

**Monday, May 6, 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 first part of the Meeting was posted as a Meeting of the Board of Commissioners along with the County Council, in order to hear a report from the Skillman and DLZ Companies-the Schematic Design of the new County Jail. In attendance for that presentation, beside the Board of Commissioners, were County Attorney, Marty Lucas, Council Members: Bryan Cavender, Marvin McLaughlin, Mitch Semans, Jail Committee Members: Ted Hayes, Carolyn Johnson, Randy Brown, and Sheriff Oscar Cowen. Also in attendance were Building Corporation Directors, Ron Henigsmith (who is also a member of the Jail Committee), and Ben Osinski.

Scott Carnegie, of DLZ, gave a presentation, and distributed a booklet entitled Starke County Jail & Sheriff's Office Schematic Design Package Presentation. His presentation included the floor plans of the proposed jail complex, including the cell block area, the office area and the dispatch area. A copy of the presentation booklet is on file in the Auditor's Office. Scott Cherry of Skillman, gave a presentation on the estimated financial costs of the new jail complex. He advised the Conceptual Estimate of the Base Bid Construction Costs is \$10,769,700.00 and the Schematic Estimate Cost is \$11,331,990.00 He also listed possible additional costs of the installation of the Communications Tower, Completion of Dayroom G & H, finishing the Courtroom and Judge's Chambers, adding an Additional Bay to the Sallyport, and adding an additional area to the 2<sup>nd</sup> floor of the existing Bailey Building. A copy of the Schematic Estimate, of May 6, 2013, is also on file in the Auditor's Office. Mr. Carnegie and Mr. Cherry advised they will present the Design Development and Estimate for approval, and a request to authorize DLZ to begin the Final Design/Construction Document Phase, at the July 1<sup>st</sup> meeting of the Board of Commissioners. Commissioner Danford made a motion to proceed with the Design Development Phase. Commissioner Davis seconded the motion, and it passed with all ayes. President Norem requested Auditor Chaffins place that item on the July 1<sup>st</sup> Meeting Agenda.

Attorney Lucas advised, in a related jail update, the Mediation in regard to the Federal Lawsuit, Jack Haut v Starke County, was held in South Bend on April 24<sup>th</sup>. A proposed agreement has been prepared and will be presented to the Board of Commissioners and the County Council at their May 20<sup>th</sup> meeting, for their approval. He noted the Mediation Proposal would also require Court approval. President Norem noted the Mediation Proposal will allow the accrual of attorneys' expenses to be halted.

President Norem asked DLZ & Skillman if an electronic copy of today's presentation could be sent to the County for posting on the County's website.

At 9:55AM, President Norem advised there will be a three minute break before the regular Commissioners' Meeting begins.

The regular meeting of the Board of Commissioners was called to order at 10:00AM by President Norem. She advised the following changes to the posted Agenda: under "Also to be Discussed: adding the Commissioners' Summer Intern update and the results of an employee grievance.

#### **RE: MINUTES, PAYROLL CLAIM, VENDOR CLAIMS**

Commissioner Danford made a motion to approve the payroll of the pay period ending on April 27, 2013, with a pay date of May 3rd, in the total gross amount of \$183,746.22. The motion was seconded by Commissioner Davis, and passed with all ayes. President Norem advised this pay period did include the payment of Stop Grant proceeds to Deputy Prosecutor, Autumn Ferch. Commissioner Danford made a motion to approve the payroll of the pay period ending on April 13<sup>th</sup>, with a pay date of April 19<sup>th</sup>, in the total gross amount of \$178,563.10. The motion was seconded by Commissioner Davis, and passed with all ayes. President Norem advised this pay period did not include the payment of the Stop Grant proceeds to Autumn Ferch. Commissioner Danford made a motion to approve the minutes of the April 15<sup>th</sup> meeting, seconded by Commissioner Davis. The motion passed with all ayes. President Norem advised vendor claims were submitted for approval, in the total gross amount of \$397,709.83, and a couple of items were noted for extra review. The one item is the mileage claim from Building Inspector, Terry Stephenson. She noted she has spoken with Mr. Stephenson and he provided for her review and will be providing the extra documentation to the Auditor's Office. She advised the other item questioned is the purchase of cameras from the Firearms' Training Fund, since it is unsure if that is a proper expense of the Fund. Commissioner Danford asked County Highway Superintendent about the claim to Heinold & Feller, in the amount of \$2,080.90 for four tires and a service call. Superintendent Ritzler advised they were tires for the Road Grader. Commissioner Danford made a motion to approve the vendor claims as presented, except for the claim from the Firearms' Training Fund, tabling that one for now until it could be researched, and also they speak to the Sheriff about the claim. (The total amount of the claim was \$829.90.) Commissioner Davis advised she had just spoken to the Sheriff and he will be present before the meeting concludes. Commissioner Davis then seconded the motion and it passed with all ayes.

#### **RE: EMS MONTHLY REPORT**

EMS Director, Paul Mathewson, and Clerk MaryLynn Ritchie appeared before the Board to give their monthly presentation. Clerk Ritchie advised they had received a total of \$1,875.84 in three checks received from the County Clerk's Office for delinquent accounts. She advised she has completed the process of removing out dated accounts receivable from the software. She noted the \$292,605.00 total in the 90 day column is actual current account receivable information. She presented a copy of the runs report for the month of April, and advised the number of runs is remaining steady. Director Mathewson advised they recently had their State Audit and was advised they are the second agency in the State to receive a 100% compliance rating, in their data and truck status. He also advised they have been re-certified with the State.

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

County Highway Department Superintendent, Steve "Rik" Ritzler, and Starke County Economic Development Director, Charlie Weaver, appeared before the Board. Superintendent Ritzler advised they presently have two crews out in the County working: the bridge cleaning crew, and a crew cleaning up debris and fixing roadway washouts. He advised when those projects are completed he will have three different crews out: a mowing crew, a culvert replacement crew, and a "birthing" crew, to build up the roadways. He advised they will be replacing 8 different culverts, and they will be mowing five feet along both side of the roadways, and mowing 10 feet wide, and 30 feet long, on all four corners at the intersections. President Norem asked the Superintendent to write up a press release for the Media in regard to the mowing.

Superintendent Ritzler advised he has hired an Administrative Assistant, Marcy Scott of Grovertown. He noted he is changing the title of the former position which was Bookkeeper to Administrative Assistant. He advised the hours have been reduced from 40 hours a week to 35 hours, working from 7:00AM to 2:30PM, and the pay of \$15.18 an hour is consistent with the pay for a County Office Deputy. He noted he will be presenting this change in job position to the County Council, for their confirmation, at their meeting on May 20<sup>th</sup>.

He next advised they had a Freightliner truck and bed there at the Highway Department being demo'ed. He also noted he has received price quotes for both single axle trucks and tandem axle trucks, along with quotes on truck beds. He advised he presently has it in the budget to purchase a truck chassis and bed, appropriations of \$130,000.00, but will be presenting the price quotes to the Council to request additional appropriation and funding to purchase additional vehicles.

He advised he has received training and is now certified as an ERC. He noted he will have his Administrative Assistant receive training in order to process State invoicing. He also noted he is working on the RFP for the Construction Inspection of Bridge 43.

Superintendent Ritzler advised he received a telephone call from Don Good of Good's Oil inquiring, since he is the owner of three stations in Starke County, if he could receive the same pricing policy as Starke County Coop, if he were to bill the purchase of fuel through one of his Starke County stations. Commissioner Danford made a motion to approve the request, seconded by Commissioner Davis. The motion passed with all ayes.

Director Weaver advised, of the twenty five parcels of land that are necessary to be purchased for the 300E project, twenty transactions have been completed. He advised the transactions on the remaining parcels are in the process of competing, and noted they need to be completed, including the payment of the claims, prior to the June 1<sup>st</sup> deadline. He also was asking for authorization to move ahead with the utility coordination such as relocation of natural gas line, staking right of ways, costs in which Lawson-Fisher gave a price quote. Director Weaver requested approval to spend up to \$10,000.00 to coordinate the utilities, and the costs could be paid out of the Starke County Economic Development portion of the CEDIT fund.

Commissioner Danford made a motion to approve the payment of the utility coordination from the Economic Development's portion of the CEDIT Fund, seconded by Commissioner Davis. The motion passed with all ayes.

Superintendent Ritzler advised they have received the plans/project specifications for the replacement of Bridge 43, and submitted the cover sheet, and project permits that require their signatures. Commissioner Danford approved the receipt of the plans, and approval of signatures. The motion was seconded by Commissioner Davis and passed with all ayes. Mark Wilson, of JPR, acknowledged the receipt of the results of the recent Wage Scale Meeting, advised the project advertising is on schedule for the May 20<sup>th</sup> bid opening, and would like to commend Walkerton Utility for the great work they did in coordinating with the bridge project. He advised Centurylink is the only other company that still needs to relocate their lines. He also reminded the Board he would like to be listed early on the agenda for the May 20<sup>th</sup> meeting, so that they could compare the bids, and make a recommendation to the Board so the bid awarding could be made that same night.

Superintendent Ritzler stated, in regard to his price quotes on new trucks, that the price quotes aren't exactly comparing apples to apples, noting different manufacturers' trucks vary as to their each having the same features. He advised he did not bring the listing of price quotes with him to this meeting. The Board tabled the discussion of the price quotes until the May 20<sup>th</sup> meeting.

#### **RE: STARKE COUNTY COMMUNITY CORRECTIONS 2013-2015 GRANT**

Community Corrections Director Bob Hinojosa, and Assistant Director, Shawn Matraw appeared before the Board to receive approval on their 2013-2015 grant proposal. Mr. Matraw advised the grant will cover two different fiscal years 2013-2014, and 2014-2015, and is for the amount of \$182,300.00 yearly, for the total grant amount of \$364,600.00. Director Hinojosa advised their Advisory Board has already approved the grant proposal. He also noted the grant funding will be supplemented by the Project's User Fees (also known as Project Income), since the grant funding alone is not sufficient to cover their annual budget. He advised there is no cost to the County in the funding of the Community Corrections Program.

Commissioner Danford made a motion to approve the grant proposal, seconded by Commissioner Davis. The motion passed with all ayes. The Board expressed their appreciation for receiving the electronic file of the grant proposal prior to the meeting, for their review.

Director Hinojosa advised, in upcoming news involving his Department, due to recent legislation of the Indiana General Assembly, there will be changes to the Indiana Criminal Code, which will be going into effect on July 1, 2014. He advised more information will be made available at a later date.

#### **RE: REQUEST FOR PLANNING COMMISSION LETTER APPROVAL**

Pam Starkey, Clerk of the County's Planning Commission, appeared before the Board to request approval and signatures on a letter she was submitting to the State, in order to have the County's Building Inspector be qualified to conduct the local commercial building inspections. She advised in August 2010 the County approved the State's Building Code to be used as the County Policy enabling the County to use their Building Inspector. But for whatever reason, the State never did recognize the County, so once again they will submit their request to the State, and she was now asking for their approval and signatures on the letter. Betty Dotlich, a member of the County's Planning Commission Board, advised the State recently inspected a commercial building at a cost of \$7,500.00 to the owner of the property. Commissioner Danford made a motion to approve the letter, seconded by Commissioner Davis. The motion passed with all ayes and the letter was signed.

#### **RE: VACATION OF BASS LAKE ROAD**

Attorney, LeRoy Gudeman, representing his client, George Lausten, appeared before the Board requesting their approval in the vacation of Beach St. at Bass Lake. He advised the public hearing was properly advertised, and he submitted the Proof of Publication. Attorney Lucas concurred it was in compliance. Commissioner Danford made a motion to open the Public Hearing, seconded by Commissioner Davis. The motion passed with all ayes and President Norem opened the Public Hearing portion of the meeting at 11:07AM. As there was no one present to comment during the Public Hearing portion of the meeting, Commissioner Danford made a motion to close the Public Hearing. The motion was seconded by Commissioner Davis and President Norem closed the Public Hearing at 11:08AM. Commissioner Danford made a motion to approve the vacation of Beach St. The motion was seconded by Commissioner Davis, and passed with all ayes.

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

##### **REQUEST BY CLERK FOR NEW COPIER**

County Clerk, Evelyn Skronski, appeared before the Board to request approval to purchase a new copier/fax/scanner/printer for her Office. She advised the cost of the copier, from Kemp's Office Supply, is \$5,398.49, noting 2/3 of the funding would

come from the Clerk's Incentive Title IV-D Fund, and the other 1/3 of the funding would come from the Clerk's Perpetual Fund. IT Director, Joe Short, present at the meeting, advised the costs of the maintenance fees on the new copier would remain approximately the same as the old copier. Commissioner Danford made a motion to approve the request for the new copier, second by Commissioner Davis. The motion passed with all ayes.

President Norem inquired about the payment of the election workers from the Knox School's Remonstrance Election, which will be held on Tuesday, May 7<sup>th</sup>. Clerk Skronski advised they will be paid once the County receives the payment from the School on the invoice the Clerk will be submitting to the School. President Norem advised the Clerk to pay the workers during the normal claims process, and then the School can reimburse the County for the expense.

#### FIREARMS TRAINING VENDOR CLAIM

At this time in the meeting, Sheriff Oscar Cowen appeared to discuss the claim which was submitted, to purchase cameras using the funding from the Firearms Training Fund. In the meantime the Auditor had received information from the SBOA about the Firearms Training Fund, and only claims pertaining to the training of the use of firearms is allowed. President Norem inquired as to the use of the cameras by the Sheriff's Department. The Sheriff advised they would be used in the investigation of crime scenes and accidents. He was then advised by President Norem the purchase from that fund can only be used in firearms training. The Sheriff advised the cameras would be used to record firearms training by his Department. Commissioner Davis made a motion to approve the vendor claim purchase, seconded by Commissioner Danford. President Norem abstained from voting, citing she was uncomfortable with the Sheriff's response. The motion passed with two ayes.

#### COUNTY AUCTION

Attorney Marty Lucas advised he has reviewed the contract with D & N Auctioneers contracting with the County to hold the County Auction on June 14, 2013. He inquired if the Board was requesting any reserve pricing be established on any auction inventory. The Board advised there is to be no reserve pricing; the item will be sold to the highest bidder. Annex Building Custodian, Jim Coad, who has been compiling the lists for the Auction, advised his listing is approximately 85-90% complete. Commissioner Danford advised the price quote he received from Osinski Auction was 10% fee on the sale of vehicles, and 20% fee on all other auction items, and the quote from D & N Auctions was a 7% fee on the sale of vehicles, and a 15% fee on all other auction items. President Norem advised the Board wants the IT Director to receive one of the Sheriff's squad cars of the two that will be retired when the new squad cars arrive.

#### CONGRESSIONAL SCHOOL FUND

Commissioner Danford made a motion to approve the paperwork stating the balance, as of May 1<sup>st</sup>, 2013, of the County's Congressional School Fund, as is required by the State. Commissioner Davis seconded the motion, and it passed with all ayes. The paperwork was then signed showing the County's balance of \$14,720.35.

#### STARKE COUNTY LIBRARY BOARD RESIGNATION

President Norem advised of the notification of the resignation of Michaelene Houston from the Starke County Library Board, effective April 16, 2013. President Norem asked the Media in attendance to advertise the opening on the Board, and any interested party should submit their letter requesting appointment to the Library Board to the Office of the Starke County Auditor by May 17<sup>th</sup>. She noted the term of that Library Board position will expire on December 31, 2013.

#### MEDIATION PROPOSAL

Attorney Marty Lucas advised the Mediation Agreement which was a result of the Mediation Process held on April 24<sup>th</sup> in South Bend will be presented at the next meeting of the County Council, and the Board of Commissioners, since it needs the approval from both Boards. He noted the Mediation Agreement is also required to receive Court approval, and as of that day, no Court date has yet been set. President Norem advised it does put a stop to the accrual of any further attorney expenses.

#### QUESTION IN REGARD TO ACCRUED VACATION TIME

President Norem advised there has been situation in regard to terminated employees and if they are entitled to accrued vacation time that was earned between the period of time following their anniversary date, and when their employment was terminated, since it is not specified in the County's Employee Handbook. She advised, since the factoring method is used in the calculation of vacation time, vacation time is accrued throughout the year. Commissioner Davis made a motion to allow the payment to the terminated employee of the vacation they had accrued to that point in time. The motion was seconded by Commissioner Danford, and passed with all ayes. President Norem advised the policy only applies to employees whose employment is ended after their anniversary date. She requested Attorney Lucas and Auditor Chaffins draft a supplement to the Employee Handbook addressing that situation.

Auditor Chaffins inquired, in regard to the County's Travel Policy, if the Policy could state the mileage will be reimbursed at the State rate of mileage, and not the IRS rate, noting the IRS mileage rate is 55.5 cents and the State's rate is 44 cents. It has been the past policy of the County to use the 44 cent rate.

#### APPOINTMENT OF BUILDING CORPORATION "LESSOR"

President Norem advised it is the obligation of the Board of Commissioners to designate a person to act as a "Lessor" on behalf of the County's Building Corporation to approve pay claims on behalf of the Corporation. President Norem asked to be named as the "Lessor". Commissioner Danford made a motion to appoint Commissioner Norem as the Building Corporation "Lessor" designate. Commissioner Davis seconded the motion, and it passed with two ayes.

#### BOARD OF COMMISSIONERS' SUMMER INTERN

Commissioner Davis advised she has an IU Bloomington Junior, a Public Environmental Affairs major, who is interested in becoming the County's Summer Intern. She advised the intern would be working four days a week, operating out of the Commissioners' Office in the Courthouse, during the period of May 23 through August 1<sup>st</sup>. She advised they would be working on the wage and salary study, and possibly also the codification review, and suggests they be paid minimum wage. Commissioner Danford made a motion to approve the position, seconded by Commissioner Davis. The motion passed with all ayes. President Norem advised their pay would be paid out of the Commissioners' Portion of the CREDIT Fund. Commissioner Davis advised she will be conducting a telephone interview this week. President Norem asked the Auditor to place the creation of a part time summer intern on the next Council agenda. Also, she noted, the applicant will be required to follow the normal pre-employment screenings.

#### IN RESPECT OF FORMER GOVERNER, OTIS BOWEN

Commissioner Davis made a motion to honor the service of Former Governor, Otis Bowen, and to recognize his passing. Commissioner Danford seconded the motion, and it passed with all ayes.

**EMPLOYEE GRIEVANCE**

Commissioner Davis made a motion, in regard to the Employee Grievance held that morning at 8AM, to accept whatever is the action of the Sheriff as he decides to rectify the situation as to the status of the person's employment. Commissioner Danford seconded the motion, and it passed with all ayes.

Commissioner Danford made a motion to approve Terry Stephenson's request for a key to the Annex Building. Commissioner Davis seconded the motion, and it passed with all ayes. The paperwork was signed by the Board.

President Norem advised they had received a pre-authorization request from Assessor Rhonda Milner to attend a PTABOA Conference in August, and also one in September. She advised both requests have already been approved, but she was submitting the requests on a recently compiled standard pre-approval form.

President Norem disbursed a letter from Mark Smith, attached with a document stating the amount of damage to the trees on his property. She stated Mr. Smith is asking the issue be placed on the May 20<sup>th</sup> agenda.

County Highway Superintendent Rik Ritzler reappeared before the Board requesting approval to purchase the Demo model truck, for a total amount of \$130,000.00 for both truck chassis and bed. Commissioner Danford made a motion to approve the purchase, seconded by Commissioner Davis. The motion passed with all ayes. President Norem requested Superintendent Ritzler put together a document itemizing the price quotes received on purchasing additional trucks, so they could review the information prior to the meeting, and then address the issue at the next meeting.

**PUBLIC COMMENTS**

There were no comments from the public.

There being 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 12:05PM.

**MAY 6, 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