

**October 20, 2014**

Pursuant to adjournment comes now the Starke County Council and meet in regular session at 5:30PM in the Annex Building Meeting Room, Knox, Indiana, with Dave Pearman, Tony Radkiewicz, Marvin McLaughlin, Robert Sims, Bryan Cavender, and Freddie Baker present, and the following proceedings were held to wit:

The meeting was called to order by President Dave Pearman. Councilman Mitch Semans was absent.

## **MINUTES**

Councilman McLaughlin made a motion to approve the minutes of the September 15, 2014 meeting, seconded by Councilman Baker. The motion passed with all ayes. Councilman Baker made a motion to approve the minutes of the October 6<sup>th</sup> meeting, seconded by Councilman McLaughlin. The motion passed with all ayes.

## **DEPARTMENTAL TRANSFER REQUESTS**

Councilman McLaughlin made a motion to approve the transfer request submitted by Carl Goodrich, Courthouse Custodian, who was present. The transfer requested was to move \$140.00 from the 20103 budget line item, Courthouse Janitor Supplies, into budget line item, 32002, Courthouse Garage Disposal. Councilman Baker seconded the motion and it passed with all ayes.

Councilman Radkiewicz made a motion to approve the transfer request of the Health Department's budget as was submitted by Frank Lynch, the County Health Nurse, who was present at the meeting. The request was to transfer \$7,600.00 into the health insurance budget line item # 10804, and \$1,230.00 into the telephone budget line item, # 30500; reducing the following budget line items: \$1,600.00 from Unemployment, # 10903; \$517.00 from Office Supplies, # 20100; \$3,400.00 from Medical Supplies, # 20210; \$2,200.00 from Gas, Oil and Lube, # 21100; and \$1,113.00 from Equipment & Repair, # 30806. Councilman Cavender seconded the motion, and it passed with all ayes. President Pearman advised the Health Department is also able to utilize a couple of grant funds that are associated with the Health Department and that funding was a big help to the Health Department when the State reduced their requested 2014 budget.

Councilman Baker made a motion to approve the transfer request submitted by the Auditor. The request was to transfer \$1,575.71 into the Computer System & Equipment budget line item, # 40100 of the Auditor's Department budget, and reducing the budget line item of Deputy Auditor, # 10200 in the amount of \$1,575.71. Councilman McLaughlin seconded the motion and it passed with all ayes.

Councilman Radkiewicz made a motion to approve the transfer request submitted by the EMS Director, Keith Emigh, who was also present at the meeting. The request was to transfer \$780.00 into budget line item Ambulance Supplies, # 20700, \$780.00 into budget line item Ambulance Equipment, # 20800, and the following budget line item of Mileage, # 30200, be reduced in the total amount of \$1,560.00. Councilman Cavender seconded the motion and it passed with all ayes.

Councilman Radkiewicz made a motion to approve the transfer request of the Veterans' Service Officer, Terry Turner, who was present at the meeting, in the amount of \$279.96 into budget line item, Office Supplies # 20100 and transfer out of Service Officer School, budget line item # 30303. Councilman Baker seconded the motion and it passed with all ayes.

## **2015 BUDGET ORDINANCES**

President Pearman advised the first proposed budget ordinance was for Starke County Solid Waste, with a proposed adopted budget of \$337,473.00, Ordinance Number 75-1020-4. Councilman Radkiewicz made a motion to approve the ordinance as stated, seconded by Councilman McLaughlin. The motion passed with all ayes, and the ordinance was signed by the Board. President Pearman advised the second proposed budget ordinance was for the North Judson-Wayne Township Library, with an adopted of \$306,949.00, adopted tax levy of \$237,792.00 and adopted tax rate of 0.1865, Ordinance Number 75-1020-5. Councilman McLaughlin made a motion to approve the ordinance as stated, seconded by Councilman Radkiewicz. The motion passed with all ayes and the ordinance was signed by the Board.

President Pearman advised the third proposed budget ordinance was for the Starke County Airport with a proposed adopted budget of \$773,075.00, the adopted tax levy of \$280,000.00 and the adopted tax rate of 0.0344, Ordinance Number 75-1020-3. Councilman Radkiewicz made a motion to approve the ordinance as stated, seconded by Councilman McLaughlin. The motion passed with all ayes, and the ordinance was signed by the Board.

President Pearman advised the fourth proposed budget ordinance was for the North Judson-San Pierre Schools proposed adopted budget of \$13,062,346.00, adopted tax levy of \$3,231,345.00 with an adopted tax rate of 1.4235, Ordinance Number 75-1020-2. Councilman McLaughlin made a motion to approve the ordinance as stated, seconded by Councilman Baker. The motion passed with all ayes and the Ordinance was signed by the Board.

President Pearman advised the last proposed budget ordinance was for the Starke County budgets, a proposed adopted budget total of \$9,854,564.00, an adopted tax levy of \$5,316,359.00, and an adopted tax rate of 0.5544, Ordinance Number 75-1020-1. Councilman Radkiewicz made a motion to approve the ordinance as stated, seconded by Councilman McLaughlin. The motion passed with all ayes, and the ordinance was signed by the Board.

## **REQUEST FOR A WAIVER OF NON-COMPLIANCE**

Todd Wallsmith, Attorney Counsel representing American Oak of North Judson, appeared before the Board to present a formal request for a Waiver of Non-compliance for the parcel owned by American Oak, number 75-09-16-200-017.200-013, located at 3065 West Arlington Avenue, North Judson. He advised due to a "clerical error" American Oak did not take title to the property per recorded deed until March 28, 2013 but in reality they had taken possession of the property on February 1, 2013. As a result of that the former owner of the property, the Starke County Economic Development Foundation, had been taxed based on the assessment of March 1<sup>st</sup>, which included the real property taxes on both the land and the improvements. Mr. Wallsmith stated he was requesting the Council accept the February 1<sup>st</sup> date and enable American Oak to utilize their first year of abatement on this tax assessment. Attorney Lucas reminded Attorney Wallsmith that the tax abatement only applies to the taxes on the land improvements but not on the land itself. Attorney Lucas also advised the Council the "clerical error"

was not on the part of the County but rather with the party submitting the property documentation for recording of the transfer of ownership. Councilman Baker inquired if it had anything to do with American Oak constructing the building prior to receipt of the County Building Permit. Attorney Wallsmith stated it did not have. Attorney Lucas advised this was the correct approach to this situation as is stated in IC Code 6-1.1-12.1-9.5. Councilman McLaughlin made a motion to approve the Waiver of Non-Compliance, seconded by Councilman Sims. The motion passed with all ayes.

**IN OTHER BUSINESS**

President Pearman advised even though the Council had named their two appointments to the County’s Park Board they now need to specify the length of the term of each appointee. Councilman McLaughlin suggested they specify the 4 year term and the two year term alphabetically. Councilman Radkiewicz made a motion to specify Debbie Mix’ term to the Park Board as a 4 year term and Rosemary Rose’s term as a 2 year term. Councilman Cavender seconded the motion and it passed with all ayes.

President Pearman advised he was invited by the County Commissioners to attend the recent meeting of the IU Health/Starke Hospital Board. He made note of the good presentation made by the County’s hospital consultants which showed a lot of the value they have brought to the table. He also noted the need of the hospital in their bringing primary care physicians into the County. He asked that the issue of how to fund the additional hospital consultant work to be added to the next meeting’s agenda.

President Pearman also asked that the issue of the remainder of the 2014 County Contribution to the Sheriff’s Department Pension Plan be placed on the November 17<sup>th</sup> agenda also. He stated the County is in the upper 80’s percentile in funding the pension plan, but even though the golf cart permit fees have been applied towards the County’s portion of this year’s contribution there still was a remaining balance to be paid in order to be up to date with the funding requirement.

**PUBLIC COMMENTS**

Debbie Mix of the CVC inquired if the CVC was the agency to notify the Indiana Department of Revenue in regard to the Council’s decision to serve as the collector of the Local Innkeepers’ Tax instead of the State. Attorney Lucas advised he has been in contact with the IDOR and is currently working on the issue.

President Pearman, following a brief discussion, advised the Council will meet at their regular December meeting and then hold another meeting on December 29<sup>th</sup> in regard to a possible transfer to the Rainy Day Fund, from any unexpended budget of the County General Fund.

With there being no further business, Councilman Baker made a motion to adjourn the meeting, seconded by Councilman Cavender. The motion passed with all ayes and the meeting was adjourned at 6:11PM.

**OCTOBER 20, 2014**

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Dave Pearman, President

ABSENT \_\_\_\_\_  
Mitch Semans, Vice President

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Bryan Cavender

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Marvin McLaughlin

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Tony Radkiewicz

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Robert Sims

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Freddie Baker

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Katherine Chaffins, Starke County Auditor and  
Secretary to the County Council