

Monday, May 7, 2012

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 Dan Bridegroom, Kathy Norem, 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 posted agenda: The "Also to be Discussed" items on the agenda: status of Marshall County-Starke County Coop Agreement, status of scrap metal agreement, determination in regard to employee grievance, and county road entrance to the Highland Cemetery will be discussed with the County Highway Department's business. The discussions regarding the nepotism ordinance, buy local initiative, travel policy amendment, and worker's compensation insurance will be tabled until the next meeting. The items of the posting of the Commissioners' Office hours and the appointments to the CVC Board will be discussed with the Auditor's business. Commissioner Bridegroom made a motion to approve those changes to the agenda, seconded by Commissioner Davis. The motion passed with all ayes. President Norem advised it will be necessary for her to leave the meeting at 10:00AM.

RE: MINUTES, PAYROLL CLAIMS & VENDOR CLAIMS

Commissioner Bridegroom made a motion to approve the minutes from the April 16th, 2012, meeting, seconded by Commissioner Davis. The motion passed with all ayes. Commissioner Bridegroom made a motion to approve the minutes from the Executive Session of the Commissioners, on May 3, 2012. The motion was seconded by Commissioner Davis, and passed with all ayes. The final minutes of April 2nd, 2012 were then signed.

Commissioner Bridegroom made a motion to approve the payroll claim for the pay period ending April 14th, 2012, in the amount of \$170,904.69. Commissioner Davis seconded the motion and it passed with all ayes. Commissioner Bridegroom then made a motion to approve the payroll claim for the pay period ending April 28th, 2012, in the amount of \$167,804.78. Commissioner Davis seconded the motion, and it passed with all ayes.

Commissioner Bridegroom made a motion to approve the vendor claims with the deduction of the claim received from the Hamlet American Legion, reducing the approved amount of that particular claim to \$1000.00. The net total amount of the vendor claims in the motion made was \$410,782.95. Commissioner Davis seconded the motion, and it passed with all ayes. President Norem advised she will talk to the Commander of the Hamlet American Legion in regard to their claim. President Norem then advised they had a separate claim to approve. The claim was in regard to a court order the Prosecutor had received from Judge Hall in reference to the cancellation of a jury trial. The total amount of the claim was \$500.00, and also attached was an explanation from Doug Wiese, of the SBOA, as to how the claim was to be handled. Commissioner Bridegroom made a motion to approve the claim, seconded by Commissioner Davis. The motion passed with all ayes. A copy of the court order, and a copy of the SBOA statement are on file in the Auditor's Office.

COMMISSIONERS' OFFICE HOURS

President Norem passed out a calendar for the month of May and requested each Commissioner record on that calendar which days and times they were available to be in the Commissioners' Office. The calendar was completed and the Auditor will post the hours at the Courthouse and the Annex Building.

CONVENTION AND VISITORS COMMISSION APPOINTMENTS

President Norem advised, pursuant to Indiana Code 6-9-18-5, three replacement board members are needed to complete the CVC Board, and the code requires a political balance of members. The vacancies are for one Democrat and two Republican appointees. She stated they had received five individuals who are interested in serving on the Board, and they are Patty Lawson (D) of North Judson, Thom Morin (R), Angie Jesuit (R), and Ed Hasnerl (R), all of Knox, and Fred Boyer (R) of Hamlet. Commissioner Davis made a motion to appoint Patty Lawson, Ed Hasnerl, and Fred Boyer to serve on the CVC Board. Commissioner Bridegroom seconded the motion and it passed with all ayes.

COUNTY HIGHWAY DEPARTMENT REPORT

Superintendent, Steve Siddall, appeared before the Board to discuss the status of Bridge 34, located on 600E south of 25N. He advised at an earlier meeting it was decided to remove this Bridge from the bridge inventory, but the County will not be "vacating" the bridge. He advised he has a price quote to replace the bridge with the placement of a culvert, and proposed it be ran through the Drainage Board. He stated he wanted to get the proper flow, and not hold back any water. He noted they have a flat bottom

culvert in their inventory that could work in that particular situation, being 96 inches by 70 feet wide, with one band. County Attorney Marty Lucas inquired if it would require a DNR permit, and the Superintendent replied it would not. Mr. Siddall advised the cost of the culvert is \$19,332.00, while the cost to replace the bridge would be \$340,000.00. Charlie Hasnerl, who was in the audience, inquired as to the life of the culvert. Mr. Siddall advised the life would be forty plus years. Commissioner Bridegroom made a motion to remove Bridge 34 from the state inventory, remove the bridge, and replace the bridge with a culvert. Commissioner Davis seconded the motion, and it passed with all ayes. Commissioner Bridegroom advised the Superintendent will contact the surrounding land owners.

In reference to the Marshall County – Starke County Coop Agreement that had expired at the end of 2011, Commissioner Bridegroom advised he has spoken with Marshall County and they are willing to renew the agreement, but will need their Council approval. Attorney Lucas stated the terms of the agreement could remain the same, and just update the time period of the agreement.

Once again, the topic of an agreement for the County Highway Department's handling of the sale of scrap metal was tabled. Commissioner Bridegroom and Attorney Lucas advised they do not yet have an agreement prepared.

President Norem advised they had been contacted by the North Judson Town Board to receive permission for the Town to install an entrance to Highland Cemetery, off CR300W. She advised the Town would be responsible for any expense related to this project. Currently the Highland Cemetery, which is located east of North Judson, is assessable off SR10. Superintendent Siddall advised he had no problem with the county road entrance. Rick and Letha Arnett, who live close to the cemetery, were present at the meeting, and advised none of the residents of that area want the county road entrance to the cemetery. President Norem advised them that is an issue for the Town Board of North Judson since they own the cemetery. Mrs. Arnett stated she was already told by the Town Board it is a done deal and they will be opening it.

President Norem advised Mr. Siddall that an accident had knocked down supports for the ditch at the southeast corner of CR350W and CR500S, and now it is eroding. The Superintendent advised he will look into the problem.

Commissioner Davis made a motion, in reference to an employee grievance that was heard by the Board of Commissioners on May 3, it was determined to uphold the disciplinary action taken by the employee's supervisor, seconded by Commissioner Bridegroom. The motion passed with a vote of two ayes, and one nay. Commissioner Norem voted against the determination.

Commissioner Davis advised she had received a complaint in regard to dirt being on the roadway in the vicinity of CR350E and Toto Road, perhaps left there from someone who had been digging out a pond. Mr. Siddall advised he will look into that situation.

Superintendent Siddall then advised the County is in need of a Bridge Construction Inspector for the Bridge 9 & 62 projects. He noted he has printed out a listing of the job duties of an inspector, and has not yet received the necessary information to see if he could be certified to become an inspector. He stated he had received two price quotes/contracts from Ken Minett's Company, at the cost of \$34,000.00 for Bridge 62 and \$29,000.00 for Bridge 9. He noted the County had paid \$29,000.00 for the inspector for their recent bridge project, Bridge 156. President Norem stated the price quoted was high and asked him to receive other price quotes. Mr. Siddall advised it could take at least thirty days to get another quote, and wouldn't want to hold up the construction of the bridges. A representative from Beam, Longest and Ness was in the audience and advised her company would be interested in submitting a bid. She stated she will leave the meeting, contact her company, and get back to the Board during their meeting. President Norem advised they would table that inspector decision for the time being.

Superintendent Siddall inquired if Attorney Lucas could draft something, or the County pass an ordinance to address the situation/problem with farmers planting corn up to the edge of the roadway, thus obstructing the view at intersections. Attorney Lucas advised first they should notify the land owners/farmers and have them address this problem. Commissioner Bridegroom advised he will work with Mr. Siddall.

RE: EMS DEPARTMENT MONTHLY REPORT

Director Paul Mathewson and Clerk Mary Lynn Ritchie appeared before the Board to present their monthly report. Mrs. Ritchie advised they had \$2,254.15 in uncollectible accounts. Commissioner Bridegroom made a motion to approve the amount of write-offs, seconded by Commissioner Davis. The motion passed with all ayes. Mrs. Ritchie also reported they had received a total of \$356.00 from the Clerk of Starke County, and \$52.90 from collections attorney, Jonathan O'Hara. She also reported of the 152 March runs that she billed in the month of April, 79 were ALS runs, and the rest were regular runs.

Director Mathewson passed out a copy of the job description for the position of paramedic. The Board complimented the EMS Department for their involvement with the Health Fair that was held on May 4th.

At this time in the meeting, President Norem, left the meeting, and Vice-President Dan Bridegroom presided over the remainder of the meeting.

RE: SHEWSKI ROAD, BASS LAKE

Commissioner Bridegroom advised at the last meeting, when the discussion was held in regard to the pier at the end of Shewski Drive, at Bass Lake, not all residents had the chance to be heard and he was going to allow them to have their time. Mr. Milo Richie, of 6775 E SR10, advised he was concerned with the pier at the end of Shewski Drive and the number of boats that had at different times, been around the pier. He also noted the issue with people parking their vehicles along Shewski Drive. Mr. Bridegroom advised the Sheriff is responsible for the enforcement of no parking on that Drive, and the DNR would be enforcing the boats in the water. Mr. Milo stated he felt that the pier was treated as a party pier and they did not have any respect for anyone else's property. Sally Coates also appeared before the Board. She stated she owns lake front property on the other side of Shewski Drive. She noted her concern is for the number of boats that are around the pier at the end of Shewski Drive, and they are blocking the other landowners' shore stations. Commissioner Bridegroom stated the DNR is not opposed to there being a pier as long as there are no boats tied to the pier. Mrs. Coates stated there is an overall lack of consideration of the other property owners. Commissioner Davis stated the DNR would prefer no piers at a public access. Les Jensen stated he had the Superintendent remove one "no pier/shore station" sign so the fire trucks had access to the lake. Mrs. Coates continued with her recounting of activities that occur at the pier, and showed pictures to support her complaints. She inquired as to why all public accesses at the lake weren't all treated the same. She asked if any boats in that area be docked in a straight line to allow other property owners accessibility to the lake from their property. Sheriff Cowen, who was in attendance, advised he will work with the DNR to get this problem resolved as long as all the property owners are willing to work together. The Sheriff advised there was going to be a meeting of Bass Lake Property Owners at their building that evening at 6:30PM for anyone interested in attending. Fire Chief, Les Jensen, stated he would like to see the forty foot public access site, at the end of Shewski Drive, be surveyed to determine the forty feet. Clyde Hanaford, of Bass Lake, advised the marinas at the Lake are the ones dropping off shore stations around the lake.

RE: COMMUNITY SERVICES OF STARKE COUNTY REPORT

Joan Haugh, Director of Community Services of Starke County, appeared before the Board to present a recap of their annual report. She thanked the Board for their continued support, and gave aspecial thanks for the increase of their funding in the 2012 Commissioner's budget. She advised of all the programs and services provided by their organization. A copy of the report is on file in the Auditor's Office. Mrs. Haugh presented a proclamation naming May as Older Americans Month and advised of the need to assist the elderly.

RE: BRIDGE INSPECTOR

Superintendent Siddall returned to the Board and advised he had received a price quote from B,L, & N in the amount of \$59,000.00 for serves as the Bridge Construction Inspector for Bridges 9 & 62. He noted the county needs an inspector ASAP. Commissioner Davis made a motion to allow B,L,&N to provide the Bridge Inspector for Bridges 9 & 62, pending the approval of President Norem and Attorney Lucas. Commissioner Bridegroom seconded the motion and it passed with all ayes.

RE: SRI TAX SALE

Joe Edwards, of SRI, appeared before the Board and advised the results of a recent county tax sale that was held on April 25th. Mr. Edwards noted it was because of the hard work of the Auditor's and Treasurer's offices that the county was able to conduct a tax sale in the spring. Since a tax sale wasn't held last fall they had decided to hold one on the spring. He advised of the 326 parcels that had been certified for sale, 68 parcels paid prior to the sale. 202 properties were available for sale during the actual sale, and 54 parcels sold on the day of the sale. He noted that left 148 parcels and he is recommending the Commissioners allow for a Certificate Sale offering those parcels for sale at a minimum starting bid of \$100.00. He also recommended holding the sale online for a period of ten days, instead of a live one day sale. Commissioner Davis made a motion to approve the internet sale, and approve the addendum to the contract with SRI, seconded by Commissioner Bridegroom. The motion passed with two ayes. The date of the internet sale was set for Thursday, July 5th at 10:00AM, to conclude at Monday, July 16th, at 10:00AM. Commissioner Davis made a motion to schedule the fall tax sale for Friday, September 28th,

seconded by Commissioner Bridegroom. The motion passed with two ayes. Mr. Edwards advised that allows the county to get all those properties with delinquent taxes back on the county's tax rolls. He also advised when SRI conducts an internet sale their fee of 15% is reduced to 10%. He also noted it has been their experience that you will see more bidders participating in an online sale, than you see at a live sale.

RE: REQUEST FOR ADDITIONAL STORAGE FOR THE HISTORICAL MUSEUM

Jim Shilling, of the Starke County Historical Society, appeared before the Board requesting additional storage space in the County's storage warehouse. A discussion followed with the Commissioners agreeing there was a need by the Historical Society for the extra space. Commissioner Bridegroom advised he will get together with the county highway department to make room at the warehouse for the extra storage space.

RE: 911 MAINTENANCE CONTRACT

IT Director, Joe Short, appeared before the Board to discuss the 911 maintenance contract. He advised he had received a recent report that the recording equipment for the 911 system was not working properly. When he addressed the issue with Centurylink, the company the 911 maintenance agreement was with, he was advised by Centurylink the contract had expired on April 1, 2012. He was also told the recording equipment was a separate item and needs to be added to the list covered by the maintenance agreement. He stated he had attempted to receive a price quote from Miner Electronics in regard to the maintenance agreement but was told, by them, the 911 equipment was so outdated, they couldn't cover that equipment. But, he was told by Centurylink that they are still interested in providing the maintenance agreement, at a cost of \$7096.12 per year, expiring in 2015. Commissioner Davis made a motion to approve the renewal of the agreement, and add an addendum to include the recording equipment, seconded by Commissioner Bridegroom. The motion passed with two ayes. Director Short advised he will be attending a conference in Indianapolis on Thursday and Friday, May 10 and 11th. Auditor Chaffins inquired as to who covers the IT Department when the Director is absent. Commissioner Bridegroom stated he believed the county is under contract with DC Tech for such a situation. Director Short stated he will look into the situation, reminding the Board his employment anniversary is approaching which would make him eligible for a week's vacation.

Director Short also noted the EMA Director, Ted Bombagetti, was still awaiting the approval of a grant application he had submitted to receive the funding to update the County's 911 equipment.

RE: STARKE COUNTY ECONOMIC DEVELOPMENT FOUNDATION DIRECTOR REPORT

SCEDF Director, Charlie Weaver, appeared before the Board and reported the federal grant, that will fund a portion of the CR300E project has been approved, and they are moving ahead with the project. He advised KIRPC will be the grant administrator, which will require President Norem's signature. He noted the financial assistance awarded authorizes the President to sign the documents. Commissioner Bridegroom made a motion to approve the signing of the documents, seconded by Commissioner Davis. The motion passed with two ayes.

Director Weaver then advised he had completed the appropriation request that will be submitted for the County Council approval at their next meeting. The request is in regard to the recent increase in CEDIT tax revenue, the state recently disbursed to all Indiana counties. The first additional appropriation request was in the amount of \$100,755.07—the amount received for 2011, and the first four months of 2012. The second additional appropriation request, in the amount of \$76,997.92, is the additional CEDIT the county will receive for the months of May – December, 2012. He advised the CEDIT proceeds will be distributed as follows: ½ to the county bridges portion, 1/8 to the Commissioners portion; and 3/8 to the SCEDF portion. Commissioner Bridegroom made a motion to approve the additional appropriation requests to be presented to the County Council, seconded by Commissioner Davis. The motion passed with two ayes. Director Weaver also advised the SCEDF is working on a project to provide a welding program to the public, which will take place in the Knox Middle School. He will be discussing the proposal in full at a future meeting of the Board of Commissioners.

IN OTHER BUSINESS:

Annex Building Custodian, James Coad, appeared before the Board to advise he will be receiving a contract from Simplex, and after he receives it he will send it on to Attorney Lucas for his review. Mr. Coad advised the Simplex Co. is aware of what portions of their contracts Mr. Lucas questions, and they advised they will have those corrected. The Board advised it would not be necessary for a representative from Simplex to appear at a future Board meeting, in regard to their contract.

Attorney Lucas advised he has been reviewing the documentation received from the Municode Company, in the county's attempt to codify their county ordinances. He stated it is a very time consuming process and suggested the Board set up work sessions so that he could get their input. Mr. Lucas commented on

the excellent job Municode has done in preparing the documentation. He suggested Attorney Steve Dodge, the attorney for the County's Planning Commission, review the portion of the documentation that pertains to the ordinances of the Planning Commission. Commissioner Davis stated they would like to be able to finalize this project at the July 23rd meeting. The date and time for the first work session was set for Wednesday, May 16th, at 4:30PM, in the meeting room of the County's Annex Building.

PUBLIC COMMENT:

Mr. Richard Callahan, and his son, Brian, appeared before the Board to give an update of the status of the Bass Lake State Beach. The Callahan's are currently leasing the facilities from the county. Mr. Callahan advised during the winter damaged had been done to an existing fence and inquired as to whose responsibility it was to pay for the repairs. He noted they had experienced difficulties in trying to locate the individuals responsible for the damage and to have their insurance company pay for the expense. Commissioner Davis made a motion requesting Attorney Lucas review the lease agreement to see who is financially responsible for the fence repairs. Commissioner Bridegroom seconded the motion, and it passed with two ayes. Commissioner Bridegroom noted Mr. Lucas should see if Mr. Callahan pays for the fence repair, that could be applied to the lease amount due. Mr. Callahan advised other repairs they will be making to the beach area this summer will be painting, pavilion roof replacement, replace pumps, and improvements to the driveway. He advised they had been cited by the DNR last year, for the poor conditions of the drive area. He stated he estimates the cost of the improvements to total between \$12,000.00 and \$15,000.00, which would be eligible to be applied toward their lease payment. He advised he will submit any invoices to the Auditor's Office, who records the expenses. Attorney Lucas advised they could possibly have the Starke County Community Corrections paint the fences for them. Commissioner Davis advised them to speak with Kim Kennedy from SCCC about the fence. Commissioner Bridegroom reminded them the SCCC could not work on the roof.

Debbie Mix requested the Board's approval to conduct tours of the Starke County Courthouse during the Harvest Festival in August. The Board approved the request.

Mrs. Betty Dotlich advised they have filed an appeal in court, in regard to the latest BZA Board's decision. The court date was scheduled for May 29th, and Judge Hall has removed himself from the case.

Auditor Chaffins advised the Board she will be attending the SBOA Auditor's Conference May 15th – May 18th which will be held in Elizabeth, IN. She noted that a Deputy Auditor will be taking her place during the public hearings that are scheduled for Monday evening, May 14th. Auditor Chaffins also requested the Board's signature on a state required document reporting the balance of the Congressional School Fund. Commissioner Davis made a motion to approve the signing of the report, seconded by Commissioner Bridegroom. The motion passed with two ayes, and the document was signed.

Clyde Hanford advised there is still a problem with the campgrounds at the State Beach. He noted of the 56 camp sites, 28 of those sites are permanent camp sites. He added there are also been sheds, and decks with stairs, built on those camp sites. He feels the campground is developing into a mobile home park. Commissioner Bridegroom advised the DNR has addressed the issue of the sheds, with the Callahans.

With there being no further business to come before the Board, Commissioner Davis made a motion to adjourn the meeting, seconded by Commissioner Bridegroom. The motion passed with two ayes, and the meeting was adjourned at 12:20PM.

May 7, 2012

Kathy Norem, President

Dan Bridegroom, Vice President

Jennifer Davis

Katherine Chaffins, Auditor &
Secretary to the Commissioners

