

ATTN: THIS IS A DRAFT--NOT YET APPROVED BY COMMISSIONERS

July 6, 2009

Pursuant to adjournment comes now the Starke County Board of Commissioners and meet in regular session at 9:00 a.m. in the Annex meeting room, Knox, Indiana, with all members present and the following proceedings were held to wit:

IN RE: MINUTES

Mark Milo moved to approve the minutes of the June 15, 2009, meeting seconded by Kathy Norem with 3 ayes.

Kathy Norem moved to approve the minutes of the June 22, 2009, meeting seconded by Mark Milo with 3 ayes.

IN RE: PAYROLL AND VENDOR CLAIMS

Kathy Norem moved to approve the June 13, 2009, payroll for \$165,900.72 seconded by Dan Bridegroom with 3 ayes.

Kathy Norem moved to approve the June 27, 2009 payroll for \$156,445.12 seconded by Mark Milo with 3 ayes.

Kathy Norem moved to approve the vendor claims for \$973,591.85 seconded by Mark Milo with 3 ayes.

IN RE: E.M.S.

Mary Lynn Ritchie reported receiving five checks from the County Clerk for small claims totaling \$2,516.90 and one check from the Collection Agency of O'Hara in the amount of \$355.45.

Mary Lynn reported that the court did a 41E to get old claims off the court books. Mary Lynn will submit it at the next meeting. O'Hara uses the 41Es and sends notices to everyone on the list. If they don't come back in the mail, O'Hara assumes the address is correct and they pursue collection. If they do come back as undeliverable, then O'Hara will take them off their books, and EMS will remove them from their accounts receivable. E.M.S. approves the 41Es without prejudice so that they can still have the collection agency go after them for collection.

Dan Bridegroom told Mary Lynn that he wants to make sure that all the E.M.T.s getting uniforms sign agreements in order to make sure we get the uniforms back if they leave the E.M.S.

IN RE: HIGHWAY

Kathy Norem stated that she had received a call about limbs hanging in the road. She called the highway department and had them removed. She received a thank you note from the people who reported the limbs thanking her for the promptness in resolving the request.

Mark Milo reported that he had received a call complaining that he had been treated rudely when he called the highway department. The person at the highway department didn't give their name. Mark would like to see whoever answers the phone to give their name when they answer.

Dan Bridegroom asked about the stimulus project. Steve Siddall, Highway Superintendent, reported that the letting for the Toto Road project will be in August and that Butler, Fairman & Seuffert received the engineering contract.

The highway received the permit to allow the county to tie in with the state at the intersection of SR 23 and Iroquois at Koontz Lake. Kathy Norem asked what was going on with this. Steve Siddall stated that they could put tile in but who was going to pay for

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it, as it is not in his budget. The commissioners feel it would be the highway department. They were told they needed 6" tile going across the road to the state's catch basin. Mark Milo and Steve Siddall don't think 6" tile would do it. They think 10" tile would be better. It will have to be approximately 200 feet long. The county will stay within the county's right of way. Steve stated that cutting the birm down might solve the problem. Before the next meeting, Steve Siddall, Denny Estok and Van Janovic will get together and come up with a plan. Mark Milo stated that in the meantime they should go ahead and cut down the birm as that would need to be done either way they go.

At Bass Lake, Bill Montgomery's property at SR 10 and CR 210 on the east side has a standing water problem. There is a new house built there and a garage. It looks like the tile is collapsing. Every time it rains, it floods the Montgomery property. The drain there is not the county's. It is private property and not part of an urban drain, therefore, unfortunately, it will be the property owner's problem. Mr. Montgomery could petition the drainage board for a petitioned drain. Kathy Norem said that she thinks the drain has to be brought up to county specs before the county can accept it into our watershed.

IN RE: LITIGATED PROPERTY IN COMMISSIONERS' NAME

Richard Rowe has been trying to find out about 2 ½ acres that his property surrounds. The property was previously owned by Carol Martin Thorne and was sold on tax sale. The courts invalidated the tax sale and the property eventually ended up in the commissioners' name.

The court could not find the paperwork regarding the court order. Even Martin Lucas, County Attorney, and Evelyn Skronski, County Clerk, looked for the file on the litigation. Evelyn stated that a duplicate file had been made. She reported that there is no record that can be found and the order from 2003 is missing. She doesn't know whether or not the court took care of it or if a mediator took care of it. A motion was made for the objection to a tax deed being issued. Martin Lucas may have to issue an opinion so that the property can go on a commissioners' sale. Martin would need the commissioners' approval to do so. Dan Bridegroom moved to have Martin Lucas do whatever is necessary to get the property on a commissioners' sale seconded by Kathy Norem with 3 ayes.

There is nothing on the property other than junk and broken glass.

Evelyn Skronski told the commissioners that Todd Wallsmith has some files on this and Martin Lucas will go get copies of those. Evelyn stated that she has a file from Marty Bedrock that he got from Steve Dodge when Mr. Bedrock replaced Mr. Dodge as County Attorney.

IN RE: POTHOLE ON TOTO ROAD

Richard Rowe reported that there is a big pothole on Toto Road about 1 ½ miles west of U.S. 35. It damaged the front end of his car. The commissioners stated that they will look into the problem.

IN RE: WATER PROBLEM ON CHERRY STREET, NORTH JUDSON

Mr. Rowe also reported that he has a water problem on his property located on Cherry Street in North Judson. Dan Bridegroom reported that it is not the county's ditch.

IN RE: HAMLET PROJECT

Charles Weaver, Economic Development Director, and Don Bixby with Territorial Engineering reported that the Water Tower is to be delivered in August and that the whole project could be done this year, which would enable us to come in under deadline and under budget, which the E.D.A. likes and earns us brownie points towards other grants.

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They submitted two change orders that need commissioner approval and E.D.A. approval.

C.O. # 1 for the sanitary line extension will be a \$758.60 deduction. They need this change order in order to finish out the contract. Mark Milo moved to approve seconded by Kathy Norem with 3 ayes.

C.O. # 1 for the water line extension will be an increase of \$4,675. This is for a temperature monitor in the coronation building to keep proper temperature control and to send an alarm if the heat should go out in the building causing the pipes to freeze. Mark Milo moved to approve seconded by Kathy Norem with 3 ayes.

Charles Weaver stated that he talks to Sysco weekly. The only reimbursement they have received so far is Sysco's share. Sysco assures Mr. Weaver constantly that this project is a "go".

Mr. Weaver said that we need to take a hard look at running a sewer line to the east of Hamlet as he had a company interested in a ten acre piece of property there, but wants a sewer line.

IN RE: ECONOMIC DEVELOPMENT PLAN

Kathy Norem reported that O.C.R.A. and K.I.R.P.C. will do a presentation for an Economic Development Plan at the next commissioners' meeting on the 20th of July.

IN RE: E-911 EQUIPMENT

Bob Smith, I.T. Director, reported that the E-911 recording equipment is originally from Embarq. Changes need to be made—a routing change and changed to digital. We need to be on the new digital network bypassing Embarq and allowing the call to go straight to the county involved. The network is free of charge to the county and is up and ready to go. A couple of trunk lines need to be added to the system.

The recording device is managed by Embarq who charges a licensing fee. Bob would like the commissioners' approval to obtain the license.

Our equipment is analog and the state is now requiring digital. That is the purpose of the routers, to turn digital back to analog. Mark Milo moved to allow this to go before the council seconded by Dan Bridegroom with 3 ayes.

IN RE: SOUTH RANGE ROAD—SPEEDING PROBLEM

Liv Paterdatter of 5215 S. Range Rd. is concerned about what she calls "rush hour traffic". She stated that 18 wheel trucks are going 50 and 60 miles an hour making her windows rattle. It is not posted in this area and it is all residential. She stated that this happens twice a day—in the morning between 7 and 9:30 am and in the evening between 4 and 6 pm. She would like a speed limit sign posted and some enforcement of it.

She also stated that her neighbor runs a consignment shop next door for vehicles, trailers, snow mobiles, etc., which does not help the problem with the speed issue. She further stated that he does not have a business license and there are also zoning issues involved.

IN RE: CRIMINAL HISTORY REPORTS

Commissioners would like the requirements from the insurance company regarding the criminal history report and applicant release form, as they may want to put this in the employee handbook.

IN RE: VETERANS' SERVICE OFFICER COMP. TIME

Dan Bridegroom stated that he was under the impression, due to the employee handbook, that part time people do not receive any benefits or comp. time.

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Gordon Richie, Veterans' Service Officer, brought in paperwork showing what he has been doing. He stated that he does home visits, nursing home visits, and hospital visits for shut-ins. He also explained what he has to do every time there is a claim.

The commissioners want him to decide how to best handle his hours, such as post his office hours as 4 or 5 hours a day for 3 days, and the balance of his 21 hours weekly would be for shut-in visits.

IN RE: SHERIFF'S SQUAD CAR

Oscar Cowen sent a letter asking for an additional squad car to be partially paid for by an insurance reimbursement from a wrecked squad car and the balance to be paid out of Cum. Capital Development. Dan Bridegroom moved to approve seconded by Kathy Norem with 3 ayes.

IN RE: BASS LAKE BEACH AND CAMPGROUNDS

Clyde and Sara Haniford who live across from the Bass Lake Beach complained that there are campers being allowed to camp on the beach side. The electric by the restrooms that was put in for the Bass Lake Festival is covered with fabric and during the festival, the campground and residences close by lose their electric.

Mr. Haniford submitted IC Codes for Campgrounds stating that campsites cannot be established at the beach. He stated that the Callahans are doing whatever they want and not following the rules. The Hanifords would like to know what their rights are as neighbors and would like the beach to remain a beach and not a campground. The I.C. code states that "a campground is established, operated, and maintained for recreational, health, education, sectarian, business, or tourist activities away from established residences."

Dan Bridegroom stated that the map of the beach area received from the state shows "parking, parking, parking, restroom and parking" not camping.

They further stated that they hoped the campground would be cleared out this winter and not allowed to become a trailer park with decks and stairs, etc.

The Hanifords asked if they could be stopped from using the beach because they complained.

The Hanifords wanted to make it clear that the Callahans have fixed up the beach and campgrounds and are keeping it up.

The commissioners, as a friendly request, need to talk to both Rich and Brian Callahan. Kathy Norem, as commissioner in charge of the beach, stated that she would go speak with the Callahans.

IN RE: MARSHALL STARKE DEVELOPMENT

Marshall Starke Development requested that the commissioners approve the yearly \$40,000 they have been giving them. (Auditor's note: The commissioners already had it in their budget.)

IN RE: HOOSIER VALLEY RAILROAD

The Hoosier Valley Railroad requested the commissioners' support for a Transportation Enhancement Funding Grant. (Copy of letter of support on file in the Auditor's Office.)

IN RE: TELECOMMUNICATIONS AUDIT

A letter was received from Spyglass requesting permission to access all of our telecommunications.

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IN RE: DETOUR FOR INTERSECTION OF S.R. 8 AND U.S. 35

The commissioners received a letter from the state wanting to detour traffic due to the work they will be doing on the intersection of S.R. 8 and U.S. 35. The detour is proposed to be C.R. 50N to C.R. 300E to Culver Rd. Dan Bridegroom, as commissioner in charge of the highway, will be checking into this.

IN RE: COMMISSIONER OFFICE HOURS

Mark Milo will hold office hours from 9:00 to 11:00 am on Wednesday, July 8, 2009, and Dan Bridegroom will hold office hours from 4:00 to 6:00 pm on Wednesday, July 22, 2009.

IN RE: COMPLAINTS ABOUT RESIDENCE ON DEBBIE DRIVE ON C.R. 400S

Dan Bridegroom received complaints about residences at the end of Debbie Drive off C.R. 400S. There are two places owned by a mother and son and they keep moving the trash and junk back and forth between the two properties when they are told to clean it up. Planning Commission Director, Bruce Williams, is working on the problem.

Also on Debbie Drive, someone put in a pond for a geothermal system. The pond fills up and goes over the road causing flooding on the road.

IN RE: COUNTY TAX SALE

S.R.I. sent an e-mail regarding the tax sale certification being done 51 days after the tax deadline which falls on Sunday, August 30, 2009. S.R.I. wants the commissioners to sign a waiver of S.R.I.'s responsibility if done on the 31st instead of Friday the 28th. Kathy Norem moved that if the Treasurer does not produce the certified tax sale list by Thursday, August 27, 2009, we will have no choice but to forgo a tax sale costing the county undue amounts of money seconded by Dan Bridegroom with 3 ayes.

IN RE: AUDITOR AND TREASURER BALANCE SHEETS

Dan Bridegroom brought up the balance sheets between the Treasurer and the Auditor and wants to make sure that the two offices are balancing monthly.

IN RE: MANUFACTURED HOUSING ORDINANCE

There are two new sections for the manufactured housing ordinance amendment approved by the Planning Commission on April 15, 2009. The first one is for new manufactured homes and the 2nd is for used manufactured homes. Kathy Norem objects to 6-12-3-2-3(H) 1 & 4 as applies to 6-12-3-2-3(I) 1 and she objects that the BZA is not going to approve manufactured homes over ten years old.

IN RE: SLAUGHTERING OF GOATS

Someone is slaughtering goats and not processing them, which is illegal unless it is for personal use. You have to have a permit for a slaughterhouse. Dave Singleton, Sanitarian, and Bruce Williams, Planning Commission Director, are taking care of it along with a representative from the state.

There being no further business to come before the board, Mark Milo moved to adjourn the meeting seconded by Dan Bridegroom with 3 ayes.

Dan Bridegroom, President

Kathy Norem, Vice President

Mark Milo, Member

Michaelene J. Houston, Auditor &
Secretary to the Commissioners