

**Monday, October 1, 2012**

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

The meeting was called to order by President, Kathy Norem. She noted the following change to the posted agenda: she requested the Board complete the October calendar of their available hours for the Commissioners' Office in the Courthouse, during the Auditor's business portion of the meeting. Commissioner Bridegroom asked that under "other items to be discussed" an appointment be made to the North Central Action Agency.

**RE: MINUTES, PAYROLL CLAIMS, VENDOR CLAIMS, & COUNTY GENERAL FUND MISC REVENUE REPORT**

Commissioner Davis made a motion to approve the payroll for the pay period ending 9/15/12, in the amount of \$172,744.94. Commissioner Bridegroom seconded the motion, and it passed with all ayes.

In regard to the vendor claims, President Norem advised she had a question in regard to the claim submitted by PTABOA Board Member, Ron Simoni, requesting reimbursement for expenses from attending a conference. She noted his hotel expense rate was listed as \$204./night, while the similar claim submitted by PTABOA Board Member, Ed Hasnerl, had the hotel expense rate as \$91./night. Commissioner Bridegroom also advised he was questioning the different amounts in the two claims that had been submitted for conference registration fees.

Commissioner Bridegroom made a motion to withhold the payment of the two claims for the conference registration, and the Simoni reimbursement claim. The motion was seconded by Commissioner Davis, and passed with all ayes. Commissioner Davis made a motion to approve the remainder of the claims, for a net total of \$346,808.38. The motion was seconded by Commissioner Bridegroom and it passed with all ayes.

Commissioner Bridegroom made a motion to approve the minutes of the September 17<sup>th</sup> meeting, seconded by Commissioner Davis. The motion passed with all ayes.

President Norem requested the Board complete their available hours for the Commissioners' Office during the month of October, and submit the completed calendar to the Auditor, for posting on the county's website.

Auditor Chaffins advised the County has received 1.746 million of the 1.819 million misc. revenue of the County General Fund, which had been estimated in the state's approval of the 2012 County General budget. She noted is projected to exceed the estimated amount, and will positively affect the cash flow in that fund. President Norem requested a updated revenue report be submitted at each meeting. Commissioner Davis stated she would like to see a meeting with the department heads to review the new financial reports that will be produced by the new financial software in the Auditor's and Treasurer's Offices. Auditor Chaffins advised that will be possible once they are comfortable with the reports, and as to which reports will produce the information that will be beneficial to the departments.

**RE: EMS DEPARTMENT MONTHLY REPORT**

EMS Director, Paul Mathewson, appeared before the Board to submit the EMS Department monthly report. He advised, due to the absence of Clerk MaryLynn Ritchie, the financial information reporting will be postponed until the next month's meeting. He noted he has been preparing, due to the recommendation of President Norem, a policy that will establish the minimum work requirements of part time status EMS employees, and also their work availability. He also advised he is establishing a standardized report for the ambulance vehicles showing their year, make, model, mileage, condition, repairs needed, and this report could be a standardized county report that could also be utilized in the Sheriff and Highway Departments. Commissioner Bridegroom noted, as part of the Safety Program in the County, a report is being created that will show the mileage of the vehicles, condition, etc., and will be introduced at the next Safety Committee meeting.

Director Mathewson advised he believes they are on target to show a 20% increase in EMS revenue over last year, and they hope to be able to begin the process of writing off the old debt that is still showing in the EMS financial software.

**RE: COUNTY HIGHWAY DEPARTMENT REPORT**

County Highway Department Superintendent, Steve Siddall, appeared before the Board. He introduced the new safety style shirts now being worn by the employees of the highway department. He presented to the Board the results of the testing of the pug mixture. Lab representative, Dave Brazil, appeared before the Board to explain the tests results. He advised the tests show the water and asphalt content of the pug mixture that was analyzed. He noted the hardness rating of the pug mixture was at 227, with a result of 100 to be considered hard, and a score of 300 being considered soft. A copy of the lab test results are on file in the Auditor's Office. The Board had questions in regard to the condition of the pug that has been laid recently by the highway department. Commissioner Bridegroom advised they have been receiving several complaints on the condition of CR700E that recently had pug laid on a stretch of the road about a mile and one tenth in distance. He advised the road has been rippling, but did note the road had heavy semi traffic on the road right after the pug was laid. He advised on a different road where pug was laid, the condition of the road was so bad, the department had to pick up the pug that was laid, on the next day. Superintendent Siddall advised they also have been experiencing problems with the paver, and have discovered the slower the machine is used, the better the job it was doing. President Norem inquired if it was true that this is the worst pug the highway department has worked with, and the hardness of the pug is what caused a truck to pop up in the air, when the pug wouldn't move out of the truck. Siddall advised this was untrue, and the reason why they had issues with the truck is because they failed to use the proper slickem in the truck which resulted in the pug being stuck.

Mr. Brazil advised the cold mix offers the best flexibility of road materials, and is best when it is mixed and allowed to sit in a pile for at least a month prior to laying it on the roads. He also noted the temperature needs to be at least 70-75 degrees for at least a couple of days before installing it.

President Norem inquired as to the location of the machinery/equipment listing they had asked for previously. Superintendent Siddall advised he had submitted the list to Commissioner Bridegroom. Commissioner Bridegroom asked the Superintendent to email out the list to the other Commissioners when he returns to his office.

The Superintendent advised he had met with Charlie Weaver of the Starke County Economic Development Foundation, and he had a box of files that required President Norem's signature, in regard to the CR300E, SR8 project.

President Norem advised she had been confronted by an individual who showed her pictures that were taken of the county bridge over the Yellow River, on CR300E. She noted the pictures which were obviously taken by kayakers, revealed the poor condition of the piling and abutments of the bridge. Siddall advised the State is presently conducting bridge inspections in the county and in order to inspect pilings that would need to have underwater divers in the river. Because of the low water level of the river, the State might pass on that requirement. He noted Mr. Weaver had asked for a copy of the bridge inspection to give to the project engineers, as there is a possibility the bridge repair could also be included in that CR300E project. Siddall advised once the stage two inspections are conducted, they will be receiving a new updated bridge book.

The Superintendent advised Bridge 43 was on the top of the list of bridges to be repaired in 2013. He inquired if he should proceed with contacting an engineering company to begin the preliminary work on the bridge, and inquired if the Commissioners had a company in mind they wanted to work with. President Norem advised, even though they were satisfied with the work Wightman Petrie has done, she directed the Superintendent to prepare the specs for the bridge engineering, and begin the normal request for the bid process.

Commissioner Bridegroom advised he had asked the Superintendent to prepare a price comparison of the cost per mile of the different methods of paving. Siddall submitted a report showing the cost per mile of hot mix is \$76,000.00/mile; the cost of a mile of pug mix is \$40,000.00; and the cost per mile of chip and seal is approximately \$13,000.00. They advised a road that has been paved with the pug mix has to be chip and sealed in about a year. President Norem inquired if Central Paving was the only company that does the hot mix process and Siddall advised they were the only company to submit a bid to the County for 2012.

Siddall then advised the highway department will be involved in the Monon Drainage Ditch project, which will require them to purchase a 60 and a 72 inch pipe, and then also they will need to cap the project with asphalt. Commissioner Bridegroom advised they are working on a report of what needs to be done to vehicles and could be used by all the county departments who have any vehicles. He noted the report would include the mileage recorded prior to the trip, and then post trip, and that information be submitted to the mechanics if the vehicle requires any repair work to be done.

Superintendent Siddall inquired, since they have the money in their budget, if they could purchase a new tandem vehicle this year. He noted he would like to have their approval before he appears before the Council. President Norem advised she is aware that the department is in need of trucks, but would like to see the listing of equipment first, to see if this is the most important purchase by the department at this time.

## **RE: ELECTION BOARD RESOLUTIONS**

County Clerk, Evelyn Skronski, and Election Board Member, Jim Henriott, appeared before the Board to present the resolutions that had been approved by the Election Board. Clerk Skronski advised the resolutions would eliminate some of the poll workers, and also be increasing the per diem to be paid to the Inspectors and the Judges who will be handling more than one precinct due to the consolidation of some of the precincts. They proposed to increase their pay by \$10.00 a day, and also to pay the high school workers who could assist at the polls with misc. jobs. Their pay would be \$20.00 for a six hour shift, and there would be an estimated two to six students participating. President Norem advised she objected to the consolidation of Washington precincts 1 and 2, and the consolidation of precincts Wayne 1 and 2, noting the minutes of the meetings earlier in the year where the request to consolidate had been denied. She advised she would like them to cite the IC code that would allow them to consolidate the precincts without the approval of the County Executives. Clerk Skronski advised it is IC 3-6-6-38. President Norem stated she disagreed with the request for the consolidation, and noted it is not right, and she believed it could also be illegal. She also noted the attempt to consolidate was not even discussed with either of the party chairs. She asked County Attorney, Marty Lucas, if the consolidation of the precincts was legal and also noted only the Board of Commissioners could establish the wages paid to the poll workers. Commissioner Bridegroom inquired what the reason is for the attempt to consolidate. Mr. Henriott advised it is an attempt to save money by reducing the number of workers, one inspector, two judges, and two sheriffs. President Norem pointed out that it was not a State mandate, at this time, to require any consolidations. Democratic Party Chairman, Kenny Wallace, commented that he thought the issue was resolved earlier in the year, but he had spoken with the Clerk and she had advised that early decision only referred to the Primary, and not the General Election. President Norem advised they should not wait until October, one month prior to the election, to inform the Board of Commissioners of a decision the Election Board had made in June. Clerk Skronski advised the turnout is expected to be a low turnout, so they should be able to reduce the number of workers. Mr. Henriott advised when they proposed to consolidate Center 1 & 2, and have all Center precincts vote at the same location, Attorney Lucas cited the Indiana Code allowing them to take that action. He also advised the voting machines were already loaded and ready to go. Republican Party Chairwoman, Brenda Stenojevic advised IC Code 3-11-8-4-3 states there needs to be a unanimous vote of the Election Board, and then receive approval of the Commissioners. President Norem stated they should make it as easy as possible in order to go vote, noting that it is a fundamental right to vote. She advised she is vehemently opposed to the consolidation of Washington 1 & 2, and Wayne 1 & 2. She also noted, they need to increase the pay of the poll workers, because it is a miscarriage of justice to ask workers to be there for thirteen hours and work for less than minimum wage.

Attorney Lucas noted that any Election Board resolution expires after one year.

Clerk Skronski stated she does not have enough in her Election Department budget to increase the pay for the poll workers this year, but was advised by the President Norem, that they can provide any available appropriations from their budget to be transferred to the Election budget, since it is within the County General Fund budget. The request would require Council approval. After a brief discussion it was suggested the pay of the Judges, Sheriffs, and Clerks be increased from \$60.00 to \$95.00 a day, and the pay of the Inspector be increased from \$90.00 to \$142.50 a day. Clerk Skronski also noted the workers will receive an additional \$10.00 if they attend the pre-election training. She also noted the workers are allowed \$25.00 a day for their meals, but she advised, in the past, this money has been paid to the Vendor providing the meals to the polling place.

Commissioner Bridegroom made a motion to not combine any precincts except Center 1 & 2, Center 3 & 4, and was seconded by President Norem. The motion passed with two ayes, and one nay (Davis).

President Norem advised the Election Board does have the authority to reduce the number of poll workers without the approval of the Board of Commissioners, and can reduce the number of sheriffs and clerks at the polls. Mr. Henriott advised if there is an issue at a polling center that does not have a sheriff the poll workers should contact the County Sheriff.

Commissioner Davis made a motion to increase the base salaries of the judge, clerk and sheriff to \$95.00 per diem rate, and the inspector to \$142.50 per diem rate. Commissioner Bridegroom seconded the motion, and it passed with all ayes.

Attorney Lucas advised every year that there is an election the resolution needs to be addressed by the Election Board, since the resolutions expire at the end of the calendar year. He advised the location of the polls is not the issue being addressed it is the concern about having the proper number of poll workers in handling more than one precinct.

Clerk Skronki advised, in regard to the meals served to poll workers, they will take a survey at the training sessions, as to what workers want to do about their meals. She advised they will make up a survey, and will act on what is the unanimous decision of the poll workers.

Party Chairman Stanojevic advised according to IC 3-6-6-38, there needs to be a resolution in place prior to October 8, 2012 in regard to the polling places.

President Norem announced a five minute break, to allow Attorney Lucas, to review the Indiana Code.

The meeting reconvened five minutes later, and Attorney Lucas advised it can be recorded in the minutes of today's meeting, the Board of Commissioners approving a resolution that would allow for precincts Center 1 and Center 2 to consolidate, and also for Center 3 to consolidate with Center 4. Commissioner Davis made a motion to approve this resolution, seconded by Commissioner Bridegroom. The motion passed with all ayes.

Attorney Lucas advised he will write up the resolution, and the Board will need to sign it at their next meeting.

#### **RE: SCCC REQUEST TO PURCHASE VEHICLE**

Starke County Community Corrections Director, Bob Hinojosa, appeared before the Board to request their approval on the SCCC purchasing of a new compliance vehicle. He advised he already had received an approval from their budget committee, allowing him to spend up to \$16,500.00 for the purchase of a new vehicle. He stated he also had received approval from both their Advisory Board, and from the State. He noted they utilize the State's pre-bid process. He advised they currently are using a 2010 Dodge Avenger, with 47,000 miles, and are looking at a 2013 Dodge Avenger. He advised of the three price quotes he had received, the closest dealer was Braun in Winamac, IN, but there price quote was \$17.00 higher than the lowest quote he received. Commissioner Bridegroom made a motion to approve the purchase of the vehicle from the Winamac dealership, seconded by Commissioner Davis. The motion passed with all ayes.

#### **RE: THE SIGNING OF THE ENGINEERING CONTRACT FOR THE CR300E PROJECT**

Attorney Lucas passed out a copy of the proposed engineering contract with Territorial Engineers for the Board's approval. He advised the contract was completed after a lengthy discussion, most particularly in regard to insurance coverage. He noted he is recommending the Board approves the contract at this time. Commissioner Bridegroom made a motion to approve the Engineering Contract, seconded by Commissioner Davis. The motion was passed with all ayes. The contract was then signed with a blue ink pen, as is required by the federal government.

#### **IN OTHER BUSINESS:**

Commissioner Bridegroom gave a brief update to those present in regard to the number of tort claims and lawsuits the County receives on a regular basis, and how they are all are public record. Attorney Lucas advised the difference between a tort claim, and an actual lawsuit. He noted the County is first notified of a tort claim, stating a possible lawsuit may be filed, and then the County along with their insurance company has an opportunity to minimize their costs, through a settlement process. He also noted the majority of tort claims and lawsuits usually either involve the Highway Department or the Sheriff's Department. President Norem noted they are a matter of public record, and it would not be in the best interest of the Board to address each issue during their regular monthly meetings.

President Norem advised in regard to the signing of an agreement as listed on the Indiana Public Employer Plan, the minutes of the July 2<sup>nd</sup> meeting reflects that Commissioner Bridegroom made a motion to approve that specific agreement, and the motion passed. Also the additional paper that was signed on July 9<sup>th</sup>, was also addressed in the minutes of the July 2<sup>nd</sup> meeting. Commissioner Bridegroom stated he was concerned with the possible costs involved in that agreement, and that was why he was now questioning the signing.

Attorney Lucas advised he had received a "Memorandum of Understanding to Assist the Starke County Assessor" from Attorney Jack Humphrey in regard to railroad right-of-way that is bordering property owned by Jack Bell. He then read the Memorandum for the record. A copy of the Memorandum is on file in the Auditor's Office. Attorney Lucas noted the issue at hand was distinguishing between railroad property that is a parcel, and one that is only an easement. In this particular instance, the property is an easement. But, he also noted, that decision affects only that particular railroad property, and not all of the railroad property located in the County. Commissioner Bridegroom made a motion to approve this memorandum, seconded by Commissioner Davis. The motion passed with all ayes, and the document was signed.

Auditor Chaffins stated she has been facing some difficulties in obtaining the proper files from the Assessor's Office in regard to the rolling of the assessed values on the County's real and personal property assessments. She advised there are established dates the State sets in regard to completing this step in the budget process, noting the files should be rolled to the Auditor's Office from the Assessor's Office by July 1<sup>st</sup>, and then the Auditor to submit the Net Assessed Values to the State by August 1. She stated she had already received the real estate file, but there is still an issue with the personal property file. There was a discussion in regard to the situation where the two different tax software companies that the Auditor and the Assessor's Office utilize, do not work together well. The Board advised once this issue is resolved, and after the process is complete, the County looks into a different software vendor for the Assessor's Office.

Auditor Chaffins advised she had been asked to look into the amount of the CEDIT appropriations for the year 2012. In conducting the research in regard to the appropriations, she noticed the receipt for the proceeds from the sale of

land to JW Hicks in 2011, by the SCEDF. She advised the County had received a check from the SCEDF, and she is now wondering if the check should have been receipted into the CEDIT Fund, and if so, that amount be appropriated, with Council approval, following the same percentage breakdown, as is followed with the CEDIT revenue received from the State. Commissioner Davis suggested Attorney Lucas research this issue, and asked it be put on the agenda for the next meeting, and have Charlie Weaver, Director of the Starke County Economic Development Foundation also be present at the meeting to address these questions.

Commissioner Davis advised she had been contacted in regard to the vacancy on the Board of the North Central Action Agency. She advised she is recommending Larry Harris as the appointment to that Board. She made a motion to appoint Larry Harris to fill that position, and the term would expire December 31, 2013. Commissioner Bridegroom seconded the motion, and it passed with all ayes. President Norem advised the Auditor to add this position to the list of County Board appointments.

**PUBLIC COMMENT:**

Betty Dotlich advised in regard to their court case, the Judge will be ordering the issue to be sent back to the Starke County's BZA Board. President Norem requested a copy of the court transcript of that case.

Sheriff, Oscar Cowen, appeared before the Board, with a representative from a Canadain Company, who restores older county vehicles for the Sheriff and EMS Departments. He advised the average cost to refurbish a police vehicle is \$17,500.00, and an ambulance refurbish cost is \$40,000.00. He offered to show the Board one of their refurbished vehicles that he brought to the County. Commissioner Davis asked if he could send them a brochure listing his company's services and a listing of references.

With there being no further business to come before the Board, Commissioner Davis made a motion to adjourn the meeting, seconded by Commissioner Bridegroom. The motion passed with all ayes, and the meeting was adjourned at 11:35AM. President Norem advised the Board and any one from the public who was in attendance and interested, to go to the police department, to check out the refurbished vehicle.

**October 1, 2012**

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Kathy Norem, President

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Dan Bridegroom, Vice President

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Jennifer Davis

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Katherine Chaffins, Auditor &  
Secretary to the Commissioners