

**MINUTES OF A SPECIAL SESSION OF THE
BOARD OF COMMISSIONERS HELD FEBRUARY 25, 2013**

Comes now the hour of 8:30 A.M. on the 25th day of February, 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
David J. (Dave) Dolezal, Vice President
Chad Kline, Member

Also present were:

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

**DOUG KEENAN, EXTENSION EDUCATOR – 4-H PROJECTS
AND STORAGE OF AIR RIFLES & MUZZLE LOADERS**

Doug Kennan said they have hunter education, archery, air rifle and muzzle loading for 4-H projects. He said they need a place to store the air rifles and the muzzle loaders when they are not using them. Doug said the instructors would like to have a safe place to store them and they were thinking of getting a gun safe to store them in and putting the safe at the Extension Office. He said the ammunition would be kept off-site. Gary said he thought it would be okay as long as the safe is secured so someone couldn't just walk off with it.

Dave asked Dennis if that would be a problem. Dennis said it could be a problem if someone broke in and stole them and used them.

Dave asked if we would need extra insurance coverage. Gary suggested putting the vault at the Sheriff's Department and the guns would be safe and secure and there would be no extra insurance coverage needed. The Commissioners all felt this would be a better option. Doug said he would check with the Sheriff about it. Chad said if that won't work then the Commissioners can revisit the issue.

PAYROLL APPROVED

After reviewing the payroll from 2/08/13 – 2/21/13 to be paid 3/07/13 Dave moved to approve it. Chad seconded the motion and it carried, 3-0.

CLAIMS APPROVED

After reviewing the claims to be paid today's date, Chad moved to approve them. Dave seconded the motion and it carried, 3-0.

COUNCIL ON AGING - TRANSIT GRANT PAPERS

Joyce Hogge from the Council on Aging came before the Commissioners to get a signature on the paperwork for the purchase of a 2013 van through a transit grant. She said the one Gary signed at the last meeting had a mistake on it, (H.I.). Chad moved to sign the amended paperwork. Dave seconded the motion and it carried, 3-0.

**NOBLE COUNTY ECONOMIC DEVELOPMENT –
THANK YOU FOR FINANCIAL SUPPORT**

The Commissioners received a letter from Rick Sherck, Executive Director of the Economic Development Corp. thanking them for their monetary support and listing a few “firsts” that happened this year with Noble County Economic Development, (H.I.).

**INDIANA CRIMINAL JUSTICE INSTITUTE –
COUNTY DRUG FREE COMMUNITY FUND**

Sonya Carrico, Division Director of the Substance Abuse Services Division sent a letter to the Commissioners informing them of recent changes regarding the Commission’s requirement for distribution of the County Drug Free Community Fund, IC 5-2-11, (H.I.).

**WEAVER BOOS CONSULTANTS -
INVOICE FOR LANDFILL SAMPLING**

The Commissioners received an invoice in the amount of \$2,900.00 for the October 2012 landfill sampling event, (H.I.).

**CERTIFICATE OF INSURANCE –
MICHAEL J. & MELISSA J. MERONEY**

The Commissioners received the above referenced certificate of insurance, (H.I.).

**IDEM - APPROVAL OF CLOSURE/POST
CLOSURE PLAN - AVILLA WASTEWATER**

The Commissioners received a copy of information that IDEM had sent to the Town of Avilla regarding what they will need to do to complete the above referenced closure of their WWTP Waste Stabilization Ponds, (H.I.).

**IDEM - DALTON CORPORATION KENDALLVILLE
MANUFACTURING FACILITY MONOFILL CHANGES**

IDEM sent three pieces of correspondence to the Commissioners regarding a closure/post closure plan revision for Dalton Corporation, (H.I.).

**IDEM - ESSEX GROUP, INC., KENDALLVILLE -
APPROVAL OF MODIFICATION TO PERMIT**

The Commissioners received information from IDEM regarding their approval of a modification to a Part 70 Operating Permit Renewal for Essex Group, Inc. in Kendallville, (H.I.).

**WEIGHTS & MEASURES REPORT -
JUNE 15 - JULY 15, 2013**

The Commissioners received the above referenced report, (H.I.).

THE TROYER GROUP - ADA ASSESSMENT

The Commissioners received information from the Troyer Group about implementing an ADA audit and transition plan and ways they could help. Dave said the county did their own.

GENERAL PRESERVATION CORPORATION – COURTHOUSE EXTERIOR PRESERVATION

The Commissioners received information from General Preservation Corporation regarding services they can provide to repair the exterior of the courthouse, (H.I.). Chad said we had already hired someone for that.

CHAIN O'LAKES CORRECTION FACILITY - COMMUNITY ADVISORY BOARD MEETING

Kathy Griffith sent notice of the above referenced meeting that will be held March 14, 2013 at the Chain O'Lakes Correctional Facility. Dave said he will attend.

BRIDGE #134 – LETTER TO KEITH LEATHERMAN

A copy of a letter that was written to Keith Leatherman in response to a letter he had written about some concerns with the Bridge #134 project is in the file, (H.I.). Gary said copies of the letter were sent to concerned citizens that had signed a petition filed by Keith.

BEAR, HIGH, WOLF LAKE REGIONAL SEWER DISTRICT - JUDY WEISENBURGER REQUEST TO BE CONSIDERED FOR BOARD

The Commissioners received a letter from Judy indicating she would like to be considered for an appointment to the board and listing some of her qualifications, (H.I.).

Dennis said he had talked to Matt Shipman, Attorney for the sewer district and he said IDEM is making the change so the Commissioners will appoint the board. He said Matt will get on the agenda when that change is completed.

PROSECUTOR - EQUITABLE SHARING AGREEMENT AND CERTIFICATION

Prosecutor Steve Clouse came before the Commissioners to get their signature on the above referenced agreement which he said is to assure the federal government that they aren't misusing the money that came from a forfeiture about 12 years ago. He said there is around \$6,000.00 in the fund. When asked, Steve said there is a list of things they can use it for but they haven't used it yet. Dave moved to sign the agreement. Chad seconded the motion and it carried, 3-0.

RECESSED AND RECONVENED

The Commissioners recessed their meeting at approximately 9:12 A.M. and reconvened at approximately 9:30 A.M.

SHERIFF DOUG HARP – SCHOOL SECURITY

Present for this portion of the meeting were: Sheriff Doug Harp; David Stinson, East Noble School (EN); Andres Deming, EN School; Ann Linson, EN School; Geoffrey Brose, Central Noble School (CN); Troy Gaff, CN School; Chris Daughtry, CN School; Shannon Gleason, CN

School; Sarah Daughtry, Public; John McGill; Barbara Babcock, EN School; John Wicker, EN School; Dan Beall, EN School; John Fitzpatrick, CN School Board; Dave Pine, Avilla Principal; and Terry Waikel, Deputy Sheriff.

Sheriff Doug Harp presented some paperwork for the Commissioners which included a draft Standard Operating Procedure (SOP), information on psychological evaluations and costs, physical tactics courses, insurance information etc. pertaining to the possibility of making school personnel and/or teachers Special Deputies so they could carry a gun at school.

Doug said he had talked to the Harold County Superintendent in Texas last week. He said they have had an armed presence in their school he thought since 2007, and he talked to him for quite a while. Doug said that is their sole guidelines for their program (Safety Program/Risk Management Emergency Plans). He said sometimes simple is better and this school system had been doing it with a one-page proposal without incidence for the last six years. Gary asked if their armed presence is by special deputies or if it is their (school's) security. Doug said it is their security. He said he thought it would be important for us to have a lot more training and a lot more in place than they do.

Gary asked what school systems were represented. It was determined that it was Central Noble and East Noble. Chad asked if West Noble does not want to participate any more. Doug said West Noble is interested. He said they had gone through some of the training to see if this is something they feel comfortable with. Doug said he has had a lot of conversations with them.

Gary asked about the special deputy status part of the policy that says their status is limited to their on-duty time within the school day. Doug said all they are trying to do is add extra security at the schools, and these special deputies have no responsibilities or duties outside the schools. He said they are just like a civilian then.

Gary expressed his concern that if the weapons are donated to the Sheriff's Department and are issued out to the administrative staff, we as a county now become liable for the weapons 24 hours a day, 365 days a year *outside* of their scope as special deputy. Doug said it would be no different than with Probation. He said when they take the weapons home they are not allowed to take them with them when they are off duty. Doug said they go to and from work and then the guns are locked and stored. Gary said "if" they are locked and stored. He said we have no control over that. He said if a family member or child gets a hold of the firearm and shoots another sibling or a neighbor - Doug said we have the same issue with our officers and with Probation.

Chad said he thought the difference is that they are our staff when we hire them and we accept that liability at that time, where the teachers are not staff of the county so then we are accepting liability for employees that are not ours. Chad said that scares him a little bit. He said he is concerned about our current employees if something does happen, along with county services, because we are bearing that liability for somebody that is not ours. Doug said after every school shooting there is a lot of talk about reviewing policies and procedures, but at the end of the day our schools are in pretty good shape. He said their safety plans are on board with everybody across the country with what you can do. Doug said aside from the schools having the ability to lock down and have their codes, we haven't done anything to lessen the body count. Doug said within the last eight weeks they have taken in two people on 72 hour commitments that have made reference to shooting school kids. He said one of them was a student and one was an adult. Doug said he would rather be sued for doing something pro-active than to be sued for not doing anything at all. He said if he had the ability to put officers in every school building he would do it. Doug said it comes down to do we want to accept the additional liability or if we

want to take our chances. Doug said if we have someone that can shoot back he is hoping that would give his staff time to get there. He said it might also deter someone from going into a school where they know there is someone armed. Doug said it is the urban schools that normally have the problems. He said if someone has a better idea on how to get someone that has the ability to shoot back in every school then he would drop what he is doing.

Gary said he has a hard time wrapping his thoughts around how we have gotten from locking the school doors to going to guns and skipping everything in between with whatever options are there. He said he had done some research and the only thing that popped up under Indiana school shootings or homicides was in March of 2011 when a 15 year old shot a 15 year old and there was no death. He said he had to go back to 1890 to find another school shooting in Indiana. Gary said there are options in between locking down the schools and putting armed people in them that haven't been tried. He asked if it is that critical, why other things haven't been tried. Doug said he is not sure what the other options are. He said he would rather plan for the worst and hope for the best. He said it is easy to get into a school even with locked doors, especially with the glass doors.

Gary said he asked two schools if they had \$15,000.00 available to hire officers that are off duty to stagger their time at the various schools, and both of them said they did have, but they weren't given that option. He said he had talked to another sheriff Monday at a legislative conference and he has officers staggering their time and going into the schools and going 10-7 at the school and back to 10-8 on duty. Gary said the sheriff said it is a great deterrent and the schools love it and the public loves it. Doug said it is a deterrent if they are there at the right time. He said there are 17 - 20 buildings in our school system. Doug asked if he has two guys working, how often are they going to be able to get there. He talked about the difficulty of finding people to work for \$25.00 an hour. Doug said it is not as simple as having a contract and saying the guys will be there 20 hours a week. He said another thing to think about is that we have four retired police officers in the school system now and he asked why we don't use them. Doug said they have a lot of training. He said people can be trained to handle a weapon safely just like police officers.

Chad asked how we got to the point of special deputies. He said the schools in Ohio and in Texas, are enacting the programs and arming their teachers and doing their things. Chad asked why it has to be a special deputy and why the schools aren't doing this as their own thing.

Doug said he thought there was some concern on how the statute reads. He said it is his understanding that the schools can enact their own police department, and if they want to do that it is fine. Doug said if it works better for him to have special deputies then that is fine. He said he thought if the schools do this they will still come to the Sheriff's Dept. for training because we have the resources, which would still give us liability. Gary asked if the schools are ready to sign a "Hold Harmless" agreement if we provide the training. Doug said they are not.

Dave asked how the firearms would be secured during the off duty time. Doug said we require that they be locked and stored away.

Central Noble Superintendent Chris Daughtry said he appreciated Doug for what he has done as far as trying to do something to keep our kids safe. He said a lot of different ideas have been brought up. Chris said the schools are in the same boat as the county in that their money is pinched too. He said as far as creating their own police departments, hiring SRO's (School Resource Officers) and things like that are wonderful ideas and he would love to have one for every building, but the reality is that if they do that they would be pulling teachers out of classrooms. Chris said they do have locked doors, cameras, safety plans, and a lot of things in

place for safety. He said the reality is that if someone wants to come in and do something we have no way to stop it. Chris said he had checked into making all of the doors and windows bullet proof, and there is not enough money in the budget to do it. He said they can't ask the tax payers to pay for it. Chris said they had been told that it would be teachers, but in reality it probably wouldn't be teachers in his district that would be carrying handguns. He said it would more likely be administrators and staff members. Chris said they have a concern that the teachers shouldn't have to make a decision as to whether they should leave their class room with kids to engage someone that is in the building doing something bad. He said his question for this board is that there are special deputies out there already protecting the public, and there are reserve officers serving at our schools, and he asked if Doug has to clear with the county commissioners every time he does something like that. There was discussion as to whether there are any special deputies or reserve officers already employed to do things like this. Chris asked why this meeting is even happening.

Chad said when Probation was being discussed to be armed there was a pretty lengthy conversation about taking on that liability, so the Commissioners are not picking on the schools. He said any time someone wants to add a gun in someone's hand there is a lot of conversation. Chad said everyone wants to side skirt the question of liability. Chris said his kids are more important than a lawsuit. Chad said the question is if the County should bear that lawsuit. Chris said they haven't even decided if they are going to go with this or not, but in the end of the day if his board says they feel this is what is best for their kids, then they are going to do it and not worry about liability, because they are going to be liable one way or another.

When talking about whether it is better to go through the special deputy process, Chris said he would feel a lot more comfortable with the training being through the Sheriff's Department instead of an outside firm, because they would do a high level training.

Ann Linson, East Noble School Superintendent said Sheriff Harp and Kendallville have helped out with training, and she thought that gave some ownership with the kids, and it gives them a connection within the county with our officials insuring that the kids are safe. She said that gives them every opportunity they can have to continue to train and update and it will be kind of like an extra eye in looking out for the people that they might select. She said for them the key truly is about selecting the best people and the right people. Ann said they had talked about how a teacher could be a nurturing person, and then have to switch gears and go kill someone. She said no one in this room knows how a person would react until they are faced with that situation. Ann said if East Noble should choose to go with this, they want the training and they would want to go above and beyond. She said they would need to provide any psychological support needed, and maybe it should be on a rotation where they are on for two years and then they are out. Ann said they are following all of the safety procedures they possibly can and they had an organization come in and audit their facilities, and they said they are right on track with what they would expect. Ann said she agrees with Sheriff Harp in that we plan for the worst and hope for the best.

Gary asked Jarrod Ramer from Black & Ramer Insurance who has the county insured if, putting the special deputies aside, it would be okay for us to perform training, firearms, defensive tactics and whatever is needed for the schools to implement the program. Jarrod said it would be part of the Sheriff's responsibility so he would be covered under EMC's policy. He said he would assume there would be an additional charge for that, but he didn't know what it would be.

Dave said the Commissioners are concerned about the safety of the staff and the teachers too in addition to the kids. He said Chris said they would probably look at arming the staff or the

administration and he thinks that makes a lot of sense. Dave asked if they had done a cost analysis if they would have to pull teachers out of the classroom. Chris said he could put a cost to their SRO. He said looking at two police officers with benefits, one for Albion and one for Wolf Lake, he would be looking at a minimum of about \$60,000.00 per year and then he would have to deal with armament and liability policies for the schools and he would be looking at somewhere in the ballpark of \$75,000.00 - \$100,000.00. Chris said after that he would guess they would be looking at a minimum of about \$150,000.00 a year and that would be equal to about three teachers.

Doug talked about the procedures for getting SRO's and the way they are paid and the way they work. He said he probably wouldn't get them if he went to the Council and asked for more officers.

Gary said he struggles with giving someone minimal training shooting at a target so they can act as a police officer in a critical situation. He said the decision he makes will be what he thinks is the right thing based upon common sense. Gary said he would rather see the schools take action working with legislators to make it possible to arm their staff, and they would own the program. He said law enforcement could supplement training to make the schools more secure. Gary said he has a problem with the special deputies and the county holding the firearms. He said he would rather see the firearms go directly to the schools and they could determine who gets them.

Doug said the firearm training and the process to become a special deputy would be the same as for any police officer, but they would not be trained to do traffic stops, criminal law and things like that.

Dave asked if there is a problem with a staff member going through the training and being able to carry firearms in the school without being a special deputy. Ann said they can't do that unless they have a special police department of their own. She said it couldn't be a full-time teacher who is a security officer on the side. Ann said it has to be a dedicated police department. Dave asked if they would have to wear a police uniform. Ann said they would, and they would be full time. She said some states allow for staff to carry firearms and their thought is if they can hunt they can carry a gun. Ann said she would not want that without training.

John Wicker said we have to start somewhere. He said we have to take away the soft target. John said he thought of the Kimber pepper spray gun that at 18 feet would put a grizzly bear to its knees for a short time, but they can't even carry pepper spray guns right now. John said we have to do something but he thought going with the gun thing is the extreme. He said the school has to have options. John said if the sheriff was able to deputize some of these people if for nothing more than to carry a Kimber aerosol spray, it is a start.

Gary said he agreed that we have to do something, but what is the right thing to do. He said if it is the right thing to have designated armed staff in the school he personally feels that burden should start at the state level. Gary said the teachers are targets in the classroom too and they have a powerful lobbying organization down there to lobby the legislatures, to get the law amended to enable staff to be armed. He said he would like to see it be the schools responsibilities and the county could do the training. Gary mentioned school busses being shot at and the fact that you can't deputize all of the bus drivers. He said there are shootings all over at theaters, post offices and other places.

Doug said he thought the process to stop shootings in the schools has been painfully slow. He said if they have an armed presence in the schools, you could always still work towards legislation. Doug said in dealing with the state, they always want to dictate so much that

it wouldn't work. He said our legislators in Indianapolis don't know or understand what happens in rural Indiana.

Chad said he thought the majority of school shootings involve students. He said Columbine had armed staff (SRO's) in their school and it still happened.

Doug said what putting special deputies in the schools would do is to take away the soft targets and lessen the body count.

Chad asked what the school's insurance companies are saying in regards to this. He asked if they are willing to bare the liability.

Jarrod said what Bill Lear with Stewart, Brimmer, Lear and Peters Insurance had told him was that as long as the county takes this action the school's policy is fine. He said his carrier that he has the county insured with wasn't as eager to jump on that. Jarrod said if they would have the school insured as well as the county they are still hesitant just because it is so new and there is the unknown.

Dennis said workman's comp was an issue too. Ann said just like the Commissioners, they have a long list of questions that have to be answered before a decision is made on what to do. Ann said the special deputy's role would not be to be a daily security person or to put themselves in situations where they have to make decisions if something is a threat or not a threat. She said their role is for the active shooter only.

Chad asked if the schools have started an SOP process. Doug said basically he is doing that process, and it is only a very rough draft and he would have to run it by attorneys and stuff like that. Chad asked Doug if the schools would adopt the same policy he has for his department. Chris said they would have to take it to their attorney's because there are issues they have to work on. He said they would be held at a different standard than police officers.

Dr. Terry Gaff was present at this point and he asked if there is any data that says putting more guns in schools decreases the risk of an incident as opposed to Australia where they outlawed guns and they haven't had a mass casualty in the last twelve years. Doug said he doesn't believe everything he reads on the internet because you can go to different sites and get different answers. He said his answer was that the schools are gun free now and how is that working for us. Terry asked if we know of any shootings or gun incidences in Noble County. Gary said there was one in the schools back in 1870. Doug said we have had a courtroom shooting in the courthouse and that is why there is security downstairs now.

Ann said when a safety specialist came he said to her that he could be a witness against them if something were to happen. She said she emailed him and asked some questions. Ann said he is involved in a lot of the school shootings and had been at Sandy Hook the day after that happened. She said he responded to her that there hadn't been any accidents in schools where they have guns and there haven't been any accidents in schools where they have concealed weapons.

Doug said it is very rare that a shooting happens in a police department or somewhere where there are armed employees, and when there is, it is usually someone that wants to commit suicide and they go in and shoot knowing they will die.

There was discussion about the safety specialist that Ann had talked to. Gary said the specialist had a two page article in the paper advising against arming teachers, saying that there was a huge difference between having full time trained, certified and commissioned law enforcement officials who are full time who are armed and assigned to protecting students and staff versus having teachers, custodians and non public safety professionals packing a gun in school with hundreds of children.

Doug said he agreed with him. He said he would much rather have police officers there, but it is not practical, and the safety specialist has no practical solutions. Doug said we have three retired police officers in East Noble, and he asked why they wouldn't want them there.

Gary asked if the superintendents have given their staff the opportunity to give their input without fear for their jobs or retaliation if they say they don't want it. Ann said they had a safety day and they had a conversation with them. She said she told them they could share with her, but she didn't want them sharing publicly because if they were to move forward she didn't want anyone to be able to narrow down who might be carrying and who might not. Ann said she has let them know that they could meet with her, and she has all staff meetings set up at each of the schools in the next 2 1/2 weeks and they will have those conversations with them. She said if this board continues to do more exploration they would also set up a meeting for the East Noble community so they could provide their input. Ann said they could give the community the answers they have and the community could ask questions about things they may not have thought about. She said they will also find a way to get input from their students.

Chris said they had their initial meeting when they talked about it and after that it has been soft input. He said the reason why they had several of the building administrators come today is because they are on the front line to talk to people, and they have all had conversations with people, both for and against. Chris said it has really kind of gone down the line of "for gun" and "anti gun". He said that is the reaction he had gotten from the people that have called him. Gary said that is the input he has heard too.

Ray Groves said he is a citizen that owns and carries guns, but he is not biased. He said he had something written up with his input, which he presented, (H.I.). It stated that he didn't think teachers should be armed in the classroom and that it could be the principal, custodian and people that oversee opening the doors that would be armed. Ray also suggested that all armed personnel should not go to lunch or meetings all at the same time and the weapons should be concealed and not for show or play, and that those who are armed should be accountable to follow the rules.

Chad said he thought before we go any further we should see some actual documentation from the school's insurance carriers on the liability and if they are willing to accept sharing the liability based on the plan that is in place. Chris said he didn't know why he questioned if there would be insurance coverage for the schools. Chad said it is because from having conversations with Jarrod and what he had just said, his insurance company would not allow the schools to do it if they had them insured. He said it seems like a mute point to continue this if the schools won't be able to get coverage. Chad said Jarrod could review the paperwork from the schools insurance company. Chris said from what they are hearing they can be covered if it were to work out that the county has a special deputy program.

Jarrod said he thought it was Bill's understanding that Selective is the carrier for both Central Noble and East Noble, and it was his understanding that Selective was fine with the program. He said his carrier, EMC, who has the county insured and also has a school program, at this time was not comfortable hypothetically with that program. Jarrod said if EMC had the school systems insured, it is such a new concept that they weren't comfortable covering that situation at this point. He said after further investigation that might be different. He said the issue would be Workers Compensation. Jarrod said he thought it was going to be set up that the special deputy would be the responsibility of the county once they are in an active shooters situation. Doug said that was right. Jarrod said that is how IPEP is looking at it as well in the active shooter situation. He said the concern would be if the special deputy would get hurt in a

non-active shooter situation, that is where there would be a question on whose responsibility that would be, and that is a question he will have to discuss with Bill.

Dave asked since West Noble doesn't have a presence here where they stand. Doug said he has had several conversations with Dennis, the West Noble superintendent. He said they have staff members that have gone through some of the firearms training just to get a feel for what it is. He said they want a better feel for what we are talking about before they jump in with both feet. Doug said they are still considering it. He said the nice thing with West Noble is they only have four buildings and they have SRO's in two of them. Doug said he had reached out to the private schools as well. He said they didn't get a response from a couple of them, but they did get a response from a couple of them and they have sent individuals to train.

Doug said he would like to clean up the policies and procedures and have them looked at by our attorney this weekend, and get them back to the Commissioners and school administrators. He asked if that is where we want to go from here. Chad said he thought so. He said he thought the Commissioners need to look at the policies and the SOP's and they need to be cleared through the schools attorneys. Chad said he thought the insurance questions should be hashed out. He said he didn't think the Commissioners should make any decisions until there is more information.

Ray asked why insurance is such a consideration into this when it comes to saving kids and teachers lives. Chad said it has to be. Ray asked if we are liable for some idiot that comes into the school system that wants to do damage to us and our kids. Chad said unfortunately we are. Dave said we just want to do it the right way.

Gary said if the schools think guns are the solutions and are interested in seeing this go forward, he would like to see them work through their policy making side with their school board and gather public input within their school districts. He said if they want to have a policy to enable their staff to be considered special deputies and to be armed in the schools, then they should have a policy in place to cover that.

Shannon asked why they would need public input from the parents and everyone else if the school personnel think it's what's best for the schools. She said they don't put every policy they make past the parents, and it has been open for discussion and no one showed up.

Doug said he would rather be able to come in and say he wants 17 police officers that can be put in the schools, but that is not practical. He said they have to come up with something that is practical and can work. Doug said it is a work in progress. He said he hadn't even thought about psychological evaluations until two or three weeks ago when something was mentioned.

Gary said the reason he would like to see public input is that he was born and raised here, and his phone has rang off the hook with this issue. He said he had been contacted by former teachers, current teachers, former and present school board members and on and on. Gary said he has listened to a teacher tell him they are so against it but they are afraid to speak out because of job security and because there could be ramifications. He said he thinks if it is the right thing to do, let the public say in a public meeting that they want it or they don't want it. Chad said with East Noble, the paper steered towards the idea that there was not going to be any discussion. He said he thinks that might have held people back from attending the meeting. Chad said if it is actually open and there is going to be discussion on it to allow them to ask questions and to get response back (they will probably attend). There was further discussion as to why people may not have come to the meetings to at least hear what was being proposed and how to get people to attend.

Chris said if there is a public meeting it will be the people that are strongly opposed that come out. He said the ones that are for it won't even come out because they won't think it is necessary.

John Wicker said basically how the law reads right now they can't even carry pepper spray. He said he is going back to the Kimber pepper spray. John said if it takes six months to a year to process, at least we are doing something. He said if you are going to go down to Indianapolis to change the laws how long is that going to take. He said we don't have six years.

Chad said he thought the policy and procedures and the liabilities need to be worked out. Gary asked who pays for the psychological testing and how much it costs. Doug said he has a proposal from a doctor for \$300.00 and something. He said from everything they have talked about all of our costs are deferred to the schools through MOU. He said there are things that still need to be worked out. Chad asked if that is what it has been so far. Doug said they haven't got to that point. He said they had firearms training scheduled already and he said if they wanted to have people come in and join them and get a feel for what the training is, then come in. Doug said he did a physical tactics course for Central Noble and it was a work day for him anyway and he was glad to do it and there was no cost associated with it other than his time.

Gary said he is still adamant that if there are firearms donated that they go directly to the schools because of the 365 day a year liability issue. Doug said that is something they still have to work out. He said he is going to a Sheriff's conference this weekend and if he hears about another option while he is there he will bring it back.

Dave asked if this is something that we could move forward with and then the state comes in at the last minute and says we can't implement it. He asked if the school districts would have the authority to implement it. Chris said we can't over ride what the state would say.

Chad moved to table further discussion until March 11, 2013 at 10:00 A.M. Dave seconded the motion and it carried, 3-0.

RECESSED AND RECONVENED

The Commissioners recessed their meeting at approximately 11:23 A.M. and reconvened at approximately 11:35 A.M.

PROPOSALS FOR REMOVAL OF GLEN WOODCOCK'S UNSAFE BUILDING IN WASHINGTON TOWNSHIP

Dick Adair, Noble County Building Inspector was present for this portion of the meeting. He reported that the REMC had agreed to come and drop the lines while the trees, one of which is hanging over their service lines, are removed if they are notified ahead of time. He said they would drop the lines and put them back up at no charge. The bids/proposals were as follows:

Beer & Slabaugh, Inc. - \$12,000.00

Caskey Excavating - \$ 4,800.00

Martin Enterprises, Inc. - \$15,000.00

\$ 6,500.00 to demolish structure and remove all materials and foundation only.

Chad said the concern he has with Caskey's is that they did not address the top soil. Dick said he thought they would have to because it was spelled out in the quote. Dennis said they could table the decision and check with Caskey's to see if they are going to do that because it was in the specs.

Chad moved to table the bids to get clarification from Caskey's on their bid. Dave seconded the motion and it carried, 3-0.

EMPLOYEE WORK HOURS – 4 O'CLOCK CLOSING

Present for this portion of the meeting were: Jackie Knafel, Auditor; Shelley Mawhorter, Clerk; Dr. Terry Gaff, Health Officer; Stacey Beam, Chief Probation Officer; Dave Baum, IT; Cheryl Gaerte, Assessor's Office; Cheryl Munson, Health Dept. Nurse; Candy Myers, Recorder; Steve Hook, GIS Coordinator; and Mark Pankop, Noble County citizen.

Chad said he was ok with the hours going back to a 4:00 closing, with half an hour (unpaid) lunch for a total of 7 ½ work hours. He said for that to be done he thought we need to have the time management software in place. Chad said he thought the people need to be required to clock in and out for their lunch to make sure there is no abuse. He said there could not be a 30 minute lunch and two 10 minute breaks as part of a lunch period. Chad said the law does not allow that. He said the law doesn't even state we have to provide a lunch or breaks.

Shelley asked if they are taking away the breaks. Chad said they are not taking away the breaks, but they cannot be held in conjunction with lunch. Shelley said the handbook states that you get two 10 minute breaks at the discretion of the department head. She said she is confused that if it is at the discretion of the department, why - Chad said because then it is a 50 minute lunch. Shelley said it is not a 50 minute lunch if her people don't take any breaks in the morning or the afternoon.

Dave Baum recommended that the Commissioners word it around the work day instead of around lunches, so that the employees are required to work a 7 ½ work day. Dave Dolezal said that is already in there. Dave Baum asked if you just mandate that the hours are between 8:00 and 4:00 and they work a 7 ½ work day if that didn't solve the problem. There was further discussion about how it would work.

Dave Dolezal said he wouldn't like to see employees work 7 ½ hours straight and say the last half hour of the day is their lunch and they are going home. There was discussion about the fact that there are times employees might have a doctor's appointment and need to leave at 3:30. Dave said he meant he didn't want someone to schedule lunch at 3:30 on a regular basis.

Stacey asked how we are with the time clock management system. Shelley said the Sheriff's Department goes live March 1st. Chad said the Commissioners will allow them at least a month to get used to it and then they will look to implement it county wide. Dave Baum said it will take a while for them to get used to it.

There was discussion about the need for more space for employees to eat lunch, because if we go to half an hour lunch many of the people that go home will not be able to go home then.

Gary said if the 4:00 closing is implemented before the time clocks become available, it would be up to the Department Heads to manage the half hour lunch time. Candy Myers said the Commissioners can't manage what they do in their offices. She said they could tell them (Department Heads) what they would like to have, but whether everybody goes with that (end of statement).

The department heads were asked to make a list of their concerns with the current handbook so the Commissioners will have an idea of what needs to be changed. Chad said they don't want to re-write the handbook.

Stacey said her question was that if we are allowed two 10 minute breaks a day, why does it matter when they take them. Chad said the lunch cannot exceed the 30 minutes. Stacey said most of us will not get breaks during the day. Chad said they could just take the breaks out. He said you can't have a 30 minute lunch, come back from lunch and clock in and then go back to lunch for 20 minutes.

After further discussion Chad moved to allow for county government to close at 4:00 P.M. starting April 1st. He said the amendment to the handbook would read "the employees working a regularly scheduled day shall be afforded an unpaid lunch not to exceed 30 minutes. Lunch periods beyond 30 minutes are not paid. Employees working a regularly scheduled day shall be afforded a morning and afternoon break not to exceed 10 minutes. Such break times are at the discretion of the department heads, supervisors and his or her designee. Break times are paid and will not be taken in conjunction with a 30 minute lunch and the employees will clock in and out for lunch when there is a time system in place". Dave seconded the motion and it carried, 3-0.

Gary asked that the department heads look at a maximum of six things they would like the Commissioners to look at in the handbook.

DAVE BAUM, IT BUSINESS - EXPENSE OVER \$500.00 & DATA RETENTION

Dave asked permission to spend more than \$500.00 on a rebuild of a work station that will cost \$2,050.00 to repair. He said there was no way around that. Dave talked about other things he would like to spend more than \$500.00 on: 5 new work stations and software for Surveyor's Office in the amount of \$3,500.00; file server and a couple of new work stations in the amount of \$5,000.00; and some copiers. He said the only thing he has a question about is the Assessor's request for a color printer. Dave said he had an e-mail to address that issue, (H.I.).

Chad said the copier is \$3,600.00. He asked if it would make more sense for each PTABO Board Member to be supplied with a tablet that will supply free color. The Assessor was not available to answer questions at this time.

Dave said the courts are going to go with new software with CSI next month, and he thought he and Dennis should review the contract. Dave said the Judges raised one issue, and he has a few things he wants to check out.

Dave talked about Data Retention. He said since he has been here the data we store on our network has increased by a factor of ten, and the time to back it all up and everything that goes with it has gone up. Dave said every office is supposed to have data retention schedules or they follow the state's default, and it has about 50 categories in it. He said we are going to have to start looking at the procedures more proactively. Dave said IT has to find a better way of predicting and managing the growth and storage, and he talked about four things that could be done.

Dave said he is not sure what the retention schedule should be for some things in some offices. He said he is looking for a general strategy proposal from the Commissioners.

The Commissioners agreed that the second option Dave had mentioned, which was for IT to come up with some policies about how things are supposed to be done and then propagate them out there. Dave Baum said they would do things like putting quotas on servers and say when you exceed your quota you have to go back and clean it up and make sure you are

following your department's policy for maintaining the data. He said they could put policies together pretty quickly and enforcement would be through access or denial of services.

Gary reaffirmed that Dave would get input from the department heads. Dave Baum said he would work with them. He said as he comes up with policies he will probably run them past the Commissioners.

Chad moved to approve the expense over \$500.00 for the failed hard drive and the work stations at the Surveyor's Office. After further discussion Chad withdrew his motion.

Kim Miller, Assessor was present to explain why she had requested a color printer. She said they have had a lot of trouble with the overhead TV and the laptops available in the Commissioners room.

Chad said he thought it would be more economical to provide everyone on the PTABOA board an I-Pad or some kind of tablet they could zoom in on.

Dave Baum suggested printing maps and things as a PDF and sending them to the PTABOA members and then they can open up the file. Dave Dolezal said that is very reliable.

The Commissioners recommended trying the PDF's before any other action is taken.

There was a brief discussion about the number of printers in the Assessor's Office.

Dave Dolezal moved to approve the expenses over \$500.00 with the exception of the color copier for the Assessor's Office. Chad seconded the motion and it carried, 3-0.

TAX SALE (CERTIFICATE SALE) UPDATE

Sheri Auld, Deputy Auditor in charge of tax sales said she had mailed out the certified notices with the deadline of February 19th for redemption of the properties, and none of the properties were redeemed. Sheri said based on the certificate process the certificates that the Commissioners hold title to will void out April 18th.

Mark Pankop was present and he said there is an individual that has an interest in one of the properties and there are questions about what the procedure is. There was discussion about the property and the EPA issues associated with it. Jackie said she didn't think the county is in any position to assume any liability or anything on that property. Dennis said that was correct. Mark said he would talk to Sheri after the meeting.

HEALTH DEPARTMENT ISSUES

Dr. Terry Gaff, Health Officer and the Commissioners briefly discussed what is going to happen with moving the Health Department. Chad told Terry that the Commissioners are waiting to hear about a quote that was submitted a year ago about making the railings safe at the south complex.

SHERIFF'S DEPARTMENT TRADE-IN VEHICLES

Jackie said she had six titles that need signed. Chad moved to approve for Gary to sign the titles for the vehicles being replaced at the Sheriff's Department. Dave seconded the motion and it carried, 3-0.

ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 12:56 P.M. recessed from day to day until the 4th day of March 2013.

Gary Leatherman, President

David J. Dolezal, Vice President

Chad Kline, Member

ATTESTED: _____
Jacqueline L. Knafel, Auditor