

MONDAY, JUNE 17th, 2019

Pursuant to adjournment comes now the Starke County Council and meet in a joint session with the Starke County Board of Commissioners at 5:30PM in the Annex Building Meeting Room, Knox, Indiana, with Dave Pearman, Kay Gudeman, Freddie Baker, Brad Hazelton, Robert Sims, Don White Howard Bailey, Charlie Chesak, Kathryn Norem, and Bryan Cavender present, and the following proceedings were held to wit:

The meeting was called to order by Council President, Dave Pearman at 5:30PM. Councilman Baker made a motion to approve the minutes of the May 20, 2019 meeting. Councilman Hazelton seconded the motion, the motion passed with all ayes.

KANKAKEE RIVER FLOOD PREVENTION PRESENTATION

Scott Pelath came before the Starke County Council and the Starke County Board of Commissioners for a presentation regarding the Kankakee River Flood Prevention. He explained beginning January 1, 2019 he has been the Director of the Kankakee River Basin Commission, this is the first council that he has addressed about the new flood prevention measures. He explained that the basin covers the Indiana Counties of St. Joseph, Marshall, LaPorte, Starke, Porter, Jasper, Lake and Newton counties. It also substantially covers Kankakee and Iroquois counties in Illinois. He explained the Kankakee River runs 133 miles, and cover 1.3 million acres and 1.1 million of those acres are crops. This was once the second largest freshwater marsh in North America, in 1881 state and local government dredged the Kankakee River, deepened the channel, speeded up the channel and as a results of this we have some of the world's best farmlands. Increased precipitation and erosion are some of the problems we are experiencing today. The Kankakee River Basin Commission which ends on June 30th of this month was formed in 1977, the purpose for the Commission was to keep people talking to each other. The flood of 2018 created the drive in Indianapolis to do something about these issues long term. Mr. Pelath showed a chart dating back until 1923, he explained that there is more water in the entire system itself. More water leads to erosion and erosion makes it harder to contain the water.

Mr. Pelath stated the legislator passed Public Law 282 a couple a months ago, this took the large 24 member Kankakee River Basin Commission and cut it down to 9 members. Every county Commission will appoint 1 member and there will be a ninth member appointed by the Department of Natural Resources. The commission's powers are defined by the Indiana Statue. They include bank stabilization, channel reconstruction, flood storage, construction of levies, sediment removal and sand traps, tree removal, and construction of access roads. In order to fund these preventative measures the legislator will need to raise about 3 million dollars a year for capital use dollars only. These will be from parcels within the basin defined by the US Geological Survey. The fees will be as follows:

\$1.00 per farm acre

\$7.00 per residential parcel

\$50.00 on developed commercial parcels

\$2.00 on undeveloped commercial parcels

\$360.00 on utilities and industrial parcels

He advised that DNR and IDEM still have to coordinate their committee which is directed in the law. When work is being done in counties the work should be complete, if possible, by local workers and local contractors. The commission itself has a 75 foot easement only on the channels. The ditch easements are still with the local drainage boards and there are no imminent domain powers. He advised the statue says the board members should have a background in construction, project management, flood control, drainage, or another similar professional background. However, the statue does not define what those words mean.

Mr. Pelath advised there are four options in funding in participating with the Yellow River Basin Development Commission. Those options are as follows: 1) County Councils can do nothing, take no action is a prescribed and acceptable and allowable action. If that happens the assessments as described go into place on the May 2021 tax bills. 2) Pay with other existing funds, if a county chooses this option they would only have to pay 90% of what would be gained from option one. 3) Hybrid option, county council adopt a different assessment schedule that is lower and put in some of its own dollars. If this is done then the county can obtain 10% of the assessments for their own water resource uses. 4) County council can adopt higher assessments and keep the difference. Long term goals include to reduce sediment, stabilize the bank, protect vital economic assets, and reduce human made barriers.

Councilman Pearman stated when they were at the meeting a gentleman from Kankakee County, IL suggested possible federal dollars for this as well and asked if federal dollars would use would the assessment totals go down. Mr. Pelath advised if there is any federal investments made could reduce the time frame of the overall work and hopefully the legislator would relieve folks of the investments that have been made.

VETERAN SERVICE OFFICER REPORT

Randy Johnson, the Starke County Veteran's Service Officer came before the Starke County Council and the Starke County Board of Commissioners for a presentation regarding information he had received from his recent conference. He stated the question the council had asked him during the budget hearings did not pass. He stated until there is more money available full-time and additional help for the office will not be available.

RECORDER YEARLY REPORT

Mandy Thomason, Starke County Recorder, came before the Starke County Council and the Starke County Board of Commissioners for a yearly report. She asked if the members of the board had any questions about the power point presentation she handed out at the Pre-Budget Workshop last week. Councilman Pearman stated the key points are the storage of information and preservation of information cost money but pointed out that Recorder Thomason's budget is pretty stable and they appreciate the effort of trying to understand how the budget works. Recorder Thomason stated the power point presentation is going over what the Recorder's Perpetuation Fund is needed for. She stated they are only on the computer going back 30 years. Therefore, if researchers come in they use the microfilm quite a bit. The microfilm machines they have now are unserviceable and that is one of the things in the power point is the purchase of a microfilm machine with that fund. She asked if she could purchase a microfilm machine. Councilman Pearman asked Thomason to get quotes. Councilman Hazelton asked Thomason to get 3 quotes if possible. Auditor Oesterreich asked if Thomason would have to come back to the council with the quotes, Councilman Pearman stated yes she would.

PLANNING COMMISSION –PERSONNEL

Terry Stephenson, the Starke County Planning Commissioner, came before the Starke County Council and the Starke County Board of Commissioners for a title change in personnel for the budget year of 2020. He stated he would like to change Pam's classification from Clerk to Office Manager. Councilman Pearman asked if he has discussed this with the Board of Commissioners. Commissioner Norem stated they have spoken to him about it but not at a public meeting but they do support this classification change. Commissioner Cavender made a motion to change the classification of the office position in the Planning Commission from Clerk to Office Manager beginning budget year 2020. Commissioner Norem seconded the motion and the motion passed with all ayes.

STARKE COUNTY PROSECUTOR-PERSONNEL

Leslie Baker, Starke County Prosecutor, came before the Starke County Council and the Starke County Board of Commissioners for an increase in salary. She advised she hired a new individual to take over the position of victims advocate. She explained that the victims advocate position is funded on an 80/20 scale by the federal government through the VOCA grant. She explained they receive money back for salary, benefits, and longevity pay. When the previous victims advocate left her position they left in the longevity pay and the new victims advocate hired in at the salary that the grant covered. Auditor Oesterreich explained according to the 2019 salary ordinance the base pay is \$30,562 and the previous victims advocate received \$1000.00 in longevity making the yearly pay for that person previously in that position \$31,562. Jon, Chief Deputy Prosecutor is asking, since the VOCA grant covers that already, to have the newly hired individual to make the \$31,562. Councilman Pearman advised he does not believe they are at liberty to raise that base rate for 2019, they would need to change the salary ordinance to do that. Jon stated the fear is that they may lose that portion of the federal funds received if they are not used. Prosecutor Baker agreed that they plan on to expand those funds in the future to include part time help and fear that if they give money back to the federal government it would make it harder at a later time to get more money. Councilman Pearman stated he believed this would not happen as this is pertaining to a county policy. Attorney Lucas advised that the only way they would be able to make this change is to amend the salary ordinance. Councilman Pearman advised they could look at the option of requesting the change in the salary ordinance of a new budget year but not the existing year.

STARKE COUNTY ELECTION BOARD-MACHINE UPDATES

Peg Brettin and Dan Bridegroom, Starke County Election Board, came before the Starke County Council and the Starke County Board of Commissioners to discuss machine upgrades. Bridegroom stated there machines have been around since 2010, making them nine years old. He stated they have used up the usefulness, and in the last election they had to borrow machines to make that election work because our machines would not hold the capacity of the memory needed. He advised they are going to have to have upgrades done on the machines and the upgrades will have to be done before the next election. Steve from MicroVote was also present with the election board to explain what they will be doing to the machines. Bridegroom advised the cost would be \$67,286. Steve stated there has been a lot happen regarding this upgrade that is positive for our county from 1 year ago when he was here the last time. The idea is to get all the machines upgraded to Windows 10 along with some new security software. He stated from the voter's standpoint the voter will not see any difference at all. The idea is to have everyone on the platform upgraded and ready to go before the primary of the 2020 election. The upside for the county is because Starke is 1 of 6 counties left in the state to not complete these upgrades, the Secretary of State's office has taken it upon themselves to pay for the upgrades. Steve explained the entire \$67,286 is going to be compensated by the state to get us up to the platform that is necessary. He also advised that the state is now introducing a program which is going to try to reach a federal platform of a 5% risk limiting audit on all votes casted in the system. What this means is that we will have an incorporation of a VVPAT, Verified Voter Paper Audit Trail. This will plug into the back of the voting machine and sit there for the duration of the election.

The voter will make their selection on the ballot but prior to casting there vote they will see a paper print out of their selections made. The Secretary of State's office is buying 10% of these devices for every county. These will then be utilized on the absentee voting machines. He stated they are looking at the Senate Bill 570 that was put into place adding a timeline for counties to have a paper trail audit on all their voting machines. This will need to be put in place by 2029 when it is mandated. He explained the goal is to take the voting machine after this fall election and have them back at the start of the year tested, programed, and ready to go.

Mrs. Brettin explained they are looking ways in which to be compliant with the state in making the voting machines secure. She stated the state would be reimbursing Starke County for any money spent on this as well. She stated they are looking at still keeping them in the file room of the Clerk's office but adding additional cameras in there and possibly a gate entry. She advised they will be looking at going to E-Poll books as well and looking into the costs of E-Poll books. This has not been mandated but they will still be looking into this. Auditor Oesterreich asked if the money for the upgrades would have to be received by the county and then paid out to MicroVote or does it get directly paid to MicroVote. Steve advised the state will be paying his company directly for the upgrades.

KNOX CITY CLERK TREASURER-ELECTION BILLING

Jeff Houston, Knox City Clerk Treasurer, came before the Starke County Council and the Starke County Board of Commissioners to discuss the bill he had received for the Knox City Election. He advised the council he had received an invoice, in which he believes is a legitimate invoice for the election expenses for the City Primary of 2019. The invoice total is \$8,700.00. However, Mr. Houston is respectfully asking this invoice to be reconsidered. He explained the City of Knox has always had a good working relationship with the county. He also advised he did not appropriate any money this year for election expenses, and of the 12 years he has been clerk-treasurer this is the first time he has received a bill for the city election. In reconsideration of the invoice the city gives the county the community center, free of charge, as a centralized polling place (even on non-city election years) on election day, training of poll workers, 100 days a year for ladies exercise, fundraisers for prevention of child abuse and band boosters, community services for the blue grass jam, prayer breakfast, and 6 times per year to the Red Cross. They just recently put in \$350,000 of upgrades to the Community Center. He understands that one thing they have done with the county's blessing is have a city court. He stated that the city court loses at least \$60,000 per year. He advised that if they would have to pay the entire invoice the city council, mayor, and others, will look a little differently at future events and things that may be chargeable to the county.

Councilman Pearman advised that he believes the council has assumed the city was always being billed for election expenses. He advised that the city has benefited from previous clerks not sending a bill. Councilman Pearman also advised they appreciated everything the city does for the county and they do pay their share on things such as on the water bill for the jail. Mr. Bridegroom stated it is in the IC code where there has to be an agreement between the two entities in the prior year before you can bill a

municipality. Councilman Hazelton stated that if the city did not foresee this coming and they did not budget for it, it would be like us not budgeting, there is no money to pay it. Councilman Hazelton made a motion to table this issue until they figure out what the actual billing statute states. Councilman Baker seconded the motion and the motion passed with all ayes. Commissioner Norem advised that she believes they would want to foster good relationships with the city and that they currently have good relationships with the city. She does not believe it is right to come out of nowhere and bill the city out of the clear blue. She would like for the Clerk to speak with Jeff when she returns from vacation and she would also like the city to get on the same cycle as the county so they don't have to have one year city only elections.

SYSCO AND MOOSE PROPERTY

Councilman Pearman stated there are some discussions they would like to look into with Sysco about their future intentions. He also advised that they do not have enough concrete information to move forward. Commissioner Norem believes a group or committee of individuals should be formed to move forward with the discussions of the Sysco property headed by Councilman Pearman. Councilman Chesak, Councilman Pearman, and Councilman White have decided to be on the committee to further discussion regarding the future of the Sysco property. Commissioner Norem advised further that the county is unable to pay the asking price for a piece of property. Anything over \$25,000, the entity would have to get two certified appraisals. Furthermore, regarding the Moose property, Commissioner Norem advised it is listed with a local realtor. She stated it is listed at \$119,000, and rumor has it that they owe \$80,000 on it. It would include the restaurant equipment, if the county were to purchase the property we would sell the restaurant equipment to the highest bidder. Commissioner Norem advised there should be a committee for the possible purchase of the Moose property as well. She also advised it is an opportunity to own something continuous within the courthouse square. It was decided that Councilman White and Commissioner Cavender on the committee for the discussion of the Moose property.

SOLID WASTE APPOINTMENT

Councilman Baker will retain his position on the council.

FURNACE A/C BILLING

Councilman Hazelton made a motion to pay the \$9,843.46 bill presented by Jackson Refrigeration for the emergency A/C repair out of Cumulative Capital Development Fund. Councilman Baker seconded the motion and the motion passed with all ayes.

AUDITOR PERSONAL REQUEST

Rachel Oesterreich, Starke County Auditor, came before the Starke County Council and the Starke County Board of Commissioners to discuss the budget year of 2020. Auditor Oesterreich is requesting the addition of (2) job titles for the Starke County Auditor's Office.

- 1) Human Resource Specialist – The employee who holds this additional job title will have the responsibilities of the following:
 - a. Oversees employee benefit programs and informs employees of benefits by studying and assessing benefit needs and trends; recommending benefit programs to the management; directing the processing of benefit claims.
 - b. Ensures legal compliance by monitoring and implementing applicable human resource federal and state requirements.
 - c. Additional training hours to ensure that Starke County Government is up to date and compliant with updated procedures that may affect FMLA, Short Term Disability, and other HR content.
 - d. Oversees the communication with department regarding employee information such as hiring, retirement, payroll, and posting job openings.

This additional job title will pay an additional amount of \$1500.00 per year, to come out of the Auditor's County General Budget.

- 2) Platt Book Coordinator – The employee who holds this additional job title will have the responsibilities of the following:
 - a. Maintains and oversees all real estate splits of property in the tax software and GIS system.
 - b. Maintains and oversees all real estate combinations of property in the tax software and GIS system.

- c. Maintains and oversees any discovered issues and errors and ensures those are promptly corrected.
- d. Assist with all aspects of value rolls to the Auditor's Office and assists the Auditor with Settlement procedures.

This addition job title will pay an addition amount of \$2500.00 per year, to be paid out of the Auditor's Transfer Fee Fund (NOT County General). According to I.C. 36-2-9-18, the Auditor's Transfer Fee Fund is to be used for the Maintaining and upkeep of Platt Books whether they be Electronic or Paper. Commissioner Cavender made a motion to approve the request as presented. Commissioner Chesak seconded the motion and the motion pass with all ayes.

PUBLIC COMMENTS

Mrs. Brettin questioned the poll worker pay and why this past primary it took over a month to have the poll workers paid. Auditor Oesterreich explained that the normal claims process is a certain due date then the claims would have to be published for 5 business days before the Commissioners would be able to approve as we are disbursing public funds. Currently the poll workers are paid through the claims process. Commissioner Norem advised that in the past Attorney Lucas has prepared a document that delegated the authority to the Auditor. After further discussion it was decided that Attorney Lucas will look into what documents need to be prepared in allowing the claims to be processed sooner for the election poll workers.

Councilman Pearman presented the Starke County Council Resolution 2019-10 Auditor Transfer Fee. Attorney Lucas explained there is a statutory amendment that has been updated increasing the transfer fee from \$5.00 to \$10.00 for the Auditor's Transfer Fee. Councilman Hazelton made a motion to approve the resolution as presented. Councilwomen Gudeman seconded the motion and the motion passed with all ayes. Commissioner Cavender made a motion to approve the Starke County Commissioners Resolution 2019-12 Auditor's Transfer Fee. Commissioner Norem seconded the motion and the motion passed with all ayes.

With there being no public comments Councilman Baker made a motion to adjourn at 7:06PM. Councilman Hazelton seconded the motion and the motion passed with all ayes.

**JUNE 17th, 2019
STARKE COUNTY COUNCIL**

Dave Pearman, President

Brad Hazelton, Vice-President

Kay Gudeman

Don White

Howard Bailey

Robert Sims

Freddie Baker

Rachel Oesterreich, Starke County Auditor and
Secretary to the County Council

**JUNE 17, 2019
STARKE COUNTY BOARD OF COMMISSIONERS**

Charlie Chesak, President

Kathryn Norem, Vice-President

Bryan Cavender

Rachel Oesterreich, County Auditor
& Secretary to the Board of County Commissioners