

**Monday, February 18, 2013**

Pursuant to adjournment comes now the Starke County Board of Commissioners and meet in regular session at 7:35PM in the Annex Meeting Room, Knox, Indiana, with Kathy Norem, Kent Danford and Jennifer Davis present and the following proceedings were held to wit:

The meeting was called to order by President, Kathy Norem. She advised the following changes to the meeting's agenda: The second item on the agenda will now be the Assessor, Rhonda Milner, followed by the employee grievance issue.

**RE: WEAVER & BOOS LANDFILL MONITORING**

Brian Horvath, of Weaver & Boos, appeared before the Board to discuss the latest monitoring of ground water and methane gas levels at the old County landfill. He advised of the recent testing that was completed on Feb. 1<sup>st</sup>. The report of the ground water monitoring detected no outstanding results. But, the results of the methane gas monitoring showed higher levels of gases being emitted from sections 11 & 12, on the south side of the landfill. He noted, his recommendation is for a vertical gravel column but instead on the column being thirty feet deep, as was first recommended, he suggested it only be installed at a depth of ten feet deep, and install a total of four to six vertical columns, with turbine ventilators. He noted there would be a considerable cost savings with only going to a depth of ten feet. Mr. Horvath advised IDEM is asking for a plan as to the County's response to the higher levels of methane the monitoring has shown. He suggested submitting the drawings he proposed to IDEM, with a schedule of when the project could be completed. Commissioner Davis inquired if there wasn't any penalty phase. Mr. Horvath advised not at this time, but the State could issue the County an order with definite dates of compliance, and the possibility of fines. Attorney Lucas inquired if the landowner has been informed of the latest development. Mr. Horvath noted his associate, Mike Maxwell had attempted to call the landowner, but so far there has been no response from him. President Norem suggested Weaver & Boos should write IDEM on their behalf, and propose the revision for the shallower trenches, and the vertical columns. Mr. Horvath advised thus far they do not have a contractor for the project and he has only priced the expense of the gravel. He also stated he felt the probes were originally installed too deep. Since they are perforated pipes, there is no way to determine at which depth level the gas is located. Commissioner Danford made a motion to approve the letter be written to IDEM, and proposed Weaver & Boos proceed with phase one, of option 2, in the total cost of \$56,163.00. Commissioner Davis seconded the motion, and it passed with all ayes.

Commissioner Davis made a motion, to approve Weaver & Boos to move forward with the project, after it is approved by IDEM. Commissioner Danford seconded the motion, and it passed with all ayes.

**RE: ADDENDUM TO ASSESSOR'S MAINTENANCE & TRENDING CONTRACT**

Assessor Rhonda Milner appeared before the Board with an addendum to the Maintenance & Trending Contract which was approved at their Feb. 4<sup>th</sup> meeting. She advised Michael Duffy, the DLGF Staff Attorney, recommended the addendum to clarify the verbiage of the original contract. County Attorney, Marty Lucas, advised Assessor Milner had originally used an obsolete model contract in preparing the original contract, and the addendum will satisfy the issues, and is ready for their approval. Commissioner Danford made a motion to approve the addendum, seconded by Commissioner Davis. The motion passed and the addendum was signed by the Board.

**RE: EMPLOYEE GRIEVANCE—OFFICER RON LAWSON**

Retired Starke County Police Department Officer, Ron Lawson, appeared before the Board, as a follow-up of the grievance that was presented to the Board at their Executive Session, held on Feb. 5<sup>th</sup>. Mr. Lawson presented a new document to the Board, a letter written by former Merit Board President, Ken Arnett, which verifies Mr. Lawson's request to be compensated for the un-worked holidays beginning in 2011 up to his retirement in October, 2012. President Norem read the entire letter from Mr. Arnett. Commissioner Davis commended Mr. Lawson for his many years of service, with President Norem in emphatic agreement. Commissioner Davis advised she would like to have the Sheriff, Oscar Cowen, review the letter and get his comment on Mr. Arnett's assessment. President Norem verified the Sheriff is in possession of the minutes of the Merit Board meetings. Attorney Lucas read from the County Employee's Handbook stating "All county employees are eligible for Holiday pay, and also made note of the fact the Police Department does not yet have its own handbook, as the County Highway Department has a special version separate from the regular county employee handbook. Attorney Lucas then read from Section 6.03 of the County Employee's Handbook. But, Mr. Lawson advised, when the holiday would fall on his days off, he received no compensation for the holiday. Commissioner Danford made a motion to table the decision for now, until the minutes of the Merit Board could be reviewed, and to receive a comment from the Sheriff. Commissioner Davis advised she would reluctantly second the motion, but noted the issue has been dragging on for too long of a time already. The motion passed with all ayes. Mr. Lawson noted it was first brought up to the Commissioners, the Sheriff, Officer Bill Dulin, and the Merit Board President, Ken Arnett, last March of 2012, but no action was taken. President Norem asked the Auditor to place the issue on the agenda for their March 4<sup>th</sup> meeting.

**RE: PAY CLAIM & MINUTES**

Commissioner Davis made a motion to approve the minutes of the Feb. 4<sup>th</sup> meeting, but inquired about noting there needs to be an amendment to the travel policy. At the Feb. 4<sup>th</sup> meeting, Commissioner Davis made a motion to approve utilizing the State's travel policy, as the County travel policy. But, after reviewing the State's travel policy, she advised a change would be needed. Attorney Lucas advised to approve the minutes as stated, since that was an accurate accounting of what occurred at the meeting, and then, at this meeting, to address the amendment to the travel policy. Commissioner Danford seconded the motion to approve the minutes as presented, and the motion passed with all ayes. Attorney Lucas advised the minutes of the Board of Finance would be required to be approved by the Board of Finance, not the Board of Commissioners. In regard to the approval of the vendor claims, there were two issues discussed in regard to the meal reimbursement of the PTABOA Board members who recently attended a Conference. One member had submitted a claim to be reimbursed for a total of \$21.21 for a lunch, and the other member had submitted a claim which included a glass of wine, and the taxes paid. Commissioner Danford made a motion to allow only \$13.00 of the \$21.21 meal, seconded by Commissioner Davis. The motion passed with all ayes. Commissioner Davis made a motion to deduct the cost of the taxes and the glass of wine from the second reimbursement claim, in the total deduction amount of \$10.75. The motion was seconded by Commissioner Danford, and passed with all ayes. Commissioner Danford made a motion to approve the vendor claims as presented with those two deductions to the reimbursement claims. The motion was seconded by Commissioner Davis, and passed with all ayes. The total net approved vendor claims was \$115,167.21. Commissioner Danford made a motion to approve the payroll claim in the total gross amount of \$177,806.12, for the pay period ending Feb. 2, 2013. Commissioner Davis seconded the motion, and it passed with all ayes. Auditor Chaffins advised the pay voucher submitted by Autumn Ferch for back pay retroactive to September 2012, had been extracted from the pay claim, after the grant administrator advised the County would not be reimbursed, from the grant, for that pay voucher amount. Auditor Chaffins advised all departments had submitted their Monthly Financial Reports except for the Health Department. She advised she had contacted the department via email, but has not yet received a response from them. The Auditor also advised, of the reports submitted, the only discrepancy is in the Treasurer's Department, noting they are still experiencing some issues on balancing the books from the end of 2012.

**IN OTHER BUSINESS TO COME BEFORE THE BOARD:**

Commissioner Davis advised the appointments to the CVC Board will continue to be tabled. President Norem advised they had received a recommendation from the County's general liability insurance carrier, suggesting the replacement of vehicles driven by the Sheriff's Department, while on patrol, after reaching 100,000 miles. She noted the Sheriff has already requested two new squad cars for 2013. Commissioner Davis noted she has been asked about the Sheriff's assortment of confiscated weapons and if the sale of those weapons could be bid out. Attorney Lucas advised that type of situation is governed by Indiana Code. President Norem advised Commissioner Davis to speak with the Sheriff in regard to that issue.

Attorney Lucas stated he has not yet heard a response from the Kone Elevator Co. in regard to their service contract, and their outstanding invoice has not yet been paid.

Attorney Lucas advised, in regard to any amendments to the travel policy, the Board should take a State schedule of meal reimbursement and mark up any changes they would like in creating the County's policy. President Norem asked Commissioner Davis to work with Attorney Lucas with the travel policy amendment, and present it at their next regular meeting on March 4th.

President Norem advised they had received the resignation of Dr. Theresa Alexander, as the County's Health Officer, effective March 18<sup>th</sup>, 2013.

Commissioner Danford advised he has received word from the Indiana Workforce Development of unemployment statistics, noting the national unemployment average is 7.5%, while Starke County's is 8.9%.

Commissioner Davis advised she has received the revised contract from the Coker Group. Attorney Lucas noted his concern in regard to the County being liable for the expenses of the Coker Group, and advised a limit be placed on those reimbursements. Commissioner Davis advised she will speak with a representative of the Coker Group, Craig, the next day.

#### **PUBLIC COMMENTS**

MJ Bendt, the reporter for The Leader, advised she is working with the Sheriff's Department to establish more meaningful, concise news reporting of the news from the County Police Department.

Matt Topalian stated the County could establish a travel policy that would be more restrictive than the State's travel policy.

Betty Dotlich advised they (Mr. & Mrs. Dotlich) will be present at the BZA meeting on Thursday night.

Kenny Wallace stated he thinks all county employees should be entitled to holiday pay, no matter if they work the holiday, or not.

Les Jensen stated there are many county roads with pot holes that need to be maintained. President Norem asked him to prepare a list of the locations of those pot holes.

Ben Haut, of WKVI, inquired as to the status of the search for a new County Highway Superintendent. President Norem advised they will be interviewing two candidates that afternoon, and three more on Thursday. She stated they hoped to make the announcement of the new Superintendent, at their next meeting, on March 4<sup>th</sup>.

President Norem advised the two appraisals the County received on the proposed jail site land have been returned to the appraisal companies for revision, and they are still waiting on the revised appraisals.

There being no further public comments, and no further business, Commissioner Danford made a motion to adjourn the meeting, seconded by Commissioner Davis. The motion passed with all ayes, and the meeting was adjourned at 8:50PM.

#### **FEBRUARY 18, 2013**

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Kathy Norem, President

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Kent Danford

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Jennifer Davis

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Katherine Chaffins, County Auditor  
& Secretary to the Board of County Commissioners