

**EXECUTIVE SESSION**

MONDAY, FEB. 6<sup>TH</sup>, 2012

The Starke County Board of Commissioners meet in an Executive Session, at 8:30AM, in the office of the County Annex Meeting Room, Knox, IN with Kathy Norem, & Jennifer Davis present, and the following proceedings were held to wit:

I can attest, the only issues discussed at this meeting were in regard to the county's personnel.  
The meeting was adjourned at 9:50AM.

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Katherine Chaffins, Auditor &  
Secretary to the Board of Commissioner

**REGULAR SESSION**

MONDAY, FEB. 6<sup>TH</sup>, 2012

Comes now the Starke County Board of Commissioners and meet in Regular Session at 9:55AM in the Annex meeting room, Knox, Indiana, with Kathy Norem, and Jennifer Davis present and the following proceedings were held to wit:

The meeting was called to order by Commissioner President, Kathy Norem.

**RE: Vendor and Payroll Claims**

Commissioner Davis made a motion to approve the vendor claims, as presented except the following:  
The invoice received from the Trident Co. in regard to the county's liability insurance. More documentation is required and the company has been notified; the invoice from 1<sup>st</sup> Source insurance, billing the county for a tax due on the insurance policy for the health inspector, more information is being obtained; the claim from the Starke County Historical Society in regard to their 2012 contribution from the county, it is being tabled until the 2012 budget has been state approved; the invoice from the Humane Society is being tabled until more monies are accumulated in the county dog tax fund. Commissioner Norem seconded the motion, and it passed with all ayes.

Commissioner Davis made a motion to approve the pay claims for the pay period ending Jan. 21, 2012, in the amount of \$168,371.89. Commissioner Norem seconded the motion, and it passed with all ayes.

Commissioner Norem advised the minutes of the Jan. 16<sup>th</sup> meeting will be addressed after Commissioner Bridegroom is present at this meeting, since Commissioner Norem was absent from the Jan. 16<sup>th</sup> meeting she could not approve the minutes.

**RE: EMS DEPT. MONTHLY REPORT**

EMS Director, Paul Mathewson, and EMS Dept. Clerk, Mary Lynn Richie, appeared before the Board to submit their monthly report. Clerk Richie submitted a report to the Board, showing a total of \$1,342.06 in uncollectible accounts. She also submitted, to the Board, copies of the amounts collected on bad debts: a total of \$1,584.38 was received by the Starke County Clerk, and \$754.56 from collection agent, Jonathan O'Hara.  
Ms. Richie advised the state will be inspecting the county's ALS equipment, on Wed., Feb. 8<sup>th</sup>. She advised all ALS supplies have been ordered, received, and stocked in the county's rigs. They have hired one full time paramedic, and 8-9 part time paramedics. She stated the full time ALS certified employee, is a Starke County resident.  
She also advised, even though once the county passes the state inspection, now the hospital has to train their personnel, to work on the protocol for their in-house training. They are still projecting the ALS program will begin prior to or on March 1, 2012.

**RE: COUNTY HIGHWAY DEPT. MONTHLY REPORT**

County Highway Superintendent, Steve Siddall, appeared before the Board and stated he had several papers that require the Board's signatures. The papers included the draft for the bridge inspection book that need to be sent to the State; and the contract with Tonn & Blank Construction in regard to the Bridge 156 project. He stated they had failed to submit the contract to the county while Bridge 156 was being constructed. He also submitted a report showing the status of the county's bridges, stating bridges 62, 9, and 51 are presently closed. He also requested a signature on the report from Beam, Longest & Neff, which needs to be submitted to the State.

Commissioner Dan Bridegroom arrived to the meeting, at 10:23AM.

Commissioner Norem inquired as to the status of the newly purchased truck for the highway department. Siddall advised the truck is presently at the W.A. Jones Co. in Columbia City, IN having the bed installed on the truck. Commission Bridegroom advised Siddall to describe the work being done to the truck. Siddall stated the bed will have a walking floor, hydraulic hook-ups, LED lights, and mud flaps. Commissioner Norem inquired if this was paid for and Siddall advised the truck has been paid, but the bed has not been paid, but the funding was encumbered from the 2011 budget. Commissioner Norem advised Superintendent Siddall that the Sheriff's Department had taken a load of scrap metal to the highway department and requested that the funds from the sale of that scrap metal be kept separate from the highway department's since that money should be receipted into the county general fund, as Commissioner Bridegroom had stated

to her. Commissioner Norem inquired as to why there hadn't been any money received from the sale of scrap metal in quite a while, and Siddall advised they haven't had anything lately, and all they have is still out there.

Since it is a concern of some of the county highway department workers, it was decided the subject of how overtime is allowed, and to which workers, will be addressed at the county highway employee meeting.

Commissioner Norem then advised in regard to the process of the sealed bids that had been received for the Bridge 51 project, she believes the process wasn't done properly. She advised the sealed bids should have been opened at the Commissioner's public meeting, and not by the Highway Dept. Superintendent. Siddall had advised at the Jan. 3<sup>rd</sup> meeting, that the sealed bids had been received at their advertised time, by 2:00PM, Dec. 19<sup>th</sup>. He stated he had opened the bids and scored them. He then submitted the summary of that scoring to the Commissioners, at their Jan. 3<sup>rd</sup> meeting. Since Commissioner Norem's concern was that the bids were not opened at a public meeting, she suggested the bids be re-bid, and re-advertised, and they should follow the letter of the law. Commissioner Bridegroom inquired as to Attorney Lucas' view of the subject. Attorney Lucas advised he too recommends the process be completed again, in the shortest amount of time. He advised to notify the bidders that an error in the process had occurred and their bids need to be resubmitted. Commissioner Davis advised Siddall that the problem wasn't in his scoring but in the opening of the sealed bids. Siddall advised he would re-bid them.

Commissioner Bridegroom advised they are two workers short at the county highway and suggested the Commissioners review the present applications that the county has received. He also advised the county is no longer taking applications for the position of truck driver.

Superintendent Siddall advised the Commissioners the highway department has a hot box that the company is demonstrating to the highway department. He advised the company will be picking it up on Thursday morning in the event they would like to see how it works. He stated the hot box can process recycled asphalt; that it can be reheated. A discussion followed in regard to setting the time for the Commissioner's meeting with the highway department workers. It was decided, since Commissioner Bridegroom will have Monday, Feb. 20<sup>th</sup> off from driving school bus, they set that date for the meeting, to be held at the highway department at 2:00PM. Commissioner Norem requested the Auditor post the meeting. Commissioner Norem stated she will check with Sheriff Cowen in regard to setting up a meeting of the sheriff's personnel also.

## **RE: IT DIRECTOR REPORTS**

IT Director, Joe Short, and EMA Director, Ted Bombagetti, appeared before the Board to give an update on several items. Director Bombagetti advised he is requesting a quote from Miner Electric in regard to the service contract of the county's radio equipment. He advised they will be evaluating the equipment and when their report is complete he will return to the Board with the information. He stated they are still receiving invoices from ERS Company, as if we were still doing business with them. Commissioner Norem advised the contract with ERS had expired in 2010. There is no contract, right now. Director Bombagetti advised he has not received any word in regard to the grant for the rebanding of the county's radios, and also the grant for a new 911 system. IT Director, Short, stated they need to update the inventory of all the radios in the county; not only the sheriff's department, but also include the hand held radios of the county highway department.

Director Short requested a signature for the maintenance agreement with the Microvote Company, for the year 2012, in the amount of \$9,500.00. He advised the Microvote Co. handles the county's election voting machines. Commissioner Bridegroom made a motion to approve the agreement, seconded by Commissioner Davis. The motion passed with all ayes and the agreement was signed.

Director Short then requested a signature on the annual agreement with the CSI Software. He advised this software is currently used by the County's Clerk, Prosecutor, Court, and Probation offices. He stated there are two parts to this agreement: the equipment maintenance agreement for 2012, in the amount of \$5,981.00; and the database maintenance agreement, in the amount of \$1,200.00. Commissioner Bridegroom made a motion to approve these agreements, seconded by Commissioner Davis. The motion passed with all ayes, and the agreements were signed. Attorney Lucas stated they are straight forward agreements.

Director Short also advised he has an agreement proposal from INdigital Telecom. He advised it was a project of the Indiana Wireless E911 Advisory Board; and is in cooperation with AT&T. He stated in 2012 the IT Department's budget is responsible for the 911 service contracts. He advised this agreement would provide an update of the 911 equipment's software; update the latitude and longitude information; and provide 911 training for both the dispatchers side, and the technical side. Commissioner Bridegroom made a motion to approve the agreement as presented, seconded by Commissioner Davis. The motion pass with all ayes.

Commissioner Norem inquired if Director Short could post the county bridge information on the county's website.

Director Short advised the only information he had received from Superintendent Siddall were the bid proposals on Bridge 51. The Commissioners had been requesting the bridge closing, and detour routes be posted on the website. Attorney Lucas stated the information should also include as to what policy sets the detour routes, an engineering opinion, or state statute, etc. Commissioner Bridegroom advised he will get with Mr. Siddall again, in regard to this posting. Commissioner Norem also advised she would like to see the engineering notes on the upcoming bridge projects, be also posted on the county's website.

Commissioner Davis thanked Joe for his video recording of the three public jail meetings held in January. Joe stated they are still working on creating one video from the three night's meetings, and make that available to the public.

## **RE: ANNEX BUILDING CUSTODIAN; SIMPLEX' SPRINKLER SYSTEM INSPECTION CONTRACT**

Penny Huffman, of the Simplex Company, and James Coad, the Annex Building Custodian, appeared before the Board to discuss the proposed contract from the Simplex Co. in regard to the internal inspection of the Annex Building's sprinkler system. Ms. Huffman advised that this type of inspection needs to be performed once every five years. The last time that type of inspection was completed at the Annex Building was in 2002, so technically they are two whole cycles behind schedule. She advised the county would be billed at the completion of the inspection. The cost for the inspection in the Annex Building, would be \$1,368.00. Attorney Lucas advised the Simplex Company had the most over-reaching contract, he has ever encountered. He stated he has issues with sections 7, 21, and 17C of the proposed contract. He stated he objects to the county acting as an insurer for their company. Ms. Huffman advised to make the changes to the contract, and she will submit it back to her company. She will have the contract ready for their approval at the next meeting, on Feb. 20<sup>th</sup>. Commissioner Norem requested the Simplex Company forward the corrected contract to them in advance to the meeting on the 20<sup>th</sup>, so they could have the necessary time to review it, prior to the meeting.

## **RE: ELECTION BOARD REPORT**

Starke County Clerk, Evelyn Skronski, and Starke County Election Board members, James Henriott and Pat Mitchell, appeared before the Board. Mr. Mitchell advised the Board, they had met with the County Party Chairs, and since this is a presidential election year, they are taking the advice from the Party Chairs, and reverting back to the 2011 resolution. At the meeting on Jan. 3<sup>rd</sup>, the Election Board had proposed the consolidation of the 21 precincts into 11 polling places. The 2011 resolution called for the 21 precincts be consolidated into 19 polling places. Mr. Mitchell also noted the parking lot at the polling place in North Bend Township needs striping, and the parking lot of the Washington Twp. Polling place needs to be paved. He estimated the costs to be approximately \$2,550.00, and possibly the cost could be split between the county and the corresponding townships.

Mr. Henriott stressed the importance of the consolidation from the 21 precincts, into the 11 polling places, and the cost savings to the county of \$9,000.00. Commissioner Norem stated they were not confident with the reduction of the number of polling places for this election, so that interferes with the people voting. Commissioner Bridegroom stated he is more concerned with the people not having major delays in voting.

Mr. Mitchell requested the Commissioner consider the study, and reconsider the change for the next election. Clerk Skronski stated they are expecting the State to be mandating overall changes in the election system in the future. Mr. Henriott stated he felt the power of the Election Board was undermined by the County Party Chair persons. Commissioner Norem thanked them for their hard work.

#### **RE: ROAD IN THE CHEASAPEAKE RUN SUBDIVISIONS**

Alan Hildebrand, of Crossroads Business Advisors, appeared before the Commissioners to ask them to consider the county taking over possession of the roads of the subdivisions, that are located next to the Cheasapeake Run Golf Course. He advised he had previous conversations with Co. Highway Superintendent, Siddall in regard to this issue, and he wanted the Commissioners informed, that they had installed a top coat to the roads. Commissioner Bridegroom advised the roads need to meet the state's specifications. Attorney Lucas inquired if they had prepared a resolution/dedication with a legal description of the roads involved, for the Board, that would include the turning over of the roads to the county. He advised the resolution would need to come from TCU, since they are the owner of those roads. Commissioner Bridegroom also stated he is concerned with the road's right-a-way, and the street lights. He stated the snow plows are hard on street lights and the issue of curbing makes it difficult for the snow plows. He advised no other subdivision in the county has curbing. Commissioner Davis inquired if the roadway up to the Club House, and the parking lot to the Club House, would also be included in the description. Commissioner Norem advised Mr. Hildebrand to meet again with Commissioner Bridegroom and Superintendent Siddall, in regard to these matters.

#### **RE: WEAVER BOOS AND THE GAS MONITORING AT THE COUNTY LANDFILL SITE**

Brian Hovarth, of Weaver Boos, appeared before the Board to address the issue of the gas probe monitoring that is being conducted at the site of the county landfill. He advised in 2010 they were asked by the State to install gas probes to monitor the gasses being emitted at the landfill location. He stated of the twelve gas probes that were installed, 4 probes in the southwest corner of the area, have detected gases. But, one of the probes, in that southwest corner, came back clean. He stated the findings have to be reported to IDEM, and they need to have a remediation plan within sixty days. Mr. Hovarth announced he proposes putting in a gravel trench drainage bed in the southwest side, a linear remediation system, where the hits are, to vent the gasses out. He advised it could be dug by a trencher, as deep and narrow as possible. The largest cost of the project would be the cost of gravel. Mr. Hovarth stated the methane gases, that are being emitted, are very dangerous and an explosive hazard. Contractors will have to monitor the gas levels during the trenching work. Commissioner Bridegroom advised the county highway department could do the actual work, and then purchase the stone at the county's expense, which could reduce the total cost of the project. Attorney Lucas advised yes this could be a case of the county highway department doing the work. Weaver Boos would need to supervise the county's work. Commissioner Norem suggested they submit a remediation plan to the State for their approval. Commissioner Davis inquired if this issue would affect the timeline of the closing of the landfill. Mr. Hovarth advised they need two years of clean monitoring of the gas probes, before they can close the landfill. The two year time period has not yet started. Attorney Lucas inquired if there is any permitting required, and Mr. Hovarth replied two permits are needed from IDEM. Commissioner Bridegroom advised he will speak with the highway department about the possible work. Mr. Hovarth stated the stone would need to be gravel, not crushed stone. Mr. Hovarth advised they also have other issues at that site, including standing water, and it not being mowed, but they will be addressed and recommendations will be coming. Commissioner Norem stated it was duly noted.

At this point in the meeting, a five minute break was taken.

#### **PUBLIC COMMENT:**

Patty Bush, of the Bass Lake Conservancy addressed the Board to give her support to the Bass Lake Campground, and the Bass Lake Beach, under the control of the Callahan Family. She stated there are only five or six campers parked at the campground and the gate is kept locked. She believes no way will it turn into a mobile home park. She stated the people who are complaining should not have bought property in the area, or built houses in the area, since the Beach and Campground have been there for a long time. She continued, the Commissioners should consider the other campgrounds in the area before setting a precedence. Also she stated, before making any rules, the Board should talk to the people of Bass Lake first and get their opinion. Commissioner Bridegroom stated he had met with Brian Callahan and Mr. Callahan expressed his concern about painting the park area fencing, and purchasing new picnic tables. He also noted the county owns this campground, but not the other two in the county. Commissioner Norem thanked Ms. Bush for her good comments in regard to the Bass Lake Beach, as well as her support for the Callahans.

Betty Dotlich, of CR250N, was present at the meeting and advised now, since a new permit had issued, she has once again paid the BZA fee to be heard at the next BZA meeting on Feb. 16<sup>th</sup>. She stated she had been told to attend the Planning Commission meeting on Jan. 18<sup>th</sup>, and she did attend the meeting, but was told at the meeting by the Commission's attorney, Steve Dodge, that she was not allowed to ask questions. A discussion followed in regard to which Board had the authority to rule of this particular issue. Attorney Lucas stated he is still looking for a clear line between the two issues: whether the issue at hand is a zoning issue or a building issue. He advised he is still working on preparing a document to state which agency deals with which issue. He stated it may be an issue that will need to come before the

Building Commissioners, which is the Board of Commissioners; and then the court would be the last remedy. He stated the property owner was able to apply for another permit by changing an issue in permitting, which is issue preclusion.

Commissioner Davis made a motion to approve waiving the fee if the minimum 55 employees do not attend the CIGNA Biometric screening, which will be held in March. If there are not 55 participating a portion of the fee could be charged to the county. Commissioner Bridegroom seconded the motion, and it passed with all ayes.

Commissioner Norem advised she has received ADA renditions for the courthouse sidewalk from the Knox Mayor Chambers. She advised the Mayor is getting quotes for the project, and noted it is the expense of the city, and not the county, since it is the city's sidewalk.

Commissioner Norem stated they had received the resignation of Charles Ratcliff from the Knox City Plan Commission. She stated it is the responsibility of the Commissioners to name his replacement since he is representing the two mile jurisdiction. She advised the board replacement will also need to live within that area.

Attorney Lucas advised he has received the paperwork for the Board to approve designating the Hoosier Rails to Trails through Starke County. He noted the program is creating a nationwide bicycle trail, and will designate a north/south portion of the route through the county, with no county obligation. Commissioner Bridegroom made a motion to approve the signing of the paperwork, seconded by Commissioner Davis. The motion passed with all ayes.

Commissioner Bridegroom made a motion to approve the signing of the Covered Bridge Certification Form, stating zero number in the county. He advised it is a state required report form. Commissioner Davis seconded the motion, it passed with all ayes, and the report was signed.

Commissioner Bridegroom made a motion to table the discussion of the theft and accident reporting form, and the discussion of a possible implementation of a county-wide time card system, to the next meeting. The motion was seconded by Commissioner Davis, and passed with all ayes.

Commissioner Norem advised the IT Director will be discussing the possibility of the county implementing a software program that could block certain social networks from being available to the employees during their normal work hours. She also advised she has posted the Starke County Commissioner's office hours for the month of February. She requested the Auditor post these hours. Note: the hours have been posted on the county's website. A copy of the office hours is also on file in the Auditor's office.

Commissioner Norem advised, in regard to a grievance filed by a county highway department employee, that the employee, who was on a worker's comp. injury leave, had been released by his doctors to be able to return to work, for light duty work only. She advised, since there were no positions available for light duty work, the county was within their rights, as the employer, to terminate the employee.

Attorney Lucas summarized to those in attendance that it had been revealed to the Board, the evidence of financial improprieties in regard to the books of the Tourism Board. He advised Jennie Carter had admitted to taking the funds without authorization, but would like the opportunity to pay them back. He noted the Commissioners appoint the board members of the County's Convention and Visitor's Commission, who receives the innkeepers tax revenue from the county. The CVC Board, in turn, has awarded monies to the Tourism Board, in the form of grants. The Commissioners are considering taking actions based on those improprieties.

Commissioner Norem announced the following:

1. Ask for the written resignation of Jennie Carter from the Starke County Convention and Visitor's Commission (CVC)—also known as the Innkeepers Tax Board.
2. Advise Judy Jelinek, the President of the Drug and Tobacco Free Starke County Board, of the financial improprieties of Jennie Carter, since Ms. Carter is the current local council coordinator of DTFSC.
3. Ask Attorney Lucas to send a certified letter of demand to Jennie Carter requesting the financial records of the Drug and Tobacco Free Starke County for an audit by the Starke County Auditor. (The ability of the audit on the county level, was authorized by the SBOA).
4. Request the County Council withhold all appropriation requests by the Drug and Tobacco Free Starke County until the financial issue has been resolved to the satisfaction of the Board of Commissioners.
5. Determine who is the appointing authority in the Tourism Board, the Drug and Tobacco Free Starke County, and Drug Free Partnership, which is another Board Jennie Carter is a member of.
6. Inform the County Prosecutor of the financial improprieties.
7. Ask the entire Tourism Board to resign.

Attorney Lucas stated 90% of the funding received by the CVC Board is awarded in the form of grants.

Debbie Mix, of the Tourism Board, advised the Commissioners, the Tourism Board is a private corporation that promotes the county through education purposes. She advised the board was created in 2003, and is a 501C3, not for profit state recognized entity. She noted the Commissioners do not appoint the members of the Tourism Board. Commissioner Norem noted they are asking for the resignation of the Tourism Board members, and not calling for the dissolving of the Board. Commissioner Bridegroom made a motion to approve the seven listed points, seconded by Commissioner Davis. The motion passed with all ayes.

Commissioner Bridegroom made a motion to adjourn the meeting, seconded by Commissioner Davis. The motion passed with all ayes, and the meeting was adjourned at 1:18PM.

**Feb. 6, 2012**

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Kathy Norem, President

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Dan Bridegroom, Vice President

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Jennifer Davis

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Katherine Chaffins, Auditor & Secretary to the Commissioners

