

**MINUTES OF A SPECIAL SESSION OF THE
BOARD OF COMMISSIONERS HELD OCTOBER 14, 2013**

Comes now the hour of 8:31 A.M. on the 14th day of October, 2013, in the Commissioners Court in the Noble County Courthouse, Albion, Indiana, being the time, date and place set for a special session of the Board of Commissioners of Noble County, Indiana.

Present were:

Gary Leatherman, President
Chad Kline, Member

Absent was:

David J. (Dave) Dolezal, Vice President

Also present were:

Marion S. Cavanaugh, Deputy Auditor
Dennis Graft, County Attorney
and Bob Braley & Scott Perry, News Media

PAYROLL TO BE PAID 10/17/13 APPROVED

After reviewing the payroll from 9/20/13 – 10/03/13 to be paid 10/17/13 and getting answers to some questions, Chad moved to approve it. Gary seconded the motion and it carried, 2-0.

EXEMPT PERSONNEL

While reviewing the payroll there was discussion about the qualifications which make employees exempt. Jackie asked if the Commissioners ever thought of having something to be signed by the boards like the Board of Health and the Plan Commission Board. She said with all of the personnel issues that are coming up, the county is ultimately liable for anything that happens. Dennis said statutorily they oversee those things, like the Health Board. He said they will sue the county and the Commissioners no matter what we do. Chad asked if they don't have to abide by the handbook because the board says they aren't going to recognize the handbook and they are going to do with the employees what they want to anyway, if we have the ability to terminate someone for not following the handbook that is overseen by a board. Dennis said that is a good question. Jackie said we have issues of whether it is our decision or if it is the board's decision. Dennis said so many things are set forth by statute, but it doesn't remove the potential liability to the county. He said he could look into it.

**TOWN OF ALBION – INVOICE RE:
LEACHATE DISPOSAL FROM LANDFILL**

The Commissioners received an invoice from the Town of Albion in the amount of \$390.00 for the disposal of 6,500 gallons of leachate from the landfill, (H.I.).

KPC SPRINT TRIATHLON FOR NEWSPAPER IN EDUCATION

Vi Wysong, Triathlon Coordinator sent the Commissioners a letter requesting to temporarily close some roads for the above referenced triathlon, (H.I.). Chad moved to approve the closings on July 19, 2014 of Waits Road between Sherman Street and 1000 E; the southbound lane of 1000 E between Waits Road and State Road 3; and The northbound lane of South Main Street from State Road 3 to Waits Road. Gary seconded the motion and it carried, 2-0.

CLERK'S & TREASURER'S REPORT FOR SEPTEMBER 2013

The above referenced reports were submitted to the Commissioners, (H.I.).

2013 TAX SALE STATUS REPORT

The Commissioners received the above referenced report which will be reviewed and discussed later in the meeting.

GOVERNMENT FIXED ASSET SERVICES, INC. - UPDATE OF CAPITAL ASSETS INFORMATION

The Commissioners received an agreement from Government Fixed Asset Services, Inc. to propose providing assistance as the County prepares to update its information relating to capital assets including general infrastructure assets for financial reporting purposes for fiscal year end 12/31/13, (H.I.). Auditor Jackie Knafel explained to the Commissioners that this is for inventory control, and they come in every year. She said she had budgeted for it this year. Jackie said is for vehicles, roads, ground and all of that stuff, and it is a requirement of the State Board of Accounts. Chad moved to approve the contract authorizing the services of Government Fixed Asset Services, Inc. out of Long Beach, Indiana. Gary seconded the motion and it carried, 2-0.

MINUTES APPROVED

After reviewing the minutes of the *October 7, 2013* meeting Chad moved to approve them. Gary seconded the motion and it carried, 2-0. The Commissioners also reviewed the minutes of the *October 2, 2013 executive session* and Chad moved to approve them. Gary seconded the motion and it carried, 2-0.

LANDFILL DISCUSSION

Mike Haines who does work for the county at the landfill came before the Commissioners to talk to them about problems with the pump out there. After some discussion, Chad moved to approve the expenditure for a new replacement pump at the landfill, not to exceed \$1,000.00. Gary seconded the motion and it carried, 2-0. Gary asked Mike to get an estimate from Croy's for a service call and to replace the bad pump with a new pump. He said he already has one from Bonar's.

Mike said he would like to get 10 – 20 tons of #53 limestone for the driveway at the landfill. Gary and Chad asked Mike to work that out with the Highway Department.

Mike reported later in the meeting that Croy's estimated \$1,000.00. Gary said Bonar's was under \$800.00 for a new pump and a service call, so we will go with them.

HIGHWAY BUSINESS – MARK GOODRICH, SUPERINTENDANT

UTILITY PERMIT

Mark presented Permit #UP-053-13 from Northern Indiana Public Service Company for work on CR 900 N/Perry Road between 860 W and 900 W in Perry Township for work at the Jason Shearer residence, (H.I.).

415 N & 300 E AND 415 N & 350 E INTERSECTIONS

Mark said he had received an e-mail from a Council member stating there was a complaint about the above referenced intersections. He said the individual felt they were dangerous intersections with a lot of accidents. Mark said he called the Sheriff's Department and asked for accident reports for both intersections for the last five years and he presented copies of the reports, (H.I.). Chad said he went out there and he didn't see that the site distance was worse than any other intersection in the county. Mark said we require 525' for driveway site distance. He said 350 E is probably just a little short of that. Mark said there are no recorded accidents on the reports he received. He said he knew there was one at 300 E a year or so ago but it was caused by speed and not the intersection. Mark said he didn't see any reason to pursue looking at decreasing the speed limit. Chad said since there is a church sitting right there on the corner at 300 and 415 he would think if there were issues at the intersections we would have had at least one or two accidents on Sunday when church gets out.

415 N DITCH WORK COMPLETE

Mark said they are all done with their work on 415 N and it is ready for line striping. Chad said he noticed there were tire marks in the new dirt in the ditch and he told Mark that the ditch is still being used as a driveway. Mark said it is pretty hard to regulate people pulling in and out of their yards. He said we haven't allowed them to put a driveway there or put a culvert in. Mark said the site distance isn't that bad and the only thing he is concerned about is if they get in there when it is muddy and they tear the ditch up. Chad said if they are going to keep driving through it then it won't seed well. Mark said according to them they only have a load a month that they go in and out of there. He said the ditch was seeded Wednesday.

ANNUAL HIGHWAY BIDS

Mark said sometimes when they do the bids, Charisse prints up what the bids were for this year so there is a comparison. He showed the Commissioners a copy, and Gary, Chad and Dennis said they would like to have a copy e-mailed to them.

DUMP TRUCK BIDS

Mark said he talked to Officer Willet about selling the tandem axle dump truck they are replacing and Officer Willet said he thought it should be done by sealed bids. He asked if he could just run them through his office or if they have to be sent to the Commissioners. Chad said they could be sent to the Highway Department. He asked Mark to put in the ad that we reserve the right to reject all bids, because if we don't get the trade-in price we will reject all bids.

TREE REMOVAL AT BIG LAKE

Mark said he talked to Mr. Sprague about taking the trees down at Big Lake and he said it would be two to three weeks before he could take them down and he would stay with the original bid. Chad asked Mark to make sure Mr. Sprague is insured.

NEW TRUCK

Chad asked if there was a delivery date on the new truck. Mark said there wasn't. He said he would have a better idea when the bed comes in.

911 RADIO UPGRADE

Mitch Fiandt came before the Commissioners to discuss the radio upgrade that is needed for the E-911 radios. He said the electronics part is what needs replaced. Mitch said the base stations are about 15 years old but they are still good and still serviceable because there are parts available for them. Mitch said parts are no longer available for the counsels, the circuit boards, or the XP. He said they had two quotes, and the one from ERS was \$121,703.38 and the one from J & K is \$123,591.95. Mitch said the Motorola system would cost less and it would take less additional equipment to make the base stations work with the operating system. He said ERS did offer \$3,600.00 trade in. Chad asked if that was what brought the price to 121. Mitch said it was. He said since we have gone to headsets, when people walk in they can't tell if they (dispatchers) are on the radio or the phone, or not. He said ERS has an option at no charge that would show a green light if they are on the phone and a red light would tell you when they are on the radio. He said that should alleviate the problem of people going in and talking to them when they are on the phone or the radio.

Mitch said if the system goes down and the parts aren't on the shelves we would be done until we could get a new system. He said it takes about 60 days to get the equipment in, and they like to test it for 2 -3 weeks at the shop before they install it. Mitch said they have opted to wait until after the holidays to get it in, so he would have to encumber the money. He said our current system was the second one in the US to be installed and it is 15 years old. Mitch said they will use the old system we are trading in for parts.

Chad moved to approve the purchase from ERS after the State approves the additional. Gary seconded the motion and it carried, 2-0.

RECESSED AND RECONVENED

The Commissioners recessed their meeting at approximately 9:25 A.M. and reconvened at approximately 9:40 A.M.

2013 TAX SALE STATUS REPORT

Present for this portion of the meeting were Sheri Auld, Deputy Auditor in charge of tax sales; Jackie Knafel, Auditor; Michelle Bricker, Treasurer; and Michelle Mawhorter, Clerk.

Sheri presented two deeds that had been approved by the Commissioners previously for their signatures. One deed was to The Crossing of Noble Regional Inc. and the other was to Joshua C. Freed and Heather M. Wireman, (H.I.).

Sheri talked about the status report for the 2013 tax sale, (H.I.). She said there were 45 properties that were sold to lien buyers, and the owners have one year to redeem them. Sheri said 31 were assigned to the Commissioners by certificate because they did not sell at the tax sale. She said at this point they have to pay 10% interest if they choose to redeem it. Sheri said this also starts the process of the Commissioners holding the certificate, and whether they want to pursue taking title to those 31 properties. She said the ones with the asterisks are repeat parcels from last year. Dennis asked which ones on the list have a potential to have hazardous material in them. There was discussion about which ones might have that potential.

Chad asked if any of the properties are worth assuming and then auctioning off. Sheri said some of them could still be redeemed because there is a mortgage on them. Sheri said if the Commissioners would like to review the list further she could come back later to go over it more. Dennis said if we give notice that we are going to take it that might make some people come in and redeem their properties.

Jackie Knafel, Auditor said she would like to see the Commissioners take title to the one property (Sinkovics) and give it to someone else. She said she thought that property had been a nightmare since 1990.

Chad questioned if the one property that is mainly a ditch should be taken by the Commissioners for right-of-way. Dennis said normally the Commissioners don't own ditch right-of-way and only have an easement. There was discussion that probably none of the adjoining property owners would want to take title to a property that is a ditch. Jackie said that is in the City of Kendallville. She asked if we could just take it off the books. Chad said it makes more sense to him to just take it off.

Chad moved to start the process of contacting adjoining land owners and also the actual property owners for the 2013 Commissioner Certificates from the October 3rd tax sale. Gary seconded the motion and it carried, 2-0.

Sheri said she would like the Commissioners to make a decision on the Dawn Grady property in Kendallville. She said by law it should be split, but only one of the adjacent property owners returned their confirmation letter saying they would pay the fees. Sheri said the other one did not return their confirmation letter. She said she received confirmation from the Hoffelders who own the property to the west that they would like to acquire the property to build a garage. Chad said he thought since the people to the east didn't communicate on whether they would want the property or not, then they would be out. He moved to convey the vacant lot formerly owned by Dawn Grady to the Hoffelders to the west of the property. Gary seconded the motion and it carried, 2-0.

RECESSED AND RECONVENED

The Commissioners recessed their meeting at approximately 10:06 A.M. and reconvened at approximately 10:28 A.M.

HANDBOOK DISCUSSION

Present for this portion of the meeting were: Jackie Knafel, Auditor; Michelle Bricker, Treasurer; Shelley Mawhorter, Clerk; Doug Harp, Sheriff; Candy Myers, Recorder; Chris Moriarity & Terry Waikel, Sheriff's Department; and Dave Baum, IT.

Jackie said Michelle Bricker had gone over the proposed handbook and they elected not to put page numbers in the table of contents so if changes are added later on they won't be wrong. Chad questioned whether we should put a revision date at the top of each section that was revised. He said the goal was to not have to reprint the whole document every time a revision is made. There was discussion as to how that could be accomplished.

Jackie went through each of the revisions that had been made. The following discussion pertains only to the revisions that prompted comments from those present, and it does not include every bit of discussion that was held.

COURTHOUSE CLOSINGS - Jackie said she thought it would be beneficial to address whether the employees would be paid or if they have to use their own time if the courthouse closes. She said there is always a question when we close the courthouse for snow and there is always the issue that some people have to work. There was discussion that during the last closing people didn't get paid if they were sent home. Jackie said there are always issues when the courthouse is closed. She said everyone has a way into the courthouse and people could try to come in if they didn't have any time to use. There was discussion that some people are required to come to work such as the Highway Department and Sheriff Department

employees. Candy read from the hand book where it said "When offices are required to close, time off from scheduled work will not be paid". Chad said the way he sees it is if you choose to use time that you have you could get paid, but if you didn't have time you wouldn't get paid. ***Chad moved to add to the Emergency Closing Policy that "earned time may be used to offset the loss of hours"***. Gary seconded the motion and it carried, 2-0.

COMPENSATORY TIME OFF - Jackie said that accrued compensatory time for non law enforcement officers shall not exceed 40 hours. Doug said law enforcement is still trying to hit the 40 hour window, but sometimes they run over.

FORMS TO BE FILLED OUT PRIOR TO FIRST DAY ON JOB - Dave Baum said something came up in his office because he is trying to hire someone, and he asked if we want to have anything in the handbook about background checks. Chad said he thought that was department to department. Dave asked if there was no county requirement to do that. Shelley said, "Or drug testing either unless you work at the Highway". Chad said they are not required, but the department head could ask for one. Dave said he doesn't want one but someone else wants him to have one, and that is where the issue comes in. He said someone else expects him to do background checks on someone he wants to hire. Dave asked if he is required to do that or not. Chad said not according to the handbook. Shelley expressed her concern about cleaning people (part time) and she doesn't even know who they are. She said she leaves stuff on her desk all of the time. Shelley said the people that are cleaning are coming in - Chad said that is why the next person that they are going to look at, because they are going to be cleaning at the Highway Department, the Sheriff's Department and so on, we are going to do a background check on them. He said when they went through the process this last time (hiring a janitor) they probably would have done one if it was someone they didn't know. Shelley said she doesn't have a problem with Tim, but she doesn't know who the part time people are that come in, and they have juvenile records that they are still working on. Doug said with the IT position they have access to all of our e-mail. Dave said if there is no requirement for him to do this - Shelley said she thought that was crazy and she said she thought it was crazy that we don't do drug testing. Gary said he is not opposed to doing background checks, because he wouldn't want to sit there as a Commissioner and be embarrassed if something happened and they hadn't checked the person. Chad said it could be a "per position" determination. Dave said IT sees everything so there is an expectation that we should probably be doing something. He said he did, but it wasn't what someone else wanted him to. Dave said when you look at today's information systems, people have access to a lot of stuff, and it may not be an IT person. Chad said he thought that would be a policy issue rather than an employee handbook issue, because they aren't employees until they are hired. Michelle said on page 12 in the third line under perquisites it says "Newly hired employees may be required to undergo medical evaluations including drug testing at the County's expense" and they could add "background checks". After further discussion ***Chad moved to include in the third paragraph "Newly hired employees may be required to undergo medical evaluations including drug testing and may be subject to a background investigation and verification of references at the county's expense"***. Gary seconded the motion and it carried, 2-0. (10:59)

EMPLOYMENT ORIENTATION - Dave Baum asked if we should require people to sign confidentiality agreements when they come in as a standard policy. Chad said he thought that would be up to the department. Dave said no one signs anything about the operation of the county equipment. Gary asked if we have a confidentiality statement that could be one of the required forms to be signed during employee orientation. After further discussion ***Chad moved***

under the Employment Orientation to add "confidentiality agreement" to those documents required prior to employment". Gary seconded the motion and it carried, 2-0.

HARASSMENT POLICY - Michelle asked Dennis if on page 26 under Harassment Policy some verbiage should be added because this policy doesn't necessarily address a county employee who has contact with the public, and the expectation of their conduct relative to this to cover the county in case we would ever have an employee that would create an issue or a liability. She said she has also seen policies of the reverse where you have vendors coming in with an impact on the employees, and what recourse the county has. Chad said that might take some time and Dennis agreed.

SICK TIME POLICY - Jackie said the sick time policy was changed so they could be accumulated up to 60 days and they could be used in one hour increments. She said they addressed the issue of short term disability so at the expiration of the 7th day employees are eligible to go on short term disability. Jackie said employees with 20 years or more of service to the county shall receive payment for each accumulated and unused sick day at their rate of pay up to a maximum of \$1,000.00. She said it was also added that employees may receive sick days upon approval of the Board of Commissioners and that short term disability can be supplemented with accrued sick time. Doug Harp said he had a few employees ask him if someone had 18 or 19 years of service or over 20 if there was any consideration of a grandfathered clause where those people could receive more than \$1,000.00 compensation in the end. Chad said "No". He said this went back and forth for quite a while and he explained what is done at some other work places. Doug said he was asking for employees that have asked him about it, that have worked for X amount of years and are close, and now it is getting pulled out from under them. Chad said what he has heard a lot is how much it hurts a budget when somebody does leave that has a large amount of sick time. He said this is a way to not cripple somebody's budget, especially like the Plan Commission when two people both got paid out for unused sick time, etc and then half way through the year they had to come ask for an additional because they didn't have enough money to get through the year. Chad said he can see it go both ways, but if we grandfather one then we would have to grandfather them all, and then say that anyone that was hired this date would only be subject to that. He said he thought it would be a nightmare to keep track of it. Doug said he is just passing it on. He said he had always felt sick time was just a benefit that if they have a sick day they will still get paid. Jackie said there are arguments both ways because you have to be mindful of budgets. She said she doesn't like to encourage employees to use their sick days, but this would encourage some people to use their sick days instead of saving them. Gary said there are some places that pay \$40.00 a day for sick time when people leave employment. Terry said even if they only paid \$40.00 a day for sick days it would encourage people to save their sick days rather than use them. There was discussion that there are people that are always going to abuse sick time.

USE OF VEHICLES & EQUIPMENT - Sheriff Doug Harp said the *Take Home Policy* affects a couple of his people. He said part of that affects Mike Hollar, the Jail Commander and Vern Mast, one of the deputies, as far as being outside of the county. Doug said he understands the thought process with that. He said in the Merit Rules it does address a deputy outside of the county. Doug said he thought there were a couple of things that are worthy of consideration. He said Mike lives 2.6 miles from the county line, and for him to get to the Sheriff's Department is 13.7 miles. Doug said he does come in for emergencies, but not often. He said when you look at people inside the county someone living in LaOtto would be 18 miles; the northwest part of the county is about 17 miles; the northeast part of the county north of Kendallville is 19 miles; and

the far southwest part of the county is 25 miles. Doug said even though Mike doesn't live within the county he is closer than some who live within the county. He said he didn't know if any consideration could be given to that. Doug said Mike is in charge of 26 employees and there are 150 inmates and he is getting sued on a regular basis. He said if Mike would resign his position and he was to look outside the department to get someone to do that job, and approach them and tell them we will pay them \$40,000.00 and they would be in charge of 26 people and 150 inmates and will be sued on a regular basis, you would have to be crazy to take the job. Doug said that is an enormous amount of responsibility, and he asked the Commissioners to give consideration to that. Doug said Vern lives .6 of a mile from the county line. He said if you look at his monthly averages with his shift partners, he is typically below what they are driving, and if you look at his activity he is probably our most active deputy when it comes to traffic stops and he would be within that ballpark for process. Doug said he does live outside the county but his miles don't reflect a big jump. Gary told Doug he understands what he is saying. He said his take on it is that when you make an exception to having a car out of the county when you live out of the county, whether it is .6 of a mile, 5 miles or 20 miles, we will be opening a Pandora's box that any future people that live out of the county, or appointed people, could now argue that he has a car and I want a car. Gary said that is the reason they came down to if you don't reside in Noble County, you don't get a take home car. Doug said with Vern, he could understand because he was told when he was hired that he had one year to move into the county or the vehicle would be withheld. He said with Mike, it is a very, very tough job and he would like the Commissioners to at least consider that. Doug said he understands opening the box and everything, but it is a very difficult position to fill. Chad asked how his pay ranges based on jails and counties our size. Doug said his pay is not as off the charts as the deputies, but he is by no stretch the top person in the area for pay. Doug listed some surrounding county's Jail Commanders pay. Chad asked if other county's Jail Commanders have take home cars. Doug said he didn't know. Terry said LaGrange County's does. Chris said LaGrange County's Jail Commander has a fully marked take home car. Doug said Mike is 8th out of 25 counties with a population of between 30,000 & 50,000.00. Chad said we are not only looking at people that live outside the county, but we are also going to be looking at people within the county that have take home vehicles that may not need them. Chad said when they do that Mike wouldn't necessarily keep his vehicle anyhow. Doug said by taking away a take home car Mike is in essence taking a pay cut. Gary said we are probably talking \$6.00 a day for Mike to drive to work. He said there are other county employees that probably drive further distances in their own personal vehicles to get into the jail to go to work. Doug said they don't have the responsibility either. Chad said in looking at a Highway Engineer they are talking about giving them a vehicle for compensation. He said he didn't personally think that a vehicle should be considered part of your compensation. Doug said it has been in the past. He said it works both ways. Gary said when you look at the number of potential take home cars and then you look at the cost of those cars over the course of a year such as replacement value, maintenance costs, and gas it adds up. He said it is the whole big picture we have to look at during budget time and how do we justify someone having a take home car that lives out of the county. Gary said the Commissioners are here to represent the tax payers. Doug said maybe he can use the loss of the take home car next year to get Mike a better raise. Chad said this change isn't specific to the Sheriff's Department. He said if somebody that works in the Highway Department becomes the Highway Superintendant, that position says they get a take home car. Chad said if that person

lives outside the county they are not going to get a take home car. He said he has always felt like if our county is good enough to work in then our county is good enough to live.

Doug said moving on, there is verbiage to limit the Deputies to in county use. He said it used to be that when you hired into the Sheriff's Department you could drive anywhere in the state. He said when that was scaled back to adjoining counties he didn't think too many of the guys had any issues with that. Doug said his biggest position as the Sheriff of this county is safety. He said he fully believes that having those guys out there - and he knows that the Commissioners are saying they are driving out of the county. Doug said they are driving through the county to get from point A to point B. He said in this day and age to take the presence of officers off the road is not a good thing. Doug said for example if Chris Moriarity who lives in Rome City is driving to Fort Wayne he is driving from the northern part of the county to the southeastern part of the county. He said he is available to respond; he has his radio on; he has guns in his car; he has first aid kits and everything he needs to respond to an accident or anything. Doug said to take the officers visibility off the road is not a good thing. He talked about instances when he has responded to emergencies and he said Joe Hutsell left his wife in a movie theater one night just as he (Doug) had left his family sitting at a baseball game. Doug said that is the trade-off you have for the use of those vehicles. He said you can never ever find anything cheaper, when talking about the taxpayer money, than a police officer driving off duty. Doug said if Chris were driving to Fort Wayne in his personal vehicle, he wouldn't have a radio, a vest, or any of the equipment he would have in his police car. He said time is critical when we have active shooters, and we have had active shooter situations here and in adjoining counties that they have gone to. He said if an officer is in their personal vehicle they wouldn't even know what was going on. Doug said when you look at our deputy' pay, there are 25 counties in the state with a population of between 30,000 and 50,000 and our deputies rank 19th out of them. He said out of the counties between 40,000 and 50,000 population, our deputies are last in pay. Doug said he couldn't use his personal vehicle to respond signal 10 to anywhere without creating a liability. He said he didn't know what has changed. Doug said they have not shown an increase in their gas. He said they used less gas last year than they did in 2003. He said he and Chad are keeping tabs on the gas use, and if they find someone driving an excessive amount of miles they call them in and talk to them about it. Doug said with the SOP's that were put in place in 2007 it says we are able to drive to adjoining counties. He said the Commissioners have his assurance that they will continue to keep the miles down and keep tabs on the budget. Doug said he wants his tactical people to be able to respond. He said if Joe Hutsell was in Fort Wayne he would have to drive back to Ligonier to get his vehicle. Doug said he really didn't know what had changed the policy. Gary said he wrote the SOP in 2007 and it is just like any document that could fluxuate as things go. He said in 2008 when he was Sheriff and the budgets were really tight, he asked the guys if they were going to use their car excessively off duty to chip in some money and buy some gas and bring him the receipt. He said he only had about three officers out of 19 that did that, and Chris Moriarity was one of them. Gary said in 2009 he restricted the use to "in county" use only, and it was based on the ever increasing cost of gas. He said he couldn't justify to the tax payers of Noble County, the benefit of having deputies driving in surrounding counties. Chris said the one thing he pays attention to when he is driving in adjoining counties, is how many license plates he sees from Noble County. He said not only is he driving down there and seeing people slowing down, he goes to the mall and there are people from Noble County in those malls, they don't just stay in Noble County. Gary said they pay for their own gas though. Doug said to him whenever there is

a squad car sitting anywhere it is a deterrent. He said if this is enacted, we have lost visibility and someone who can respond to an emergency situation. Doug said in his opinion it is by far the best use of taxpayer money to have the vehicles and the officers visible. He said we typically have two officers working the entire county. He said if you have three off duty officers driving around he thinks that is fantastic. Doug said we are not driving any more today than we did ten or twelve years ago. Chad said Doug referenced Fort Wayne, and if Fort Wayne officers want off duty use of their cars they have to pay for it. Doug said he is worried about Noble County and Noble County Deputies and the safety of Noble County. He said he could also say that Fort Wayne City makes tons more money than these guys make. Chad said to go back to the guys living on the west side of the county that are going to drive more miles to shop, but there visibility is seen by the taxpayers of Noble County. He said if they live in Cromwell they can go to Goshen because it is closer and they are using less miles, but where is the visibility in Noble County. Doug said they are still driving through the county. Chad asked Doug if he could tell him how many incidences people have responded to while outside the county to out of county incidences. Doug said he didn't have all of the statistics, but he responded to the Waterloo shooting himself and the guy was still shooting when he got there. He said if you are in your private vehicle you could be driving by not knowing what is going on. Doug said he thought they had done an admirable job of controlling their spending. Chad asked if there is documentation of off duty miles and on duty miles. Doug said there is only documentation of total miles driven just like it has always been. He said these guys are horribly underpaid and they made a step forward in wages next year, but then they are taking two steps back and it doesn't help the morale. Terry said in twenty-one years of working for the county, he knows of at least five times during budget hearings that it was stated that a take home car was part of their pay. He said he didn't think this should be a handbook discussion because their pay is not a handbook discussion. Doug said he has told his guys that are high on miles to run stationary radar more. Gary said speaking of Vern, he was probably told when he was interviewed that he would be required to move to Noble County within 12 months, and he hasn't. Doug said he doesn't have any issues with that. He said Vern is not in a position to move and he totally understands that and he understands that Vern is going to have to park his car and he doesn't have any issues with that at all. Chad said he would like to see a breakdown of the miles driven on duty and the miles driven off duty. He said a guy could drive a lot of miles off duty and then come in and do nothing. Chad said he knows that doesn't happen very often. Doug said he truly believes that he doesn't have guys that do that. Chris said you can't quantify the difference of an officer driving a fully marked vehicle going down the road and in his personal vehicle, and the difference in people's driving behaviors and the safety. He said he has been frustrated when he was on the phone with dispatch in his personal vehicle trying to explain to them where he is and trying to get an officer there to handle a situation that he has come upon. Chris said he makes the argument that we constantly have people that live in this county working and shopping in other counties and we are providing a safety to them as they travel to those places. He said he can understand the argument of staying within the adjoining counties. Chris said since 2005 except for a short period of time they have had surrounding county usage of the squad cars, and he has not seen anybody abusing that usage of the squad cars. He said he does not agree that the cost of restricting the cars is saving the tax payers money with the services of the officers being out there. Chris said to restrict the use of the vehicles just removes more officers that are out there doing this for free, other than the cost of fuel and maintenance of the vehicle. He said they don't clock on duty unless it ends up being something they are out there two or three hours

for. Terry told Gary that he made the comment that as the Sheriff he did the restrictions as he saw fit. He said there has been another elected official put in that position that should have that same honor. Terry said again that he didn't believe that this was part of the handbook. Gary said he understood what Terry said. There was further discussion about gas budgets, number of miles driven per year, benefits of having marked cars on the roads, etc.

Gary said he would like to have Doug do a poll on other Sheriff Departments. He said he would like to see what other county's take-home policy is throughout the state. Doug said he would get something together and get it to the Commissioners.

Gary and Chad agreed they didn't want to make a decision until Dave Dolezal is here too.

ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 12:15 P.M. recessed from day to day until the 21st day of October, 2013.

Gary Leatherman, President

David J. Dolezal, Vice President

Chad Kline, Member

ATTESTED: _____
Jacqueline L. Knafel, Auditor