

## **MONDAY, JUNE 17, 2019**

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 Charlie Chesak, Kathy Norem, and Bryan Cavender present and the following proceedings were held to wit:

The meeting of the Board of Commissioners was called to order by Commissioner President Charlie Chesak at 7:03PM due to the lateness of the joint meeting with the Starke County Council and Starke County Board of Commissioners.

### **BRIDGE 140 BID OPENING**

Stephen Ritzler, Superintendent of the Starke County Highway Department came before the Board of Commissioners for the official bid opening of Bridge 140 location on 200E just north of 480N. Attorney Lucas stated he has in his possession three bid packets. He verified with Auditor Oesterreich that they were all received in a timely fashion. Auditor Oesterreich agreed. Attorney Lucas stated these bids are for Bridge 140 on 200E just north of 480N. Attorney Lucas read the bids as followed:

JCI Bridge Group LaPorte, IN - \$391,070.90  
LaPorte Construction, LaPorte, IN - \$421,728.50  
Rieth Riley Construction, Gary, IN - \$718,972.20

Superintendent Ritzler advised that he will review the bids with Starke County Highway's Engineer Mark Wilson and come back before the board with a recommendation.

### **SOLAR ENERGY ORDINANCE**

Commissioner Norem advised that the Planning Commission went through their three public hearings they had to have for the Solar Energy Ordinance and then the ordinance was forwarded to the Commissioners for approval. The Commissioners had their own public hearing for this ordinance and had two things that they felt needed to be clarified not changed. She advised that they clarified that the issue regarding the permit because the ordinance alluded a permit and talked about a permit but never stated what kind of permit. She stated they also clarified the issue regarding road damages. Commissioner Norem and Commissioner Cavender approved the ordinance, Commissioner Chesak was absent during that meeting, with the following two clarifications: that there would be a special use permit and that any damage to the roads would be fixed by the contractors. She advised that they approved the ordinance with those two clarifications at the June 3<sup>rd</sup> meeting and they did not require those modifications to go before the planning commission again as they were clarifications. Commissioner Norem stated that apparently a special use permit is not what the planning commission would like us to use. Attorney Bedrock stated that the planning commission believes that the way the ordinance is written there is enough conditions that the producers and business people putting up the solar fields that they already have to meet that they would not need a conditional use permit/special use permit. Commissioner Norem advised if they left it as a conditional use or special use permit the companies would have to appear before the BZA for their approval. After further discussion regarding what the clarification of the permit will read Commissioner Norem made a motion to approve the re-clarification of the ordinance to say instead of a conditional use permit it will be a location and improvement permit, effective immediately and as soon as they get the revised language they will sign it being approved. Commissioner Cavender seconded the motion and the motion passed with all ayes.

### **COMMUNICATIONS COMMITTEE**

Matt Noonan with the Communications Committee came before the Board of Commissioners for the approval of the Comprehensive Emergency Management Plan. Mr. Noonan stated at the bottom on the Approval and Implementation page they have put a call number for the Starke County EMA, if there are any radio issues, questions, or concerns. He stated J., the EMA Director, will then report to the committee these issues, questions, or concerns. Mr. Noonan explained they added a few visual charts to the policy as well as a complaint form. Commissioner Norem made a motion to approve the Emergency Management Plan as presented. Commissioner Cavender seconded the motion and the motion passed with all ayes. Mr. Noonan explained they are having more radio issues in the North Judson area. He stated he has spoken to Ted Hurley with J & K Communications and they are willing to come fix the issues spelled out in the Minor Electronics report at no charge. Mr. Noonan is asking permission from

the Board of Commissioners to give J & K the green light to come out and fix these issues. The Commissioners agreed to the green light.

### **BRIDGE 140 BID ACCEPTANCE**

Stephen Ritzler, Superintendent of the Starke County Highway Department appeared before the Board of Commissioners with the overview of the bid results. He stated the engineers estimate for Bridge 140 was \$399,563.00. He stated they had one bid under the engineers estimate with JCI Bridge Group in the amount of \$391,070.90. They have reviewed the numbers and are all correct, they also reviewed the bid and they feel this is a good bid. He recommends to the Board of Commissioners that they accept the bid presented by JCI. Commissioner Norem asked Superintendent Ritzler if the county is following the responsible bidding ordinance. Superintendent Ritzler advised that is part of the bidding package and each bidder has to use the checklist. Commissioner Cavender asked if all of the bridges have the same type of design. Superintendent Ritzler stated all the bridges they replace now are with a cookie cutter design, these are easier to maintain and will last longer with the internal cured concrete that is used. Commissioner Norem made a motion to accept the bid from JCI Bridge Group in the amount of \$391,070.90. Commissioner Cavender seconded the motion and the motion passed with all ayes.

### **AUDITOR PAYROLL, VENDOR CLAIMS, MINUTES**

Commissioner Cavender made a motion to approve the payroll claims in the amount of \$259,214.64 with the payroll period ending on 06/01/2019 and a pay date of 06/07/2019. Commissioner Norem seconded the motion and the motion passed with all ayes. Commissioner Cavender made a motion to approve the vendor claims as presented in the amount of \$221,120.23. Commissioner Norem seconded the motion and the motion passed with all ayes. Commissioner Cavender made a motion to approve the Commissioner minutes from 06/03/2019. Commissioner Norem seconded that motion and the motion passed with all ayes.

### **OTHER BUSINESS**

#### KRBC Appointment

Commissioner Norem advised there are several good applicants for this appointment. She stated the Board has no consensus on the first two that had requested the appointment, one of those applicants being a licensed surveyor which does meet the qualifications of the house bill in the matter of who can be appointed. Commissioner Norem also advised that Representative Doug Gutwein called her about a third candidate Thursday evening after the KRBC meeting. She stated 50-70 individuals went to this meeting and there were many Commissioners representing many different counties at this meeting as well as people from Illinois and State Representatives. She preceded to advised that Doug called her that night who said there is an individual interested in the position and would be an excellent choice for Starke County that has been involved and very knowledgeable in this area, that person being Dan Gumz. She advised that Doug Gutwein tried to call the other commissioners several times but could not get a hold of anyone or leave a message. Dan Gumz did email his letter of interest to the commissioners but no further comment was made. Commissioner Norem stated we need the best representation on the board because this is going to affect every single tax payer in Starke County not just certain ones. Commissioner Norem made a motion and nomination for Dan Gumz for that appointment. After having no second to the motion the motion fails. Commissioner Cavender stated he had been in contact with the farming community, as they will be impacted by this. Commissioner Norem stated that it is not just the farming community that will be impacted it is every taxpayer in Starke County. Commissioner Cavender stated the farming community is requesting the appointment of the Starke County Surveyor on the KRBC Board. Commissioner Cavender made a motion and nomination of Bill Crase, Starke County Surveyor. Commissioner Chesak seconded the motion, 2 ayes and 1 nay was recorded on the motion, the motion passed with the 2 ayes. The Board of Commissioners tabled the appointment to the Technical Advisory Board as it is unclear if Starke County has an appointment for this board.

#### SCEDF Appointment

Commissioner Chesak advised that he had been appointed to the SCEDF Board but is unable to make some of the meetings, he believe Commissioner Cavender would be a good replacement for himself on this board. Commissioner Chesak made a motion to appoint Commissioner Cavender to the SCEDF Board in his place. Commissioner Norem seconded the motion and the motion carried with all ayes.

Elevator Update

Commissioner Norem gave a brief elevator update. She stated that they had a meeting last Friday and they are currently cleaning up the construction area as well as completing a few minor things that need to be finished. They will be removing the scaffolding and the garbage bin. She advised they will be waiting for the State Certified Inspector to come and certify the elevator. They are hoping within the next two weeks it will be up and running.

Credit Card Policy

Attorney Lucas presented the Credit Card Policy to the Board of Commissioners as requested by the Starke County Council. After further discussion on the uses of the credit card, the disciplinary procedures for misuse and the verification of appropriations when used Commissioner Cavender made a motion to approve the credit card policy as presented. Commissioner Norem seconded the motion and the motion passed with all ayes.

Minor Nuisance Ordinance

Commissioner Norem brought up the status of the Minor Nuisance Ordinance. Attorney Lucas stated that this initially brought up in November of 2018 and after some comments and meeting with the planning commission he had revised the ordinance to fit the details requested. Commissioner Norem advised they need to begin the process of putting this ordinance into place which will allow action to be taken on the complaints that are made about nuisance items. Commissioner Norem made a motion to accept the Minor Nuisance Ordinance on a 1<sup>st</sup> reading and to move forward to the 2<sup>nd</sup> reading during the next commissioner’s meeting. Commissioner Cavender seconded the motion and the motion passed with all ayes.

**PUBLIC COMMENTS**

After no further public comment Commissioner Norem made a motion to adjourn at 7:57 PM. Commissioner Cavender seconded the motion and the motion passed with all ayes.

**JUNE 17, 2019**

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Charlie Chesak, President

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Kathryn Norem, Vice-President

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Bryan Cavender

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Rachel Oesterreich, County Auditor  
& Secretary to the Board of County Commissioners