

**May 16, 2011**

Pursuant to adjournment comes now the Starke County Council and meet in regular session at 6:00pm in the Annex meeting room, Knox Indiana, with everyone being in attendance except Mark Smith & Judy Benninghoff, and the following proceedings were held to wit:

In the absence of President, Mark Smith, the meeting was called to order by Vice President, Mitch Semans

**IN RE: MINUTES**

A motion was made by Tony Radkiewicz, to approve the minutes of the April 18th meeting . The motion was seconded by Bob Sims. The motion passed with all ayes. The final minutes of the March 21<sup>st</sup> meeting were then signed by the Council.

**IN RE: FUNDING REQUESTS**

Judge Kim Hall appeared before the Council to discuss his request for additional appropriations. He had originally requested \$ 4230.00 in additional appropriation to his budget, line item 0101-029-1000.14 Criminal Appeals. At the meeting he withdrew his request for the additional appropriation, and instead proposed transferring funding from the Supplemental Public Defender Serv. Fund which had a present balance of \$ 14,287.10, into line item 0101-029-1000.14. Councilman McLaughlin made a motion to accept the withdrawal of additional appropriation request, and approve the transferring of funds from 0529 to the circuit court budget on the county general fund. Councilman Sims seconded the motion, and it passed with all ayes.

Since no one was present from the Treasurer's office, the request to transfer funds within the Treasurer's budget, was tabled. Frank Lynch, County Health Nurse, appeared before the Board to request a transfer of budget line items with Fund 0801. He is requesting to transfer \$ 3,692.00 from line item 0801-000-1000.08, insurance, to line item 0801-000-1000.09, unemployment, Councilman Dave Pearman made a motion to approve the transfer, seconded by Councilman Radkiewicz. The motion passed with all ayes. Mr. Lynch also requested to transfer \$ 400.00 within the LHM/Tobacco Settlement Fund from line item 4528-000-1000.04, part time clerical, to line item, 428-000-3000.11, environmental health. Councilman Pearman made a motion to approve the transfer, seconded by Councilman Radkiewicz. The motion passed with all ayes.

**IN RE: COUNTY OPTION DOG TAX**

A discussion was held by the Board regarding the proposed County Option Dog Tax. Issues of concern were who would be designated as the collection agent, how would it be enforced, and does the county need another tax. Councilman McLaughlin noted the ordinance would need to state that towns are also included if they don't already have a dog tax ordinance in effect. Councilman McLaughlin made a motion to pass the ordinance with a correction to include all areas without existing ordinances. Councilman

Pearman seconded the motion. A vote was taken: The result was three ayes, McLaughlin, Sims and Pearman, and two nays: Radkiewicz and Semans. Marty Lucas stated the motion failed.

**IN RE: COUNTY TRAVEL POLICY**

Marty Lucas inquired if the Board had any questions regarding the proposed County Travel Policy. Since the Board didn't have any objections, Councilman Pearman made a motion to approve the travel policy as proposed. Councilman Radkiewicz seconded the motion and the travel policy passed with all ayes. A copy of the travel policy is on file in the Auditor's Office.

**IN RE: COUNTY OPTION DOG TAX REVISITED**

Councilman McLaughlin made a motion requesting the Council revisit the dog tax issue. The motion was seconded by Councilman Sims. The motion passed and the issue was reopened and discussed again. Councilman Radkiewicz feels there should be a penalty for not paying the dog tax. A penalty/late fee was recommended to be set at \$ 10.00. Councilman Semans stated he didn't want to see every dog owner be penalized with this dog tax. It was discussed that the tax is a user tax, only applying to dog owners, and if this dog tax isn't approved, additional appropriations to the commissioner's budget for animal control, would be the only other option. If that were the case, every taxpayer would be paying more, not just the dog owners. Councilman McLaughlin made a motion to approve the county option dog tax, as revised, seconded by Commissioner Sims. The motion passed with all ayes.

In a side note, Commissioner Norem stated that research work revealed that the prior jail roof repair has a 15 year warranty. The roof had been installed in 2002. Therefore, the county would be saving \$ 50,000.00 by not having to install a new roof.

**RE: SHERIFF'S RETIREMENT FUND**

Sheriff Oscar Cowen appeared before the Board to request approval to transfer the receipts from the Riverboat Wagering Revenue Sharing Fund, that was received in Aug. of 2010, \$ 108,514.32, into the Sheriff's retirement line item, 0101-005-1000.08. Elaine Beaty, of McCready & Keene, was also present and appeared before the Board. She stressed the importance of the county's duty to maintain a stable retirement trust, and how a total of \$ 287,340.36 is needed to be paid by the County to satisfy the funding. A copy of the document from McCready & Keene is on file in the Auditor's Office. Commissioner Norem stated that the county shouldn't be held hostage to a pension plan that has the potential to bankrupt the county. Councilman Pearman requested Marty look into other legal options, and report back at the next meeting. Then possibly a special meeting could be called to address the pension funding. Councilman McLaughlin made a motion to approve the request to transfer the funds, \$ 108,514.32, seconded by Councilman Pearman. The motion passed with all ayes.

There being no further business, Councilman Pearman made the motion to adjourn the meeting, seconded by Councilman Radkiewicz. The meeting was adjourned at 7:35pm.

**May 16, 2011**

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ABSENT  
Mark Smith, President

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Mitch Semans, Vice President

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ABSENT  
Judy Benninghoff

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Marvin McLaughlin

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Dave Pearman

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Tony Radkiewicz

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Robert Sims

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Katherine Chaffins, Starke Co. Auditor &  
Council Secretary