

Board of Commissioners
January 6, 2009 – 8:47 am

Meeting called to order by President Rininger. Commissioners Rininger, Logsdon, Gogel, and Board Attorney Lueken were present.

Minutes

11/26/2008 Executive Session; Gogel made a motion to approve. Logsdon seconded. All in favor.

12/01/2008 minutes; Logsdon made a motion to approve. Gogel seconded. All in favor.

12/16/2008 minutes; Gogel made a motion to approve. Logsdon seconded. All in favor. Logsdon stated that on the 16th it was discussed that Johnson Control was going to visit the jail and see what needs to be done. Logsdon asked Shelton to check to see if they have, and if so, put them on the agenda for the January 20th meeting.

Raises

Logsdon stated that Governor Daniels asked all public employees to forego their raise for 2009. Logsdon said he would be willing to give up his raise. Rininger stated that the Governor has done very little for counties. Gogel stated that the council kept their pay the same as 2008 and he was willing to do the same. Logsdon made a motion to have the commissioners' pay remain the same for 2009 as it was in 2008. Gogel seconded. The motion passed with a vote of 2 to 1 with Rininger opposing.

Highway Union Contract

Rininger stated that the union representative agreed with the minor word changes made in the contract. Logsdon made a motion to approve the union contract as negotiated and approved by the highway workers. Gogel seconded. All in favor.

Courthouse Maintenance

A/C & Heating Units - Maintenance Supervisor King asked the commissioners if they would like him to continue cleaning the A/C & heating units for \$1,500. King explained that there are 72 units in the courthouse and twice a year each unit must be thoroughly cleaned. It takes approximately 90 minutes per unit and is done in the evening and on weekends. Lueken discussed liability concerns. King stated he has liability insurance and can provide the county with a copy. Logsdon made a motion to contract King on a semi-annual basis to clean the A/C and heating units for \$1,500 annually.

Benches – King asked if he could purchase rod iron benches for the third floor. People waiting to go to court sit on the A/C and heating units and they are being pulled out of the wall. The cost of each bench is approximately \$100. Logsdon made a motion to approve. Gogel seconded. All in favor.

Bathroom Ventilation – King discussed the need for ventilation in the restrooms in the courthouse. King was instructed to obtain quotes and report back to the commissioners.

Duties – Logsdon asked King to compile a list of his daily duties and annual routines before he decides to retire so the next person can benefit from his expertise. Logsdon stated that Judge Roell complimented the appearance of the courtroom and the remodeling done and King had a lot to do with it.

The meeting was recessed at 9:37 am.

The meeting reconvened at 9:40 am.

Highway Report

Bridge Inspection – Painter reported that when the bridge inspection was done, a problem was found with Bridge #2 on River Road, East of Enterprise, over Jackson Creek Ditch. He stated that when Engineer Lloyd returns to work they will decide what needs to be done. Logsdon asked how much traffic is on the bridge and if it should be taken out and the road made into a dead-end. Painter stated it is mostly used by farmers and the land could be accessed from the other side. The issue will be discussed again when Lloyd returns.

Gas Pipeline Moves – Painter reported that some contractors are moving gas pipelines without notifying the highway department. Hauling heavy equipment on county roads without notification is in violation of the road ordinance. Painter stated that he has caught up with two of the contractors but there may be more. Gogel asked if

Commissioner Meeting 01/06/2009 cont.

the road ordinance should be mailed to all of the utilities that do work in the county. Lueken stated that if it is done it should be done by certified mail so there is proof of receipt.

Surveyor Truck

Logsdon asked Painter about the condition of the Surveyor's truck which has been moved to the highway department. Painter stated that the radiator would need to be replaced for approximately \$200. He said the seats are also torn up. The cost to recover them would be approximately \$200 or a used seat out of a junk truck could possibly be found for approximately \$100. Discussion was had on the need for the Surveyor to have a four-wheel drive vehicle. Painter said the old Assistant Superintendent's truck is four-wheel drive, but it was purchased by the highway and if it was used the highway would need to be compensated for it. Logsdon stated that the possibility of the Surveyor using his own vehicle will be discussed in the drainage board meeting. Painter stated that he will hold off doing any repairs on the old vehicle until a decision is made.

Morrison Email Account

Jack Morrison asked the commissioners to remove his personal email address from the Veteran Service Officers computer so he can get his emails at home. He also asked if he could get any personal emails which were sent to the computer after he left the office. Lueken stated he will check into the matter after the meeting.

Rininger thanked Morrison for helping Lawson get started in the position.

Travel Transfer

Shelton stated that half of the 2009 travel budget for the commissioners has been used to pay travel expenses turned in at the end of 2008. She recommended a transfer into travel. Gogel stated that he would prefer to wait and see if it is needed.

Legal

DNR Public Hearing – Lueken stated that notice was given about a public hearing in Dale on a Patoka Lake Water contract, but no information was given as to who the contract is with.

Redevelopment Commission – Lueken reported that the Redevelopment Commission adopted a resolution in support of coal gasification, identical to the one the commissioners adopted.

Contract for Legal Services

Lueken stated that the council will be discussing the contract for his legal services at their meeting on the 20th. He presented the commissioners with an amendment to the employee handbook which would make the county legal advisor excluded from the provisions allowing comp time and overtime. Logsdon made a motion to approve the amendment to the employee handbook. Gogel seconded. All in favor. Lueken also presented them a revised contract for his services which included the following statement: "Should the legal services described above not be able to be provided by me or my office for a period lasting longer than two weeks, any future salary payments would be withheld until such services are resumed."

Gogel asked if there were any projects in 2008 which would have qualified as a special project under this contract. Lueken stated that the only one which would have been close was the Richland incorporation.

Gogel stated that his only reservation about the contract is the amount, because he felt that the county had spent too much on legal services the last several years.

Gogel made a motion to approve the contract as presented subject to the council's approval of funding. Logsdon seconded. All in favor.

Possible Litigation

Lueken asked the commissioners to direct him to begin collection of data which could be necessary in potential litigation which was threatened toward the county. Logsdon made a motion to have Lueken gather information necessary for potential litigation to protect the county. Gogel asked how it would be paid. Lueken explained that it was agreed that his prior billing agreement would continue for the month of January until council can re-visit the proposed contract for his services. Rininger seconded the motion. The motion passed with a vote of 2 to 1 with Gogel opposing.

Commissioner Meeting 01/06/2009 cont.

Logsdon made a motion to adjourn. Gogel seconded. All in favor. The meeting was adjourned at 10:36 am.

Board of Commissioners,

President

Attest:

Cindy Shelton, Auditor
