

May 20, 2013

Pursuant to adjournment comes now the Starke County Council and meet in a regular session at 5:30PM in the Annex Building Meeting Room, Knox, Indiana, with Dave Pearman, Mitch Semans, Marvin McLaughlin, Robert Sims, Bryan Cavender, and Freddie Baker present, with Tony Radkiewicz absent, and the following proceedings were held to wit:

The meeting was called to order by Council President, Dave Pearman.

RE: MINUTES

Councilman Baker made a motion to approve the April 15th Council minutes, seconded by Councilman Sims. The motion passed with all ayes.

RE: COMMUNITY SERVICES OF STARKE COUNTY

Director of the Community Services of Starke County, Joan Haugh, appeared before the Board along with Frank Skronski, and Gail Staerkel, the Transportation Director, to present an update on the status of their budget. There was a discussion in regard to the running of their transportation service seven days a week, and the expense of that program. The Board suggested the Director look at possibly utilizing more volunteers to reduce the staff salary expense. It was suggested, by the Board, for Director Haugh to return for their July meeting and present the next budget status update.

RE: FEDERAL LAWSUIT MEDIATION PROPOSED AGREEMENT

County Attorney, Marty Lucas, read into the record, the proposed mediation agreement that was the result of the mediation held in South Bend, on April 24th, in regard to the Federal Lawsuit, Jack Haut v Starke County Sheriff. Attorney Lucas advised the Board of Commissioners approved the mediation agreement at their May 6th meeting and requested the Council also approve the agreement. Councilman Baker inquired as to who is required to pay the \$90,000.00 in plaintiff legal costs, the County or the insurance company. Attorney Lucas advised the County is responsible for the expense, and advised the legal fees will be due within thirty days following the Court adoption of the mediation proposal, but it was unknown when that would be. A discussion followed as to the source of the funding of those fees. Councilman Semans made a motion to approve the mediation proposal, and pay the expense from the CAGIT, Certified Shares Fund. The motion was seconded by Councilman McLaughlin, and passed with all ayes. Attorney Lucas advised the mediation agreement will put a stop to any additional legal fees accruing.

RE: BOARD OF COMMISSIONERS REQUEST FOR A SUMMER INTERN POSITION

Commissioner Davis appeared before the Council to request approval of a Summer Intern to assist the Board of Commissioners, for a total of 120 hours, during the summer months. She advised the applicant is an IU student, currently enrolled as a 1st semester senior, in the SPEA Program (School Public Environmental Affairs), and could begin the internship on June 1st. She noted the intern, will be working Monday thru Thursday, out of the Commissioners' Office at the Courthouse. His duties would be analyzing the County's salary and wage structure; and working on the codification of the remaining County ordinances. Commissioner Davis advised the intern will be paid minimum wage, and the funding will be out of the Commissioners' portion of the CREDIT Fund. Councilman McLaughlin made a motion to approve the internship, seconded by Councilman Semans. The motion passed with all ayes. Commissioner Davis advised she will give an update at the next meeting of the Council.

RE: COUNTY HIGHWAY SUPERINTENDENT REQUEST TO CREATE A NEW POSITION & TO PURCHASE NEW TRUCKS

County Highway Department Superintendent, Rik Ritzler, appeared before the Board to request approval of changing the status of his Clerk/Bookkeeper to the position of Administrative Assistant. He advised the hours worked will be changed from 40 hours per week, to 35. The Administrative Assistant would be working from 7:00AM-2:30PM, instead of 6AM-2:30PM. He also noted the pay of the new position would be \$27,631.00 which is consistent with the Deputy/Clerks in the other County Offices, and thus there would be a savings of approximately \$4,000.00 over what the former position, Clerk/Bookkeeper was paid. He also advised the Board of Commissioners had already approved the new position. Councilman Semans made a motion to approve the new position, and decrease in hours, and pay. The motion was seconded by Councilman Cavender, and passed with all ayes.

Superintendent Ritzler presented a request of an additional appropriation to the Fund 1176 (County Highway) budget for the purchase of three new trucks: two singles, and one tandem axle. He advised the purchase would be for both the truck chassis and a stainless steel bed, noting the stainless steel bed will last 50% longer than a normal bed. President Pearman advised he had recently met with the Superintendent and noted astounding improvements in their Capital Assets Management Program. Superintendent Ritzler advised he had received price quotes from various vendors, of various manufactures and the lowest bids combined cost would be \$439,672.00, which would be for Freightliner Trucks. County Auditor Chaffins advised the County will need to proceed with the DLGF process for obtaining the additional appropriations approval from the State, with includes advertising for the additional appropriation, and conducting a public hearing. She advised the present balance in Fund 1176 as of that day was \$162,659.00 and \$750,000.00 in a thirty day CD investment. Auditor Chaffins noted she had computed the estimated amount of surplus funds the County Highway Department is presently showing, which was \$392,635.00, and also noted the County will be receiving a 35% increase in the MVH revenue beginning with the revenue received by the State in August, 2013, that was not taken into consideration when the 2013 budget was approved. This will increase the projected 2013 revenue by approximately \$200,000.00. Councilman Semans made a motion to approve the purchase and begin the additional appropriation process. The motion was seconded by Councilman Sims, and passed with all ayes. Commissioner Norem requested the County look into the possibility of the County Highway establishing a Rainy Day Fund, in the event there are any unexpended Highway Department budget balances at the end of 2013.

RE: TRANSFER REQUEST FROM COUNTY ASSESSOR

County Assessor, Rhonda Milner, appeared before the Board to request a transfer of \$3,000.00 from Fund 1188, 2015 Reassessment, budget account line item 30714 Form 11 Processing, to budget line item 10300, Extra Help. She noted she would like the extra increase in the extra help line item to cover the cost of purging old assessment records, after receiving a

Records Retention Schedule for County Assessor records from the Indiana Commission on Public Records. She advised the old records would be shredded. Councilman Semans made a motion to approve the transfer request, seconded by Councilman Baker. The motion passed with all ayes.

RE: REQUEST FROM SHERIFF FOR ADDITIONAL APPROPRIATIONS

Sheriff Oscar Cowen appeared before the Council to request an additional appropriation for the purchase of three new squad cars from the amount the Council had approved at their March 18th meeting when they approved the price quote from Best Ford, in the amount of \$22,825.00. The Sheriff explained the actual cost of the vehicles would be \$26,381.00 each due to the addition of the Ready for Road Package with Push Bumper installed, noting that was recommended by the County's insurance since it protects the radiator in the event of a collision with a deer. The total cost of the vehicles would now be \$79,143.00 instead of the quoted total of \$68,475.00, therefore requiring the request for an additional appropriation of \$10,668.00. Commissioner President Kathy Norem stated it was distasteful that the additional equipment was not included in the original price quote. Councilman Baker inquired why the vehicle purchase could not be re-bid. The Sheriff advised the vehicles had already been ordered from Best Ford. Commissioner Norem suggested the County pay ½ of the increase in the requested appropriation amount, (\$5,334.00) and the Sheriff pay the other ½ from the Sheriff's Commissary Fund. Councilman Sims made a motion to approve the appropriation with the split cost, seconded by Councilman Semans. The motion passed with all ayes. Councilman Sims advised the next time price quotes are received they should be bid as the complete package. The Sheriff advised after the new vehicles are received he will present a listing of equipment and the Officer assigned to each vehicle.

IN OTHER BUSINESS

MARK SMITH TREE DAMAGE

Commissioner Norem advised Mark Smith had appeared before the Board of Commissioners in regard to damage to the trees on his property that was done by the Contractor in the Yellow River Debris Clean-up Project. She advised the Contractor is properly bonded and insured, and it is an issue for the Contractor. She noted Mr. Smith had received a certified letter from the Contractor on Friday, and noted the Contractor will be addressing the situation.

COUNTY EMPLOYEES PART TIME STATUS

President Pearman advised the County, in preparation for the 2014 implementation of "Obamacare", needs to define its policy as to what designates "part time status", and it needs to be in effect by July 1st. There was a discussion in regard to setting the number of hours an employee could work per week, versus the number of hours per month. Attorney Lucas stated he did not have time to research it. Councilman Semans made a motion to table the discussion until the next meeting, seconded by Councilman McLaughlin. The motion passed with all ayes. Attorney Lucas advised the new policy would have to be approved at their next meeting. Commissioner Norem advised the Board of Commissioners will also be discussing the issue at their next meeting.

SHERIFF'S PENSION PLAN

President Pearman advised there is a perception by the Merited Officers of the Sheriff's Department that there is a current Council lack of sensitivity to the issue of their pension plan. He advised he has been researching the issue, and believes we need to establish better communication/cooperation with the Deputies and the Merit Board. He advised he would like to see at least one County Commissioner, along with the County Auditor, to attend the next meeting of the Merit Board, which will be held on June 11 at 6:30PM, in the Annex Building Meeting Room. He noted they will be looking into the possibility of replacing Morgan Stanley as the entity managing the pension plan, and 1st Source will be present at that meeting to present their plan. Councilman Semans advised that issue should be put out to bid as there may be other companies that would also like to present their plans.

With there being no further business, Councilman Semans made a motion to adjourn the meeting, seconded by Councilman Baker. The motion passed with all ayes and the meeting adjourned at 7:00PM.

May 20, 2013

Dave Pearman, President

Mitch Semans, Vice President

Bryan Cavender

Marvin McLaughlin

ABSENT _____
Tony Radkiewicz

Robert Sims

Freddie Baker

Katherine Chaffins, Starke County Auditor and
Secretary to the County Council