the railroad

Mr. Piotter stated that the trails ripped up his crossing and did not fix it properly as well as messed up a ditch and he believes they should have to fix both.

Harry Knauff, who lives just south of Mr. Piotter asked about cars on the trails because he has driving their cars on the trail, parking their cars in his field and putting rubbish in his easement. The Board of Commissioners will look at both properties.

There are still questions regarding the legality of enforcing an ordinance for the Trails. Mr. Kuepper said an ordinance has been in place in several locations for many years. The Board questioned if they had ever been challenged.

Mr. Kuepper asked the Board about a landowner who changed the water flow on property owned by the Trails which caused water to run over lovers lane without permission. The Board will check that out as well.

MUSEUM

Gary Hawley informed the Board that the Museum Board has conducted interviews and is ready to bring a recommendation to the Board for that position. The Museum Board is recommending that Elise Kordis be hired as the Miami County Museum Curator. Commissioner Faust made a motion to accept the recommendation. Commissioner Francis 2nd the motion and it passed 3-0.

YMCA RURAL TRANSIT

Dave Quick brought the new grant application to the Board for acceptance and signatures. Commissioner Francis made a motion to have Chairman Boyer and County Attorney Pat Roberts sign the application. Commissioner Faust 2nd the motion and it passed 3-0.

Commissioner Francis made a motion to sign Appendix E (Authorizing Resolution) Commissioner Faust 2nd the motion and it passed 3-0.

SEE CAFO ISSUE

Jerry Smith asked the Board who handles EPA issues. There were 8 manure spills in the County last week. Charles Smith asked why manure could be sprayed 0 feet from a property line. There have been instances when someone walking on the Trail has been sprayed with the manure. Carol Cohee also asked what could be done about the manure spills and the manure trucks tearing up the roads. Mrs. Cohee also believes the truck should bare the hazardous material sign.

Mrs. Cohee also asked about water pollution issues and whom they could get to test the water. If they take water samples themselves, the State will not look at them. Commissioner Francis suggested they contact Bruce Murphy.

The group asked the Board if they could put an ordinance in place to fine haulers who spill. County Attorney Pat Roberts does not think the Board has the authority to do that or to put an escalating fee with it.

The group also asked if something could be done to protect people walking on the trail or sitting on their own property from being sprayed with the manure. Mr. Roberts said that is covered in the present law.

The group wanted to know why they did not have to have a public hearing. It goes back to the 10-acre rule.

HIGHWAY

Sam Waltz, Highway Supervisor, informed the Board he needs to go before the Council to request a transfer of funds. Mr. Waltz also spoke to the Board about some problems with the Business 31 project.

IT

John Powell, IT Director, brought a maintenance bill from Idealstor. Commissioner Francis made a motion to renew the agreement in the amount of \$2,249. Commissioner Faust 2nd the motion and it passed 3-0.

MINUTES

Commissioner Francis made a motion to accept the minutes. Commissioner Faust 2nd the motion and it passed 3-0.

HIGHWAY ENGINEER

Ken Einselen, Highway Engineer, brought 2 bills from Butler, Fairman and Seufert for bridge inspections. Commissioner Francis made a motion to approve paying the bills. Commissioner Faust 2nd the motion and it passed 3-0.

9-1-1

Commissioner Francis made a motion to approve the 9-1-1 Director to attend a one-day training class. Commissioner Faust 2nd the motion and it passed 3-0.

Commissioner Faust made a motion to recess until 1:30 and Commissioner Francis 2nd the motion. Motion passed 3-0.

BACK IN SESSION

The Board met with David Armstrong, INDOT, regarding the Business 31 project.

Phase I is out of money. Claims will be processed and audited. The balance of the project will have to be paid for by the County.

The Board asked what the possibility of just doing the bridge repair out of Phase II. Due to the problem of purchasing the right-of-ways, and the problem with the trees that line the road (historical issues). The County is not sure they will have the money to do the complete project. Mr. Armstrong stated they would have to re-visit the scope of the Phase II project.

Mr. Armstrong asked about Lost Bridge. The Board is not sure they want to pursue repairing a bridge that would not be a benefit to the County. Mr. Armstrong reminded them that Lost Bridge is considered a select bridge and if they chose to withdraw from the bridge, it removes all of our bridges. There was also a discussion regarding the possibility of our Bridge crew doing a lot of the work.

HANGER 200 BILL

Commissioner Francis made a motion to approve a bill submitted for the Hanger 200 project in the amount of \$68,460. Commissioner Francis made a motion to pay the bill. Commissioner Faust 2nd the motion and it passed 3-0.

INSURANCE POLICY

E.C.I.T. Dental was purchased by Met-Life with no changes to the policy. Commissioner Francis made a motion to sign and Commissioner Faust 2nd the motion. Motion passed 3-0.

HEALTH DEPARTMENT

Ken Scott asked the Board if he could purchase software in the amount of \$30 on the County’s credit card. Commissioner Francis made a motion to allow John Powell, IT Director, to use the credit card to purchase the software for Mr. Scott, with Mr. Scott paying for the software out of his funds when the bill comes. Commissioner Faust 2nd the motion and it passed 3-0.

BEUMER CONSULTING REPORT

Commissioner Francis made a motion to approve the report from Beumer Consulting for the Community of Miami’s wastewater utility plan. Commissioner Boyer 2nd the motion and it passed 2-0 (Commissioner Faust was out of the room).

INTERLOCAL AGREEMENT - MECEDA

Commissioner Francis made a motion to sign the corrected inter-local agreement between MCEDA and the County for Hanger 200. Commissioner Faust 2nd the motion and it passed 3-0.

Commissioner Faust made a motion to adjourn and Commissioner Francis 2nd the motion. Motion passed 3-0.

Adjourned

MIAMI COUNTY BOARD OF COMMISSION

_____, **Chairman**
C. Craig Boyer

_____, **Vice Chairman**
H. Jon Faust

_____, **Member**
Joshua Francis

Attest: _____ **Auditor**
Jane Lilley