

**MONDAY, OCTOBER 19, 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 and Donald Binkley present and the following proceedings were held to wit:

Due to the County Council meeting running late, the meeting of the Board of Commissioners was called to order by Commissioner Vice-President Kathy Norem, at 6:23PM. Commissioner President, Kent Danford, was absent from the meeting. Commissioner Norem advised in addition to the posted agenda they will be also including the KIRPC & SCEDF Grant request and the appointment to the SCCC Advisory Board.

**RE: KIRPC & SCEDF GRANT REQUEST**

Edwin Buswell of KIRPC and Charlie Weaver SCEDF Director appeared before the Board in regard to the grant application which will be addressing the development of a workforce development program (WDP). Director Weaver stated the WDP will be providing education in the field of industrial maintenance and automation troubleshooting. Mr. Buswell advised the grant application requires an updated version of the County's Fair Housing Ordinance and Drug Free Workplace Ordinance. County Attorney Marty Lucas advised since the ordinances includes a penalty the ordinance adoptions will require they follow the proper procedures including a 1<sup>st</sup> and 2<sup>nd</sup> reading of the ordinance and a public hearing. Mr. Buswell suggested the County's existing two ordinances could be amended to adopt the required new section, # 9, into the ordinances. Attorney Lucas noted if the penalty clause has not changed since the original ordinance then they can just approve the amendment to the ordinance and if not the newly updated ordinances would need to be adopted; a 1<sup>st</sup> reading could be held at the Board's November 2<sup>nd</sup> meeting and the 2<sup>nd</sup> reading and public hearing could take place during their November 16<sup>th</sup> meeting. Director Weaver suggested they approve the amended ordinances now and then go through the process to adopt the new ordinances. Commissioner Norem made a motion to approve the amendment to the County's Fair Housing Ordinance and to the County's Drug Free Workplace Ordinance. Commissioner Binkley seconded the motion and it passed with all ayes. Director Weaver requested a letter from either Attorney Lucas or Auditor Chaffins noting the Board's approval of the amended ordinances. Attorney Lucas advised he would prepare the letter for Director Weaver. Mr. Buswell then presented the Board with a "Resolution of the County Commissioners of Starke County IN Authorizing the Submittal of the WDP Application to the Indiana Office of Community and Rural Affairs and Addressing Related Matters". Commissioner Binkley made a motion to approve the resolution as presented, seconded by Commissioner Norem. The motion passed with all ayes. Mr. Buswell then asked for their approval of the Memorandum of Understanding related to the EPA Cooperative Agreement # 00E01536 which includes Benton, Carroll, Newton, Jasper and Pulaski Counties. Commissioner Binkley made a motion to approve the Cooperative Agreement, seconded by Commissioner Norem. The motion passed with all ayes and the document was signed by the two Commissioners.

**RE: HIGHWAY DEPARTMENT SUPERINTENDENT'S REQUEST**

Highway Superintendent Rik Ritzler appeared before the Board and advised the price quotes for the purchase of a loader will be presented at their November 2<sup>nd</sup> Board meeting. He noted he had recently attended a class on public purchasing procedures and advised he would like to discuss that with Auditor Chaffins and Attorney Lucas. Superintendent Ritzler advised on Friday an issue developed in regard to Bridge 36, located on CR25N. He advised they were contacted by the company who had completed the bridge inspections, USI, reporting that Bridge 36 was in worse condition than was first reported; the County would need to expedite the repairs to Bridge 36 and that USI was pushing for the work to be completed. The Superintendent advised they will be obtaining quotes for the repair work of that bridge.

Superintendent Ritzler then discussed his request to create the additional job positions in his department: that of Crew Leader, Senior Crew Leader and Bridge Program Manager. The Superintendent advised when the positions were voted down by the Board of Commissioners at their last meeting the budget appropriations were incorporated back into the driver's budget line item of the Highway Department Fund. He noted Auditor Chaffins had contacted the SBOA who advised the Salary Ordinance, could designate different position levels within the driver's budget line, as long as it is thoroughly explained in the ordinance. He explained they have a Sign Technician, a Paving Technician, and four Heavy Duty Operators that should be at a different pay level than the truck drivers. In regard to the creation of the Bridge Program Manager in the Cumulative Bridge Fund he advised there has been a lot of miss-information being discussed in regard to his request. He clarified that the raise he received from the County Council in the Highway Department Fund was only a thirty seven hundred dollar raise and not a seventy five hundred dollar raise as some people thought. He advised the creation of the position has more to do with the conducting of bridge and construction inspections and he wouldn't be the only one eligible for that \$10,000.00 as the Clerk in his department is also being certified in inspections. Commissioner Norem advised she would like to see Commissioner Danford be present for this discussion of the creation of the requested positions. She asked the Superintendent to prepare a written proposal of the positions he was requesting to present them at their next board meeting.

The Superintendent then presented the Board with the final version of the Bridge Inspection Book requiring the Board's signatures. Commissioner Binkley made a motion to approve the final version of the Bridge Inspection Book, seconded by Commissioner Norem. The motion passed with all ayes. The book was then signed by the two Commissioners present.

**RE: SHERIFF DULIN'S REQUEST TO CREATE AN INMATE PROCESSING FEE TO FUND A DRUG REHAB PROGRAM**

Sheriff Bill Dulin appeared before the Board in regard to creating a Drug Counseling Program for the County Inmates. He advised in order to fund that program he is proposing the implementation of an inmate processing fee of \$25.00 to be imposed on all sentenced inmates. The Sheriff advised 90% of the inmates are incarcerated on drug related charges and he would like to see a drug program be established to reduce the recidivism rate at the jail. Attorney Lucas advised he had researched the creation of the inmate processing fee. He advised the ordinance would not pertain to inmates who have an annual income of less than 150% of the federal income poverty level and advised the average Starke County income is very close to the federal poverty level. He also noted the creation of the ordinance would require a public notice, two readings, and a public hearing, and also would require Council approval. Attorney Lucas also noted both courts, the Knox City Court and the Starke Circuit Court would need to be willing to participate with the process as the Court would enter an order

imposing the fee at the time of sentencing or during pre-trial diversion. Attorney Lucas suggested he meet with both Judges to discuss the possibility of the creation of the fee and discuss how it would be processed. Commissioners Binkley and Norem agreed to have Attorney Lucas proceed with meeting with both of the Judges. Attorney Lucas advised he will research the inmate processing fee further as he doesn't agree with how the fee is handled in some of the Indiana counties. He also noted he will research to see if it only applies to sentenced incarcerated inmates, or possibly in other situations also such as work release or home detention.

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

Commissioner Norem made a motion to approve the minutes of the September 21<sup>st</sup> Regular Session and the October 1<sup>st</sup> Special Session. Commissioner Binkley seconded the motion and it passed with all ayes. Commissioner Norem noted the only minutes still waiting on approval were the minutes of the October 5<sup>th</sup> regular session. She advised she had been absent from that meeting and could not approve the minutes. Commissioner Binkley stated he hadn't reviewed the vendor claims and since Commissioner Norem had reviewed the vendor claim docket she made a motion to approve the vendor claims in the total gross amount of \$316,811.30. 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 October 10<sup>th</sup> with a pay date of October 16<sup>th</sup> in the total gross amount of \$196,307.24. Commissioner Norem seconded the motion and it passed with all ayes. Auditor Chaffins advised she had distributed to the Board a copy of the Misc. Estimated Revenue, and a Statement of Fund Balances. Commissioner Norem inquired if there was any noteworthy issue to address and Auditor Chaffins noted she was not pleased with the cash balance of the County General. She stated the cash balance is down by approximately \$400,000.00 from October, 2014. Commissioner Norem inquired as to the reason for the decrease and suggested Auditor Chaffins prepare an analysis of the cash flow of the County General Fund and to present the information at their next Board meeting.

#### **IN OTHER BUSINESS**

Commissioner Norem advised the IT Director, Brian Pinson, was not able to attend the meeting since he was on his way to an IT Conference, but he had submitted three price quotes in order to purchase a new copier for Circuit Court. She noted the three quotes were for varying sizes of a Konica Minolta Bizhub copier, and the one recommended by Director Pinson is the Bizhub 454e at a price of \$6,487.00. Commissioner Binkley made a motion to approve the purchase of the Bizhub 454e. Commissioner Norem seconded the motion and it passed with all ayes. She noted since the Court has no funding to purchase the copier, it could be paid out of the Cumulative Capital Development Fund. Auditor Chaffins advised there are budget appropriations available for that purchase out of the CCD Fund.

There was a brief discussion in regard to the County vehicle for the EMA Director. Commissioner Norem noted that the IT Director had driven the Dodge Charger to his conference (the vehicle formerly driven by IT Director Joe Short) and she thought that vehicle would go to the new EMA Director, Jacob Lippner, to drive. Director Lippner advised the former EMA Director, Ted Bombagetti, had stated the Crown Vic would be better to drive in snowy/icy winter weather. Commissioner Binkley stated he will look into the conditions of both of those vehicles to establish as to the best vehicle for the EMA Director to use. Commissioner Binkley noted that if the EMA vehicle turns out to be the Dodge Charger the radio will need to be transferred from the Crown Vic to the Charger.

Commissioner Binkley made a motion to approve Jacob Lippner to receive a key to the Annex Building. The motion was seconded by Commissioner Norem and passed with two ayes.

Commissioner Norem advised the Board had received documents from the County's Health Insurance Provider, Anthem, in regard to granting them authority to "shop out the renewal of the County's Health Insurance. Since both Commissioners were in agreement Commissioner Norem signed the "Gatekeeper Forms".

Commissioner Norem advised the Board needs to address the proposed schedule of 2016 Holidays but felt since the Commissioner President, Kent Danford, was not present for the meeting they should table it until the next meeting. Auditor Chaffins advised the only Department that is anxious to see the established 2016 Holiday Calendar is the Circuit Court since they would like to be able to start scheduling court cases in 2016. Commissioner Norem stated of the proposed holidays she would like to see the County drop Columbus Day as an honored holiday and pick up Martin Luther King Day. She noted she had just read an article which stated only 14 states recognize Columbus Day as a holiday. Commissioner Binkley made a motion to approve the proposed 2016 Holiday Calendar with the addition of Martin Luther King Day and delete Columbus Day. Commissioner Norem seconded the motion and it passed with all ayes. (A copy of the 2016 Holiday Calendar is on file in the Auditor's Office.)

Commissioner Norem advised due to the resignation of Melinda McCarty as the Victim Advocate on the Starke County Community Corrections Board they would need to name a replacement for the Board. She noted they had received a letter from an interested person, Ted Hayes. She noted he has always taken an interest in the SCCC and would normally attend their board meetings as they are public meetings. Commissioner Binkley made a motion to appoint Ted Hayes to fill the vacancy on the SCCC Advisory Board. Commissioner Norem seconded the motion and it passed with all ayes. Commissioner Norem noted there are also openings on the County's Park Board and the BZA Board but she suggested they wait to fill those positions until they make their regular Board appointments in January. She advised the list of open board positions will be posted in November and will be sent to the media. In regard to filling the County's EDC Board she suggested they table that until Commissioner Danford has an opportunity to discuss the EDC Board with Attorney Lucas.

Attorney Lucas advised there will be another legal expense for the County, for the cost of an expert witness, for the ongoing case involving a Sheriff's Department employee.

Auditor Chaffins inquired if it would be alright with the Board if she would have IT Director Pinson look into purchasing an inexpensive microphone system for the Annex Room to be used during public meetings. The Board advised she should have Director Pinson look into the purchase.

#### **PUBLIC COMMENT**

Debbie Mix, of the County's Park Board, advised their President Skyler Ellinger is to be scheduling an Executive Session to discuss the Bass Lake Beach & Campground at which time both attorneys could discuss the terms of the present lease. Attorney Lucas advised he is still attempting to make contact with President Ellinger to schedule the meeting. EMA Director Jacob Lippner advised he would be interested in serving on the Park Board. Attorney Lucas stated he did not see that there would be a conflict if he were to serve on the Board as his position is not considered a "lucrative" position. Commissioner Norem stated the board appointments will be made in January and he should submit his letter of interest after the openings have been posted in November.

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 7:43PM.

**OCTOBER 19, 2015**

ABSENT \_\_\_\_\_  
Kent Danford, President

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Kathryn Norem, Vice-President

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Donald Binkley

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