

September 8, 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, all members present and the following proceedings were held to wit:

IN RE: PAYROLL CLAIMS

Kathy Norem moved to approve the 8-22-09 payroll seconded by Dan Bridegroom with 3 ayes (MM with reservations).

IN RE: VENDOR CLAIMS

Kathy Norem stated that there was a letter received by the Prosecutor questioning the claims about the Alaska trip to extradite a prisoner. The commissioners want more explanation as to why they stayed four days, etc.

Mark Milo moved to approve the vendor claims except for Air X, LLC for \$1,065.51 and \$2,971.50 and one for Oscar Cowen for \$187 pending more explanations seconded by Kathy Norem with 3 ayes.

Sheriff Oscar Cowen came in and he was questioned. Sheriff Cowen stated that it would cost more to send two officers or to have sent a company than what it did cost. Mark asked why they went and picked up this prisoner when other extraditions were not acted upon. Sheriff Cowen stated that the prosecutor had gotten a Governor's Warrant to have this guy picked up and the Sheriff had only a ten day grace period to get out there and get him picked up. The Sheriff stated that if the Prosecutor could get a better rate then the Prosecutor should make the arrangements the next time. He further stated that Air X, LLC is the company that the Sheriff's Association recommends.

Kathy asked if three nights were necessary. Oscar stated that the plane fare was cheaper to stay three nights rather than two and they didn't know how long it would take to get him out. He had been being held in jail in Alaska for four months and would not sign the waiver to be brought back to Indiana.

Kathy Norem moved to approve the three claims—two to Air X, LLC and one to Oscar Cowen seconded by Mark Milo with 3 ayes.

IN RE: MINUTES

The minutes of the 8-17-09 meeting were not approved as it showed the first part of the meeting as being included with the 7 pm meeting when in fact it was at 5 pm and therefore needs to be corrected.

IN RE: E.M.S./E.M.A.

Mary Lynn Ritchie reported the receipt from collections of \$388.63 and from small claims of \$125.00 for E.M.S.

Dan Bridegroom expressed his concerns about signing other employees in and stated that it cannot and will not be allowed. This will be discussed further in an executive session.

Randy Abbey reported a few problems with the disaster preparedness as there were errors in it.

Randy reported that there is an emergency action plan for the Koontz Lake Dam meeting on September 23.

Concerns from the hospital regarding E.M.S. were addressed by the commissioners to Randy. The commissioners want to discuss these further with Randy.

IN RE: H1N1 FLU VIRUS

Frank Lynch, County Health Nurse, stated that we are as ready as we can be for H1N1. He reported who would be eligible for the vaccines. He also reported that we will be receiving approximately 3700 initial doses and about 1500 weekly after that. He stated that the doctors are cooperating with the health department regarding this information.

Frank reported that the 1st phase grant money, a little over \$16,000, is to hire help to give the immunizations. Twenty-five percent will be received initially and then seventy-five percent is reimbursed as spent.

There are several companies making the vaccine.

Frank is working on information to distribute to the schools and to the public.

Kathy Norem asked if any of the E.M.T.s have been fitted with the masks. He reported that there has been no guidance from the I.D.H. regarding masks.

Frank also reported that there have been no reports of H1N1 in the county and at this time, the doctors are required to report this to the Health Department.

IN RE: HIGHWAY

Steve Siddall and Sue Himes reported that the chip and seal was completed Friday and under budget.

Steve reported that the drain by Sporty's Bar was taken care of and that C.R. 450E was patched up. A brush problem that was reported was also taken care of.

Mark Milo asked Steve to check with Susie at Sporty's to be sure all is OK there.

Dan asked who has key # 75 for the fuel pumps. Steve thinks it belongs to the Sheriff's prisoner van, but will check.

Kathy Norem asked Steve to convey to the guys that they did a nice job on the chip seal. Steve thanked Marshall County for their help.

Charlie Weaver wanted to know if we heard from the state regarding the engineer for C.R. 300E. He said that the commissioners need to contact Marcia Blandset at INDOT regarding this. He would like to see the county put in conduit at the same time for fiber optics in order to be prepared when it is needed.

IN RE: YELLOWSTONE TRAIL

Marilyn Goodrich and Jim Shilling informed the commissioners that Yellowstone Trail is marked incorrectly in areas. They provided maps marking the places that are incorrect. Marilyn stated that her mother had tried to get this corrected before she passed away fifteen years ago. Marilyn gave the commissioners an e-mail address where they can verify this information. She stated that the Yellowstone Trail is historic and the signage should be corrected.

Dan Bridegroom stated that he will get hold of the man in LaPorte and check on this.

Marilyn and Jim would like the incorrect signs removed and correct signs put up.

Dan will get hold of Steve to remove the incorrect signs. They will deal with the new signs later. The county can't pay for the new signage, but they might check with tourism.

IN RE: DIETRICH SUBDIVISION, NORTH JUDSON

Wes Boisvert stated that within the last five years that there are now approximately twelve kids in the Dietrich subdivision. He further stated that cars come through there at 45 mph with no regard for the kids. He would like stop signs on the east west roads to slow them down.

Mark Milo stated that stop signs aren't the whole answer—enforcement is. It is a 20 mph area. Sheriff Oscar Cowen said if he were given designated times he would send someone out there. Oscar also said to try to get license numbers. Mark asked Oscar to put the speed limit monitoring device out there.

IN RE: P.T.A.B.O.A. BOARD

Rhonda Milner, Assessor, stated that the P.T.A.B.O.A. Board needs to be either a three or five member board instead of four as it is now. It is the commissioners' decision. If they decide on three, the commissioners would pick two (one who is a level 2) and the council would pick one with a level 2. Mark Milo moved to approve a three man board seconded by Kathy Norem with 3 ayes.

IN RE: HAMLET WATER TOWER

Charlie Weaver stated that the water tower is to be erected next week. The public is not being invited as there is no safe place due to the narrow roads. Van Janovic reported that the welds will be x-rayed after it is completed.

Water Line change order #4 for final quantity adjustments project #008220 with a deduction of \$1,611.24 was submitted for commissioner approval. Mark Milo moved to approve seconded by Kathy Norem with 3 ayes.

Van Janovic reported that the E.D.A. has not been responding and therefore Van fears it will be damaging to the project. He is requesting that the commissioners move forward with the change orders despite the lack of federal approval. There is a slight risk, but all the changes are within the project limits. The risk is about \$48,158. Mark Milo moved to go ahead with the change orders and the commissioners will accept responsibility having been advised that the feds have not yet approved the change orders seconded by Dan Bridegroom with 3 ayes.

They discussed a possible breach of contract if we hold the claim checks for the contractors. Mark Milo moved to pay the Sysco claims if we have the money and are still able to do normal business seconded by Dan Bridegroom with 3 ayes.

IN RE: LEAD TRACK AND TEAM TRACK AGREEMENTS WITH NORFOLK SOUTHERN

Charlie Weaver submitted agreements with Norfolk Southern. Essentially the county is responsible for the lead track. The county would be named as an additional insured under each shipper's insurance.

Agreement 1 covers the lead track, agreement 2 governs the use of the team track, agreement 3 covers insurance and the naming of the county as an additional insured and agreement 4 is for a passing track for Reagent and any other track needed south.

Mark Milo moved to approve the agreements seconded by Kathy Norem with 3 ayes. Charlie Weaver showed the certificate of insurance.

Kathy Norem moved to grant permission for an application to cross a utility seconded by Mark Milo with 3 ayes.

The ground breaking for the tracks will be mid October.

Charlie Weaver announced that Reagent Chemical is expanding and submitted a press release on this.

IN RE: MANUFACTURED HOUSING ORDINANCE REVISIONS

Jack Hudgens and Lee Nagai appeared regarding the manufactured housing ordinance revisions. The commissioners object on the "used" mobile home issues. Jack and Lee stated that these are per H.U.D. regulations. There was much discussion on "used" mobile home restrictions.

The commissioners do not want it to be ten years. If they meet the code and are under ten years, they don't need to apply for conditional use. If ten years or older and meet the code they have to apply for conditional use going before the B.Z.A. Jack and Lee are asking for the ability to consider those ten years and older. As it is now, they can't even consider them.

Mark Milo moved to approve the ordinance with no review fee added for ten years and older seconded by Kathy Norem with 3 ayes.

IN RE: JAIL'S HEALTH PROFESSIONAL SERVICES

Dennis Dougherty and Tina Grist submitted an amended contract which would be eliminating dental, MSW, Psychotropics and ambulance service. This would amount to a three year savings of \$11,951.09. The commissioners asked for a review on the Psychotropics used. No decision was made at this time.

IN RE: COURTHOUSE TOURS AND HARVEST FESTIVAL

Jim Shilling thanked the commissioners for the use of the courthouse for the Harvest Festival and submitted thank you letters on behalf of the commissioners for the students who did the courthouse tours. Mark Milo moved to sign the letters and send them out seconded by Kathy Norem with 3 ayes.

IN RE: PROPOSED STAIR REPAIRS AT COURTHOUSE

Jim Shilling discussed the stair repairs at the courthouse with the commissioners. The commissioners want help with the aesthetics due to the National Historic Registry. Mark Milo suggested calling Atlas for their insight. Jim stated that there are also a couple of broken roof tiles that need attention.

IN RE: BASS LAKE BEACH AND CAMPGROUND

Clyde Haniford wanted to know if there was anything new at the lake regarding the beach and campgrounds. The commissioners reported that the State Health Dept. gave the Callahans a deadline for repairs.

IN RE: COMMISSIONER OFFICE HOURS

The commissioners canceled the office hours for Wednesday, September 9th due to the budget hearings.

The office hours for Wednesday, September 23rd from 4 to 6 pm will be held by Kathy Norem.

IN RE: EXECUTIVE SESSION CALLED

The commissioners called an executive session for Thursday, September 10th at 4:30 pm regarding personnel.

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