

Monday, April 2, 2012

Pursuant to adjournment comes now the Starke County Board of Commissioners and meet in regular session at 9:00am in the Annex meeting room, Knox, Indiana, with Dan Bridegroom, Kathy Norem, 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 changes to the posted agenda: As per Commissioner Bridegroom's suggestion the monthly report by the County Highway Superintendent will be postponed until that time, in the agenda, to the opening of bids on the construction of Bridges 9 & 62, and also include the request for the posting of signs by Tracy Patrick.

President Norem advised of the negative balance in the County General Fund and instructed Auditor, Katherine Chaffins, to look into the situation of why the Fund has a negative balance so early in the year, prior to the Spring Tax Settlement. Auditor Chaffins advised the 2011 budget had not been overspent, and she already had the SBOA's comment on a negative balance on the County General Fund. The Auditor advised she will be discussing the issue with the DLGF. President Norem asked it be added to the agenda for the next Council/Commissioner meeting.

RE: MINUTES, PAYROLL CLAIMS & VENDOR CLAIMS

Commissioner Bridegroom made a motion to approve the minutes of the March 19th meeting, seconded by Commissioner Davis. The motion passed with all ayes.

Commissioner Davis made a motion to approve the payroll claim for the pay period ending on March 17, 2012, in the amount of \$165,865.38. Commissioner Bridegroom seconded the motion, and it passed with all ayes.

The Vendor Claims were then discussed. Auditor Chaffins advised the vendor claim from the Treasurer, payable to The Postmaster, in the amount of \$6,667.00 has been reduced to \$6,077.46. She advised it was for the mailing of the 2012 property tax billings. The corrected total of vendor claims submitted was \$129,441.79. Commissioner Bridegroom made a motion to approve the claims, seconded by Commissioner Davis. The motion passed with all ayes.

RE: EMS DEPARTMENT MONTHLY REPORT

EMS Clerk, MaryLynn Ritchie, and EMS Director, Paul Mathewson, appeared before the Board to give their monthly report. Clerk Ritchie submitted to the Board a report of the billings from the 1st quarter of 2012. She advised, because of coding issues, the billings of ALS runs have not been processed yet. The ALS program officially began on March 1, 2012. She advised the County has received a total of \$652.00 from the Clerk of Starke County, and \$466.42 from the county's collection's agent, Jonathan O'Hara. She also submitted the monthly write-off report, totaling \$2,804.19. Commissioner Bridegroom made a motion to approve the w/o amount, seconded by Commissioner Davis. The motion passed with all ayes.

Director Mathewson advised the EMS Department can now have the personnel certified in "Basic Advanced" status assist with transfers, and will allow the ALS certified personnel to remain in the County. He stated Medic 1, is set as the Advanced Level rig, and is operating out of the North Judson Base, which will allow for better coverage in the west side of the county. He stated there are basically four categories of personnel: EMT, Basic, Basic Advanced, and ALS. He also informed the Board of a letter of appreciation they had received from the spouse of a semi-truck driver, thanking them for their assistance in saving the driver's life and increasing his chance for a better recovery. Director Mathewson also advised of the department's participation in a call in regard to the injury of a five year old, and how now the child has a 97% chance of a full recovery. President Norem advised the first hour of care is critical and will greatly improve the outcome of the patient. Commissioner Bridegroom also made note of the overall increase in improvements in all levels of care.

RE: EAGLE ACCOUNTS GROUP COLLECTIONS

The County Chief Probation Officer, John Thorstad, appeared before the Board asking permission for the County to enter into an agreement with The Eagle Accounts Group, to have them collect any delinquent accounts. The same Company will also be used by the County Clerk's Office to collect their delinquent accounts. Officer Thorstad advised the Probation Office is authorized by State Statute for this type of collections. Mr. Thorstad advised Eagle Accounts will not be withholding any of the amounts that are to be submitted to the County, but instead the defendant will be charged an additional 30% to the amount that they owe the County. He advised the majority of delinquent accounts in the Clerk's Office is due to child support fees. He also advised any other county department could also participate in the agreement with Eagle Accounts. Mr. Thorstad stated once the letters are sent by Eagle Accounts to the defendants, the defendant will be encouraged to submit payment to Eagle Accounts. He also stated, only the defendants with a means to pay will be submitted to go through the collection agency, otherwise their delinquent accounts go to judgment without the 30% fee. Commissioner Bridegroom stated he had discussed this same subject with the Clerk two to three years ago. Mr. Thorstad advised neither the Probation Office nor the Clerk's Office have the extra staff to dedicate to collections. County Attorney, Marty Lucas, reviewed the agreement, and approved the document. Commissioner Bridegroom made a motion to approve the agreement, seconded by Commissioner Davis. The motion passed with all ayes.

RE: MUNICODE ADDENDUM

President Norem advised the receipt of an Addendum to the contract the county entered into with Municode, (Municipal Code Corporation) in regard to the codification of the county's ordinances. Municode is stating the addition of the Planning Commission and Zoning ordinances to the county's ordinances would create an additional \$3,800.00 expense--\$19.00 per page for an additional 200 pages. Commissioner Bridegroom stated he believed there would not be any additional expense to add the Planning Commissioner's ordinances. President Norem suggested the issue be tabled until the next meeting, and Commissioner Bridegroom give a status report at the next meeting.

RE: CIGNA INFORMATION

In regard to the refund the County will be receiving from CIGNA in their April billing in the amount of \$15,098.68: following a discussion by the Board, it was decided to pass on the credit to the employees based on the percentage method, which, they felt, was the most equitable to the employees. Auditor Chaffins had calculated the amount of credit each level of coverage could receive, based on employee only, employee/spouse, employee/children, and family coverage, and the employees that had paid into the premiums during 2011. The amount of the credit would also be pro-rated depending on the number of months the employee had paid the health insurance premiums during 2011. Commissioner Bridegroom made a motion to approve the deduction credit as was presented, seconded by Commissioner Davis. The motion passed with all ayes. Auditor's Note: the reduction in the employee's portion of health insurance premiums deducted from their checks will start on the pay starting April 6th, and will be included in all the rest of the 2012 pays.

President Norem stated that CIGNA has addressed the issue of the coverage of care by a nurse practitioner. CIGNA had been denying any claims submitted by nurse practitioners through the IU Health Facility System. CIGNA has agreed to cover those billings and advised, in the future, any nurse practitioners claims that are denied, will be covered. The employee who receives a denial of coverage should contact Deputy Auditor, Ruth Jensen, to have the claim resubmitted. Commissioner Davis stated the County should look into alternatives with Miquel of CIGNA, and also check into receiving coverage from another company for 2013.

RE: AUDITOR & TREASURER'S REQUEST FOR FINANCIAL SOFTWARE CHANGE

Interim County Treasurer, Kasey Clark, Auditor Kay Chaffins, and George Zeltner, of Low Associates appeared before the Board with a request to change the financial software currently used by the Auditor and Treasurer's Offices. The offices are currently using financial software from Harris. The new software would improve the checks and balances between the Auditor and Treasurer's offices, and would also allow each individual department to print their own budget status reports, and transaction history reports directly from within their own department. Mr. Zeltner advised the expense to convert to the Low financial software would be \$59,160.00 in 2012, \$28,296.00 due in 2013, and \$28,295.00 due in 2014. In addition, the yearly maintenance fees would be \$16,452.00. Currently the County is paying \$19,162.62 to Harris in annual maintenance fees. Between the Auditor and the Treasurer's Offices they have available approximately \$40,000.00 of the 2012 expense to fund the software changeover. The Auditor

advised she had received documentation from the SBOA to use the Auditor's Transfer Fee Fund monies to put toward the financial software, which has a balance of approximately \$28,000.00; and the Treasurer advised she will not be requiring the 2012 budget appropriation of \$15,000.00 which was appropriated for the expense of Low processing tax payments, as they will be processed this year, in the Treasurer's office. Treasurer Clark advised that budget line item is currently a part of the IT Department's budget. A discussion followed as to where the additional funding would come from. Councilman Pearman, who was in the audience, suggested possibly the Rainy Day Funds could be used in this type of situation. Commissioner Bridegroom advised the Rainy Day Fund is to only be used in a catastrophic situation. Commissioner Bridegroom made a motion to table this request until the next meeting, and have it presented to the Council at their April 16th meeting. Commissioner Davis seconded the motion and it passed with all ayes. President Norem advised she will assist the Auditor and the Treasurer look into other sources of funding, and they will be able to make that recommendation to the Council, at their next meeting.

RE: ANNEX BUILDING KEY REQUEST

President Norem advised the Board had received a request from the Interim County Extension Educator, Elizabeth Smith, to be granted a key to the Annex Building to have access to the Meeting Room. Annex Building Custodian, James Coad, advised he would present a key to Ms. Smith a day prior to her scheduled meetings, and will be given back to him, the following day. Commissioner Bridegroom made a motion to approve the request, seconded by Commissioner Davis. The motion passed with all ayes.

RE: SHEWSKI ROAD, BASS LAKE

Mr. & Mrs. Phil Cherry were present at the meeting and advised the Board of a dispute at the end of Shewski Drive, at Bass Lake, over piers and boat access at that location. They advised signs have been posted for no parking, no boats, and no docking. Commissioner Bridegroom advised that is a public access and not a place for the parking of boats. Mr. Cherry inquired if that will be the same policy at the end of each county road that leads to the lake. Attorney Lucas advised the Commissioners have control of the first fifty feet of the lake, from the shore out, and then the DNR has control of that lake, after the first fifty feet. President Norem stated she would like to see no parking signs be posted on every county road that dead end into the lake. She advised she would like to see a listing of all county roads that dead ends into the lake. Commissioner Bridegroom stated he could have a list prepared before the next meeting. Norem stated she would like to see no parking on those roads, and no parking of boats with shore stations within fifty feet of the shore. Bridegroom noted it should also include no piers. Norem stated she would like to see this policy apply to all lakes in the county. Commissioner Davis inquired if the Sheriff's Department would be enforcing the policy. Commissioner Bridegroom made a motion to approve those requirements, but he then withdrew the motion after Commissioner Davis stated she would like to see the site first.

RE: DLZ CONTRACT

Attorney Lucas stated he had received the contract from the DLZ Company, an architectural company, in regard to the proposed jail project. He advised the contract was a standard AIA contract, and it complies with the terms of the bid. Commissioner Davis made a motion to approve the contract, seconded by Commissioner Bridegroom. The motion passed with all ayes.

RE: COUNTY HIGHWAY DEPARTMENT BUSINESS

Bridge 51:

County Highway Department Superintendent, Steve Siddall appeared before the Board. He submitted to the Board a summary of the bids received for the engineering of Bridge 51. He stated proposals were received, by him, in December, but then it was opened again for sealed bids. The sealed bids were opened at the March 5th Commissioners' meeting. Commissioner Bridegroom and the Superintendent inquired if this was a new county procedure, to request sealed bids if you don't like the proposals received. They also stated there seemed to be some confusion in the meetings' minutes as to if there should have been proposals or bids requested from the companies interested in the engineering position. Another concern they had was in regard to some of the companies that had first submitted a proposal in December, and then lowered their prices in the sealed bids. Attorney Lucas stated all companies had the same opportunity, since those proposals were public information. President Norem stated the reason a sealed bid process was requested by the Board, was for transparency. The proposal had not been received by the Board at a public meeting, but had been received at the county highway department and summarized by the Superintendent. President Norem then called for a motion to approve an engineering firm for Bridge 51. Commissioner Davis made a motion to hire Wrightman-Petrie, in the amount of \$46,790.00, for the engineering of Bridge 51. She explained, even though HWC Co. submitted the lowest bid, they did not have any experience with Starke County, and therefore went with the second lowest price, and Wrightman-Petrie had been the engineering firm for the Koontz Lake Sewer Project. Commissioner Bridegroom seconded the motion, and it passed with all ayes. President Norem asked Superintendent Siddall to notify Wrightman-Petrie.

Bridges 9 & 62:

County Attorney, Marty Lucas, opened the sealed bids for the construction costs for Bridge 9, after verifying with the Auditor, all bids were received in a timely manner. The Auditor verified they all had. The following is a listing of the bids received per company:

Wirtz Yates Construction, Kentland, IN	\$244,441.65
Pioneer Assoc. Inc., Albion, IN	\$206,203.47
JCI Bridge Group, Laporte, IN	\$185,519.45
Tonn & Blank, Michigan City, IN	\$295,677.00
Larson Danielson, Laporte, IN	\$218,528.05
Laporte Construction Co. Inc., Laporte, IN	\$178,574.34

The engineer's estimated cost for construction is \$196,890.57.

Commissioner Bridegroom inquired as to who is the JCI Bridge Group. There was a representative present, in the audience, from Laporte Construction who stated both JCI and Laporte Construction are prequalified with INDOT, and both are bonded.

Commissioner Bridegroom made a motion to approve the bid received from Laporte Construction, in the amount of \$178,574.34, seconded by Commissioner Davis. The motion passed with all ayes.

Attorney Lucas then opened the sealed bids for the construction costs for Bridge 62. The Auditor verified the bids had been received in a timely manner. The following is a listing of the bids received for Bridge 62:

Pioneer Assoc. Inc., Albion, IN	\$302,730.46
JCI Bridge Group, Laporte, IN	\$251,092.89
Jack Isom Construction Co., Reymolds, IN	\$426,303.75
Wirtz-Yates Construction Inc., Kentland, IN	\$327,314.38
Tonn & Blank, Michigan City, IN	\$369,280.00
Larson Danielson, Laporte, IN	\$331,504.70
Laporte Construction Co. Inc., Laporte, IN	\$279,559.21

The engineer's estimated cost for construction of Bridge 62, is \$275,810.96.

Commissioner Bridegroom made a motion to accept the lowest bid, from JCI Bridge in the amount of \$251,092.89. The motion was seconded by Commissioner Davis. The motion passed with all ayes.

Request for signs posted on CR300E, at 1665S

Tracy Patrick, of 1665S CR300E appeared before the Board to request the county post a sign on CR300E in the attempt to slow down traffic through that area. She advised there are children that wait for the school bus along that road. She stated the area is not a school bus turnaround, but would perhaps request a sign posting "Slow Children Playing Sign". Commissioner Bridegroom advised they have refrained from the posting of such signs in the past due to a liability issue. Attorney Lucas added research shows the use of signs is not effective, and it does not actually improve the driver's behavior. He also added the question of liability is more a question for the insurance carrier. Superintendent Siddall stated there is a problem with the interpretation of the signs. Some people assume the county is giving children permission to play on the roads. Ms. Patrick advised the city had moved the posted 30 mph speed limit sign back to the north side of CR150S. President Norem advised Ms. Patrick to ask the Sheriff to have the radar sign posted in her yard. Ms. Patrick would be required to put it out at night and provide the electricity for the sign. She asked Superintendent Siddall to work with the Sheriff about having the radar sign posted.

Bridge 34:

Superintendent Siddall advised there are two bridges in the county that are of concern: Bridges 34 and 59. Bridge 34 is located at CR600E & CR25N and is on a gated road. The Superintendent recommended Bridge 34 be pulled out of the county's bridge inventory and turned over to the surrounding land owners. He advised Beam, Longest, and Neff is recommending the bridge's replacement in a couple of years. President Norem advised the county highway department to send out a letter to the adjacent property owners of record and advise them the County Commissioners are considering vacating Bridge 34, and would like their input on the issue. Attorney Lucas advised if the county would need to re-acquire the bridge, it could be done through eminent domain. Commissioner Bridegroom stated "unsafe bridge" signs should be posted. President Norem stated if the bridge is vacated the land owners would be responsible for any future bridge repairs. President Norem requested the issue be addressed at the May 7th meeting.

Bridge 59:

Superintendent Siddall advised there is an issue with Bridge 59, located on CR700S, east of CR200W. He stated the county highway department installed the bridge without the use of engineering or hydraulics approximately seven to nine years ago, and now the bridge is sinking. He stated the problem is that there isn't a bottom to the bridge and now it is sinking in the muck. He stated the company that had sold the county the bridge had told the county that the bridge would float on the muck, but it doesn't. He advised B,L & N is requiring an annual inspection on Bridge 59 and he is concerned with the top of the bridge, since there is not a weight reduction for that bridge, at this time. He stated the County may be looking at the closing of the bridge, in the future. President Norem asked Siddall to look at the proposed schedule of bridge replacements to see where bridge # 59 is on the list. Siddall advised he is 99,99% sure the bridge is not on the five to six year list. President Norem asked for an updated list.

Commissioner Davis advised, in regard, to the paving of the roads in her district, she will not overrule any of the roads that they have on their list to pave. She also inquired as to the status of the list of equipment the county highway employees had discussed at their recent employee meeting. Both the Superintendent and Commissioner Bridegroom advised that conversation took place after the meeting was over and was no longer in attendance at the meeting.

Siddall stated, in regard to the boom truck issue, they had received the projected cost of the repairs to bring the boom truck into compliance. He advised in addition to the \$13,000.00 cost of the inspection, the repairs will amount to an additional \$17,600.00. He advised the boom truck had been inspected eight years ago, and shouldn't require another inspection for the next ten years. Commissioner Bridegroom advised that piece of equipment is part of the listing of equipment which is part of the coop agreement with Marshall County to exchange highway department equipment. The Superintendent stated he believed the agreement was filed in the Auditor's Office. Commissioner Davis stated if the agreement can't be located, the county should renew the contract. Commissioner Bridegroom stated if the county doesn't fix the boom truck, and would need to hire a tree trimming company to trim the trees, it would be a lot more costly to the county. Siddall advised the boom truck repairs would be paid out of the repair line item and he would probably need to request a transfer of funds later on in the year.

Commissioner Bridegroom made a motion to approve the repairs on the boom truck, seconded by Commissioner Davis. The motion passed with all ayes.

In regard to the sale of the county's scrap metal, President Norem advised the Auditor did not locate an agreement recorded in the minutes of the Commissioner's meeting from late 2008, or 2009. Commissioner Davis asked Attorney Lucas to draft a new agreement, to be annually reviewed, which would allow the County to give Howard Coffin the county's scrap metal, in exchange for the county receiving free towing for all the county vehicles. Commissioner Bridegroom requested, after the agreement is drafted, it be sent to the SBOA for their approval, prior to its implementation. President Norem advised the purpose of creating the agreement is to provide documentation and transparency. She stated she would like to know how many times county vehicles were towed by Mr. Coffin, and which ones, since currently there isn't any documentation of the towing. Siddall advised Mr. Coffin will hand deliver or fax the documentation when a vehicle has been towed, showing the date, the vehicle, its vehicle or plate number, and the cost.

Commissioner Bridegroom advised not all of the county's scrap metal is the county highway department's scrap.

PUBLIC COMMENT:

George Dotlich, who was present in the audience, stated, in his own opinion, in regard to Bridge 34, he doesn't understand why the property owners would want to take over the expense and liability of the bridge. Also, would that include the property between the gate and the bridge? President Norem advised his comments were duly noted. Mr. Dotlich then stated, as a taxpayer, he doesn't believe the agreement concerning the county's scrap is of an equal value. He suggested the county should do a study first to see it is fair to the county and to the taxpayers, for the county to enter into such an agreement.

Mrs. Betty Dotlich inquired on the status of the County's Building Review Board. Attorney Lucas advised he is still looking into the issue of the Review Board, but did state the appeal to the Board should be a written appeal, so other interested parties could also have the time to answer. Commissioner Davis stated she would like to see a timeline for the process. Attorney Lucas stated there has never been an appeal to the County's Review Board, but he will be using the State's guide lines for the Board. He stated Mrs. Dotlich is to notify the other parties of their request for a meeting of the Building Review Board. Commissioner Bridegroom specified that the Board of Commissioners will not be acting as the Commissioners, but instead the County Building Review Board. Marty advised Mr. and Mrs. Dotlich serve the Auditor's Office with a request for a meeting and then would be assigned a date.

Brenda Stanojevic, Republican Party Chairperson, advised, due to the passing of the California Advisory Board Member, Bev Minix, Wilkus Minix will be replacing her on that Advisory Board.

Attorney, Steve Dodge, advised the Commissioners, the same issue regarding Bass Lake, was discussed by the Board of Commissioners, twenty years ago and the Commissioners made the same decision.

Terry Turner advised of an issue at Koontz Lake and some residents not wanting to hook up to the new, sewer system. President Norem advised it is a Koontz Lake Conservancy issue and not one for the Board of Commissioners.

Attorney Lucas addressed the subject of the Prosecutor's Agreement with Knox City Court to pay the City of Knox \$35.00 per case heard in City Court. He stated the agreement had not been approved by neither the Board of Commissioners, nor the County Council, nor had it even been discussed with either boards. He stated he had called the Prosecutor's Office with questions regarding the agreement, but has not heard back from anyone yet. Commissioner Davis advised Nick Bourff, the County Prosecutor, should be at the Council/Commissioner meetings on Monday, April 16th to address this issue. Attorney Lucas stated IC 33-37-8-7 pertains to the use of the Pre-Trial Diversion Fund, but the Commissioners may not approve any claims against that fund.

Auditor Chaffins advised one person has submitted a letter volunteering to serve on the CVC Board, Pat Zobrist, of Washington Township.

The Auditor has stated April 25th, is the Administrative Professionals Day, formerly known as Secretary's Day, and requested county offices close during the lunch time, Noon through 1:00PM, to allow the Department Heads, take their Deputies to lunch, if they so choose to do so.

The Board advised to post the closing accordingly.

With there being no further business to come before the Board, Commissioner Davis made a motion to adjourn the meeting, seconded by Commissioner Bridegroom. The motion passed with all ayes, and the meeting was adjourned at 12:20PM.

April 2, 2012

Kathy Norem, President

Dan Bridegroom, Vice President

Jennifer Davis

Katherine Chaffins, Auditor &
Secretary to the Commissioners