

Monday, May 20, 2013

Pursuant to adjournment comes now the Starke County Board of Commissioners and meet in regular session at 7:00PM 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 will need to be added to the agenda: Mark Smith, immediately following the opening of the bids, in regard to the damage to his trees; Joe Short in regard to his request to drive a County vehicle; and to include the Burnham & Flower liability insurance agreement to be discussed. President Norem asked for any additions or corrections to the posted agenda. Commissioner Davis requested to add animal control for the Commissioners, under "Also to be discussed". Commissioner Danford made a motion to approve the agenda as stated, seconded by Commissioner Davis. The motion passed with all ayes.

RE: THE OPENING OF THE BRIDGE 43 CONSTRUCTION BIDS

Mark Wilson, of Jones, Petrie & Rafinski (JPR), and County Highway Superintendent, Rik Ritzler, appeared before the Board. Mr. Wilson advised they were present for the opening of the Bridge 43 construction bids as was legally advertised. County Attorney Marty Lucas inquired if the bids were received in a timely manner. Auditor Chaffins verified the bids were all received prior to 4:00PM, as was the posted time. Attorney Lucas opened each bid and read aloud the contents of the bid package. The following is a listing of the bids received in the order the bids were opened: 1. Northern Indiana Construction Company, Mishawaka, IN \$183,978.66; 2. Tonn & Blank, Michigan City, IN \$282,185.24; 3. JCI Bridge Group, Laporte, IN \$177,367.06; 4. Pioneer Association Inc., Albion, IN \$276,726.97; 5. Gariup Construction, Gary, IN \$327,700.00; 6. Laporte Construction, Laporte, IN \$236,094.37. Commissioner Danford made a motion to take the bids under advisement, seconded by Commissioner Davis. The motion passed with all ayes. President Norem advised Mark Wilson and Superintendent Ritzler will take the bids to the Canteen Room so the bids can be vetted. She noted they will return with the results prior to the end of the meeting.

RE: MARK SMITH COMPLAINT

Mark Smith appeared before the Board in regard to the damage to his hard wood trees as a result of the contractor, for the Yellow River Debris Cleanup Project, clearing an access path through Mr. Smith's trees, without his permission. Mr. Smith advised he had received a certified letter from the contractor, Thomas Excavating. Commissioner Danford advised the Contractor is bonded and had submitted proof of insurance for the project. He noted the Contractor is responsible for any liabilities. County Surveyor, Denny Estok, who was in attendance at the meeting, advised the Contractor will be sending in their Insurance Company to make an estimate of the damages. Mr. Smith advised he will work with the Contractor, but does not want to have to argue with the Contractor's Insurance Company. He advised he is not willing to fight the fight noting the Board of Commissioners entered into the Contract with the Company and not him.

RE: PAYROLL AND VENDOR CLAIMS, MINUTES, MONTHLY FINANCIAL REPORTS

Commissioner Danford made a motion to approve the minutes of the May 6th meeting, seconded by Commissioner Davis. The motion passed with all ayes. Commissioner Davis noted Auditor Chaffins had mis-spelled a name in the minutes, but she couldn't recall which name it was. Commissioner Danford made a motion to approve the payroll claim, in the amount of \$182,496.35 for the pay period ending May 11, 2013, with a pay date of May 17th. Commissioner Davis seconded the motion, and it passed with all ayes. Commissioner Danford made a motion to approve the vendor claims as submitted, with the exception of the claim to Best Ford, for the payment of the Sheriff's three new squad cars. The amount of the claim submitted was for the payment in full, but the Council had only approved, at their April meeting a total appropriation of \$68,475.00. The Sheriff appeared before the County Council at their meeting that evening at 5:30PM, and the Council approved an increase to the original appropriation in the amount of \$5,334.00, which is equal to 1/2 of the total amount increase in the amount of the invoice for the purchase of the three squad cars. The Council

decided the other remaining \$5,334.00 was to be paid by the Sheriff out of his Commissary Fund. The total amount of the Best Ford Claim was approved in the amount of \$73,809.00. Commissioner Davis seconded the motion, and it passed with all ayes. The total net amount of the approved vendor claims was \$368,937.90.

In regard to the County's Monthly Financial Reporting by Department, Auditor Chaffins advised all departments had submitted their reports in a timely manner except the County Highway Department. Auditor Chaffins advised, since both the Superintendent and the Administrative Assistant were new, and not familiar with the financial reporting requirement, she will work with them, and see that their April report will be filed.

RE: EMS DIRECTOR REQUEST FOR APPROVAL OF TRAINING AGREEMENT

EMS Director, Paul Mathewson, appeared before the Board to request approval of an agreement with Alliance EMS to provide training of the Basic and Advanced EMT employees. He advised the clinical training will be conducted on the Ambulances. A discussion followed in regard to the cost of the training for the employee, and also if this training will require a liability insurance waiver signed by the clinical trainer. Commissioner Danford made a motion to approve the agreement pending insurance approval. Commissioner Davis seconded the motion and it passed with all ayes. Director Mathewson was advised to speak with Marcia Hayes, of 1st Source Insurance.

RE: BRIDGE 43 BIDS RESULTS

Mark Wilson, of JPR, and Superintendent Ritzler, appeared before the Board to present their findings in regard to the vetting of the Bridge 43 bids. Superintendent Ritzler advised the Bridge Construction Contract should be presented to the JCI Bridge Group, with their bid of \$177,367.06 since they are in compliance with all the required bridge specifications. Commissioner Danford made a motion to award the Bridge Construction Contract to the JCI Bridge Group, seconded by Commissioner Davis. The motion passed with all ayes. Mr. Wilson advised the JCI Bridge Group will be required to submit their performance bond within ten days. County Attorney, Marty Lucas, advised the bridge specs had already been reviewed and approved by the Board of Commissioners. Mr. Wilson requested the Board's signature on the IDEM permit as the other, already signed permit was not submitted along with the proper Army Corps information. Superintendent Ritzler advised he was recommending the JPR Company to perform the Inspection of the Bridge Construction. Commissioner Danford made a motion to approve the JPR Company as the Bridge Inspector, in the contract amount of \$28,760.00. Commissioner Davis seconded the motion, and it passed with all ayes.

IN OTHER BUSINESS:

President Norem advised a meeting, with the Auctioneer, in regard to the planned procedures of the upcoming County Auction will be held at the County Warehouse, on Thursday morning, May 23, at 8:00AM. Commissioner Danford will be conducting the meeting. Auditor Chaffins advised, since the County's Court Hearing was scheduled for that same morning, in Jasper County, she will be sending Deputy Thomas to the Auction meeting to discuss the auction money receipting procedure.

President Norem advised the County needs to address the issue of county employees that are allowed to drive home County vehicles, and to establish a policy in regard to it being considered a fringe benefit that is taxable, under the IRS guidelines. She advised they had received a copy of Owen County's policy on that particular fringe benefit. She noted the police department is exempt from the fringe benefit policy, but other employees such as the Surveyor, the IT Department, the Highway Department Superintendent and Foreman, EMS Director, and the EMA Director would most likely be affected. Attorney Lucas advised he has not researched this issue prior to the meeting. After much discussion, Commissioner Danford made a motion to table this issue to the June 3rd meeting to allow for further research on the topic. Commissioner Davis seconded the motion and it passed with all ayes. President Norem advised the following will need to be addressed: the method to compute the value of the benefit; which vehicles are exempt from the taxable benefit; and if the EMA Director is exempt from coverage. She also advised, when this is a taxable fringe benefit for the employee, the amount of the benefit will be listed separately on the employee's W-2 form.

IT DIRECTOR REQUEST

IT Director, Joe Short, appeared before the Board to request approval to drive an older squad car, one that is being retired by the Sheriff's Department. He advised he travels quite a bit out to the highway department, to the Community Corrections Office, to the EMS bases in Knox, North Judson, and Grovertown, to the seven different fire departments' tower/antenna sites, and on Election Day to all the various election polling sites. Commissioner Danford made a motion to approve the request for the vehicle, seconded by Commissioner Davis. The motion passed with all ayes. President Norem advised, once the County had created their policy in regard to the fringe benefits, the Director will be subject to that policy. The Sheriff, who was in attendance at the meeting, advised the retired vehicle will be Unit 75-07, a Dodge Charger.

President Norem advised they have received the application from 1st Source Insurance for the renewal of the County's Liability Insurance. She noted they had been informed by the County's Liability Insurance carrier, Burnham & Flower, the 2013-2014 insurance premium will be increasing by at least \$50,000.00 over this year's premium. The proposed increase is due to the County's losses amounting to 135% of the premiums paid as averaged over a five year period. President Norem advised, for the most part, the County has addressed improving the reason for most claims, but the large claim submitted due to the major storm in July, 2012, was out of their control. She noted, 1st Source Insurance was getting additional price quotes from other companies, but as of that day they had already received one decline. Attorney Lucas advised he had reviewed the paperwork and it is a standard application. Commissioner Danford made a motion to approve the application, seconded by Commissioner Davis. The motion passed with all ayes, and the application was signed.

Commissioner Davis advised she has received a couple of calls in regard to the issue of animal control. She noted she has checked with the surrounding counties and advised animal control falls under the Sheriff's Department's control, citing Indiana Code 36-8-3-18. She suggested the possibility of sharing an Animal Control Officer with a surrounding County, such as Pulaski County. The Sheriff advised his department could handle that issue, since it is his department that receives the complaint calls. It was decided to continue the discussion at the second meeting in July, the July 15th meeting.

President Norem advised they had received an Agreement from SRI requesting an additional \$5.00 fee in the tax sale fees, to cover the cost of the notification of mortgage companies. The mortgage company notification is a new requirement, and SRI was asking the tax sale fee be increased from \$70.00 to \$75.00, for a period of six months. Commissioner Danford made a motion to approve the Agreement, seconded by Commissioner Davis. The motion passed with all ayes, and the Agreement was signed.

PUBLIC BUSINESS:

Matt Topelian, who was in attendance at the meeting inquired as to why a fringe benefit policy would need to be created, why not just not allow any employees to drive County owned vehicles to and from work. He also voiced his opinion on the handling of animal control issues.

President Norem advised his concerns were duly noted.

Richard Budka, who was also in attendance at the meeting, stood up and voiced his opinion on several departments in the county. President Norem also advised his comments were duly noted.

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 8:30PM.

May 20, 2013

Kathy Norem, President

Jennifer Davis, Vice-President

Kent Danford

Katherine Chaffins, Auditor &
Secretary to the Board of Commissioners