

Monday, May 16, 2011

Pursuant to adjournment comes now the Starke County Board of Commissioners and meet in regular session at 7:45pm in the Annex meeting room, Knox, Indiana, with Dan Bridegroom, Kathy Norem, and Jennifer Davis present and the following proceedings were held to wit:

RE: PAYROLL CLAIMS

Commissioner Norem made the motion to approve the payroll claim for the pay period ending April 30, 2011 in the amount of \$ 171,960.56, seconded by Commissioner Davis; passing with three ayes.

RE: MINUTES

Commissioner Norem made a motion to approve the minutes of the May 2nd meeting, seconded by Commissioner Davis. The motion passed with all ayes. In regard to the minutes of the May 6th, 2011 meeting: Commissioner Davis noted the prices of the carpet replacement in the Assessor/Treasurer's office was a price quote and not a bid. Commissioner Norem made a motion to approve the minutes of the May 2nd meeting with corrections, seconded by Commissioner Davis. The motion passed with all ayes. The final minutes of the April 18th meeting were then signed.

RE: HARVEST FESTIVAL

Tony Radkiewicz appeared before the Board to request to use the streets surrounding the courthouse during the Fall Harvest Days, August 26, 27 & 28. The booths will begin setting up after 4:30pm, on the 24th. Commissioner Bridegroom gave his permission. Tony advised he will talk to the carnival owner about taking up too many parking places.

RE: HEALTH DEPT. SCHEDULE OF FEES & FINES

Frank Lynch, the County Health Nurse, appeared before the Board with the final reading of the proposed fines and fees by the Health Board. Marty Lucas read the new schedule into record. Commissioner Davis made a motion to accept the fines and fees as presented, seconded by Commissioner Norem. The motion passed with all ayes.

RE: RAILS TO TRAILS

Bruce Fingerhut, of the Rails to Trails Committee, appeared before the Board requesting their signatures on a "Report of Contract Final Inspection and Recommendation for Acceptance" in regard to the Rails to Trails being expanded from CR100W to US35. A copy of the report is on file in the Auditor's Office. Mr. Fingerhut announced the project came in at \$ 15,600.00 under budget. The report was signed by all three Commissioners.

RE: PROSECUTOR SUMMER HELP

Nick Bourff, the Starke County Prosecutor, appeared before the Board to request approval on hiring a part time position. He advised the position would work 20-25 hours per week; they would assist with the child support office; they would be paid the minimum county rate; and it would be funded through the Title IVD fund. The position could be posted tomorrow and the person could start next week. Commissioner Norem made a motion to approve the position, seconded by Commissioner Davis. The motion passed with all ayes.

RE: STEVE DODGE TAX SALE CLAIM

Attorney, Steve Dodge, appeared before the Board to discuss the fact that he had purchased property during a tax sale, and later was advised the person owning the property had filed bankruptcy and therefore Mr. Dodge would not be able to receive a deed for the property, because it should not have been sold at the tax sale. He asked that he be entitled to a refund of the tax sale amount he paid, and also for the property taxes he has since paid. Commissioner Norem made a motion to approve his request, seconded by Commissioner Davis. The motion passed with all ayes and Mr. Dodge advised he would submit a claim for his refund.

RE: IT JOB SHADOWING REQUEST

Robert Smith, IT Director, appeared before the Board to advise them that he had been contacted by a former classmate, a veteran, who is requesting permission to job shadow the IT Director. The person advised the VA will pay for his employment, as part of the Vocational Rehabilitation Program. Commissioner Davis stated the person would need to complete the same process as a regular county employee: post a job description, complete an application, the criminal check, the drug testing, etc. Also the person would need to sign a confidentiality statement and they would like to see a statement from the VA regarding the person's payment.

RE: ANNEX CARPETING

James Coad appeared before the Board to advise them the carpeting will be installed in the Assessor/Treasurer's Office this coming weekend, May 20 & 21st.

RE: BRIDGE 156 REPAIR

Steve Siddall, the County Highway Superintendent, appeared before the Board, to request signatures on the yearend report. A copy of the report is on file in the Auditor's office.

Commissioner Bridegroom announced that they had a meeting with the DNR, and they seemed very receptive to the proposed bridge repairs. He also stated that the DNR is requesting letters from the local farmers who are affected by the bridge being out, and why it is considered an emergency situation. Ken Minett, of Butler, Fairman, & Seufert also appeared before the Board. He advised the DNR is requiring the bottom cord of the bridge design be raised to clear the water. Steve advised the next step is to approve a bridge design. Commissioner Norem stated that they are trying to keep the costs of this bridge repair the same as to what the county's portion of the federal funding project was. Mr. Minett also advised the old abutments need to be checked. They could conduct "borings" to see if they could retain the old structures, and to see if they could carry the load. Commissioner Norem made a motion to retain Butler, Fairman, and Seufert to submit the permit to the DNR, conduct the survey, and construct a design and complete the bid documents and the cost not to exceed \$ 28,000.00 Commissioner Davis seconded the motion, and it passed with all ayes. Mr. Minett advised the geo-technical tests were not included in the \$ 28,000.00 fee. Commissioner Davis made a motion to retain Butler, Fairman, and Seufert to apply for the IDNR permit for Starke County Bridge No. 156 in the amount of \$ 3,700.00; seconded by Commissioner Norem. The motion passed with all ayes. The document was signed by all Commissioners.

RE: JAIL HVAC QUOTES

Marty Lucas opened and read the quotes that were received for the replacement of the HVAC units at the Starke County Jail. The quotes are on file in the Auditor's Office. Commissioner Norem made a motion to take the quotes under advisement, and compile a spreadsheet of comparison with regard to brand name, energy ratings, and warranty. The motion was seconded by Commissioner Davis, and it passed with all ayes. The company to do the repair work will be decided at a special meeting of the Commissioners, following the CAMS meeting, on Thursday night, May 19th.

IN OTHER BUSINESS:

Commissioner Norem made a motion, since the Treasurer has not been cooperative in setting a date for the fall tax sale, to set the date for the sale as October 25, 2011. The motion was seconded by Commissioner Davis, and it passed with all ayes. Commissioner Norem made a motion to send a letter to the Treasurer advising her of the sale date, signed by all three Commissioners.

Commissioner Davis seconded the motion, and it passed with all ayes. Commissioner Davis stated she would compose the letter. Commissioner Davis requested that Marshall/Starke representative be placed on the Council meeting agenda for Monday, June 20th. He would like to present their annual report to the Council and Board of Commissioners.

Commissioner Norem announced the notice of resignation received from EMT Director, Lisa Burger. She stated she had discussed this request with Ms. Burger, and Lisa agreed to list the resignation as being effective August 15, 2011. She will help find a replacement and will assist in the training also. Commissioner Norem stated the Board recognizes and appreciates all the contributions Lisa has made to the county. Commissioner Davis made a motion to accept the resignation, seconded by Commissioner Norem. The motion passed with all ayes.

Commissioner Bridegroom read a request for a key to the Annex Building, and the Treasurer's office, from Deputy Treasurer, Robin Lenig. Commissioner Norem made a motion to approve the request, seconded by Commissioner Davis. The motion passed with all ayes.

A discussion was held regarding the Commissioners Internal Control and their responses to a form to be completed for the State Board of Accounts. Commissioner Norem requested the Treasurer's office be placed on the agenda for every 2nd monthly meeting of the Board, to submit her 47TR report. Also discussed was the Treasurer's refusal to complete the work required by her office. Councilman McLaughlin, who was in attendance at the meeting, suggested representatives from the Board of Commissioners and the Council both talk to the Treasurer and advise her of the necessity of completing the duties of her office. McLaughlin stated if she still doesn't comply, to get a mandate from the Judge. Then if she fails to follow the court mandate, appropriate action could be taken.

Commissioner Norem made a motion to retain Mark Boveri, of Boveri, Murphy & Rice, of South Bend, to represent the County in a class action lawsuit. Commissioner Davis seconded the motion, and it passed with all ayes. Marty Lucas advised the attorney fees would not be covered by the insurance and would have to be paid out of pocket. He believed the expense would be in the six figure range. Commissioner Norem made a motion to establish a fund to pay for the legal costs. Commissioner Davis seconded the motion. It passed with all ayes.

Commissioner Davis suggested using the Rainy Day Fund for the legal fees. Commissioner Norem asked that, the need to establish a special fund, be placed on the agenda for the next Council meeting for the Commissioners to present it to the Council.

Commissioner Davis made a motion to recess the meeting until Thursday night, May 19th, following the CAMS meeting. The motion was seconded by Commissioner Norem, and passed with all ayes, at 9:45pm.

May 16, 2011

Dan Bridegroom, President

Kathy Norem, Vice President

Jennifer Davis

Katherine Chaffins Auditor &
Secretary to the Commissioners