

**Monday, April 15, 2013**

Pursuant to adjournment comes now the Starke County Board of Commissioners and meet in regular session at 7:00PM in the Annex meeting room, Knox, Indiana, with Kathy Norem, Kent Danford and Jennifer Davis present and the following proceedings were held to wit:

The meeting was called to order by President, Kathy Norem. She asked for any additions or corrections to the posted agenda. Commissioner Davis requested to add a Summer Intern for the Commissioners and Council, under "Also to be Discussed". President Norem also added the County Auction, and Sears Account to "Also to be Discussed", and to delete the sale of a radio to Oregon Township.

**RE: BRIDGE 43 CONSTRUCTION INSPECTION PROPOSAL**

Mark Wilson, of Jones, Petrie & Rafinski (JPR), and County Highway Superintendent, Rik Ritzler, appeared before the Board. Mr. Wilson presented JPR's proposal for the Bridge 43 Construction Inspector. Superintendent Ritzler advised he would like to open it up for bidding. Mr. Wilson advised he has the updated bridge design plans and specifications documents, and advised he had a cover letter for the Board to sign. Superintendent Ritzler asked for a few days in order to review the paperwork. Commissioner Danford made a motion to approve the updated plans pending Superintendent Ritzler's review. Commissioner Davis seconded the motion, and it passed with all ayes. Commissioner Danford advised once the Superintendent reviews the paperwork, then he could obtain the signatures required. Mr. Wilson advised they are still on schedule to hold the construction bids opening on May 20<sup>th</sup>, with the advertisement dates of May 2<sup>nd</sup>, and May 9<sup>th</sup>. He also reminded the Board a current Wage Rate Hearing would need to be held.

**RE: MICHAEL AYLESWORTH, IDEM UPDATE**

Michael Aylesworth, of IDEM, appeared before the Board. He explained he has been meeting with various County and City Officials throughout the area in regard to the Outreach Program—a means of keeping communications open between local government and IDEM. He gave a brief recap of the achievements of IDEM in their three domain areas of air, land, and water.

**RE: KEN WAGNER, STARKE COUNTY COOP REQUEST**

Ken Wagner, of Starke County Coop, appeared before the Board to inquire as to why they couldn't be considered when the County Highway Department is purchasing fuel. He advised the Superintendent will call various vendors prior to purchasing a load of fuel, and the last time Starke County Coop was within .10 of a cent, for a total of \$9.00 for the load, higher than whom they purchased the load from. Mr. Wagner asked for the Boards consideration since Starke County Coop is a local business, who pays taxes in the County. President Norem advised they should take it into consideration when it is a County business, but the pricing is a little higher. County Attorney, Marty Lucas, stated the Board could be allowed to set a guideline within a certain percentage, which would allow the Highway Department not be mandated to purchase from the least bid. Mr. Wagner explained the benefits of his product, and advised they stand behind their product, if there would ever be damage to any motors as a result of their fuel. He also noted Coop is considering installing an unattended fuel station at US35 & CR250N with a back-up generator, in the event it was ever needed by the Highway Department. Superintendent Ritzler recommended setting the percentage variance of the bid pricing at 1%. President Norem stated the Board should give preferential status to the businesses that pay taxes in Starke County. Commissioner Danford made a motion to approve the 1% differential in order to purchase locally rather than an out of county vendor. Commissioner Davis seconded the motion, and it passed with all ayes.

President Norem thanked Starke County Coop for allowing the County's communication antenna be installed on the Coop tower in Hamlet, which improved the radio communications in northeast Starke County.

**RE: LEROY GUDEMAN, REQUEST TO VACATE ROAD**

Leroy Gudeman, Attorney for George Lausten, appeared before the Board to request a vacation of a road at the Bass Lake sub-division created by Mr. Lausten. Mr. Gudeman stated there is a specific State ordinance for vacating a road, but Attorney Lucas advised the County also has an ordinance, and it conflicts with the State ordinance. Mr. Gudeman noted only one person lives in that area and they have no objection to vacating the road. County Highway Department Superintendent Ritzler advised there is no actual road, and the County does not maintain that location. Mr. Gudeman advised he had advertised for a public hearing in this matter, but the incorrect time was posted. He will re-advertise the public hearing to be held on May 6<sup>th</sup>, at 9:00AM. President Norem noted the Planning Commission has to authorize the vacation of the road first, per the County Ordinance. She advised Betty Dotlich and herself will address the issue with the Planning Commission.

**RE: TED BOMBAGETTI, EMA DIRECTOR, GRANT REQUEST APPROVAL**

EMA Director, Ted Bombagetti, appeared before the Board to request approval and signatures on a grant proposal. He advised the grant provides for the reimbursement of a portion of the salaries that were paid to the Emergency Management staff for the period of January 1, 2012 through December 31, 2012. The total amount of the grant is \$79,763.48. Commissioner Danford made a motion to approve the grant proposal, seconded by Commissioner Davis. The motion passed with all ayes. A copy of the grant proposal is on file in the Auditor's Office.

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

Commissioner Danford made a motion to approve the minutes of the April 1, 2013 meeting, seconded by Commissioner Davis. The motion passed with all ayes. Commissioner Danford made a motion to approve the payroll claim, for the pay period ending March 30, in the total gross amount of \$182,456.08. Commissioner Davis seconded the motion, and it passed with all ayes. President Norem advised the pay claim also included the payment and the worksheet hours of the Domestic Violence Deputy Prosecutor, Autumn Ferch. The pay is provided by a grant, and is over and above her regular duties.

President Norem advised the total amount of vendor claims presented for payment was \$669,992.83. She advised, included in those claims was a check for Mark Bailey, in the amount of \$487,000.00 which was the remainder due on the purchase of the property as the site of the jail project. She noted the check will be processed but held by the Auditor's Office pending the receipt of the clear title work on the property. Also, presented for payment was an invoice from Weaver Boos in the amount of \$5,828.86, out of the Cumulative Capital Fund. She noted the payment of that invoice would over expend the appropriations of that expense line in the amount of \$2,345.89. She also advised, included in the vendor claims was the payment of \$15,164.00, the result of the Judge's order in the BZA/Dotlich case. Commissioner Danford made a motion to approve the transfer of \$2,345.89 in appropriations in the Cumulative Capital Fund in order to pay the Weaver Boos claim. The motion was seconded by Commissioner Davis, and passed with all ayes. Commissioner Danford made a motion to approve the payment of the balance of the purchase of land from Mark Bailey with the stipulations to hold the check until the proper documentation is received. Commissioner Davis seconded the motion, and it passed with all ayes. Commissioner Danford made a motion to approve the remaining vendor claims, in the net amount of \$177,163.97. Commissioner Davis seconded the motion, and it passed with all ayes. Auditor Chaffins advised every department was in compliance with their Monthly Financial Reports. She advised the Clerk's Office was the last to report, and now that report will need to be adjusted since receiving a call from the Judge which stated he had just completed a Court Order to have the Auditor return the court fine and fees received from the Clerk in regard to the Carter court case. She noted over \$2,500.00 in fine and fees will be returned to the Clerk.

**IN OTHER BUSINESS:**

**RESPONSE TO MARK SMITH:**

President Norem read aloud the letter written by the County Surveyor, Dennis Estok, which is the response to the letter the County received from Mark Smith (minutes from the March 18, 2013 meeting). Copies of both letters are on file in the Auditor's Office.

**COUNTY SEARS ACCOUNT**

President Norem advised the EMS Department has been inquiring about opening an account with Sears in order for them to purchase supplies. She noted the Highway Department currently has an account with Sears and she inquired as to why that account could not be made available for full County usage. There was a discussion in regard to opening accounts that require the use of charge cards, and the control of those cards. Commissioner Davis stated the EMS Department would need to utilize the Sears account on the weekends, when they have an emergency, and the Auditor's Department would not be available to disburse the card. She stated she would address the situation at the next Department Head meeting. Also, President Norem inquired from Superintendent Ritzler, as to why they would need a charge account with Menard's.

#### COUNTY AUCTION

Commissioner Danford advised he had asked the Auditor, prior to the start of the meeting, to have her send a memo to all Department Heads asking them for their lists of items that could be sold at the County Auction. Commissioner Davis advised Commissioner Danford she had already compiled that information, and emailed it to him approximately two weeks ago. She noted she also had statements from the Department Heads who stated they had nothing for the auction, and that was sent to him also. Commissioner Danford advised he had contacted an auctioneer, D & N Auctions of Hamlet. Following a short discussion the date of the auction was tentatively set for Saturday, June 22, with the starting time, and the location to hold the auction was yet to be determined.

#### PROPOSED SUMMER INTERN

Commissioner Davis advised she was working on a proposal to be sent to IU-SB and IU-NW advertising for a Summer Intern to be utilized by the Commissioners and the Council. She noted, she was looking at a Political Science major, to assist during the summer, with the codification project, and the employee wage and salary survey/Owen County wage project. She noted the intern would be at no cost to the County. President Norem advised the County could pay a small stipend, especially if the intern would have an expense in travelling to the County. She advised the expense could be paid from the Commissioner EDIT Fund.

Commissioner Davis asked the Auditor to update Ed Buswell at KIRPC with Commissioner Danford's information since he will be the Board of Commissioners' representative to KIRPC.

Auditor Chaffins inquired, since Wednesday, April 24<sup>th</sup> is Administrative Professional's Day if the Board would authorize the closing of the Offices for one hour, at lunch time that day, in order to allow the Department Heads to take their staff to lunch. Commissioner Danford made a motion to approve the request, seconded by Commissioner Davis. The motion passed with all eyes. Attorney Lucas reminded the Auditor, April 24<sup>th</sup> is the same day as the federal lawsuit mediation in South Bend that the Commissioners will be attending. As that is to be posted as an Executive Session, the Auditor will also be required to attend.

The Auditor inquired of the Knox Schools Remonstrance Election, and the amount of expense the County was to pay. Attorney Lucas noted IC 20-46-1-14B that states if a Remonstrance Vote is held at any time other than an election year, the County should be reimbursed for all expenses incurred for that election, and that would include reimbursing the County employees for any County time spent on the Election, including the process of the payment of the poll workers, also the cost of the checks, and all other expenses. President Norem advised the poll workers are to be paid the same rate that was approved by the Board of Commissioners prior to last fall's election.

Auditor Chaffins advised she will be attending the SBOA County Auditor's Conference that will be held in Indianapolis, on May 14-17.

#### **PUBLIC BUSINESS:**

Matt Topelian, who was in attendance at the meeting inquired as to a situation at Bass Lake. He stated with the water level of Bass Lake being shallow, rocks are hidden right below the water surface and he inquired as to which State Department would address the issue of safety concerns for boaters. The Board advised the State DNR was the Department in charge of that issue. In regard to the account at Sears, he advised he formerly worked for a Company that would send a

letter to their Vendor, notifying them on a company letterhead as to which employees were authorized to utilize that charge account.

There being no further business, Commissioner Danford made a motion to adjourn the meeting, seconded by Commissioner Davis. The motion passed and the meeting was adjourned at 8:38PM.

**April 15, 2013**

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Kathy Norem, President

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Jennifer Davis, Vice-President

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Kent Danford

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Katherine Chaffins, Auditor &  
Secretary to the Board of Commissioners