

**Monday, March 4, 2013**

Pursuant to adjournment comes now the Starke County Board of Commissioners and meet in regular session at 9:00AM 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 posted agenda: Add the following to "Also to be Discussed": the real estate appraisals, and March office hours. She noted the travel policy amendment will be tabled until the next meeting. Commissioner Danford made a motion to also table the decision on Ron Lawson's grievance until the March 18<sup>th</sup> meeting. President Norem advised she was ready to discuss it, but Commissioner Davis noted she wanted to discuss the situation with the Sheriff that afternoon. Commissioner Davis seconded the motion and it passed with all ayes.

**RE: MINUTES, PAYROLL CLAIM, VENDOR CLAIMS, 2013 DOG TAGS**

Commissioner Danford made a motion to approve the minutes from the February 18<sup>th</sup> meeting. The motion was seconded by Commissioner Davis, and passed with all ayes. Commissioner Danford made a motion to approve the pay claim for the pay period ending Feb. 18<sup>th</sup> in the total gross amount of \$180,201.04. Commissioner Davis seconded the motion, and it passed with all ayes. Commissioner Danford made a motion to approve the vendor claims as presented, in the total amount of \$218,723.03. Commissioner Davis seconded the motion, and it passed with all ayes. Auditor Chaffins advised the new dog tags are in, and they expire March 1, 2014. She inquired as to the dog owners that first purchased the previous year's dog tag after the first of the year, and prior to the receipt of the 2014 tags, could just exchange their 2013 tag for a 2014 tag. Commissioner Danford made a motion to approve the exchange of the 2013 dog tag for a 2014 dog tag, if the tag was purchased after January 1, 2013. Commissioner Davis seconded the motion and it passed with all ayes.

**RE: EMS MONTHLY REPORT**

EMS Director, Paul Mathewson, and EMS Clerk, MaryLynn Ritchie, appeared before the Board to present their monthly report. Clerk Ritchie advised they had received a total of \$128.78 from Collections Attorney, Jonathan O'Hara, and \$819.08 from the Starke County Clerk's Office, from small court claims. She also advised she has been cleaning up the old, bad debt, account receivables in the computer software, noting she is up to the beginning of the year 2010. Director Mathewson distributed copies of two different articles which featured the Starke County improved EMS services.

**RE: COUNTY HIGHWAY DEPT. MONTHLY REPORT**

Interim County Highway Superintendent, Scott Dedloff, and Interim Foreman, Bill Crase, appeared before the Board. They advised they would like to see the discussion of the Marshall-Starke Coop Agreement be tabled at this time. President Norem advised they have done a fabulous job stepping up to the plate and she wants to see them recognized for their efforts. She advised there were five applicants that were interviewed for the position of Superintendent. But, one applicant stood out amongst the others due to his capital asset management, and project development/management experience, and that is Rik Ritzler. Commissioner Danford advised he brought a lot to the table, and he made a motion to name Rik Ritzler as the Superintendent of the County Highway Department. Commissioner Davis, seconded the motion, and it passed with all ayes. President Norem officially offered the position to Mr. Ritzler, and he accepted, stating he could begin work the next day. He was advised to report to the Auditor's Office to complete the employment paperwork, and the pre-employment drug and background screening. He was then introduced to Scott and Bill. In the meantime, Scott advised he will be attending Road School on Tuesday to sign the paperwork for the County, and Bill will stay on to attend to the snow that was forecasted to begin on Tuesday. Scott also submitted a card/reminder it was time to get the bucket truck's annual inspection, at a cost of \$500.00.

**RE: REQUEST FOR ADDITIONAL HELP, FROM STARKE COUNTY CLERK**

Evelyn Skronski, the Starke County Clerk, appeared before the Board. She advised she had personally mailed her request to all three Commissioners and all members of the Starke County Council to their personal addresses to guarantee they would receive her request. Clerk Skronski advised she was requesting her part time help in the Election Office be changed to full time status, due to an increase in workload, such as the location of precinct voters to keep the maximum number at 1200 per precinct that is due March 13<sup>th</sup>, and the fact that she has already lost three different part time workers because they were wanting full time positions.

In the Clerk's Office she is asking for two more full time deputies, one of the child support side, and one on the other side. President Norem inquired where she would obtain the extra funding for those additional positions and Clerk Skronski advised maybe the Rainy Day Fund. She noted the Council would not allow her to increase the number of deputies at their budget hearing so she was asking for them now. She stated she needs the additional help because the workload of criminal cases has increased, noting every felon needs an abstract completed, not just the ones that were sentenced to prison. President Norem reminded her, the Board of Commissioners needs to approve the creation of these new positions before she presents her request to the Council. Commissioner Davis inquired as to how many employees are currently in that department. Clerk Skronski noted she presently has four full time deputies, and a floater whose time is divided equally between the Clerk's Office and the Circuit Court. She also added she has one part time employee in her Office and one part time employee in the Election Office. She advised now she is asking for two more full time deputies, and changing the part time employee in the Election Office to a full time employee. President Norem inquired if her employees are cross trained, and Clerk Skronski responded, some of them, yes. Commissioner Davis asked what the bottom line number of employees she would need, and Clerk Skronski responded she needs the additional 2 ½ employees. President Norem noted this is only an election year to address the Knox Schools referendum, and there will not be a fall election, and making the part time employee into a full time employee would not happen before the March 13<sup>th</sup> deadline the election office has to observe. She suggested the Clerk's Department have the State begin processing all child support payments, since they are not required to be submitted at the County level. She also noted the total number of protective orders has been steadily decreasing from the high in 2010 of 231 orders, to processing only 156 during 2012. President Norem also inquired as to the status of the expensive Docuware software that she had requested the Board of Commissioners approve to purchase, and why that isn't being utilized in her Office. Clerk Skronski advised she doesn't have enough help in order to scan in the documents. The President inquired why the Clerk needs to sort out the Courthouse mail, and why couldn't Custodian Carl Goodrich complete that task, with possibly utilizing the "Experience Works" Program. Commissioner Davis advised she would talk with the Department Heads at their monthly meeting that afternoon, in regard to the mail procedure at the Courthouse. Clerk Skronski stated she has to go to the Post Office every day to pick up the mail since the Post Office will not deliver it. She also noted she receives the mail for the Clerk's Department, the Probation Office, the Small Claims Court, and Circuit Court. Commissioner Danford advised the Clerk to look at different avenues for her staffing situation. President Norem advised she personally sees no reason to increase her staff what so ever, and there will not be any recommendation to the Council for additional staffing. Clerk Skronski requested Auditor Chaffins remove her name from the Council's agenda for their March 18<sup>th</sup> meeting. President Norem advised her she could still go in front of the Council, but it will not be with their recommendation. She also advised the Clerk to get all of her staff cross-trained and make assignments to accommodate that. Clerk Skronski advised all of her staff is cross-trained.

#### **RE: SIDEWALK REPAIR PRICE QUOTES**

James Coad, Annex Building Custodian, appeared before the Board to present the latest price quotes he received in regard to replacing the stairs on the south side of the building, and the sidewalk in front of the southern entrance to the meeting room. He noted he had received five price quotes last year, and of those five only four gave him updated quotes. He advised he did not receive a follow-up price quote from Claude Tunis. The price quotes received were as follows: Brian Allen Masonry \$2,250.00; Ed Filip Concrete \$2,500.00; Pete Kuchel Concrete \$2,688.00; Claude Tunis Masonry \$4,050.00 (earlier quote); and Jeremy Crittendon, Custom Concrete \$4,500.00. Custodian Coad noted the stairs will be torn out and replaced, and the price quotes also included the installation of hand rails along the stairs, but not be placed in the actual concrete. He also noted he does not have it in his budget to cover the expense. The issue of the stair repair came up again last fall when he was inspecting the building and noting any safety issues. Commissioner Davis inquired if the price quotes were all comparing apples to apples, and Custodian Coad advised they were. Commissioner Davis made a motion to approve the price quote received from Brian Allen Masonry, in the amount of \$2,250.00, and for it to be paid out of the Cumulative Capital Fund. The motion was seconded by Commissioner Danford, and passed with all ayes.

#### **RE: PROPOSED EMERGENCY DECLARATION**

EMA Director, Ted Bombagetti, appeared before the Board to present the Local Communication Emergency Declaration. He advised it was a legal way to allow the Commissioners authority to make emergency updates as allowed by the FCC. He advised they will get the proper FCC licensing then at a later date, that way there would be no delay. He added, it has been initially established for a fourteen day period. County Attorney, Marty Lucas, reviewed the document and suggested, in paragraph four, omit the statement that follows "Indiana's Open Door Law", since this is a regular meeting of the Commissioners and not an emergency session. President Norem advised the Board to initial the change, and also noted the Auditor is required to attest the document. Commissioner Danford made a motion to approve the

declaration, seconded by Commissioner Davis. The motion passed with all ayes, and the document was signed by all parties. A copy of the signed Local Communication Emergency Declaration is on file in the Auditor's Office.

## **RE: IT DIRECTOR, RADIO ISSUES**

IT Director, Joe Short, appeared before the Board to discuss the radio issues the County is facing. He advised the remote link has gone down that allows radio communication to Koontz Lake and San Pierre, and they will not be able to establish the link with the status of the County's storm damaged, shortened tower. He advised, it was suggested at the last fire department meeting, to relocate the remote link from Koontz Lake and install it in Hamlet. He also suggested San Pierre's antenna be relocated to the top of the water tower, in San Pierre. He noted, while it is presently in Koontz Lake a lot of the radio signals now were travelling into surrounding Marshall County and St. Joseph County. He presented three different price quotes to get the process completed: price quote 17628 in the amount of \$6,387.14, would reprogram the Hamlet Fire link, add a mast to the top of the County's shortened tower and establish a link to San Pierre; price quote 17630, in the amount of \$2,800.53 would reprogram the existing equipment, the Sheriff's Department repeater, add a second equipment enclosure, and install a new antenna at the Hamlet Coop; and price quote 17629, in the amount of \$4,074.01 would allow the antenna be placed on a tripod, on top of the water tower in San Pierre. He advised he is proposing all three price quotes, but the work will be completed step by step, and possibly all three steps may not be needed. The total cost of all three price quotes is \$13,261.68. Commissioner Danford inquired if the possession of the water tower in San Pierre by Railroad Township is an established deal or is the future of the water tower unknown. Auditor Chaffins, the former Railroad Township Trustee, advised the water tower is presently owned by Railroad Township and was completed in the land transaction from Trinity Healthcare. Commissioner Danford made a motion to approve all three price quotes, to make the improvements and not exceed a total cost of \$14,000.00. Commissioner Davis seconded the motion, and it passed with all ayes. President Norem noted they have not yet received any documented complaints of any radio issues, only verbal complaints.

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

### **REAL ESTATE APPRAISALS**

Attorney Lucas summarized the events that have occurred in regard to the obtaining of property appraisals of the proposed site of the new county jail project. He noted the first appraisals the County received had errors and they were sent back to the appraisal companies with a request to re-do, and this time to appraise the property as a thirty acre parcel. He advised they finally received the second appraisal late Friday. He advised the appraisal completed by William Eenshuistra was in the total amount of \$497,000.00, having an average of \$7,000.00 an acre for the land. The second appraisal, from Richard Adomatis & Associates, was in the total amount of \$575,000.00, having an average of \$6,000.00 an acre. He noted the County could not pay more for the property, than the average of the two appraisals. It was also noted Mr. Bailey would prefer the total purchase amount would be at the \$500,000.00 level, and advised he would be agreeable to include more acreage in the deal. President Norem reviewed the appraisals, and advised there could possibly have two different offers, 24.5 acres for a total cost of \$500,250.00, or 24 acres for a total purchase price of \$497,000.00. Attorney Lucas advised the additional acreage would be located directly south of the existing building, and also the County would be obtaining a huge savings by purchasing property which already has existing city utilities established, and also it would be utilizing the existing building into the proposed project plans. Commissioner Davis made a motion to approve presenting both offers to Mr. Bailey and allow him to choose either the proposal for 24 acres, or 24.5 acres. Commissioner Danford seconded the motion, and it passed with all ayes. Attorney Lucas stated he will prepare the written offer to Mr. Bailey. He advised the next step would be the soil borings to be completed by Scott Cherry, and the Skilman Corp. He also noted the Building Corporation will be meeting on Tuesday, March 5<sup>th</sup>.

### **MARCH OFFICE HOURS**

President Norem asked the Commissioners to complete the calendar, for the month of March, with their hours as to when they will be available to be in the Commissioners' Office, at the Courthouse.

Commissioner Davis inquired about the signing of the Contract with the Coker Company. She advised they agreed to cap their expenses at \$2,000.00. President Norem advised her, the Contract had already been approved at a previous meeting, and she should sign the contract.

Commissioner Davis inquired as to the status of the replacement of the Health Department Medical Director. President Norem stated it was unknown what transpired at the Feb. 28<sup>th</sup> meeting of the Health Dept. Board, and suggested Commissioner Davis speaks with Dr. Alexander. Commissioner Davis then advised she had spoken with the Sheriff in regard to the recent letter received from Ken Arnett, and the

Sheriff advised the letter did not change his earlier opinion. Commissioner Davis then verified the past practice for holiday pay within the police department.

## PUBLIC COMMENTS

Betty Dotliff advised since their Court case with the BZA has ended, and the Judge awarded the BZA reimburse the legal expenses accrued by the Dotlichs' in the amount of \$15,000.00, she would now like to submit a claim to be reimbursed for their out of pocket, personal expenses, in the amount of \$6,000.00. President Norem inquired as to why it wasn't submitted in court, and Mrs. Dotlich advised the Judge would not allow it since it didn't all pertain to that appeal. Now the issue of the \$15,000.00 reimbursement needs to go in front of the Council, and the total cost to the County in approximately \$25,000.00 in expenses has occurred from some inexcusable actions by the County. President Norem stated she clearly hears their frustrations. Mrs. Dotlich advised it has been a very extensive, stressful process. Mr. Dotlich advised if the Building Commissioner had abided by the codes and ordinances set forth and not interpreting them on his own, they would not had to spend one nickel. Commissioner Davis asked to see a copy of their expenses. Attorney Lucas advised he did not see any basis for their request to be reimbursed for the \$6,000.00 in expenses, since those expenses are typically on the party pursuing the legal action. President Norem stated any board appointment is obligated to get familiar with any codes that are obviously important with making decisions. But people make mistakes, and she is sympathetic to both parties involved. She also stated she felt the Judge, in his decision, got it right, but he could have tempered some of his comments, since some of them were un-necessary. She continued, by noting she agreed with Attorney Lucas, there is no foundation for the granting of their \$6,000.00 claim. She advised it was unfortunate that it occurred, for both parties. She noted changes have been made on the Planning Commissions and may ultimately filter down to the BZA, and there may continue to be changes in the future. She personally offered her apologies to both parties: the Dotlichs, and the Ford/Povalitis, since no one intentionally did anything wrong. She ended by saying hopefully something was learned from this decision and move forward.

Marty Bedrock, County Attorney representing the Planning Commission, requested the County spend some money and update the present ordinances of the Planning Commission. President Norem agreed the present ordinances are archaic but they now have a Tech Committee in place to do just that. Mr. Bedrock stated he wasn't speaking of just grammatical and or spelling corrections, and they should consider hiring an outside agency, which specializes in it, to accomplish that. President Norem stated Steve Dodge, the past attorney for the Planning Commission, called it a labor of love, and she believes they now have the people in place to make those updates. She then advised that was the end of the discussion, at this meeting, at this time.

Sheriff, Oscar Cowen, and the County Police Office Manager, Chris Smith, appeared before the Board and presented the price quotes they had received in order to purchase a new patrol vehicle. The Sheriff advised he had received a quote locally from Best Ford in Knox, but he could not get a response from Cambe Chevrolet. He also received two quotes from Plymouth: from County Auto, and Oliver Ford. Commissioner Davis inquired if the quotes are comparing apples to apples since they are from both Ford and Chevy dealerships. President Norem advised they will take these quotes under advisement and get the recommendation from the Sheriff, and will make their decision at their next meeting.

The Sheriff also stated he has been concerned with a situation they are experiencing with door to door salesmen in the county. They have received several verbal complaints on the salesmen being very aggressive putting their foot in the door to keep the door from being closed. After checking with the Auditor's Office the vendors inquired into obtaining the required permit but refused to pay the \$100.00 fee. He advised they can deal with vendors who do not have the necessary permits, but was concerned with having a limit on the time these vendors could be operating, but since looking into that situation he has changed his mind on placing any time limits because it would be a detriment to the decent vendors presently operating in the county. The Sheriff stated what he would like to see if some type of written county policy that states if a vendor is aggressive or forceful their permit could be pulled from operating in the county. President Norem stated she believes this is one bad apple, and she doesn't want to make changes based on their conduct. Commissioner Davis suggested looking at the permit to see what it specifies. Attorney Lucas noted a vendor putting their foot in the door to stop the door from being closed is considered trespassing. He also suggested homeowners post no solicitations/no trespassing signs outside their homes. He noted some towns post the Greenriver Ordinance at the end of the town's limits. Commissioner Davis inquired as to the status of the guns the Sheriff currently has in the police department's possession as a results of court case evidence, and confiscations. She advised the Sheriff to call someone in to look at the collection, in order to possibly schedule an auction.

Another issue the Sheriff addressed was allowing the Jail Commander to utilize an old county squad car which was personally repaired by the Jail Commander, to drive back and forth to work from his residence. The Sheriff noted the Commander lives approximately one mile from town, and is being called in during the night to address jail issues. Commissioner Danford verified the vehicle would not be used for any personal errands, and that the vehicle should be inspected by Cary, at the County Highway Garage, before allowing the Commander to drive it. Commissioner Davis made a motion to allow the Jail Commander,

pending certification of the safety of the vehicle, to drive it as long as it is work related. Commissioner Danford seconded the motion and it passed with all ayes.

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 and the meeting was adjourned at 11:00AM.

**MARCH 4, 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

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