

Gibson County Board of Commissioners

Regular Session

April 7, 2009

The Gibson County Board of Commissioners met in regular session on April 7, 2009, at 8:30 AM in the North Annex Meeting Room.

Members present:

Bob Townsend, Pres. Gerald Bledsoe, VP
Don Whitehead Attorney James McDonald

Members absent:

The meeting was called to order with a present standing and reciting the Pledge of Allegiance.

Minutes: The minutes of the previous meeting, March 17, 2009, were approved with a motion by Bledsoe seconded by Whitehead and passed 3-0.

Claims: The following claims were presented for approval: Payroll, 3/27/09, \$264,170.76, 4/10/09, \$282,016.20; County General, \$462,574.05; Highway, \$118,890.08; Sheriff, \$36,844.38. The claims were approved with a motion by Bledsoe seconded by Whitehead and passed 3-0.

Department Reports: Weights & Measures: Gary Dawson gave the monthly report.

EMS: Dan Alvey gave a monthly report and also a comparison report of same time period for 2008 and 2009. He also reported repairs on the ambulance that had been damaged in an accident should be completed and back in service by the week's end.

Resolution 2009-3: Resolution adopting Gibson County Ambulance Service, Identity Theft Prevention Program

Gibson County Resolution 2009-3

Resolution Adopting **Gibson County Ambulance Service, Identity Theft Prevention Program**

The undersigned, being the Commissioners of **Gibson County**, do hereby adopt, pursuant to the General Corporation Law of Indiana, the following resolution:

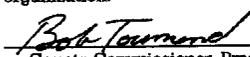
WHEREAS:

- (a) **Gibson County Ambulance** finds that identity theft is a serious problem for healthcare providers in the United States;
- (b) In response to the risks posed by identity theft to consumers and to the financial soundness of businesses, the United States Congress enacted the Fair and Accurate Credit Transactions Act of 2003 (FACT Act).
- (c) The Federal Trade Commission (FTC), along with federal bank regulators, adopted regulations implementing the FACT Act (the Red Flag Rules) that require creditors to adopt a written Identity Theft Prevention Program.
- (d) **Gibson County Ambulance** believes it is a creditor subject to the FTC's Red Flag Rules; and
- (e) **Gibson County Ambulance** has developed a written Identity Theft Prevention Program designed to detect, prevent, and mitigate identity theft.

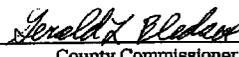
BE IT RESOLVED:

(1) This board of directors hereby approves the Identity Theft Prevention Program submitted.

(2) Director of Gibson County Ambulance Service is delegated responsibility for oversight, ongoing development, implementation, and administration of the program and shall have the responsibility to develop periodic updates to the program to reflect changes in risk to customers and to the safety and soundness of the organization.


County Commissioner, President

County Commissioner


County Commissioner
4/7/09
Date

Resolution 2009-3 was approved with a motion by Whitehead seconded by Bledsoe and passed 3-0. Alvey also asked for approval for an agreement for District 10 Disaster for the share of materials during the time of a disaster. This agreement was approved with a motion by Whitehead seconded by Bledsoe and passed 3-0.

Safety: Ken Greubel reported that the earthquake preparedness meeting at the Highway Department went well and the on line auction of County surplus items is in progress.

EMA: Terry Hedges spoke on the four declared disasters in Gibson County this past year and trying to recover some of the money spent during these times. The County has received money from FEMA and is now trying to recover the additional 25% that wasn't covered by FEMA. This is possibly available through a grant. He also spoke about the federal buy out of properties eligible due to flooding.

Sheriff: Allen Harmon gave the monthly report.

Highway: Jerry Heldt gave the monthly report and reported that hopefully the department will recover approximately \$224,000 from FEMA for the ice storm this winter.

Old Business: Animal Shelter Contract: Before making a motion on the contract there was discussion on problems with response time to telephone calls. It was discovered in the past couple years phone books there wrong number was listed for the shelter. The number was actually for the horse rescue service which is not monitored on an hourly basis and therefore messages left on that machine were often not known until possibly days to weeks after they were left. That has been corrected in the new phone book and the message on the other number has been changed directing people to the correct number. There was discussion on timeliness of response to phone calls and about writing citations for breaking ordinance regulations concerning animals. After the discussion, a motion to approve the agreement with EMMY Corp. to continue to run the shelter was made by Whitehead seconded by Bledsoe and passed 3-0.

Ordinance No. 2009-1: An Ordinance regarding the control and disposition of animals in Gibson County, Indiana was read for the first time. A motion made by Whitehead seconded by Bledsoe to agree to publish the proposed ordinance was passed with a 3-0 vote.

Jail Controls: Allen Harmon introduced Tim Henning from Architecture Plus to explain about the process to develop the specks to request bids for the new jail control panel and equipment. After doing research, they have been working with David Mesecio of a firm from Louisville, KY who is a specialist on this type of work. The firm will help develop the specification for the bids to be published at a future date. A motion to approve a contract with Architecture Plus to develop the bid specifications for the jail controls was made by Whitehead seconded by Bledsoe and passed 3-0.

Asbestos Removal: There is a need to remove asbestos in a county owned building in Oakland City. Bledsoe stated that properties owned by the county are being inspected and decisions made as to their disposal. A motion to hire Elite Environmental & Safety Services, Inc. to do the asbestos removal was made by Whitehead seconded by Bledsoe and passed 3-0.

Steve Bottoms and Bill Miller expressed their concerns of the road closures in the Somerville area and the fact that more are being closed and none of the roads are yet to be reopened. This fact is making it very difficult for people to get around the area.

Ordinance 2009-2, Sheriff Sale Fees: A new ordinance concerning a fee, maximum of \$200, to be charged for a Sheriff's sale of property was read. It was agreed that this should be presented to the County Council at the next meeting on April 14. A motion to publish the ordinance was made by Bledsoe seconded by Whitehead and passed 3-0.

Appointment to Southwest Indiana Workforce Board: A Commissioner is to be appointed to this board annually. A motion to appoint Gerald Bledsoe was made by Townsend seconded by Whitehead and passed 3-0.

EDIT Plan Amendment: A road inventory of the County roads is needed to update the present inventory. It was agreed that employees of the Surveyor's office would do this after or before office hours, approximately 5 hours per week. This will be a multiple year project. A motion to amend the EDIT Plan to include \$13,500 to pay overtime for these employees was made by Bledsoe seconded by Whitehead and passed 3-0. This needs to be taken to the Council to amend the salary ordinance to allow the payment.

Riker Lake Sub-Division: Phase 2 of this sub-division northwest of Owensville was presented for approval. A motion to approve upon approval of the Drainage Board was made by Bledsoe seconded by Whitehead and passed 3-0.

Smith – Maikranz Oil Rights: Due to the Severn's Bridge project there was a need for a clarification on a quick claim for and oil and gas lease.

Ordinance 2009-3, Temporary Loan Tax Warrant: A motion to approve the ordinance to allow the President of the Board to sign the tax warrant to allow the county to borrow money was made by Whitehead seconded by Bledsoe and passed 3-0.

ORDINANCE NO. 2009 - 3

WHEREAS, the Auditor and the County Council of the County now find that an emergency exists for the borrowing of money with which to meet the expenses of said County that will be incurred in 2009 to be paid from the General Fund of said County, which expenses must be met prior to the receipt of the December settlement and distribution of taxes for the year 2009, and

WHEREAS, the Auditor has presented to the County Council a recommendation that a temporary loan be made for the General Fund in the amounts and subject to the terms hereinafter set forth:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the County Council of the County of Gibson, Indiana, that a temporary loan be made for and on behalf of the General Fund of said County in the amount of \$5,000,000 the proceeds of each loan when drawn shall be placed in the General Fund of said County. The loan for the General Fund shall be used for meeting expenses of the County included in the regular budget and appropriations adopted for the year 2009, which expenses must be met prior to the receipt of the December settlement and distribution of taxes for the year 2009.

Such temporary loan shall be evidenced by warrants of the County dated as of the date of delivery thereof, bearing interest at a rate not to exceed 8% per annum (the exact rate to be determined by bidding), which interest shall be payable at the time of the final payment of the principal of said warrants and said warrants shall mature and be payable as follows:

<u>FUND</u>	<u>TOTAL</u>	<u>MATURING</u>
General	\$5,000,000	December 31, 2009

Interest shall be calculated on a 365 day basis. The warrant shall be subject to multiple draws and repayments of principal prior to maturity. A sufficient amount of the revenues of the County to be derived from the General Fund levy is hereby appropriated and pledged for the payment of the principal amount of said warrants to be issued for the respective Funds at maturity on account of the taxes for the year 2008, collectible in the year 2009, and a sufficient amount of the revenues of the County to be derived from the General Fund and, in the event such funds are insufficient, a portion of the County's EDIT revenue, is hereby appropriated and pledged for the payment of interest on said warrants at maturity. The Treasurer of said County is hereby authorized and directed to pay the principal amount of the General Fund warrant of the tax revenues of each fund and the interest on the warrants from the General Fund upon the presentation thereof at or after maturity. The warrants will be delivered on or about March 30, 2009.

Said warrants shall be signed by the Commissioners of the County and the seal of the County shall be affixed thereto and attested by the signature of the Auditor of the County.

Said warrants shall be payable at the office of Treasurer of Gibson County, Indiana. Said warrants shall, on the face thereof, indicate that it is issued for the General Fund and payable out of the General Fund revenues.

Said warrants shall be issued in substantially the following form, all blanks to be properly filled in prior to delivery, to-wit:

UNITED STATES OF AMERICA

STATE OF INDIANA

COUNTY OF GIBSON

COUNTY OF GIBSON, INDIANA
TEMPORARY LOAN WARRANT
GENERAL FUND

FOR VALUE RECEIVED, The County of Gibson, Indiana, will pay to _____ at the office of the Treasurer, Gibson County, Indiana, on December 31, 2009, to the extent drawn hereunder the maximum sum of _____ Dollars (\$ _____) with interest thereon, at the rate of _____ % per annum, computed from the date of each draw to the date of repayment, calculated on a 365-day basis. Draws upon this warrant shall be made upon five days' written notice and shall be noted upon this warrant. Multiple draws and repayments may be made under this warrant provided that the outstanding principal balance may at no time exceed \$ _____.

This warrant evidences a temporary loan aggregating Five Million Dollars (\$5,000,000) authorized an Ordinance passed and adopted by the County Council of Gibson County, Indiana on March 27, 2009, and in accordance with Indiana Code, Title 36, Article 2, Chapter 6, and all other acts amandatory thereof or supplemental thereto, for the purpose of procuring a temporary loan for the General Fund of said County.

This warrant is issued in anticipation of the tax levy made for the General Fund in the year 2008, collectible in the year 2009, which tax levy is now in the course of collection and to the payment of the principal amount and the interest thereon, of the revenues to be derived from the General Fund levy, a sufficient amount of the revenues to be derived from the General Fund levy has been and is hereby appropriated and pledged.

This temporary loan warrant has been designated as a qualified obligation pursuant to Section 265(b)(3) of the Internal Revenue Code.

It is hereby certified that in the execution of this warrant, all provisions of the Constitution and the Statutes of the State of Indiana relating thereto have been complied with, that the General Fund tax levy from the proceeds from which the principal amount of and interest thereon this warrant is payable, together with other revenues in that Fund, are valid and legal levies; and that said County will reserve a sufficient amount in the General Fund for the payment of the principal of and interest on those warrants.

IN WITNESS WHEREOF, the County of Gibson, Indiana, has caused this warrant to be signed in its name by the Commissioners and attested by the Auditor as of the 30th day of March, 2009.

COUNTY OF GIBSON, INDIANA

By: Bob Townsend
Commissioner
County of Gibson, Indiana

By: Gerald A. Bledsoe
Commissioner
County of Gibson, Indiana

By: Don Whitehead
Commissioner
County of Gibson, Indiana

Attest:

Mary B. Key
Auditor
County of Gibson, Indiana

Date Amount Drawn or Repaid Outstanding Balance

FMLA Request: A request for an FMLA leave for an EMS employee was presented. This was allowed by a motion by Whitehead seconded by Bledsoe and passed 3-0.

Having no further business the meeting was adjourned with a motion by Whitehead seconded by Bledsoe and passed 3-0.

Bob Townsend
Bob Townsend, Pres.

Gerald A. Bledsoe
Gerald Bledsoe, VP

Don Whitehead
Don Whitehead

Attested: Mary B. Key
Mary B. Key, Auditor