

Monday, September 2, 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.

EMS MONTHLY REPORT

EMS Interim-Director, Keith Emigh, and EMS Clerk MaryLynn Ritchie, appeared before the Board to present their departmental monthly report. Clerk Ritchie advised a total of \$168.00 was received from Small Claims Court, and \$577.58 from Collections Attorney, Jonathan O'Hara. She also submitted their report on the number of runs completed during the month of August. In regard to their accounts receivable, she noted in following the policy created by the County, she has removed the oldest A/R out of the 90 day column of her receivables report. She advised during the month of August the department handled 65 non-transport calls which means there are no billings for those calls under the existing County Policy. She stated she will write up a proposed billing policy procedure in regard to patients who are assessed but not transported. Clerk Ritchie advised the County had received the final paperwork that requires the Auditor's signature for verification of the Medicaid reimbursement expenses for the fiscal years of 2011 and 2012. County Attorney Marty Lucas advised he had reviewed the paperwork, and even though the language is harsh, it is alright to go ahead, sign the documents and submit them. Auditor Chaffins advised that was the first time the County was aware the State would be receiving a portion of the reimbursement also.

Interim-Director Emigh advised, due to an issue with a current part-time employee they felt they needed to document a part time employee policy for the EMS Department, one which addresses the employees' availability does not guarantee they will be assigned to that shift. Attorney Lucas reviewed the proposed policy and suggested they condense the policy statement to two or three sentences. President Davis advised the Interim Director that any issues with specific employees can be addressed at an Executive Session, but not during a public open meeting. Clerk Ritchie advised they will return to the meeting with a revised policy proposal.

COUNTY HIGHWAY DEPARTMENT MONTHLY REPORT

Superintendent Rik Ritzler appeared before the Board to present his departmental report. He advised the mowing operation is complete at this time, they are just spot mowing as needed. The brush tractors and two brush crews are cutting back brush. They have been working with the SCPD regarding sight distance at intersections' stop signs. He advised at some intersections the stop signs are too far away from the intersection and need to be relocated closer, which will greatly improve the safety at those intersections. In regard to the road improvement program, he advised the department has paved (wedging and pug paving) 10 miles of roadway at a total cost of \$211,768.09, an average of \$21,176.81 per mile. He noted the department will be receiving the millings from the 300E project, the 700E bridge repair, and the SR8 project between US421 and US35. They plan on using the millings for additional road repairs. He stated they had chip sealed 5 miles in August and currently have 7 more miles planned. They are also crack sealing, and fog sealing some roads, and re-stoning the gravel roads. He advised they will be meeting or exceeding all of their goals for the year. In regard to the local bridge repairs, he advised the bridge construction bids for the replacement of bridges 31 and 86 were awarded to LaPorte Construction and the work will begin on those bridges later this month. Both bridges have a planned November 30th completion date. He also noted the bids for the replacement of Bridges 70 & 79 will be opened at the October 6th Board of Commissioners' meeting. The repairs on the 700E Bridge were completed on August 15th. The Bridge Engineer inspected the Bridge on the 24th and was opened the next day. He also advised the last stage of bridge maintenance is almost complete. The bridge crew is finishing up the rip rap repairs on ten bridges. He advised a representative from LTAP/Purdue University will be visiting the County to evaluate their bridge maintenance plan. Superintendent Ritzler advised they have begun preparing for the winter operations. He noted they have one salt contract in place and are currently working on getting a second one also. They have also begun to haul in the sand they will need.

ASSESSOR'S AMENDMENT TO ASSESSMENT CONTRACT

County Assessor, Rhonda Milner, appeared before the Board with a copy of the proposed Amendment to the Contract between the County and Accurate Assessments. The proposed amendment incorporates the recent, July 1, 2014 enforcement of Senate Enrolled Act 420-2014 which makes changes to the due dates of various assessment state requirements. (A copy of the amendment is on file in the Auditor's Office.) Commissioner Norem made a motion to approve the amendment, seconded by Commissioner Danford. The motion passed with all ayes.

IT DIRECTOR REQUEST, GIS CONTRACT WITH ST. JOSEPH COUNTY

IT Director, Joe Short, appeared before the Board and presented a proposed GIS Contract between Starke County and St. Joseph County. He noted the County has already implemented the same GIS contract with Pulaski County, LaPorte County, Fulton County, and Jasper County and is awaiting word from Porter County and Marshall County to enter into a GIS with them also. Commissioner Norem made a motion to approve the contract with St. Joe County, seconded by Commissioner Danford. The motion passed with all ayes.

WORKERS' COMPENSATION, PROPERTY/LIABILITY INSURANCE RENEWALS

Carrie Block, of 1st Choice Insurance, and Bo Collins of Bliss McKnight appeared before the Board to discuss the renewal of the County's Workers' Compensation Insurance, and the County's Liability/Property Insurance. Agent Block explained since the Workers' Compensation premium is calculated on the last three year history, and even though the County has made a substantial improvement this year on the number of Workers' Comp claims that have been submitted, the cost of the

renewal premium will be increasing substantially. She noted the loss ratio in 2012 was 81%; in 2013 it was 103% and in 2014 only 19%. She also pointed out part of the increase in the W/C premium is due to the 4% increase to the County's payroll. She advised the current W/C premium is \$177,000.00 and the renewal for 2015 will be \$236,000.00. She also noted there has been a request to change the physician provider for the W/C claims back to Healthlink instead of the present Knox/Winamac Clinic. Agent Block advised in order to make the change the Board of Commissioners would need to submit their request in writing. President Davis advised the Board will take the change of physician provider under advisement. In regard to the property/liability insurance coverage, Agent Block noted the number of claims and the dollar amount of claims have both decreased over previous history. She stated the only major claim the County had was due to the lightning strike to the Courthouse, within days after their coverage went into effect. She advised the renewal premium will reflect an 8% increase over the current premium. Agent Block also noted the new County Jail that is under construction will continue being covered by the Builder's Risk policy until the construction is completed and then will be added to the regular policy. Agent Collins advised the County is now seeing the benefits of the work of Jim Coad and the County's Safety Committee and the County's participation in several training sessions. Attorney Lucas advised he has seen a big improvement in the coordination with their legal side especially at the front end of each incidence. Commissioner Danford made a motion to renew the Workers' Compensation and the Liability/Property insurance with 1st Choice Insurance. Commissioner Norem seconded the motion and it passed with all ayes.

STARKE COUNTY COMMUNITY CORRECTIONS GRANT AMENDMENT

Starke County Community Corrections' Director, Robert Hinojosa appeared before the Board and presented an amendment to the current State grant for the 2014-2015 and 2015-2016 fiscal years. He noted the original amount approved by the State in the existing grant was \$367,436.00 for the two year period. He advised due to the receipt of a one-time only performance bonus of \$6,907.62, and the base funding increase of \$8,464.00 due to a State legislative allocation resulting from the changes to the State's criminal code, the total grant amount is now not to exceed \$379,971.62. Director Hinojosa noted the SCCC Advisory Board has already approved the revised grant amount. Commissioner Norem made a motion to approve the grant amendment, seconded by Commissioner Danford. The motion passed with all ayes. In regard to the SCCC utilizing the old County Jail, Director Hinojosa noted the SCCC cannot pay rent on a County owned Building but there are possibly other things they could do.

VENDOR CLAIMS, PAYROLL CLAIM, MINUTES

Commissioner Norem made a motion to approve the minutes of the August 4th meeting, seconded by Commissioner Danford. The motion passed with all ayes. Commissioner Norem made a motion to approve the minutes of the August 18th meeting, seconded by Commissioner Danford. The motion passed with all ayes. Commissioner Danford made a motion to approve the minutes of the August 25th Executive Session, and the Special Session. Commissioner Norem seconded the motion and it passed with all ayes. Commissioner Norem made a motion to approve the vendor claims in the total gross amount of \$163,773.79. Commissioner Danford seconded the motion and it passed with all ayes. Commissioner Danford made a motion to approve the payroll claim for the pay period ending on August 16th with a pay date of August 22nd in the total gross amount of \$185,192.25. Commissioner Norem seconded the motion and it passed with all ayes. Auditor Chaffins distributed to the Board copies of the Fund Balances Report as of August 31st and the Estimated Revenue Report as of August 27th.

IN OTHER BUSINESS

President Davis advised she had received a statement from the County Clerk, Evelyn Skronski, advising the Board she has purchased new filing cabinets with funding from the Clerk's Perpetual Fund due to need and safety reasons, and is inviting the Board to stop in her Office and see the new cabinets. Commissioner Norem inquired as to where the Clerk was going to put the new cabinets since that was not addressed in the Clerk's notice.

President Davis advised due to an additional County employee who would only be able to return to work with lifting restrictions following an illness, the Board is going to revisit the earlier decision made by the Board in regard to the Return to Work Light Duty due to non-work related illnesses. Attorney Lucas advised the County's current policy of returning to work with light duty work pertains only to Workers' Compensation employees and not returning to work with lifting restrictions following an illness. He noted the ADA requires the employer to make reasonable accommodations for temporarily disabled employees but not if it causes any undue hardship on the employer. He stated the County will need to also address if there is any light duty work available, and to address a situation when there are multiple employees returning to work with similar restrictions. He advised the County will need to be consistent in their decisions but there is no simple, clear cut answer to this issue since it is the area of law that is still developing. Commissioner Norem noted the County does have the availability of short term disability that the employees can access if they are given a Doctor's statement of non-work related 'light duty' return to work with lifting restrictions.

At this point in the meeting, Interim EMS Director Emigh and EMS Clerk Richie returned to the Board with the revised part time duty policy. Attorney Lucas advised he is in agreement with this revised policy and noted all current EMS part time employees and any future part time employees should read the notice and sign it.

Commissioner Norem advised the Board needs to establish the date and time to begin interviewing applicants for the position of EMS Director. It was decided to begin the interviewing on Tuesday, September 23rd, at 9AM and plan on thirty minutes per applicant. The first list of applicants will consist of local Starke County residents and/or current Starke County EMS Employees. Commissioner Danford advised he will work with Auditor Chaffins on scheduling the interviews. Auditor Chaffins inquired, in regard to EMS employees, if there was any County policy establishing the maximum numbers of hours of straight work an employee was allowed to work. She was inquiring in regard to the current practice EMS employees working 48 straight hours. Council President Pearman advised the federal OSHA regulation for fire or EMS employees allows for working up to 72 straight hours.

PUBLIC COMMENTS

MJ Bendt, correspondent for The Leader newspaper, advised of an event which will be held at Wythogan Park in Knox on Saturday September 13th. She stated the event named "Wood-Starke" is a family activity with live music, free food, and much more. She advised it will be a fun day in the park for the entire family.

There being no further business, Commissioner Danford made a motion to adjourn the meeting, seconded by Commissioner Norem. The motion passed with all ayes and the meeting was adjourned at 11:02AM.

September 2, 2014

Kathy Norem, President

Kent Danford

Jennifer Davis

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

EXECUTIVE SESSION

THURSDAY, SEPTEMBER 11, 2014

The Starke County Board of Commissioners met in an Executive Session, at 9:30AM (CST), in the offices of the McDevitt Mediation Center, 1435 E. 85th Ave., Merrillville, IN with Commissioners Kathy Norem & Jennifer Davis present, and the following proceedings were held to wit:

Also present were County Attorney Martin Lucas and Mediator, Richard McDevitt.

The meeting was held in order to participate in a mediation pursuant to IC 5-14-1.5-6.1 (b)(2)(B).

I can attest the meeting was in session while Mediator McDevitt was in the meeting room, and was in recess while Mediator McDevitt was in discussion with the opposing party and their legal representatives. The only issues discussed while in session, were issues that pertained to the lawsuit and the requests that were made and presented by Mediator McDevitt.

The actual Mediation process began at 9:30AM (CST) and was completed and adjourned at 3:10PM (CST).

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