

Commissioners Patrick F. Clawson, William R. Brown and Ron Slavens met in Regular Session on the 3<sup>rd</sup> day of October 2011 at 9:00 a.m. to conduct business pursuant to the laws of Carroll County and the State of Indiana.

The meeting was opened with the Pledge of Allegiance.

William Brown made a motion to approve the minutes of the Commissioners' September 19, 2011 meeting with the revisions that Pat Clawson was at the 911 Board meeting but did not vote on the termination of the E-911 Director's contract. Motion was seconded by Ron Slavens, passed unanimously.

Minutes of the appeal hearing held September 26, 2011 were approved unanimously; motion to approve was made by William Brown and seconded by Ron Slavens.

Payroll claims for the period ending September 17, 2011 were approved unanimously; motion to approve made by Bill Brown and seconded by Ron Slavens.

A Marine Patrol Grant payroll for period ended September 17, 2011 was unanimously approved; motion to approve by William Brown and seconded by Ron Slavens.

October Claims for County General, Highway and Other Funds were approved unanimously on motion by William Brown and seconded by Ron Slavens.

**COCKRELL & ASSOCIATES CONTRACT:** Lawyer Matthew Cockrell of Mathew Cockrell & Associates, was present to review and answer questions concerning a legal services retention agreement for an environmental insurance and cost recovery matter should the County decide to proceed with the clean-up. Mr. Cockrell stated his contingency fees would come from the insurance payments and he will waive his expenses. Since he is waiving his fees, the Commissioners were content with the agreement. William Brown made a motion to accept the contract with the change that the fees would be waived. The question was asked that if there was not sufficient insurance to cover the clean-up of the landfill, would the County be liable for the difference? Mr. Cockrell answered that very rarely did the municipality have to pay any additional; however, there are no guarantees. William Brown then asked about the amount of fact finding that will have to be done; Mr. Cockrell stated the work would start as soon as the contract was signed.

**VACATION OF ROAD:** Barry Emerson represented Randall Nace in a petition to vacate a portion of a road in the town of Patton in Jefferson Township. Emerson stated he provided all the required notifications and has not received any objections. Emerson then asked the audience if there was anyone present to object to the vacation. Emerson presented a map showing the area of vacation. William Brown made a motion to approve Ordinance 2011-05, vacating all that portion of County Road 1125 West that lies south of County Road 1100 North in the unincorporated Town of Patton, Carroll County, Indiana. Ron Slavens seconded, passed unanimously.

**HIGHWAY DEPARTMENT:** Paul Coutts, County Highway Engineer, responded to a petition received from residents of the C & C Beach area in Jefferson Township. Coutts broke down the letter as follows:

1. Yield Signs at Earl and Corey Drive – Corey Drive is a private drive and the Highway Department does not put signage on private drives.
2. Yield at Windsor and Konini Drive – Coutts could not find a road anywhere named Konini; he thought Konini is probably a private drive also.
3. Drainage on Earl at Corey Drive – The pipes were redone a few years ago. When Coutts looked at it the inlet was the problem. It is an older subdivision; streets are flat, no side ditch drainage, and no adequate overall drainage in the area. They might be able to modify the inlets to some extent; ideally there would be curb and gutters.
4. Holes in the road – Coutts did not find many holes in the road. The durapatcher will be down there today and they will also work on the hill.
5. Speed limit or speed bumps on Earl Avenue – Coutts is against speed bumps because they will tear up a snow plow and speed limit signs are only as good as the enforcement. Coutts feels it is the responsibility of the residents and perhaps a resident meeting could stress the importance of safety.
6. Chip and Seal – Lower Lakeshore Drive and Earl Avenue are in bad shape, and in general the roads are pretty rough. They are mostly one-way roads that have gotten worse over time. Ron Slavens stated there are a lot of people on Woodbine and feels the area should be chipped and sealed. Pat Clawson stated the chip and seal project would be nice and should be looked at next year. William Brown asked how long the road was from Earl Avenue to Corey Drive; Coutts replied about 1/8 mile. Clawson stated there was not enough money to address all the roads in the County and there was less traffic on these roads. Coutts thought there were a couple 30 mph speed limit signs on the road.

Clawson reported road 250 S out of Radnor, the north side needs to be ditched; the landowner has used his own tile and dirt. Clawson asked about another layer on 800 W, Coutts responded there would be another layer.

There was concern expressed about trees and crops planted too close to roads and intersections. Coutts stated they first ask the landowner to do it themselves, if no response then the County does the work. It was asked if an ordinance could be established; Brown stated the problem is that roads are not established; all roads would have to be surveyed and that would be expensive. Coutts stated that in Tippecanoe County they do have an ordinance and he will look into it; stating he was in favor of having something so they could ask the landowner to trim back rather than the County do it. Coutts will draw up ideas.

**ZONING ORDINANCE:** Miriam Robeson, representing the Zoning Ordinance Steering Committee, presented the second official draft of the proposed zoning ordinance; the changes are a result of the meetings and questions from public meetings. She indicated there was a letter inside the ordinance outlining some changes. Robeson will suggest at the October Area Plan meeting that they look it over and recommend for adoption to the Commissioners.

Ron Slavens made a motion to suspend the Commissioners meeting and open the 10:00 a.m. advertised Finance Committee meeting. Seconded by William Brown, passed unanimously.

**FINANCE COMMITTEE:** Treasurer Beth Myers introduced David Franklin, Vice President and Portfolio Manager for Morgan Asset Management. He was present to discuss the Regions trust account; he is recommending a strategy change. The Trust has been invested in short term government bonds in accordance with State statute. Mr. Franklin stated that due to economics, rates are at their lowest levels; the basic view is that the economy is growing at a slow pace. The present portfolio of investments is all US bonds; trying to keep funds liquid by natural maturities and staggering the length of bonds. His recommendation is to move out of some of the bonds and move into money markets. Slavens asked if the money market was in their bank or other banks; Franklin recommended using the Region Trust Cash Sweep. Myers stated there were other banks wanting to bid. Pat Clawson stated the information presented was good and wanted to take it under advisement. Franklin stated there was no deadline; however, the quicker a plan can be put together the better. Myers felt the rate should be negotiated and she felt it should be higher. Franklin stated the rate of .15% was the best they could do, that was their premier account rate. Slavens made a motion to table discussion until more information is available and to set up another Finance Committee meeting at the October 17<sup>th</sup> Commissioner meeting. Seconded by William Brown, passed unanimously. Finance Committee meeting was then closed.

**ADAMS MILL LETTER OF SUPPORT:** Bonnie Maxwell presented a letter for Commissioner signature to support the application of Adams Mill Inc, to apply for a Division of Historic Preservation of the Indiana DNR for funding through the Historic Preservation Fund of the Department of Interior's national Park Service 50/50 grant. Maxwell explained that because it is government money, the grant officials like to have letters of support from government agencies. The letter implies no financial support. Adams Mill, Inc. is now owner of the mill; there is a mortgage, however they have about \$120,000 in cash and pledges. William Brown made a motion to endorse the letter of support, Ron Slavens seconded, passed unanimously.

**EMERGENCY MANAGEMENT:** Dave McDowell, Emergency Management Director, presented a letter for Commissioner signature to the USDA to request assistance to repair eroding stream banks which threaten county and private property.

McDowell also presented a Carroll County Emergency Sheltering Plan whereby the Commissioners would enter into agreements with organizations to provide shelter during emergency situations for a limited duration.

William Brown made a motion to endorse the letter and the plan, seconded by Ron Slavens and passed unanimously.

**OTHER BUSINESS:**

Ron Slavens made a motion to table the EDIT resolution and tire fee ordinance due to the County attorney not being present. Seconded by William Brown, passed unanimously.

**COURTHOUSE USAGE:**

- Delphi Chamber of Commerce to use the Rotunda November 14 – December 31, 2011 for the Festival of Trees. Ron Slavens moved to approve, seconded by William Brown, passed unanimously.
- Tri Kappa to use the rotunda and lounge December 2 & 3, 2011 for Visit with Santa. William Brown moved to approve, seconded by Ron Slavens, passed unanimously.
- Sign usage permit for Solomon's Court from November 17 – 24, 2011 to advertise a free Thanksgiving Dinner. William Brown moved to approve, seconded by Ron Slavens, passed unanimously.

**4-H BUILDING USAGE:**

- Carroll County SWCD to use the 4-H Building on October 19, 2011. William Brown moved to approve, seconded by Ron Slavens, passed unanimously.

**NEXT MEETING:** There being no further business to bring before the Commissioners, a motion to adjourn was made by Ron Slavens and seconded by William Brown. Passed unanimously. The next regular meeting will be at 9:00 a.m. on Monday, October 17, 2011.

**CARROLL COUNTY BOARD OF COMMISSIONERS:**

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Patrick F. Clawson, Chairman

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William R. Brown, Vice Chairman

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Ron Slavens

**ATTEST:**

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Elaine Hathaway, Auditor