

MONDAY, OCTOBER 23, 2017

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 Charles Chesak, Kathy Norem, and Donald Binkley present and the following proceedings were held to wit:

The meeting of the Board of Commissioners was called to order by Commissioner President Don Binkley at 6:00PM.

BRIDGE BIDS: BRIDGES 36 & 58

Highway Superintendent Rik Ritzler appeared before the Board to advise County Attorney Marty Lucas and he had verified the recent bids received for Bridges 36 & 58 and verifying their compliance with the County's Responsible Bidding Ordinance. Superintendent Ritzler stated they had discovered the lowest bid received from Northern Indiana Construction Co., Mishawaka, IN had not complied with the Bidding Ordinance. He stated they had not complied with the "apprentice training" as there was no evidence that they held any training. Attorney Lucas stated both Supt. Ritzler and he had reached the same result independently and he has noticed a copy of other things that could be improved. Supt. Ritzler stated they had accepted the second bids for the Bridges and they were the bids from LaPorte Construction, LaPorte. He advised the Bridge 58 bid was \$325,479.80 and Bridge 36 was \$296,809.20. Commissioner Norem made a motion to accept the change of the bridge bids which would make LaPorte Construction the contractor for the bridge repair. Commissioner Chesak seconded the motion and it passed with all ayes. Commissioner Norem stated she had received a bid protest from Marcella of Northern Indiana Construction which upset Commissioner Norem because the County had spent a lot of time creating the Responsible Bidding Ordinance and felt it needs to be followed. She stated she felt that Marcella had jumped the gun on filing the protest without even knowing what the County was going to do about the bids. Commissioner Norem also advised she was asked about the County getting a grant to rebuild the Yellow River Bridge which is part of the Yellowstone Trail. Supt. Ritzler advised that road was no longer considered a County Road and they have a priority on used County bridges that need repairing first.

STARKE COUNTY CLERK AND MICROVOTE UPDATE

Starke County Clerk Vicki Cooley and Microvote General Manager Steve Shamo appeared before the Board. Mr. Shamo advised the County has 46 voting machines. He noted the voting machines are fine and no action is needed at this time for at least 3 years. But, he advised Microvote has an upgrade to run on each machine which would cost approximately \$1,400.00 each machine. He stated the County has approximately 17,000 registered voters and each machine could hold 350 voters. The cost to replace a machine is \$3,900.00. He stated the machine's software is updated and the screens are replaced. The price could be spread out in a payment plan over 2 to 3 years. Mr. Shamo advised Microvote provides the voting machines for 50 Indiana Counties and 31 of those have already completed their updates which began in 2016. He stressed there was no urgency in getting this upgrade completed but he did state the number of advanced voters is picking up and could be up to 40% by the next Presidential election. He stated the County will be using the same number of machines but using them in a different manner. He recommended doing the upgrade in the summer of 2019. Peg Britton of the Starke County Election Board asked that this Microvote Upgrade go before the Election Board first before being presented to the Council. Commissioner Norem stated the Board of Commissioners does not do sales calls and this should be presented to the Starke County Election Board.

AUDITOR'S BUSINESS: MINUTES, PAYROLL CLAIM, AND VENDOR CLAIM

Commissioner Norem made a motion to approve the Payroll Claims Docket for the pay period ending on October 7, 2017 with a pay date of October 13, 2017 in the total gross amount of \$221,724.56. Commissioner Chesak seconded the motion and it passed with all ayes.

Commissioner Chesak made a motion to approve the Vendor Claims Docket in the total gross amount of \$307,263.75. Commissioner Norem seconded the motion and it passed with all ayes.

President Binkley signed the Park Board's Timer Sales Contract authorizing the sale of Starke County Forest timber to Northern Wood Products of Walkerton, IN in the total amount of \$8,500.00. The signed contract will be presented to the Park Board.

Commissioner Norem made a motion to approve the minutes of the October 2nd meeting. Commissioner Binkley seconded the motion and it passed with all ayes. Commissioner Chesask made a motion to approve the minutes of the September 18th meeting. Commissioner Binkley seconded the motion and it passed with all ayes.

President Binkley advised of the invoice from J & K for the repair of the tower and antenna at North Judson providing radio coverage to San Pierre. He advised the work has been completed and the invoice is to be paid from either the CEDIT Fund or Cumulative Capital Projects Fund.

REQUEST TO ALLOW UTVs ON COUNTY ROADS

Attorney Lucas was asked to relay his analysis of the permission of UTVs on Starke County Roads. He advised the County can't charge a fee or request any equipment on an ORV and no driver's license is required to drive them. He stated the ORV can be authorized on County Roads by the Board of Commissioners but it is limited. Attorney Lucas stated the County can't require certain information such as a licensed driver, lights, or turning signals but you can require the age of the driver to be 18 years old. Commissioner Norem stated that was one of the reasons why the County has never allowed the vehicles on the County Roads in the past was due to safety issues. There are many different types of UTVs. Attorney Lucas stated a statute could be determined based on the UTV's wheel base. There was a decent showing of the public present for the discussion on UTVs and the discussion last approximately one half hour. Commissioner Norem stated she would like to see an ordinance of an Indiana County who has a UTV Ordinance such as Pulaski County, Marshall County or Kosciusko County. She advised she would not be opposed to Commissioner Chesak forming a committee with at least Attorney Lucas and Sheriff Dulin discussing this issue with safety as a big concern. Commissioner Norem made a motion and would consider an ordinance after Commissioner Chesak forms a committee to research other counties to look for a suitable ordinance. Commissioner Chesak seconded the motion and it passed with all ayes. Attorney Lucas noted that an exemption to an ordinance would be emergency usage such as usage by fire departments or police departments.

IN OTHER BUSINESS

Commissioner Norem made a motion to uphold the Highway Department's Superintendent's decision to terminate the employee, Bill Sample. Commissioner Chesak seconded the motion and it passed with all ayes.

PUBLIC COMMENT

County Auditor Chaffins advised when she had attended the recent SBOA County Auditor's Conference in Indianapolis that she was told new legislation has been passed that will make it mandatory when you are written up for something following a SBOA Audit that the County will need to make the necessary corrections or the County will get themselves into further trouble. This goes into effect with the 2018 SBOA Audit and more information will be coming out at that time.

President Binkley advised the Knox Fire Department was experiencing radio problems that day in their communicating with the 911 Dispatch Center. He advised J & K Communication had been contacted to fix the problem.

Linda Siroky asked if a local animal ordinance with a large fine could be created by the County since there is not any local ordinances now that could control the dog issue she is experiencing at her home north east of Knox. She advised aggressive dogs are coming on to her property without authorization or permission. Attorney Lucas stated it could be handled as a criminal case or a civil case depending on how Ms. Sirokey wanted to do it. She advised she had spoken to the Prosecutor's Office who advised her they will not take action against dogs unless a person is bitten. She stated she was advised by the Prosecutor's Office that the County does not have an Ordinance to handle dogs. Attorney Lucas advised the County does have an Ordinance and he

will be speaking to the Prosecutor. He advised Ms. Siroky he will be in contact with her and will work with her so she wouldn't need to return to the next Commissioner meeting.

Coroner Danny Hoffer appeared before the Board and advised he had met with the County Council at their last meeting. He was told by the Council that he wasn't eligible for a pay raise since Elected Officials don't receive pay increases. He stated he was told he should be able to drive the Coroner's vehicle all the time to cut down on the time when he does get a coroner call and he would have to travel to the Coroner's Building to pick up the truck. He stated they also commented on his possibly being reimbursed for the use of his personal cell phone for County business and he also should have an 800 radio. Commissioner Norem advised these decisions are not Council decisions; they are executive decisions. She stated she felt Danny should meet with President Binkley and Council President Freddie Baker and work out these issues.

There being no further public comment and no further business, Commissioner Norem made a motion to adjourn the meeting. Commissioner Chesak seconded the motion and it passed with all ayes. The meeting adjourned at 7:25PM.

OCTOBER 23, 2017

Donald Binkley, President

Kathryn Norem, Vice President

Charles Chesak

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