

## February 2, 2009

Pursuant to adjournment comes now the Starke County Board of Commissioners and meet in regular session at 9:00 a.m. in the Annex meeting room, Knox, Indiana, and the following proceedings were held to wit:

### **IN RE: EMS**

Mary Lynn Ritchie reported the receipt of \$183.75 from Jonathan O'Hara's collection agency and three checks totaling \$1,858 from the County Clerk for small claims receipts.

Mary Lynn wanted to let the commissioners know that previous commissioners wouldn't take less on a bill as it is not fair to others in the county who have to pay the full amount. The price stays the same across the board. As long as they are making an effort to pay, even if it is only \$5 a month, they will not turn the account over to small claims or collections.

Mark Milo moved to write off \$3,544.98 for bankruptcies, estates of deceased and the elderly seconded by Dan Bridegroom with 3 ayes.

Mary Lynn distributed packets regarding the EMS transfer policy. She explained the contents. (A packet is on file in the Auditor's office.) If this works out, they will also notify Walkerton & Ancilla as there is a need there. Dan Bridegroom asked for a statistical report on the transfers. Mary Lynn will start promoting the transfers again per a motion by Dan Bridegroom to continue seconded by Mark Milo with 3 ayes.

Kathy Norem asked Randy Abbey about some run reports the EMS Medical Directors want per the contract that they claim they have not received for 12 weeks. Randy stated that providing the information isn't the problem, it is the method in which it is provided. Kathy said she would call Pat Kreischer and the two Medical Directors, Dr. Joseph Bartush and Dr. Phillip Hassan and find out what is going on. Dan Bridegroom stated that we need a resolution to the problem.

### **IN RE: EMA**

Kathy Norem stated that she has been hearing that Randy hasn't been bringing information back from the EMA meetings that he has been going to. Randy Abbey reported that the District Planning Committee for EMA needs a commissioner designee, a mayor's designee, and the EMA director.

Randy stated that the group has not even met formally as they are still hashing out the bylaws, etc. In 2005 they were set to formally organize, then the state told them not to as new guidelines were coming out. Until now, it has been whoever wants to go, goes. The meetings have been open to everyone.

The state has not formally requested the appointments yet. The final draft of the bylaws is going to be discussed at this month's meeting. Deb Hansen, who lives in the city limits of Knox, and David Pierman, from Washington Twp., both expressed a desire to be on the Board. Before making a formal appointment, Mark Milo feels that the commissioners should talk to the Mayor. Kathy wants this appointment on the agenda for the next meeting. Dan Bridegroom moved to have Kathy Norem speak to the Mayor about the District Planning Council and then to appoint one at the next meeting seconded by Mark Milo with 3 ayes.

There was also discussion about the L.E.P.C. Dave Singleton reported that we haven't received any money for this in quite a while.

### **IN RE: HIGHWAY**

Steve Siddall sent pictures of the new product used in lieu of salt. Dan Bridegroom reported that he had traveled some of the roads where it had been used and he stated that there were no problems, no slick areas where it was used.

#### **IN RE: STIMULUS PAYMENT**

Kathy Norem reported that she went to the Joe Donnelly meeting about the stimulus money on Friday. Joe Donnelly stressed that we need to get our needs turned in ASAP and prioritize it as the requests already submitted are piling up. The financial numbers need to be submitted and overstated. Kathy said she would like to see the CR 300E project submitted with that list.

Kathy Norem said she checked out the flooding at Koontz Lake where Iroquois tees into Highway 23. She stated that maybe storm sewers would help with this. K.I.R.P.C. told her that grants were also available for this.

#### **IN RE: HIGHWAY SUPERINTENDENT POSITION**

Dan Bridegroom reported that he had received two resumes from county employees for the highway superintendent's position and wanted to know what the commissioners wanted to do. Mark Milo moved to open the opportunity for the superintendent's job to the public seconded by Dan Bridegroom with 3 ayes. The ad will run for one week and all resumes will be due by Wednesday, February 18<sup>th</sup>, 2009. The commissioners will then set an executive session to consider the applications. The commissioners requested that this also be posted on the county's web site.

#### **IN RE: BOARD APPOINTMENTS**

The commissioners requested that when appointments are coming up for the various boards, we post the ones coming up on the county web site. Hopefully in this way we can get more of the public interested in participating on boards.

#### **IN RE: DEAD DEER IN YARD**

Dave Singleton reported that there is a dead deer lying in an elderly person's yard and has been for about two weeks. They have no way to remove it and wondered if the county could. The commissioners informed him that the county only gets involved if it is in the road right of way. We cannot go on private property.

#### **IN RE: OLD STARKE COUNTY LANDFILL**

Sammy Sirhan with Superior Environmental and three of I.D.E.M.'s employees appeared before the commissioners to give them the status on the Starke County Landfill. Mr. Sirhan reported that 25.7% methane gas was detected. He also reported that the new owners wouldn't allow them to access the property. The previous owner did not notify the new owner that the property had been a landfill.

I.D.E.M. stated that if he doesn't give access, I.D.E.M. could go after them as the new owners and make them responsible for the clean up. Neither the new owner nor his attorney is responding to Mr. Sirhan or I.D.E.M. I.D.E.M. is going to make the new owners aware that if they do not let the county have access in order to take care of it, the new owners will then be responsible to take care of it.

The property was recorded as a landfill in the Starke County Recorder's office about 7 years ago. I.D.E.M. will try to help us resolve this problem. Right now there is nothing the county can do until I.D.E.M. contacts the new owner.

Mark Milo asked Mr. Sirhan to present what needs to be done and the costs to the county sanitarian, Dave Singleton. Mr. Sirhan asked I.D.E.M. to help the county come up with some financial help for this project.

#### **IN RE: DOG KENNEL ORDINANCE, UNSAFE BUILDING ORDINANCE AND MANUFACTURED HOUSING ORDINANCE**

Bruce Williams, Planning Administrator, submitted drafts of three ordinances for the commissioners' consideration. The planning commission board did not want to continue finalizing the ordinances if the commissioners were against them, and they wanted input from the commissioners.

Kathy Norem asked if there was a state statute on dog kennels. Steve Dodge, Planning Commission Attorney, doesn't think that there is. Kathy would like to see a licensing fee for kennels and she wanted to know whether existing kennels would be grand fathered in. Mark Milo asked if this was a policing ordinance or a zoning ordinance. Steve Dodge said it was both. There was more discussion and suggestions for changes.

Kathy Norem asked why we opted not to abide by the state law regarding unsafe buildings. Steve Dodge explained that if we have our own law, it is better than adopting the state law.

The commissioners asked to be kept apprised on the progress of the three ordinances.

#### **IN RE: ANNUAL TRENDING & MAINTENANCE CONTRACT**

Rhonda Milner, County Assessor, and David Congrove and John Viveiros both with Property Systems appeared before the commissioners regarding the new contract for the annual trending & maintenance. Mark Milo moved to approve the contract with Property Systems seconded by Kathy Norem with 3 ayes.

Kathy Norem moved to allow Rhonda to work with our county attorney on this until all the papers are ready to sign, seconded by Mark Milo with 3 ayes.

#### **IN RE: CONTRACT WITH ENGINEER ON SYSCO BIDDING PROCESS**

Van Janovic appeared regarding his request to amend his contract on the SYSCO bidding process, as everything had to be done twice. Mark Milo wanted it made known that the county did not stop the project but stopping it incurred a county expense that was not the county's fault. Mark Milo moved to amend Van's contract seconded by Kathy Norem with 3 ayes.

Mark Milo moved to grant the president of the commissioners the authority to sign the contracts for the SYSCO project seconded by Kathy Norem with 3 ayes.

#### **IN RE: BONAR GROUP**

Michael Strang with Bonar Group handed out literature and information about his company. He stated that he is willing to help put our stimulus package together.

#### **IN RE: REQUESTS FOR QUALIFICATIONS ON C.R. 300E PROJECT**

Four engineers responded to the requests for qualifications for the C.R. 300E project.

1. Lawson Fisher Assoc., South Bend, Indiana, received 1-23-09 at 12:25 pm
2. Butler, Fairman & Seufert, Indianapolis, Indiana received 1-23-09 at 11:17 am
3. Wightman Petrie, Elkhart, Indiana received 1-21-09 at 11:20 am
4. United Consulting, Indianapolis, Indiana received 1-23-09 at 1:50 pm

All were submitted timely. Mark Milo moved to take them all under advisement and score them at the next meeting seconded by Dan Bridegroom with 3 ayes.

#### **IN RE: COMMISSIONER OFFICE HOURS**

On February 11<sup>th</sup> from 9 am to 11 am Kathy Norem will attend to the office hours and on February 25<sup>th</sup> from 4 pm to 6 pm, Mark Milo will take over.

## **IN RE: STARKE COUNTY DRAINAGE BOARD**

The Starke County Commissioners have made the county drainage board a five-person board. Kathy Norem moved to appoint Ken Porter from Oregon Township as the fourth person seconded by Dan Bridegroom with 3 ayes. Mark Milo moved to appoint Bill Schacht from Jackson Township as the fifth person seconded by Kathy Norem with 3 ayes.

Martin Lucas, County Attorney, will have an ordinance ready regarding the board for the next meeting.

Dan Bridegroom will talk to the County Surveyor, Dennis Estok, about setting the next Drainage Board meeting with all five members.

## **IN RE: SAN PIERRE PLANNING GRANT**

The commissioners signed the semi annual report for the San Pierre Planning Grant submitted by K.I.R.P.C.

## **IN RE: FUEL KEY ALLOCATION LIST**

The fuel key allocation list for the highway department was submitted to the Auditor and is on file.

## **IN RE: COURTHOUSE & ANNEX KEYS**

No one can loan the key to the courthouse or annex given to him or her by Carl or Jim. They keys are for full time employees only, and not to be loaned out to anyone. The auditor is to send a letter around reminding everyone of this. Anyone who needs to use one of the meeting rooms for county business needs to have preapproval to use the building and then obtain and sign for a key from Carl or Jim. The old commissioners' room in the courthouse is scheduled through the County Clerk, Evelyn Skronski and the meeting room in the annex is scheduled through the Auditor, Michaelene J. Houston.

## **IN RE: CLAIMS**

Kathy Norem moved to approve the 1-24-09 payroll claims seconded by Mark Milo with 3 ayes.

Kathy Norem moved to approve the 2-2-09 vendor claims excluding the one to E.R.S. for \$19,548 to be paid out of the Cum. Cap. Dev. fund seconded by Mark Milo with 3 ayes.

## **IN RE: MINUTES**

Mark Milo moved to approve the minutes of the January 5, 2009 minutes seconded by Kathy Norem with 3 ayes.

Mark Milo requested that the January 19, 2009, minutes be changed to state that he "reflected as to whether or not she could use the Center Twp. Assessor's office, which is now vacant, if she needs to discuss any issues privately." Kathy Norem moved to approve the January 19, 2009, minutes with this correction seconded by Mark Milo with 3 ayes.

When first typed, all minutes are "drafts" not yet approved by the commissioners. Since the public has the right to inspect all minutes even in the handwritten form, the word "draft" will be on them until approved and typed in the minute books.

## **IN RE: LIMITED DUTY FOR EMPLOYEES ON WORKER'S COMP.**

Our insurance carrier for Worker's Compensation requested that the county come up with a policy regarding "light" duty or "limited" duty. Sometimes an employee is released by his or her doctor to return to work for "light" or "limited" duty. This discussion was tabled until the next meeting.

## **IN RE: INVALIDATED TAX SALE BY COURT ORDER**

Martin Lucas, County Attorney, brought us a court order invalidating a tax sale on a property. Mark Milo moved to approve the judgment from the court order invalidating a tax sale and refunding the purchaser \$2,214.27 to be paid before 2-24-09 seconded by Dan Bridegroom with 3 ayes.

There being no further business to come before the board, Mark Milo moved to adjourn seconded by Dan Bridegroom with 3 ayes.

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Dan Bridegroom, President

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Kathy Norem, Vice President

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Mark Milo, Member

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Michaelene J. Houston, Auditor and  
Secretary to the Commissioners