

Thursday, June 13, 2013

Pursuant to adjournment comes now the Starke County Board of Commissioners and meet in regular session at 6:00PM 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 advised this was the regular meeting of the Board being held tonight due to a scheduling conflict on Monday night. President Norem inquired if there were any changes or corrections to the posted agenda. Commissioner Davis advised she would like to report an update of the Summer Intern, and President Norem advised she would like to also add the discussion in regard to County employees attending and bidding at the County Auction. Commissioner Danford made a motion to approve the agenda with the additions, seconded by Commissioner Davis. The motion passed with all ayes.

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

Commissioner Danford made a motion to approve the payroll claim, in the amount of \$182,522.74 for the pay period ending June 8, 2013, with a pay date of June 14th. Commissioner Davis seconded the motion, and it passed with all ayes. President Norem advised the payroll claim included the payment to the Deputy Prosecutor for the STOP Grant, and also stated the reason for the extra overtime in the Sheriff's Department, was due to an Officer being on FMLA leave.

Commissioner Danford made a motion to approve the vendor claims as submitted, in the total amount of \$204,970.99. Commissioner Davis seconded the motion, and it passed with all ayes.

Commissioner Danford made a motion to approve the minutes of the June 3rd meeting, seconded by Commissioner Davis. The motion passed with all ayes, and the final minutes of the May 20th & May 28th meetings were signed.

In regard to the County's Monthly Financial Reporting by Department, Auditor Chaffins advised all departments had submitted their reports in a timely manner. She noted the small discrepancy in the Treasurer's 47TR report, and advised now that the spring property tax settlement had been recently completed, involving the two departments, she would work with the Treasurer to get the issue resolved. She also noted the discrepancy goes back until the end of 2012.

RE: WEAVER & BOOS PROPOSAL

President Norem advised the County had received the Proposal for Installation of Passive Gas Vents at the Starke County Landfill, from Weaver & Boos. County Attorney, Marty Lucas, advised he had reviewed the proposal and commented that he likes their contracts, and noted they are easily understandable. He advised the proposal could be approved not to exceed \$68,000.00 as is stated in the proposal. (A breakdown of the costs is as follows: Task 1--Drilling Contractor and Project Management \$50,000.00; Task 2—Air Permitting Evaluation \$2,000.00; Task 3—Construction Quality Assurance and Reporting \$16,000.00.) Commissioner Danford made a motion to approve the proposal submitted by Weaver & Boos in an amount not to exceed \$68,000.00. The motion was seconded by Commissioner Davis, and passed with all ayes. President Norem advised the contents of the proposal had already been sent to Cyndi Jones of IDEM, by Weaver & Boos. A copy of the signed Weaver & Boos proposal is on file in the Auditor's Office.

RE: COMPLAINTS ON THE CONDITIONS OF THE BASS LAKE CAMPGROUND & BEACH

Chris Dalton, the Starke County Sanitarian, appeared before the Board in regard to complaints the County has received on the possible health conditions at the Bass Lake Beach and Campground. He advised he had been out to the Bass Lake Beach and had discovered some issues/concerns, such as toilets full of waste and some with rusty water in them, tall grass and weeds, and a structural problem with a wall in the restrooms. He reported the findings to the Callahans, the party who is leasing the Bass Lake Beach and Campground. But, he noted, he did not check the campground at that time. He stated the Callahans had advised they were experiencing problems with the water pump at the campground. President Norem inquired if any written citations were issued to the Callahans, and Mr. Dalton advised he had just made a written report and is filed in the County Health Department Office. He also advised the Indiana State Department of Health was called and Doug Williamson will be here next week to inspect both the beach and the campground. Commissioner Danford advised he had also inspected both the beach and the campground prior to his coming to the meeting. He noted everything in the restrooms appeared to be working except the hand dryers; the areas need mowing; and also the Callahans appeared to be working on the hot water heater. President Norem read a complaint the Board had received from a camper, Gail Fazel. The President stated it is just a rumor that the Board would be closing down the campground and beach, noting their closing has never been discussed by the Board. Several Bass Lake residents and Campground campers were in attendance and reported a variety of issues: the water issue at the campground is not as bad as initially reported, the Callahan's have made several improvements to the campground including splitting the electricity, and water accessibility to all camp sites, the complaint of the Callahan's allowing campsites tents along the woods which are not camp sites, the comment that the beach is not an eyesore, and the Callahans have made major improvements over the previous management. A request was made to see if the County can provide any type of recyclable products to be used to build up the beach roads inside the park. President Norem advised the Callahans' pay the County \$5,000.00 in annual rent and the expenses the Callahan's pay for are subtracted from their share of the rent due. She also stated she appreciates the people willing to help the Callahans, but ultimately is the Callahan's responsibility to maintain the beach and campground. She noted it is unknown if it is being run as a first class beach and campground, and every year this same issue turns up on the Board of

Commissioners' radar. A long time camper at Bass Lake stated he is aware the Board is very frustrated with the situation but asked they not give up on the beach and campground. Commissioner Davis advised she is tired of hearing the same issues year after year, but in no way does she want it to be closed.

President Norem re-stated the fact the Board is not advocating the closing of the beach and campground, but they are not happy with the management, and noted they will be awaiting the report from the State.

RE: IT DEPARTMENT REQUEST TO PURCHASE COMPUTERS

IT Director, Joe Short, appeared before the Board to request the purchase of laptop and desktop computers for the County. He presented to the Board six different price quotes for the purchase of 16 desktops and 14 laptops. He advised he had budgeted to replace 1/3 of the County's computers each year. He noted the laptops will be replacing the outdated laptops which are now being utilized by the Sheriff's Department, in the patrol vehicles, and the desktops will be replacing the County Offices' computers that are currently utilizing the XP operating system. He stated he would like to purchase a total of 15 Dell laptops and a total of 18 Lenovo desktops with Acer monitors. He advised the Lenovo company bought out IBM. He noted the desktops will be installed in the various Annex and Courthouse offices. Director Short advised the proposed cost of the laptops is \$13,593.78, and the cost of the desktops and monitors is \$16,034.85, for a total expense of \$29,628.63. He also noted the computers will have the Windows 7 operating system, and will come with Microsoft Office already installed. Commissioner Danford made a motion to approve the purchase of the 15 laptops and 18 desktops, seconded by Commissioner Davis. The motion passed with all ayes.

IN OTHER BUSINESS:

SUMMER INTERN

Commissioner Davis advised the Summer Intern, Evan Coad, had reported in on Monday afternoon, June 10th, completed his pre-employment screenings on Tuesday, the 11th, and also met with Commissioner Norem, and later that day with Auditor Chaffins. She noted on Wednesday the results were received, and he officially began his employment. Commissioner Davis noted Auditor Chaffins will be signing his payroll sheets. She also advised Intern Coad will be tracking the amount of hours that he works of each project, the salary and wage structuring, and the codification of the County's ordinances. President Norem advised it is exciting for the County to be able to have a local, IU student, a SPEA major working for the County.

JACKIE WALORSKI OFFICE HOURS

President Norem advised she had been contacted by US Congresswoman Jackie Walorski's Office inquiring about establishing office hours in Starke County, for three hours on the 4th Monday of each month. She advised Joe Donnelly's Office had a similar arraignment and had utilized a room in the Clerk's Department. She advised she would like to volunteer the use of the Commissioners' Office in the Courthouse, for their use from 8AM-11AM, on the 4th Monday of each month. She advised she will contact Ms. Walorski's staff of the availability of the office, and they could begin on June 24th. Commissioner Davis advised they post a sign on the door of the Office when they are there. President Norem noted the Congresswoman's staff will issue a press release advising of their posted office time. Auditor Chaffins advised during that time the Intern can work out of the Auditor's Office, if necessary.

COUNTY EMPLOYEES ATTENDING COUNTY AUCTION

President Norem stated she has been asked if County employees could participate in the County Auction that will take place the next day, on Friday, June 14th. After a brief discussion it was decided County employees could attend and bid at the auction, but they can't be on the clock while attending the Auction. They will have to clock out first, and the Board advised the employee is to work it out with their Department Head prior to attending the Auction. Auditor Chaffins stated she will send out an email tomorrow with that information to the Department Heads, first thing in the AM.

RETURN TO WORK POLICY

President Norem advised, in an attempt to lessen the expenses related to workers' compensation claims, the County had approved a temporary Return to Light Duty Work Policy. She advised now the County has the actual Return to Work Policy prepared for their approval. She noted specific positions who play a major role in this policy and they are the Safety Manager, which she noted is currently James Coad, and the Workers' Compensation Administrator and Human Resources Manager is currently Deputy Auditor, CarLa Thomas. President Norem also noted she would like to see it added to the policy, on page 4, under the duties of the Human Resources Manager, to approve temporary assignments greater than ninety days—noting if that event occurs she would like the issue to be approved by the Board of Commissioners. Commissioner Davis stated the feedback she received from Department Heads is they would like to be able to agree or not to have an employee from another department perform light duty jobs in their department. Commissioner Danford made a motion to approve the policy, with the suggested changes. Commissioner Davis seconded the motion, and it passed with all ayes. A copy of the policy is on file in the Auditor's office. President Norem noted she would like to see monthly reporting be made to the Safety Committee.

TAXABLE FRINGE BENEFIT

President Norem advised any employees who were asking their personal use of a County vehicle to be considered exempt from being a taxable fringe benefit were asked to submit a letter to the Board. Attorney Lucas stated two letters had been received; one from Jail Commander Randy Brown, and one from EMA Director Ted Bombagetti. He noted in order for them to be considered exempt the vehicle has to be clearly marked/identified as a County vehicle; the employee has to be considered a "public safety" employee; and must be on call 24/7. Attorney Lucas also noted the employees are prohibited from personal travel outside of the County, outside of their jurisdiction, with that County vehicle. He stated he was following the IRS guidelines for this issue. President Norem advised there are two issues that would need to be addressed: the implementation of the County Policy, and establishing which positions are exempt. Following a discussion, Commissioner Danford made a motion to approve the Owen County Policy as the Starke County Taxable Fringe Benefit Policy. Commissioner Davis seconded the motion,

and it passed with all ayes. Commissioner Danford then made a motion to specify the positions of County Police Officers, the Jail Commander (Randy Brown), and EMA Director (Ted Bombagetti), are all exempt from compliance, pending a letter from Sheriff, Oscar Cowen, noting the duties of the Jail Commander. Commissioner Davis seconded the motion, and it passed with all ayes. President Norem advised the County is not exempting a certain employee, but rather are exempting the Position. She requested Auditor Chaffins send out an email in the AM advising the other County employees who are driving County vehicles, to choose their preference to the vehicle evaluation, either through a lease valuation, or the standard Commuting Value Rule. Commissioner Davis advised a third option would be for the employee to park the vehicle at the end of the day, and drive their personal vehicle home, and therefore there would be no taxable fringe benefit.

COUNTY VEHICLE LOGO

President Norem advised, in the attempt to have all County vehicles properly identified, she had asked Director Bombagetti to obtain price quotes. Director Bombagetti advised he had received a quote from Gary's Signs, of Knox, of a car wrap, installed on both sides of the vehicle, for the cost of \$225.00 per vehicle. He provided pictures of an example of such a vehicle wrap. He also advised he had requested a quote from a company in Plainfield, IN but has not yet received a reply. IT Director Short noted the County might want to consider only identifying the vehicle as a Starke County vehicle, and not marking each vehicle with a specific department, in the event the Board ever requested vehicles to be swapped between departments. The County Highway Superintendent advised his department already has an established Highway Department logo marking their vehicles. Commissioner Davis made a motion to approve the purchase of the logos from Gary's Signs of Knox. Commissioner Danford seconded the motion, and it passed with all ayes.

President Norem reminded the Board and audience of the Starke County Environmental Days that will take place out at the County Highway Department on Friday and Saturday, June 14th & 15th.

Commissioner Davis inquired in regard to the County's policy on part time employment status, if a part time employee could work more than 40 hours per week. Attorney Lucas stated the policy requires the Department look at the total number of hours worked per month, and noted part time status is considered to be working less than 130 hours per month. President Norem stated the employee would qualify for overtime when they work over 40 hours per week. Auditor Chaffins inquired, as the Policy will be presented to the County Council for their approval at their Monday, June 17th meeting, who will officially be composing the County's Part Time Status Policy. President Norem advised Attorney Lucas should prepare the written policy.

Auditor Chaffins inquired if the Board wanted to address the letter they received from the City of Knox in regard to donating to the Starke County Fireworks. Attorney Lucas advised since it was an anonymous, unsigned letter, not a properly executed request, with no supplemental documentation, he didn't believe it would require a response.

PUBLIC BUSINESS:

Clyde Haniford, of Bass Lake, advised he is concerned with the old diving platform at Bass Lake that the State installed decades ago. He is concerned it is a serious boating hazard as it is now, but he has the name of a person who advised him he could resolve the issue, by replacing the water in the tanks of that platform, with air, and allow the platform to rise up, and then it could be cut out. He advised the person would be willing to give an estimate of the cost. President Norem stated she believed it was the responsibility of the DNR, and suggested the County send a letter to the DNR formally requesting the removal of the diving platform. Attorney Lucas advised that seemed like a logical solution, and could include in the letter, a possible remedy and supply the estimated cost, if Mr. Haniford could obtain the information.

President Norem reminded the Board of the County's request for the Special Use Permit, in regard to the County's Jail Project, will be heard at the City of Knox' BZA Board meeting. She noted the meeting will be held Monday night, June 17th, at 7PM, and will be located in the Knox Community Center.

Debbie Mix, of Bass Lake, expressed concern in regard to the owner of the property that was the Bass Lake Golf Course using chemicals on his property to kill the grass, and the concern with the residents in that area who have shallow water wells. President Norem advised it is private property and the County does not have jurisdiction on his property, and noted there are probably a large number of farmers and other residents who use products like Round-up to kill their weeds. Attorney Lucas advised this was not an issue for this Board, noting they could take private action against the owner of the property, or talk to IDEM about their concerns.

Gail Fazal, a camper at the Bass Lake Campground, who had arrived late for the meeting, expressed a complaint of a lack of water for a period of five days at the campground. President Norem advised the issue had already been addressed and the Board had received contradictory testimony to her statement. President Norem also advised her the State Department of Health will be out to Bass Lake that next week to do an inspection, and the Board of Commissioners will be relying on their official report.

County Highway Department Superintendent, Rik Ritzler, appeared before the Board to request their signature on a Utility Permit that was submitted by CenturyLink who will be installing fiber optics cable for AT&T, on Toto Road between CR300E & CR350E. He advised this was a new format for the Utility Permits, which now require the Board of Commissioners' signature also. Commissioner Danford made a motion to approve the permit, seconded by Commissioner Davis. The motion passed with all ayes and the permit was signed. Superintendent Ritzler advised US35, just south of US30, will be closed between June 20th and November 1st, in order to replace the overpass. He advised the official detour, as was released by the State, is for the traffic to use

SR8 to SR39, to US30. He also noted the unofficial county detour will be CR500N, to CR300E, to US30. He advised INDOT has agreed to pay for any road damages caused by the detour. Commissioner Davis stressed the importance of having the road signage properly installed and visible, especially any Stop signs, in an attempt to prevent any accidents.

Superintendent Ritzler then presented a request to create a new job position, part time mower. He stated he would like to hire three part time mowers to work the summer months, possibly up to October, with the weather permitting. He noted the department is actually short one full time driver, and two other full time drivers will be retiring this fall. He would like to hire employees who have CDL licenses, and be able to move them into the full time drivers' positions, later on this fall. He also noted he has the available funding for that position, in the full time drivers' account line of the budget, which will not be expended due to being one man short. He advised the part time mowers would receive \$13.50 per hour, \$2.00 less per hour, than a full time driver earns. Commissioner Davis advised he will need to present that to the County Council at their meeting Monday night, to receive Council approval. Commissioner Danford made a motion to recommend the approval of the creation of the job position to the County Council. The motion was seconded by Commissioner Davis, and passed with all ayes. President Norem advised the part time positions are not to exceed 130 hours per month.

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 7:52PM.

June 13, 2013

Kathy Norem, President

Jennifer Davis, Vice-President

Kent Danford

Katherine Chaffins, Auditor &
Secretary to the Board of Commissioners