

**Monday, October 22, 2012**

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

President Norem called the meeting to order at 9:45AM. She advised the emergency, special meeting was being held without the 48 hour notice as per IC 5-14-1.5-5(d): If a meeting is called to deal with an emergency involving actual or threatened injury to person or property, or actual or threatened disruption of the governmental activity under the jurisdiction of the public agency by any event, then the time requirements of notice under this section shall not apply, but: (1) News media which have requested notice of meetings under subsection (b)(2) must be given the same notice as is given to the members of the governing body; and (2) the public must be notified by posting a copy of the notice according subsection (b)(1). President Norem advised notification was made to the news media, and the notice of the meeting was posted.

President Norem noted that Commissioner Davis was out of town and unavailable for the meeting, and County Attorney, Marty Lucas is present at the meeting via the speakerphone.

She advised the purpose of the meeting was to acknowledge the receipt of the Jasper County Court order, which was received late afternoon, on Thursday, October 18<sup>th</sup>. She stated they acknowledge the fact that Linda Belork has been reinstated as the Treasurer of Starke County and she is currently present in the Treasurer's office at this time. She added that however they need to address an issue, that there is no mention of in the court order: the fact that the Indiana Code which requires the county treasurer to be bonded. She noted that there is no bond on file in the Recorder's Office, only the old bond, and the revoked bond. She advised they have to decide what to do since they have a desire to comply with the court order but received no direction in regard to the bond issue.

Commissioner Bridegroom advised they do recognize Linda Belork as the County Treasurer but the County would be assuming a large liability if they allow her to take office without a bond. He noted IC 36-2-10-24 which states a county treasurer is not personally liable for any act or omission occurring in connection with the performance of the county treasurer's official duties, unless the act or omission constitutes gross negligence or an intentional disregard of the responsibilities of the office of county treasurer.

President Norem advised they believe it is in the best interest of the taxpayers of Starke County to move forward with IC 36-2-10-8, which states: At the expiration of his term, the treasurer shall deliver to his successor all public money in his possession. She noted they should proceed to have the Interim Treasurer, Kasey Clark, and Auditor Chaffins, to count the monies presently in the Treasurer's Office and verify those figures with Treasurer Belork. She added after the monies are counted and verified, however, without the Treasurer being properly bonded, they will need to close down the Office of the Treasurer until the bond can be produced. Attorney Lucas advised this was due to IC 5-4-1-9 which states: An officer required to give an official bond shall give the bond before the commencement of his term of office. If the officer fails to give the bond before that time, the officer may not take office. He added that the previous bond held by the Treasurer, was revoked by the bonding company and recorded as such. He also noted that her attorney had been notified of the lack of a bond.

Commissioner Bridegroom noted the Commissioners take an oath to uphold the laws of the state and the county and they can not allow any member of any office to work outside of the law, and that is due to liability issues.

President Norem inquired if that was Commissioner Bridegroom's motion, and he verified the motion is to acknowledge that Linda Belork is the Treasurer of Starke County, but to close the office of the Treasurer until a bond can be produced. President Norem seconded the motion, and it passed with two ayes.

Attorney Lucas then reminded the Board of the newly enacted Anti-Nepotism Indiana Law, IC 36-1-20.2, which prohibits nepotism in all local government units, in the event the treasurer would be considering hiring any new employees, which are family members. There being no further business, Commissioner Bridegroom made a motion to adjourn the meeting, seconded by President Norem. The motion passed with all ayes, and the meeting was adjourned at 9:55AM. She advised they will be proceeding to the Office of the Treasurer to verify the counting of the money.

**October 22, 2012**

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Kathy Norem, President

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Dan Bridegroom, Vice-President

ABSENT  
\_\_\_\_\_  
Jennifer Davis

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Katherine Chaffins, Auditor &  
Secretary to the Board of Commissioners