

MONDAY, FEBRUARY 1, 2021

Pursuant to adjournment comes now the Starke County Board of Commissioners and meet in Regular Session at 6:00PM, in person at the Starke County Annex Building, Knox, Indiana, with Charles Chesak, Bryan Cavender, and Mark Gourley present and the following proceedings were held to wit:

The meeting of the Board of Commissioners was called to order by Commissioner President Charles Chesak directly at 6:00PM.

FINANCE BOARD MEETING

Treasurer Lauri Venckus came before the Board of Commissioners to give the annual financial report. He advised that Starke County currently has three investments being: Save the Hospital Fund, at 1st Source Bank, in the amount of \$5,710,093.64 which is currently earning .95% interest; The Railroad Fund, at 1st Source Bank, in the amount of \$411,663.35 which is currently earning 2.910% interest; and the Ditch Maintenance Fund, in the amount of \$410,000, which is currently earning .95% interest.

Treasurer Venckus stated that all three of these investments mature on April 8th of this year and we will need to decide what to do with them at that time. With COVID the interest rate are really low right now and need to be watched and considered for the future investments. She advised before reinvesting the money we will be checking the rates. She advised that in 2020 the County earned a total of \$31,730.61 in interest on our regular checking account, ending the year with an interest rate of .10%. In 2019 the county had earned \$209,748.56 in interest on that same account with an interest rate of 1.55% and in 2018 the total interest earned was \$187,439.83 on the same account with an interest rate of 2.27%.

Treasurer Venckus advised that in reviewing previous years interest earned on out checking account and their interest rates I was concerned and have brought this to the attention to Rachel Oesterreich and David Pearman. She advised has she has spoken with Judy at 1st Source bank about this and due to COVID all interest rates hit the floor and she assured me that they keep ours at .10% until the interest rates start coming bank up. On further looking into this she found that the interest rate in January 2020 was 1.55% and the interest earned that month was \$11,287.84. In February 2020 the interest rate was 1.58% earning the county a total of \$11,365.48. In March 2020 was when the interest rates started to drop down and went to .65% earning interest in the amount of \$4,893.52. In April 2020 was when the interest dropped to the floor at the rate we are currently at now and from then until December 2020 interest earned on the account was only \$4,183.77, making the 2020 yearly earned total on the County's regular checking account to that \$31,730.61 amount. Treasurer Venckus advised that they are looking into this to be sure this is something that is across the board and we are not losing out on potential interest somewhere else.

REZONING FOR SOLAR PROJECT

Attorney Chris Shelmon advised that ultimately what is important here is that all the land currently in questions is currently in use for some type of agricultural production and none of the land is destined for residential use. He advised all of the woodlands are being kept for any future residential uses. He stated the developer's intent is for Solar Farms and it is consistent with the ordinance that has been put in place. This is a couple hundred acres located in the southern section of the county. It is currently comprised of R-2 residential and local business zoning. Attorney Shelmon advised that he believes this project would bring a lot of Economic Development to the area. After further discussion by Attorney Shelmon Attorney Lucas stated that for the record the Planning Commission holds the public hearing but the Board of Commissioners would address the matter. Notice was given for the December 7th meeting, the matter was then tabled until the first meeting in January, and it was then put off again until at the request of the Petitioners. Information was then provided by the Petitioners at the last meeting which was the second meeting in January. Attorney Lucas stated that the matter was then tabled again at that point until the first meeting in February. He explained that the Planning Commission holds the public hearing and then certifies actions whether or be to approve, deny, or no action to the Board of Commissioners. Attorney Lucas questioned the legal description of the Welker property and the Swanson Property. Attorney Shelmon shared his computer screen via zoom and held a discussion in regards to the property lines in question. It was discovered that there was a mistake in the Swanson property description. Attorney Shelmon advised he will need to follow up with Attorney Lucas and correcting the legal descriptions of the Swanson property.

Attorney Lucas asked Mr. Shelmon if his client would object to an extension of time beyond the 90 day period in regards to the Swanson property and revisit this at the next meeting. Attorney Shelmon agreed they would not object to the Swanson property but would want to proceed with the others. A discussion

was then held between Attorney Lucas and Attorney Shelmon regarding the verification of the legal descriptions of the Kolish, Bope, and Welker properties. Attorney Shelmon explained the cut out in the Welker property on the maps on the screen. Commissioner Gourley stated he was not 100% comfortable accepting the cut out from the Welker property without it being in the ordinance but if Attorney Lucas is satisfied with it being in the motion he will accept that. Commissioner Chesak asked if anyone else would like to make comments regarding the rezoning for the solar projects. Jacque Ryan and Stephen Ritzler both presented comments. Commissioner Gourley made a motion to approve the ordinance to rezone the Bope property from Local Business to Agriculture. Commissioner Cavender seconded the motion and the motion was approved with all ayes. Commissioner Gourley made a motion to approve the ordinance to rezone the Kolish property from R-2 and Local Business to Agriculture. Commissioner Cavender seconded the motion and the motion was approved with all ayes. Commissioner Gourley made a motion to approve the ordinance to rezone the Kolish properties west of 35 from R-2 to Agriculture. Commissioner Cavender seconded the motion and the motion was approved with all ayes. Commissioner Gourley made a motion to approve the ordinance to rezone the Welker property from R-2 to Agriculture subject to the representation regarding no panels will be located northwest of the ditch. Commissioner Cavender seconded the motion and the motion was approved with all ayes. Commissioner Gourley made a motion to table the ordinance regarding the rezoning of the Swanson property with the approval of the Petitioners to be able to correct the legal description on the ordinance. Commissioner Cavender seconded the motion and the motion was approved with all ayes.

SCEDF CONTRACT DISCUSSION

Commissioner Chesak asked Interim Director Lisa Dan to go through the contract. Director Dan stated that when they drafted the first contract they were looking at a five year term. They have changed that to a one year term. She explained the compensation that was recommended by the council in the amount of \$159,480 was entered into the contract but they have left in the “or” 12.5% of the funds received by the County annually under the regular County Economic Development funds (Starke County Fund 112) with up to 50% of set amount to be dedicated to Starke County Initiative for Lifelong Learning (SCILL). She advised they also added (i) which stated the SCEDF shall provide to the Commissioners and to the Council, within 45 days of the end of said calendar year this contract an annual report detailing how each of the above items have been accomplished, including whenever reasonably available such facts and figures as SCEDF may have in its possession. She explained that those are the main changes that were originally purposed at the last Council and Commissioner meeting. Commissioner Chesak advised he would like to see the Board of Directors reduced. Director Dan advised that they originally had 30 board members. She stated that another thing they had purposed in this new contract is reducing the members to 1 council and 1 commissioner. Auditor Oesterreich advised that the Board of Commissioner may want to remove the section in the contract that states “or 12.5% of the funds received by the County annually under the regular County Economic Development funds (Starke County Fund 112)” as 12.5% of the current revenue coming into CEDIT would mean we would be required to pay SCEDF around \$192,000 per year. Commissioner Chesak advised for Director Dan to work on the wording of the funding and the size of the SCEDF Board. Director Dan advised that is very workable and will be submitting a new contract for the Board of Commissioners to review. Commissioner Chesak also advised that he would like to keep 2 council member spots and 1 commissioner spot.

EMS MONTHLY REPORT

Travis Clary, Director of EMS and Clerk Mary Lynn Ritchie came before the Board of Commissioners to present their monthly report. Clerk Ritchie presented the run and revenue report. She explained that 36% of their runs for revenue this month came from the transfer unit. This has gone up from past months. She advised everything still has been slow with money and revenue coming back into the county for the runs they are doing. Their revenue from January, 2021 is \$61,760.08. Director Clary then gave his monthly report. He advised that their operation continue to run smoothly. They continue to operate 4 ambulances out of 3 bases located throughout our county. They have had 3 (24) hour 911 ambulances, and the 12-hour transfer unit during the day. He has hired an additional part-time EMT to assist with coverage as needed. He wants to continue to minimize overtime as much as possible. They do not currently have any personnel on isolation. They are in the process of filling a vacant Full-Time Paramedic position due to that individual retiring. The Full-Time EMT that was out on an unrelated work injury is now back to her normal schedule. He stated he continues to work the ambulance as needed. Director Clary stated we held our first in-person training while using masks/social distancing for the first time in many months. It was a great training with representatives coming from Teleflex Medical. The training was a great hands on airway/IO training. We also held our Audit & Review with Laporte/Starke Hospital's. We continue to do those virtually using the counties zoom account. It has

been working out really well virtually. We have several trainings planned over the next few months if the Covid numbers continue on a downward trend. We hope to have the representative from “Ben’s Blue Bags” come do a 2-hour training for our service.

Director Clary advised it would also be a great time to collaborate with Police/Fire for a training like this. Ben’s Blue Bags would be us purchasing items for those who have special needs, specifically those with autism. Matt K. who is a firefighter/paramedic with Crown Point Fire/Rescue has put these bags together to raise awareness to those who have autism. He has a son who suffers from autism, and he puts on an excellent training on how we should approach these patients. The bags are “sensory” bags named after his 5 y/o son Ben, whose favorite color is blue. Each bag includes headphones, a dry erase board with feelings chart, fidget spinners and various sensory toys. We also are looking at a representative from a university hospital to come present an LVAD training to our crews. LVAD stands for Left Ventricular Assist Device. It is essentially a mechanical pump that is placed in the patient’s heart to help a weakened heart pump. The patient typically has battery packs strapped to them at all times to get this device running. It usually is while the patient might be waiting for a heart transplant. We then are looking at a Triage/Sign Language training. We also are in the process of setting up an active shooter training at Oregon Davis schools. We hope to have the planning done in the next couple of months for this. We will also soon begin our ACLS/PALS renewal course for our Paramedics. I think everyone is excited to get back into in-person training. We had an injury free month in January.

Director Clary advised of the following Ambulance Maintenance updates:

Ambulance Maintenance:

0084 (2012 Chevy Diesel) received 4 new rear tires at Sherwood Tire.

3308 (2021 Gas Engine) received a full service at our local Ford Dealership.

4230 (2019 Gas) & 0084 (2012 Diesel) will both go in next week for service.

0514 (2015 Diesel) received a service, and front-end alignment at Sherwood.

0086 (2009 Diesel) & 0085 (2013 Diesel) our two backup units had no issues for the month of January.

He advised that we had no major base maintenance issues to report for the month of January. We have gotten several donations recently, mainly from several emergency room doctors at Starke Hospital. The donations are going towards a new program we are trying to get started, and will require no additional cost to the service to continue to running it. It is for Rescue Task Force Bags/Equipment. Our current PPE status is stable. We continue to keep a close eye on it, and make necessary purchases as they are needed. I did just make a second trip to Indianapolis to pick up free PPE from the State of Indiana. I also picked up masks/gloves for the NJ/Hamlet Fire Department while I was down there. He then presented the generator quotes to the Board of Commissioners. They are as follows:

Live Oak Electric in Culver, Indiana for the amount of \$7,550 per unit. These are Generac units and for all three stations it would be \$23,295.

Busse Electric in North Judson, Indiana for the amount of \$23,437.18 for all three stations. These are Generac units.

Dwayne’s Electric in Crown Point, Indiana for the amount of \$21,792 for all three stations. These are Briggs and Stratton units.

Director Clary also inquired about trying to figure out the plowing situation for his bases.

Superintendent Ritzler advised that they will get it worked out. Auditor Oesterreich then advised that the County Highway Department is not allowed to plow the EMS bases as they are not roadway or road right-a-way unless they are paid for their services. Commissioner Chesak agreed. Director Clary will look into getting quotes from different places for the services of plowing. A discussion began again regarding the generator quotes. Commissioner Cavender made a motion to approve the purchase of a generator for the Govertown Base in the amount of \$7,550 from Live Oak Electric. Commissioner Gourley seconded the motion and the motion was approved with all ayes.

HIGHWAY MONTHLY REPORT

Starke County Highway Superintendent Stephen Ritzler presented his monthly report to the Board of Commissioners as follows:

Starke County Highway Department February 2021 Monthly Report

WINTER OPERATIONS

Common Complaints

- 1) Why can't you clear the roads like INDOT?
 - a) They can afford to run full crews 24 hrs a day
 - b) They can afford to use brine and pure salt at a level we cannot
 - c) The roads are all hot mix asphalt/easier to plow
 - d) Higher traffic volumes
- 2) You plowed my driveway in!
 - a) Approximately 10,000 driveways in Starke County
 - b) If each driver opened up each of their over 500 driveways at 1 minute each it would add 7.5 hours to their plow route
- 3) The plow hit my mailbox!
 - a) Plows rarely hit mailboxes. If they do there is almost no signs of the mailbox left
 - b) Slush and heavy snow coming off the plow at 75mph cause most of the damage
 - c) We follow the mailbox policy for replacement
- 4) You did not clean up the intersection!
 - a) During heavy, prolonged snowfalls we clear the roads first and then finish the intersections the next day
 - b) We do not handle State Road intersections
- 5) The driver is going too fast!
 - a) The plows seem like they are going much faster than they are due to the snow coming off the blade at three times the speed of the truck
 - b) We have GPS and check the speed of our plow trucks. They rarely are going as fast as people think they are
- 6) You used too much/too little salt/sand!
 - a) Damned if we do, Damned if we don't
- 7) Plow my road first!
 - a) We prioritize routes by traffic volume, use (Schools, Businesses) and mobility. Paved Main routes first, then secondary paved roads, then subdivisions and dead-ends. Gravel roads last.
 - b) Someone has to be first, someone has to be last.
- 8) My gravel road did not get plowed until the end of the day!
 - a) See above!

Plow Routes

BRIDGES

Bridge 137 – CR 300 E over the Yellow River, just south of CR 50 N. In design Estimated completion date, Fall of 2024

Bridge 7 – CR 1200 E over the Yellow River –In design. Estimated Completion Date, Fall of 2022.

Bridge 59 – CR700S over Bogus Run – Grant application was submitted for this replacement. Estimated Completion Date, Fall of 2022

Bridge Structural Inspections—We received Phase II of our latest round of inspections yesterday. We are reviewing the results

COMMUNITY CROSSINGS GRANTS

Call 2020-2

- A) 600e B/T 700N and 900N hot mix asphalt
- B) Culvert replacement on 300E just N of 800N
- C) Both projects to be done this Spring

Call 2021-1

- A) 700E b/t SR8 and 625S, Hot Mix asphalt

INDOT CALL FOR PROJECTS

- 1) 500N from US35 to CR750E HMA road resurfacing—This project also goes through Hamlet. Hamlet is partnering with us on this project. They will pay the funding match for their section of roadway.
- 2) Bridge #59 replacement, CR700S b/t CR100W and CR200W
- 3) Toto Rd. sight distance correction at CR300E

PERMITS

We have submitted the application for review

FACILITIES

- 1) New generator INSTALLED JANUARY 9TH
- 2) Two new garage doors --- Feb 2
- 3) New front door for the office--- door has arrived
- 4) New lighting in the areas around our equipment storage shed
- 5) Repairs to the Salt shed

US30 COALITION

We met virtually last Friday, there actually has been some movement in the process. I will explain at your meeting. I recommend we remain cautious but involved.

VEHICLES

- 1) 2021 single axle – regular replacement program/march
 - 2) Distributor truck 3000 gal. ---regular replacement program/august
 - 3) ¾ ton pickup – regular replacement program/march
 - 4) Replacement for totaled single axle
- A) International dealer - Plymouth
B) Freightliner dealer – Gary
C) International – Kalida trucks \$132,000

AUDITOR BUSINESS

Commissioner Gourley made a motion to approve the payroll docket in the amount of \$55,435.19, including deductions in the amount of \$78,809.20 for the pay period ending on 01/23/2021 and pay date of 01/29/2021. Commissioner Cavender seconded the motion and the motion was approved with all ayes.

Commissioner Cavender made a motion to approve the vendor claims docket for a total in the amount of \$518,547.37. Commissioner Gourley seconded the motion and the motion was approved with all ayes. Commissioner Gourley made a motion to approve the minutes from January 4th, 2021 and January 19th, 2021. Commissioner Cavender seconded the motion and the motion was approved with all ayes.

OTHER BUSINESS

Councilman Pearman advised that the EMA advisory board got together and they had decided on a candidate they would like to recommend to the Board of Commissioners. He advised they would like to recommend Lewis Matzat to be appointed as Part Time EMA Director for Starke County Government. Commissioner Cavender made a motion to appoint Lewis Matzat as Part Time EMA Director. Commissioner Gourley seconded the motion and the motion was approved with all ayes.

Commissioner Cavender made a motion to appoint Jim Brown to the Building Corporation. Commissioner Gourley seconded the motion and the motion was approved with all ayes. Commissioner Cavender made a motion to appoint Mark Allen to the Planning Commission. Comissioner Gourley seconded the motion and the motion was approved with all ayes. Commissioner Cavender made a motion to appoint Kathy Norem, Carolla Heilstedt, Mary Perren, Erland Henry, Linda Banasiak, Tabitha Dillner, Daniel Boyer, and Angie Monahan to the Starke County Convention and Visitor's Commission. Commissioner Gourley seconded the motion and the motion was approved with all ayes.

Commissioner Gourley made a motion to continue the closure to the public with the exception of making appointments until their February 16th, 2021 meeting. Commissioner Cavender seconded the motion and the motion was approved with all ayes. Commissioner Gourley made a motion to extend the paid leave for COVID time until July 1, 2021 for Starke County Government employees. Commissioner Cavender seconded the motion and the motion was approved with all ayes.

Attorney Lucas advised of the Remedial Action Plan as purposed by the Board of Commissioners as follows: Under Section 6.12 of the Starke County Employee Handbook, staff person Mary Beever filed a grievance alleging an uncomfortable working atmosphere in the department where Ms. Beever is employed: Planning and Zoning.

The Commissioners conducted an executive session on January 27, 2021 after notice citing Ind. Code Section 5-14-1.5-6.1(b)(6)A and (B). The Commissioners, the County Auditor and the County Attorney were present. The Commissioners and the County Attorney interviewed several staff members in the

Planning and Zoning department. The Commissioners find that each staff person in the department expressed a sincere commitment to serve the public, but that there had been recent instances of friction. The Commissioners find that the public service mission of the Planning and Zoning department may best be served, and friction may be reduced by restructuring the department to clarify job responsibilities and chains of command and to make the position titles and job descriptions more consistent with the 2010 county ordinance creating the office of the Building Commissioner.

Therefore the Commissioners decline (at this time) to assign blame, but instead order the following remedial action:

1. The position or job description currently called the Plan Commission "Clerk" should be retitled Plan Commission "Administrator".
2. New job descriptions shall be drafted for both the Plan Commission Administrator and a separate position to be called the "Building Commissioner", and that the Building Commissioner position job description be drafted to be consistent with the 2010 Starke County Ordinance creating that office or position.
3. All job descriptions will clearly identify that position's supervisor.
4. Drafting of the job descriptions should be done after seeking input from the Plan Commission and the BZA, with final approval by Starke County Commissioners.
5. The Plan Commission has authority to appoint, employ and remove both the Administrator and the Building Commissioner, consistent with the policies and procedures set forth in the Starke County Employee Handbook, 2021 edition.
6. The Commissioners believe that these changes can be made within the existing budget. The Commissioners note that the salary ordinance is within the authority of the Starke County Council, and respectfully request the Council's assistance in making these reforms.
7. After the restructuring of the Planning and Zoning Dept., the Commissioners reserve the right to review the situation and consider whether additional action is needed to help ensure that the Planning and Zoning dept. operates with a focus on service to the citizens and appropriately under the Starke County Handbook, Starke County Ordinances and Indiana law. Commissioner Gourley made a motion to accept the Remedial Action Plan. Commissioner Cavender seconded the motion and the motion was approved with all ayes.

PUBLIC COMMENT

Surveyor Bill Crase advised that he has been working with the Starke County Highway Superintendent and they have been putting in permanent section markers throughout the county. These are markers that will not get covered up with asphalt and will be permanent so that they do not have any more surveyors chiseling up the roadways throughout Starke County. He also advised that he will be working with the Planning Commission getting some unsafe buildings cleaned up soon. He will also be reporting, along with Dan Gumz, to the Board of Commissioners soon regarding the river activities that have been going on.

Mark Rippy commented on some further concerns he has with the CVC Board. With there being no further public comments and no further business, Commissioner Gourley made a motion to adjourn the meeting. Commissioner Cavender seconded the motion and the motion was approved with all ayes. The meeting was adjourned at 8:08 PM.

MONDAY, FEBRUARY 1, 2021

Charlie Chesak, President

Bryan Cavender, Vice-President

Mark Gourley

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