

**Monday, July 7, 2014**

Pursuant to adjournment comes now the Starke County Board of Commissioners and meet in regular session at 9:00AM in the Annex Building Meeting Room, Knox, Indiana with Jennifer Davis, Kathy Norem, and Kent Danford present and the following proceedings were held to wit:

President Jennifer Davis called the meeting to order at 9:00AM, following the meeting of the Starke County Building Corporation.

### **OPENING OF BRIDGE BIDS, BRIDGES 31, 86 AND 27**

County Attorney Marty Lucas opened the bids the County had received on the replacement of Bridges 31 & 86, and the repair of Bridge 27. He advised the following bids were received for the replacement of Bridge 31: JCI a total cost of \$323,121.00; and LaPorte Construction, \$307,099.42. He noted only those two bids had been received. In regard to the replacement of Bridge 86, the following bids were opened: JCI, \$318,110.76; and LaPorte Construction, \$308,018.94. In regard to the repair of Bridge 27, he advised, only one bid was received. The bid was from LaPorte Construction, in the amount of \$106,872.00. County Highway Department Superintendent Rik Ritzler advised all bids were very high, well over the estimated amount. He advised he will meet with Mark Wilson of JPR, Jerry Frost of Frost Engineering, and the Construction Inspector, Bob Lorenz, to review the bids to see if they are correct per the bid specifications. He advised they will present their final opinion and recommendation later on in the meeting.

### **COUNTY HIGHWAY DEPARTMENT MONTHLY REPORT**

Prior to leaving the board meeting for the bid meeting, Superintendent Ritzler presented the highway department's monthly report. He advised he is recommending holding off on the letting of bids for the replacement of Bridges 70 & 79 since the other prices came in so high. Mowing: Superintendent Ritzler advised they have begun their fourth cycle of mowing. They currently have seven part-time mowers which allows for them to have a full roster of mowers on the road five days a week and still be in compliance with the part time hour limitations. Road Improvement Program: The Superintendent advised during the month of June they used their pug mill to create 6170 tons of asphalt and 445 tons of patching material. The County's cost in producing the material was \$29.78 per ton compared to the cost for material from Central Paving, which is \$95.00 a ton, plus the fuel costs to transport, and the driver's time. He noted their patch materials costs will decrease from approximately \$105,000.00 a year, to \$33,000.00 a year for a savings of \$72,000.00. He pointed out that the driver's reported the patch material was by far superior to that created by Central Paving. Superintendent Ritzler noted Ricky Fisher, the County's pug mill operator deserves and has received a letter of commendation as a result of his excellent work in creating the pug and patch. A copy of the letter will be placed in his employment file. The Superintendent advised they are on track to complete their planned 145 miles of road improvement. Culver replacements: Superintendent Ritzler advised the department has replaced ten culver/pipes as of July 1<sup>st</sup>. They have one more replacement scheduled for July and any other pipe replacements will be on an as needed basis. The report he submitted has a listing of the location of each of the replacement culverts. Intersection Safety—Sporty's four-way stop: The Superintendent advised LTAP/Purdue University has completed the traffic study on CR210 at Sporty's Pub at Bass Lake. A copy on that report is on file in the Auditor's Office, Intersection Analysis: CR210 at CR675E/Winona Ave. He noted they are recommending a stop sign be placed at that location due to the need to control the vehicle/pedestrian conflicts near that location due to the high pedestrian volume; and it is a location where a road user, after stopping, cannot see conflicting traffic and is not able to negotiate the intersection unless conflicting cross traffic is also required to stop. Commissioner Norem made a motion to approve the placement of a four way-stop at that location. Commissioner Danford seconded the motion, and it passed with all ayes. Superintendent Ritzler advised he will be attending the BLPO meeting that Saturday morning, and will advise them of the new stop signs. He noted the stop signs will probably be placed in early August after Soptry's remodeling project has been completed. Commissioner Norem commended him on his presentation and also on the fact the County has been able to complete more miles of roadway under the Superintendent's supervision than ever before. She added, they have been able to produce more miles for less money due to their make of their own paving. President Davis stated also it was a great job on his report, and she would like to look into establishing a contract for his employment. Both Commissioner Norem and Commissioner Danford agreed with her statement. In other matters, Superintendent Ritzler advised he had contacted INDOT in regard to their mowing at some of the intersections of their highways with county roads, such as on SR10 east of Bass Lake, and at US35 and Toto Road. He stated he was advised by INDOT they will be mowing those areas but could not advise of any dates for their completion. A copy of the Superintendent's report is on file in the Auditor's Office.

### **JAIL MEDICAL ORDINANCE FOR THE CARE OF INMATES**

Lisa Scroggins of Quality Correctional Care and Jail Office Manager, Chris Smith, appeared before the Board to present an ordinance, Jail Medical Care for Inmates Ordinance. Attorney Marty Lucas advised he had written the proposed ordinance, and it does not apply to those inmate categories that are exempt to the state statute. Commissioner Norem made a motion to approve the inmate medical ordinance, seconded by Commissioner Danford. The motion passed with all ayes. They advised the ordinance will be effective immediately. The ordinance calls for the creation of a Fund in which those medical assessed fees will be deposited into. (The Auditor has created Fund 1174, Medical Care for Inmates Fund.)

Ms. Scroggins advised also a part of their health services is to provide psych level evaluations on County employees in the law enforcement department. The evaluation will pick up potential risk factors with that employee or candidate for employment. She suggests the evaluation be performed on current employees and on all candidates for employment in that field of work. President Davis advised this policy would work nicely with the attempt to reduce county liability by Bliss McKnight. The employment process will be: application, background check, written tests, physical agility test, and a medical physical, and then approval of the Sheriff's Panel, the Merit Board. Commissioner Norem inquired as to the cost of the test and where will it be paid from. Ms. Smith advised the fee is \$25.00 a test, and would be paid out of the Sheriff's Commissary Fund. Attorney Lucas advised due to mediation the Sheriff is involved in, the Sheriff cannot participate in the interviewing of potential candidates for filling the open position of Deputy and the Board of Commissioners will be handling that responsibility. He noted it was not a permanent change for the Commissioners to be a participant in this process, it is only temporary. Commissioner Norem made a motion to approve the process as stated, seconded by Commissioner Danford. The motion passed with all ayes. Commissioner Norem noted the Merit Board will be meeting on Thursday, the 10<sup>th</sup> to

interview possible candidates for the Deputy position, and then make a recommendation to the Sheriff. She stated she has spoken to the President of the Merit Board, Ed Troike, who advised the Commissioners can attend that meeting to interview the candidates also, or it could be done separately of the Merit Board. She also noted the Merit Board would like a copy of this proposed process also. Chris Smith advised she will put together a listing of the process.

Chris Smith also advised they have begun working on putting in payroll information to utilize the spreadsheet from Owen County where the base pay is adjusted by such factors as education, training, and longevity. She advised she will be applying the process to all three classifications: 911 dispatchers, jailers, and officers. The Board advised her that the Council will need to approve the payroll as part of their budget process.

## **AMENDMENTS TO ZONING ORDINANCES**

Planning Commissioner, Terry Stephenson, appeared before the Board to request their approval on the proposed amendments to two of the present County Zoning Ordinances. He advised the first request was for the amendment to Zoning Ordinance 6-12-3-2-7 (C) 4, "Single Family Dwelling". Commissioner Norem noted the proposed amendments were already approved by the Planning Commission. Commissioner Norem made a motion to approve the amendment, seconded by Commissioner Danford. The motion passed with all ayes. Mr. Stephenson then presented the proposed amendment to Zoning Ordinance 6-12-3-2-8, the "Recreational Vehicle Ordinance". Commissioner Norem made a motion to approve the proposed amendment, seconded by Commissioner Danford. The motion passed with all ayes. Commissioner Norem stated the Planning Commission's vehicle is ready for retirement due to the number of issues it is having and not worth repairing, and she suggested, since the EMS Director is not in need of a 4WD vehicle, the County should pass the EMS Explorer onto the Planning Commission. She advised the EMS Department could utilize one of the Sheriff's vehicles he was going to be retiring after purchasing his two new squad cars. Commissioner Norem made the motion to make those changes in the County vehicles after the retired squad cars are checked out by the Highway Department Garage and determined to be road-worthy. Commissioner Danford seconded the motion, and it passed with all ayes.

## **EMA DIRECTOR GRANT APPROVAL**

EMA Director, Ted Bombagetti, appeared before the Board requesting approval of grant application, 2013 Emergency Management Performance Grants—Salaries Sub-Grant Application, Grant CFDA #97.042, EDS# C44P-5-073B. He advised the County will receive a reimbursement equal to ½ his 2013 pay and ½ the pay of EMA/EMS Clerk, MaryLynn Richie. The total grant amount will be \$31,330.00. He noted the grant only covers the actual pay and not any of the County's payroll expenses. Commissioner Norem made a motion to approve the grant request, seconded by Commissioner Danford. The motion passed with all ayes. There was a brief discussion as to the proper notification with the radio station, WKVI, in regard to any severe weather occurring after regular broadcasting hours. Mary Peron, of WKVI, advised she will talk to the Sheriff's Department about establishing a plan for notification of pending storms. Director Bombagetti advised during the last severe weather storm the County did experience two confirmed tornadoes in addition to the straight line winds. The total amount of damage is yet to be decided.

## **UPDATE ON BRIDGE REPLACEMENT AND REPAIR BIDS**

In regard to the bid on Bridge 27 he stated there were two items that are way out of line with the pricing and he has attempted to reach LaPorte Construction by phone but has not yet made contact with them. He stated they could have mis-read the plans. The Commissioners stated if this pricing was the result of error they could meet in a special session as long as they post the 48 hour notice since they would like to see CR7000E open by the start of school in August. Superintendent Ritzler advised he recommends re-bidding the Bridge 86 & 31 projects to be opened by their August 4<sup>th</sup> meeting, and suggests not letting out for the bidding of Bridges 70 & 79 until sometime this fall for those projects to take place next spring. He advised the largest expense on those bids was for the cost of the bridge removal, and the labor costs. He noted the construction companies are presently busy, not waiting on work, as in the past. Commissioner Norem made a motion to approve his recommendations on the bridge bidding, seconded by Commissioner Danford. The motion passed with all ayes.

## **EMS MONTHLY REPORT**

EMS Assistant Director, Keith Emigh, and Clerk MaryLynn Richie appeared before the Board to present the EMS Department's monthly report. Commissioner Norem made a motion to appoint Keith Emigh as the Interim Director until a new Director is hired. Commissioner Danford seconded the motion and it passed with all ayes. Clerk Richie advised the number of runs was up for the month of June. She also advised collected from the Starke County Clerk, from small claims, was a total of \$755.32, and \$512.33 was received from Collections Attorney, Jonathan O'Hara. She also advised the gap is closing between last year's revenue for YTD, compared to this year's revenue, YTD, \$336,501.22 in 2014, compared to \$356,903.39 collected in 2013. County Council President, Dave Pearman, presented a report on the expansion of paramedic services throughout the County. He advised the EMS Department is presently utilizing more part time help and is saving budget expenses because of it. He advised the Council may need to look at this option for other departments also. He advised the purpose of his presentation is to provide the Commissioners evidence to support short term and long term planning for County owned and operated EMS services. The presentation addressed the current financial status of the EMS Department, the billing practices and the reimbursement time line, the management of the budget, a proposed MOU with IU Starke Hospital in regard to their transfers out of the hospital, and proposed options: to expand ALS Service at the North Judson base, expand ALS services to both the North Judson base and the Grovertown base; to do no expansion at this time just maintain current practices, or to establish a paramedic that "floats" or chases throughout the County. Commissioner Norem complimented Councilman Pearman on a well-planned presentation and the fact that he is looking at this department as a business which could mean long term success for the County. She noted the Board does not ever approve anything that is first presented to them and would like to have time to study the information presented. Commissioner Norem also noted her dislike for transferring patients out of the hospital instead of treating them locally. She also stated the County never did see the large increase in revenue as it was stated when they initially asked for the implementation of the paramedic program. Councilman Pearman advised there are twice as many calls at the North Judson base as to the Grovertown base, and that is the reason why they are proposing expanding the ALS service to the North Judson base first. There was a discussion in regard to starting the procedure of billing patients who are treated but not transported. Clerk Ritchie stated they were only to bill "loaded" miles since that is what Medicare and Medicaid pay, but feels as if the County should consider billing patients who receive aid and utilizes medical supplies but are not transported. Attorney Lucas stated there is a difference if the patient receives aid and medical supplies but no transport, from the person who states when the ambulance arrives, that they never

called for an ambulance. After some brief discussion, President Davis stated she would like to see the ALS service expand to the North Judson base first since the expense could be sustained in their current budget. Councilman Pearman advised the expansion to both bases would require an additional \$60,000.00 increase to their budget. He also advised the EMS Department is once again utilizing the fire department's first responder program. Commissioner Norem also advised prior to the hiring of the next EMS Director she would like to see the Director's salary be reduced from its current amount. Commissioner Danford stated he agrees with that statement, but President Davis advised she is not familiar with what the salary is and will have to study it first. Commissioner Danford stated the number of minor accidents by the EMS Department is driving him nuts. Commissioner Norem pointed out that the EMS Department participated in the driving simulator training held recently by the County's liability insurance carrier. She stated she also wanted to address the "rumor" that Commissioner Danford was forced to take on the EMS Department and if he is not interested in being in charge of that department she would take it over. Commissioner Danford advised he would finish out the year. President Davis inquired as to the status of the schedule in the hiring of the new Director. It was decided to keep accepting application until August 1<sup>st</sup> and then have a committee composed of Commissioner Danford, Councilman Pearman, Interim Director Emigh, and Clerk Richie meet to address the salary issue before the interviewing of candidates begins.

At this time in the meeting, 11:15, a five minute break was taken. The meeting commenced again at 11:20.

#### **COUNTY AUDITOR'S BUSINESS: MINUTES, PAYROLL CLAIM, VENDOR CLAIMS**

Commissioner Norem made a motion to approve the minutes of the June 16th meeting, seconded by Commissioner Danford. The motion passed with all ayes. The final minutes of the June 2<sup>nd</sup> meeting were signed. Commissioner Norem made a motion to approve the payroll claim for the pay period ending on June 21<sup>st</sup> with a pay date of June 27<sup>th</sup>, in the total gross amount of \$187,367.33. Commissioner Danford seconded the motion, and it passed with all ayes. Commissioner Danford made a motion to approve the vendor claims in the total gross amount of \$313,946.21. The motion was seconded by Commissioner Norem and passed with all ayes. Commissioner Danford made a motion for the Board to also approve the \$200,000.00 lease rental payment claim in addition to the approval from the Building Corporation. Commissioner Norem seconded the motion and it passed with all ayes. She stated she had the understanding that the Building Corporation was to make sure the bond payments are made. Attorney Lucas stated he believed she is correct but he will look into her question. In regard to the update of the issue of the Oracle Elevator Contract, on the Courthouse elevator, Attorney Lucas advised he has not yet made contact with the correct representative from Oracle. In regard to the update on the County's Animal Ordinance, Attorney Lucas advised he is still looking into it. President Davis advised the County is still experiencing issues with the old landfill site, with one of the probes still recording a methane gas level, and now IDEM is wanting to do an onsite inspection but Weaver & Boos stated the land needs to be mowed first before there inspection. Commissioner Danford advised he would attempt to contact the present owner of the property to see if the County could receive permission to go in and mow it. President Davis noted Mike Maxwell of Weaver & Boos will attempt to delay the state visit until late July or early August.

In regard to the Flaherty case, Attorney Lucas advised that area of Calumet Avenue, at Koontz Lake, is not in the County's inventory. Following a brief discussion, the Board decided to stick with their earlier decision in regard to this case. They asked the Auditor to search her minutes for their decision and to send it to them.

#### **IN OTHER BUSINESS**

The Board signed the final paper on the vacation of the Lausten Road at Bass Lake. They thought they had signed it at the last meeting, but the Auditor advised they had been presented by two copies of the other road vacation by Attorney Wallsmith, and not the proper one for this road vacation. They noted this vacation was also approved at an earlier meeting. They signed the proper paperwork.

#### **PUBLIC COMMENTS**

Clyde Haniford inquired about a letter President Davis had received, a complaint on the conditions of the Bass Lake Beach. President Davis advised she had taken the letter directly to Attorney Wallsmith's Office. She advised the letter received was from Collen Valente who stated her and her daughter had gone to the Bass Lake Beach and discovered the place was not in good shape. She advised it had not been mowed, there was no adult supervision of little children, the garbage was overflowing, and the restrooms were dirty, so they drove on to the Culver Beach instead. Mr. Haniford also inquired as to the amount of fireworks that were exploded at the Beach and Campgrounds over the 4<sup>th</sup> of July weekend which he stated were not just cherry bombs or M80s. He inquired as to what the County's policy was in regard to fireworks. Commissioner Norem advised the County does not issue permits for fireworks. She noted a person needs to apply for a permit with the State through the Indiana Department of Homeland Security. Another neighbor on the west side of the campground, Paul Blunder, also told of his annoyance with the fireworks activity over that weekend, advising the noise throughout that night was tremendous and extremely loud, the worst it has ever been. There was a discussion of the Board in regard to filing a breach of contract in regard to the leasing of the beach and campground. They inquired if they could hold an Executive Session to discuss possible litigation against the persons leasing the property. Commissioner Norem stated she is prepared to serve an eviction notice, and Commissioner Danford agreed.

There being no further business, Commissioner Norem made a motion to adjourn the meeting, seconded by Commissioner Danford. The motion passed with all ayes and the meeting was adjourned at 12:10PM.

**July 7, 2014**

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Kathy Norem

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Kent Danford

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Jennifer Davis

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Katherine Chaffins, County Auditor  
& Secretary to the Board of County Commissioners