

TUESDAY, SEPTEMBER 8, 2015

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 Kathy Norem, Kent Danford and Donald Binkley present and the following proceedings were held to wit:

The meeting was called to order by Commissioner President Kent Danford.

RE: EMS DEPARTMENT MONTHLY REPORT

EMS Director Keith Emigh and Clerk MaryLynn Richie appeared before the Board to present their monthly departmental report. Clerk Richie advised for the month of August there were a total of 166 billed runs, and \$86.00 was received from the County Clerk and \$1,450.44 from Collections Attorney, Jonathan O'Hara. She also noted the A/R has increased by \$54,829 over the 2014 same YTD A/R. Director Emigh advised in regard to Operation Procedures: They are still experiencing issues with their software and are still looking into options for the replacement of their software. He noted the mandatory training they held last month on the new medical protocols went well with excellent attendance. In regard to Personnel: Director Emigh advised he hired 10 new employees last month and is still hiring until they have enough staff to always have a paramedic on at all bases 24/7. In regard to Education: Director Emigh noted trainings have taken up a lot of his time last month in either attending training or putting on the training. In regard to Rig Maintenance he advised Med 5 had to be towed in to the County Garage for repairs. He noted Med 5 is the rig that really needs to be replaced. (A copy of the Director's report is on file in the Auditor's Office.)

RE: COUNTY HIGHWAY DEPARTMENT REPORT

Superintendent Ritzler suggested his report begins with the opening of the bids for the Bridge # 71 replacement project. Attorney Marty Lucas verified with Auditor Chaffins that all bids were received in a timely manner and she advised they had all been received prior to 4PM that day. Attorney Lucas opened each bid and read the following results:

1. Bid received from Northern Indiana Construction, Mishawaka, IN in the total amount of \$323,375.63;
2. Bid received from LaPorte Construction, LaPorte, IN in the total amount of \$319,175.00
3. Bid received from Ellas Construction Inc., Gary, IN in the total amount of \$420,534.52
4. Bid received from Ellas Construction LLC, Munster, IN in the total amount of \$455,567.78.

Superintendent Ritzler advised Construction Inspector Bob Lorenz and Mark Wilson, of JPR will now take all the bids into the Annex Building Break Room and verify they are compliant with the bid specifications. He advised he would return with their results later on in the meeting.

Highway Superintendent Rik Ritzler then presented his monthly departmental report.

He advised in regard to the Road Improvement Program, they were very busy with road repairs in August. He noted they paved, chip sealed, crack sealed, built up roads, patched, and replaced culverts. A listing of all the locations of road repairs was included in the submitted written report. In regard to Mowing, he advised the mowers had mowed throughout the month of August but they will gradually phase out the mowing in September and will be finished using the part time mowers in October. The part timers with CDLs will be kept on the payroll to help out with snow plowing in the wintertime. In regard to Training, he advised INDOT developed a Certified Technician Program (CTP) which is designed to increase the number of experienced professionals who can perform construction contract inspections. The details of the six part program are spelled out in his Departmental report. He advised he has completed all six portions of the training and is now designated as Certified, and noted the other departmental employees who are participating in the training: Rachel Oesterreich, Andy Cornwall, and also Bob Lorenz will be participating.

In regard to Bridge replacements, the Superintendent advised the bids were just opened for Bridge 71, which has a fall completion date; and Bridge # 1 which is located on CR700N, .3 miles west of CR500E will be sent out for bids in November, and has a spring 2016 construction date.

In regard to Winter Preparations, he stated they are getting prepared for the winter season. They have purchased Magnesium Chloride for their anti-icing operations. Their road salt, plow blades, tires, and other necessary equipment have been ordered. They will begin their winter operations trainings throughout the month of October and their goal is to be ready for the snow by the end of October.

In regard to the creation of a Bridge Manager Position, he stated when his contract was completed last winter it stated he would be able to negotiate any salary changes with the County Council. In doing so this year he proposed a few options. He proposed a salary increase from the Highway Department Fund, # 1176 in his 2016 budget, and also proposed the creation of a new position, that of Bridge Program Manager, which would be paid out of the Cumulative Bridge Fund, # 1135. He noted the Council decreased his proposed Fund 1176 pay, but approved the pay proposal from Fund 1135. (The Council approved the pay for the position of Bridge Program Manager with the stipulation that the position would be created and approved by the Board of Commissioners).

Superintendent Ritzler gave a six point justification why the Bridge Manger Position should be established in addition to his regular pay. The points are included in the Departmental Report which is on file in the Auditor's Office. Commissioner Norem confirmed that his proposal was for the 2016 budget year, and then she suggested the Board table the creation of his proposed position until the October meeting. The tabling of the proposal was agreed to by the Board.

RE: STARKE COUNTY FOREST, BEAVER AND DRAINAGE ISSUES

Surveyor Dennis Estok and Robert Aloï of Territorial Engineering appeared before the Board to discuss the situation with beavers and drainage issues at the Starke County Forest. Surveyor Estok advised the Anderson Ditch which runs through the Starke County Forest is a petition ditch which falls under the drainage laws however the ditch does not have a ditch maintenance assessment. The Surveyor stated he has received many complaints from neighboring property owners in regard to the flowing or not flowing of the Anderson Ditch through the Forest. He stated beavers have created dams in the forest and the result contributes to the establishment of the marsh in the forest. He noted it is at the expense of the landowner to repair any damming issues to the ditch when it runs through their property. He stated the removal of the beavers is just a temporary solution since beavers will relocate and create another dam at a different location. He advised the solution needs to be a permanent one. Surveyor Estok advised he had contacted Territorial Engineering to assist with the creation of a permanent solution. Attorney Lucas inquired as to where the Anderson Ditch flows into and was advised it flows into Eagle Creek which isn't a maintenance ditch either. Commissioner Norem inquired about the creation of a by-pass ditch. Surveyor Estok advised beavers will find a way into the new ditch also. He noted the Anderson Ditch has always had a history of beavers. He noted he has also spoken with the DNR who advised they would not take the beavers. Surveyor Estok advised if beavers are relocated from the ditch they have to be placed in a different area of Starke County. Commissioner Norem stated they need to create a definite plan of action and also allow the marsh to remain. Attorney Lucas noted the landowner will be responsible for paying for the project and proposed allowing Territorial Engineering to conduct the water level study and establish elevations of the Anderson Ditch between CR1100E and Division Road. Mr. Aloï advised the cost involved to conduct a Topographic Data Collection would be \$ 3,200.00 and the costs involved to do the Engineering portion and present the information to both Boards would be \$ 2,400.00. Mr. Aloï advised of the importance of consistency in the size of the piping involved in the flow of the ditch and continually controlling the ditch silt. Surveyor Estok advised they are looking for a way to remove the beaver dams, save the marsh land and still be in compliance with the state drainage statues. Skyler Ellinger, President of the County's Park Board asked if the Board could table a decision until their next meeting as the Park Board is meeting on Tuesday, September 15th at which time they will be evaluating the situation. The Starke County Forest is considered a County Park. Commissioner Norem suggested President Danford attend the Park Board meeting as the Commissioner Representative. Skyler Ellinger inquired as to the manner of how the main culvert was opened up. Surveyor Estok advised the culvert was opened with a mini excavator with also removed the beaver dams. Mr. Ellinger noted the Park Board will also be discussing the source of the funding for the proposed work to the Ditch and Marsh area. Bruce Wakeland, the caretaker of the Starke County Forest, advised there was a marsh on that property for over 12,000 years. He noted beavers did not create the marsh, they restored it. He advised when the dam was broken the water of the marsh went down by 18 inches. Surveyor Estok advised after the beavers and their dam were removed Mr. Wakeland installed boards across the ditch to establish another dam. Mr. Wakeland stated he installed the board in order to put the dam back in place because the marsh was draining so badly and it was to stop the beavers from clogging the culverts. Mr. Wakeland was adamant that the funding of the Starke County Forest should not be used to pay for the expenses of the ditch maintenance as that was not the intention of the Forest Fund. He stated the cost of the trapping of the beavers and the tearing down of the dams was only a short time solution and he disagreed that the payment of the claim was from the Forest Fund. He also noted his disagreement to the payment of the proposal from Territorial Engineering out of the Forest Fund. Commissioner Norem asked Mr. Aloï if he could also attend the Park Board Meeting on the 15th.

RE: SHERIFF'S REQUEST FOR TWO ADDITIONAL FULL TIME JAILERS

Commissioner Norem advised the Sheriff at the time the jail's construction was ending had an additional staffing study completed and it stated there was a need for additional full time jailers. She noted it will be the decision of the County Council as to approving the funding for the two additional jailers and the funding could come from the Jail CREDIT Fund. She added though the only problem with the funding is it only lasts for twenty years. The Sheriff noted as of that day the population of the Jail was at 68 inmates. The Sheriff also advised they have not received any definitive answer yet from the State in regard to the Therapeutic Community Program. Commissioner Norem noted a group from Starke County traveled to Westville to witness a current State inmate program. She advised the County has been receiving positive responses from the State and Judge Hall has been working together on the County's Proposal with the Probation Department and the Community Corrections. She noted the program would pay \$35.00 a day per inmate and a program would consist of up to 48 inmates. The State would provide staffing and also provide for the inmate's medical care. Sheriff Dulin advised he currently has six full time jailers and is requesting the creation of two more full time jailer positions. Commissioner Norem made a motion to

approve the request to create two more full time jailer positions pending Council funding approval. Commissioner Binkley seconded the motion and it passed with all ayes.

RE: REQUEST FOR GRANT LETTER OF SUPPORT FROM COMMUNITY CORRECTIONS

Robert Hinojosa, Director of Starke County Community Corrections, and John Thorstad, Starke County Probation Officer, appeared before the Board to request the Commissioner's approval of a letter of request for a grant cover letter to be submitted along with a grant application for a Pre-Trial Diversion Program and for an expansion of the County's Community Corrections Program. They advised the total amount of the grant requested is \$ 103,046.97. He advised \$ 22,899.00 is requested for the Pre-Trial Diversion Program and \$ 80,157.97 for the County Community Corrections Program. Commissioner Norem made a motion to approve the Letter of Support. The motion was seconded by Commissioner Binkley and passed with all ayes. The letter was signed by the Board.

RE: REPORT ON BRIDGE 71 BIDS

Superintendent Ritzler appear back before the Board and advised the bids received were in compliance with the bid specs and advised he is recommending to the Board they accept the bid received from LaPorte Construction, in the total amount of \$ 319,175.00, which was \$ 13,000.00 under the engineer's estimate of the construction cost. Commissioner Binkley made a motion to approve and accept the bid received from LaPorte Construction, seconded by Commissioner Norem. The motion passed with all ayes.

RE: ASSESSOR BUSINESS

Assessor Rhonda Milner appeared before the Board and advised she will be processing and printing the Form 11s, which is the form that notifies the taxpayer of changes to their property assessments. She noted she had asked for price quotes from three different vendors but only received two responses. The first quote was from World Corp. in the amount of \$4,138.20 with the additional amount of \$5,400.00 in postage. The other quote received was from the Master's Touch in the amount of \$2,693.50 and the \$5,400.00 in postage. She advised the Board she was recommending contracting with Master's Touch for the printing of the Form 11s. Commissioner Norem made a motion to approve Master's Touch for the printing of Form 11s, seconded by Commissioner Binkley. The motion passed with all ayes.

Assessor Milner then advised she has been looking for new software for her department as there has always been an issue with their existing vendor, Manatron, especially when it is time to roll the real and personal property assessment values to the Auditor's Department. She has looked into the possibility of several different vendors but has been impressed with X-Soft. She advised the total cost of the software is \$138,900.00 but they are willing to finance the amount over a period of five years with zero interest. The annual amount would be \$27,780.00. She noted she has incorporated that annual cost into her 2016 budget however she would like to be able to purchase the software in 2015. She also advised the current yearly maintenance expense with Manatron is \$30,172.28 but the annual maintenance fee with X-Soft would be \$22,800.00. Commissioner Norem advised they agree that there is a need for the updating of her department's software but stated she should work with the Auditor to find the source of funding for this year's payment in order to purchase the software in 2015.

RE: RENEWAL OF COUNTY'S LIABILITY AND WORKERS' COMP INSURANCE

Carrie Block of 1st Choice Insurance appeared before the Board to discuss the County's insurance renewal rates for the upcoming year. She had prepared a spreadsheet listing the current year's premium expense and the proposed premium expense per type of insurance coverage. The total current liability expense is \$241,735.00 and the proposed liability premium would be \$254,592.00, an increase of \$12,857.00 or 5.3%. In regard to the worker's compensation coverage she advised, due to a decrease of the Experience Modification from 1.85% to 1.65% the premium will be decreasing by \$16,610.00. The current W/C premium is now \$236,000.00 and the proposed premium will be \$219,390.00. She noted the W/C insurance will be provided by Bliss McKnight. She stated they County will see a total net decrease in their premiums of \$3,753.00. Agent Block stated the Starke County Building Corporation, since they are technically renting the jail facility to the County are required, by US Bank-the Bond Trustee, to carry rental insurance. She advised the cost of that coverage will be \$6,247.00 and will be an expense of the Building Corporation.

Commissioner Norem made a motion to accept the proposal quote from Bliss McKnight to provide the Workers Compensation Insurance for the next year. Commissioner Binkley seconded the motion and it passed with all ayes.

Commissioner Norem made a motion to accept the proposed 2015 premium for the liability insurance coverage. Commissioner Binkley seconded the motion and it passed with all ayes.

Commissioner Norem made a motion to recommend to the Starke County Building Corporation the proposed rental insurance policy and proposed premium. Commissioner Binkley seconded the motion and it passed with all ayes. Commissioner Norem stated the Building Corporation will address the

proposed insurance coverage at their next meeting in October. The Board of Commissioners signed the cancellation of the IPEP W/C Insurance policy which is the current provider.

RE: AUDITOR'S BUSINESS: MINUTES, PAYROLL CLAIM, VENDOR CLAIMS

Commissioner Binkley made a motion to approve the minutes of the August 17th meeting, seconded by Commissioner Norem. The motion passed with all ayes. In regard to the claims docket Commissioner Norem brought it to the attention of the Board that there was a claim for payment to Jaime Dowd in regard to the removal of the beavers from the Anderson Ditch at the Starke County Forest and the payment would be from the Starke County Forest Fund, Fund # 4912 in the amount of \$1,400.00. Bruce Wakeland stated he did not agree with the payment from that fund stating that was contrary to the purpose of the fund. Attorney Lucas advised that it is the obligation of the landowner to handle the expense. He noted this was maintenance that had to be done, maybe not the maintenance he would have wanted to do though. Mr. Wakeland stated the land owner is the County. Commissioner Norem noted the ditch is part of the forest and it applies to the Obstruction Statute. Mr. Wakeland stated the beavers have been there before 1985 and it was wasted money to pay for beaver removal. He stated it is not a forest issue; it is a drainage issue. Commissioner Binkley stated he considers the action taken was maintenance.

Commissioner Danford made a motion to approve the payment of the beaver removal claim out of the Starke County Forest Fund, # 4912. Commissioner Binkley seconded the motion and it passed with all ayes. Commissioner Norem made a motion to approve the claims docket is the total gross amount of \$ 166,517.68. Commissioner Binkley seconded the motion and it passed with all ayes.

Commissioner Binkley made a motion to approve the payroll claim docket for the pay period ending on August 29th, with the pay date of September 4th, in the total gross amount of \$203,129.08. Commissioner Norem seconded the motion and it passed with all ayes.

Commissioner Binkley made a motion to approve the payroll claim docket for the pay period ending on August 15th with a pay date of August 21st, in the total gross amount of \$202,550.61. Commissioner Norem seconded the motion and it passed with all ayes.

IN OTHER BUSINESS

EXECUTIVE SESSION

In regard to the Executive Session held on August 20th, Commissioner Norem stated, following the discussion they had at that meeting, she made a motion to not to make any changes, to stay with their existing course of action in regard to stopping the pay of Sheriff's Deputy Robert Gray. Commissioner Binkley seconded the motion and it passed with all ayes.

APPOINTMENTS TO THE COUNTY EDC BOARD AND VACANCIES ON THE BZA AND PARK BOARDS

Commissioner Norem stated she would like to have the press advertise these board openings and address the appointments at a future meeting.

ANTHEM HEALTH INSURANCE REIMBURSEMENT

Auditor Chaffins advised the County had recently received a reimbursement from Anthem in regard to the County's health insurance coverage in 2014, for the total amount of \$13,557.48. She stated she would like the Board to decide if the employee share of the reimbursement would be a deduction to their future health insurance premiums or disburse the employee share of the reimbursement out to the qualifying employees. Commissioner Norem noted the reimbursement was due to the total amount of claims paid out in 2014, compared to a percentage of the premiums the County paid to Anthem for that coverage.

After a brief discussion, Commissioner Norem made a motion to add the employee's share to their payroll amount as taxable income. Commissioner Binkley seconded the motion and it passed with all ayes.

Auditor Chaffins advised the amounts the employees will receive will be based on the type of coverage they had such as employee only, family, employee and child or employee and spouse.

RESIGNATION OF COUNTY CORONER

Commissioner Norem advised she wanted to give a brief recap as to what transpired following the effective date of the resignation of the County Coroner, Adam Gray. She advised on Monday, August 31st she was contacted by Kenny Wallace, the Democratic Party Chairman, advising of the Coroner's resignation which would be effective as on midnight that night. She stated Chairman Wallace advised he believed the Coroner had appointed a Deputy Coroner, Danny Hoffer. He advised the Democratic Party was calling a Caucus on Thursday the 10th and he wanted the Board of Commissioners to be aware they would be without an official Coroner for that period of time. Commissioner Norem stated she then called Danny Hoffer who advised he was appointed as the Deputy Coroner by Adam Gray and he was planning on attending the State Training. She advised him to report to the Auditor's Office in the morning to go through the pre-employment testing and paperwork process. Commissioner Norem noted she then spoke with Adam Gray who stated he had never appointed Danny Hoffer as the Deputy Coroner and he didn't have any official Deputy Coroner. Commissioner Norem stated she then called the State as to what the procedure would be if there was a Coroner resignation and not have a Deputy Coroner either. She was informed by the State to check with the surrounding counties to see if one of the other County Coroners would assist in the interim. She stated she attempted to contact the Marshall County Coroner. She noted the State had made contact with the Jasper County Coroner, Andy Boersma of Wheatfield who advised he was born at the Starke Memorial Hospital in Knox and at one time lived in Starke County and he would

be happy to help out the County but he asked that the Starke County Judge officially swear him in. Commissioner Norem advised the next morning at 11AM Jasper County Coroner Andy Boersma was sworn in as by Interim Starke County Coroner by Judge Hall and she asked Chairman Wallace to be present also. She noted Dannie Hoffer filed on that day, in the Clerk's Office, for the Party's Caucus and the Interim Coroner Boersma appointed Danny Hoffer as the Deputy Coroner. Adam Gray was asked to turn in the County's vehicle and to submit the keys to the Auditor and all his Coroner records. He noted the Interim Coroner Boersma advised he would be willing to perform the duties of the coroner at no expense to Starke County. Commissioner Norem added that presently the Democratic Party Caucus had been delayed due to a time issue and will be rescheduled. Commissioner Norem stated the very next day there was a case for the Coroner and it was covered by the Interim Coroner.

COURTHOUSE CUSTODIAN EMPLOYMENT EVALUATION

Auditor Chaffins advised an employee evaluation of Courthouse Custodian Michael Garhart was conducted by the Maintenance Director, Jim Coad. The evaluation was favorable for Custodian Garhart and Commissioner Binkley made a motion to approve the additional \$1,000.00 per the terms of his employment agreement as stated in the minutes of the May 18th meeting of the Board of Commissioners. Commissioner Norem seconded the motion and it passed with all ayes.

IT & EMA DIRECTOR APPLICATIONS

Auditor Chaffins advised the County had received a total of eight applicants for the Position of IT Director and five for the Position of EMA Director due to the resignations of Joe Short and Ted Bombagetti. She inquired as to the proposed plan was for filling the positions. The Board stated they will set up an Executive Session in order to interview candidates beginning with the Position of IT Director.

INMATE MEDICAID INFORMATION

The Board advised they will table the discussion in regard to the Inmate Medicaid Information to their next meeting.

PUBLIC COMMENT

Roger Chaffins, of the County's Park Board asked Attorney Lucas to review the contract in regard to the Bass Lake Beach and Campground Lease. He inquired as to the raising of the rent annually by an 8% amount, and in regard to capital improvements versus maintenance repairs and believed Mr. Callahan may have been receiving too much credit on his annual rent due the County. Attorney Lucas stated there is a possibility too many items were applied toward the rental and the Park Board may want to give Mr. Callahan notice of possible changes for next year.

George Dotlich inquired in regard to the vacant positions on the BZA and Park Boards. Commissioner Norem stated she believed the BZA Board requires a political balance and they would need to reside in the portion of the County. The vacancy on the BZA Board was due to the resignation of Nathan Marcum. Attorney Lucas noted they would need to reside in an unincorporated portion of the County. Commissioner Norem stated they were welcome to apply and anyone interested should submit their letter of interest to the County Auditor's Office.

There being no further public comment and no further business, Commissioner Norem made a motion to adjourn the meeting. Commissioner Binkley seconded the motion and it passed with all ayes. The meeting adjourned at 8:42PM.

SEPTEMBER 8, 2015

Kent Danford, President

Kathryn Norem

Donald Binkley

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