

MONDAY, NOVEMBER 18, 2019

Pursuant to adjournment comes now the Starke County Council and meet in a joint session with the Starke County Board of Commissioners at 5:30PM in the Annex Building Meeting Room, Knox, Indiana, with Dave Pearman, Kay Gudeman, Freddie Baker, Brad Hazelton, Don White, Howard Bailey, Robert Sims, Charles Chesak, and Bryan Cavender present, and the following proceedings were held to wit:

The meeting was called to order by Council President, Dave Pearman at 4:00PM.

Councilman Hazelton made a motion to approve the minutes from Monday, October 21, 2019 Starke County Council Meeting. Councilman Baker seconded the motion and the motion was approved with all ayes.

Commissioner Cavender made a motion to approve the vendor claims in the amount of \$242,228.93. Commissioner President Chesak seconded the motion and the motion passed with all ayes. Commissioner Cavender made a motion to approve the payroll claims, deductions, and garnishments in the total amount of \$322,203.27. Commissioner President Chesak seconded the motion and the motion passed with all ayes. Commissioner Cavender made a motion to approve the minutes from November 4, 2019, Commissioner Meeting. Commissioner President Chesak seconded the motion and the motion passed with all ayes.

VETERANS MEMORIAL PRESENTATION

Jeff Berg came before the Starke County Council and the Board of Commissioners to present the initial design for the new Veterans Memorial that will be placed on the SW Corner of the Courthouse Square. He advised that some members on the committee include JJ Weinberg, Robert Sims, Mark Smith, Kathy Norem, and Bryan Cavender. He then presented a 50 second video on the initial design. He explained Benjamin Garcia and JJ Weinberg created the video. He stated the current monuments, that are located on the SW corner of the courthouse square does not include the Civil War or World War I. Mr. Berg explained that there will be a monument with an eagle on it, this represents the medal of honor winner, Frank Ono, for 1944 heroic actions. They are going to include black granite and possibly black granite in the seating arraignments. This area will be ADA complaint accessible from Washington St. He explained three trees will be removed from the area and they are looking into donations for this project. He stated they will be processing this information with a financial individual very soon. He stated there will be five flags placed to represent the five different branches of services. An individual in the public asked if there will be space left to be able to add names to the monument. Mr. Berg stated yes they will be doing that. Mrs. Bedrock asked if the current monument will be incorporated in any way. Mr. Berg stated they will be needing to find homes for the current monuments, preferably somewhere located in Starke County. Another individual from the public asked if we have a county flag and if the county flag could be incorporated. Mr. Berg stated they may be able to incorporate the county flag and they will keep that in mind further along in the design process. Anita Gooden with WKVI asked about funding available for this project. Mr. Berg advised they will be incorporating a financial individual to help with a plan for funding or the advancement of funding. Commissioner Cavender let Mr. Berg know that at his last Sons of American Legion meeting they are discussing donation \$500 - \$1,000 to the veteran's memorial project. He stated he will also be donating \$100 himself. Councilman Baker stated he will be donating \$100 as well. President Pearman asked when Mr. Berg would have another update in this matter especially regarding the financial aspects of the project. Mr. Berg stated they will be looking into a financial individual that will be the committee's treasurer. JJ Weinberg explained that they will have a better answer to that question when Mark Smith is feeling better.

BAKERTILLY JAIL BONDS

Todd Samuelson with Bakertilly came before the Starke County Council and Board of Commissioners to continue the discussion regarding the consideration of the possible refinancing of the Ad Valorem Property Tax Economic Development Income Tax Lease Rental Bonds of 2013. Mr. Samuelson advised that the interest rates are low but unfortunately since the last time they had presented information the interest rates have gone away from us a little bit. He states that the interest rates have gone up about 0.3% and they are seeing a lot of supply which tends to drive interest rates up a little. He explained at the last meeting the Starke County Council had requested a fourth option in the terms of if the bonds

could be paid off sooner. He advised of the 2013 bonds there is just about 11.6 million dollars outstanding with current interest rates of 3% - 4.5%. He explained there is a feature that these bonds can be paid off early, the earliest they could be paid off would be February of 2022. There is a technique that could be done where a new set of bonds could be issued in advance of that call date. The proceeds of that bond issue would then be invested or put into an escrow account until February of 2022 and then the holders of those bonds would be paid off at that time. He advised that interest rates are favorable now we could do an advancement and get an advancement of funding and not run the risk that interest rates would be higher closer to that call date of February 2022. The scenarios presented meet the requirements of federal law and how you would structure the refinancing depends on the needs of the county.

He advised that in the scenarios presented one allows for cash to be pulled out to address any maintenance issues that may be present, this would keep the payments were they are at now. Another option would be that if we would keep paying the same amount per month as we are now, but just pay it off earlier than scheduled. The gross future value savings for each scenario are listed below:

Scenario 1 - \$282,588

Scenario 2 - \$475,344

Scenario 3 - \$191,819

Scenario 4 - \$899,599

Mr. Samuelson explained that if the council choose a cash option to take out money for maintenance or improvements the money could not be used on things such as a war memorial. It could only be used on the correctional facility or related purpose to correctional facilities here in Starke County. That was the purpose for the bonds and why the money would have toward that purpose. He explained that the 4th option that the council wanted includes the same annual payment but the debt would be paid off sooner. He stated the bonds that are currently outstanding are scheduled to be paid off in February of 2034. However, under scenario 4 that final payment would be in August of 2032, which would be 18 months sooner than it is currently set for. President Pearman asked Mr. Samuelson what his recommendation would be as the best option for tax payers. Mr. Samuelson stated that if we are not in need of improvements to the correctional facility his firm would recommend scenario 4 especially if the facility is in good shape.

President Pearman advised the council they should consider either scenario 1 or 4. He advised that when they first pitched this project in the very beginning they did talk about paying it off early if possible. He also asked Mr. Samuelson what the next steps are when the council makes a decision regarding the refinancing. Mr. Samuelson advised they would have to get bond council back involved to assist Attorney Lucas in the legal steps that are involved. He advised the council does not have to decide this evening if it will be scenario 1 or 4. He stated that getting the legal process in place and obtaining an underwriter will take about 6-8 weeks. He also explained that the savings in each scenario are being reflected after the fees of Bakertilly. The council agreed to start the steps of the refinancing process and Mr. Samuelson will come back in January for an update.

ABATEMENT INFORMATION

Starke County Assessor Michelle Schouten and SCEDF Director Larry Wickert came before the Starke County Council and Board of Commissioners to discuss abatements. President Pearman advised that the concern with abatements was that the council often grants abatements but then they do a poor job at following through with the promises being met through the abatements. Assessor Schouten explained that she had given Auditor Oesterreich (who has distributed these to the council), and in these packets lists all abatements within Starke County. She stated the council has no jurisdiction of the Knox City and North Judson City. She explained they are legally required to turn in a CF-1 form by May 15 of every year and they are supposed to turn this form in to the Assessor's Office and then the Auditor's Office. A lot of times they only turn it into her or only turn it into the City of Knox. The problem is if they only turn it into her she may not have it across her desk in time because everything in her office is due May 15th. On the CF-1 it is supposed to say what was originally estimated on their original abatement request for as well as what they have actually hired or retained and the salaries that they are giving them. From the time they turn in the CF-1 form the council has 45 days to find them in substantial non-compliance or they are automatically compliant. President Pearman stated we now need to perpetuate this and look at this in their June meeting for 2020. Director Wickert suggested to have this done at the council's 2020 May meeting as it would be right after the May 15th deadline. Assessor Schouten suggested to call Steve McKinney, who teaches classes on abatements, and have him come to Starke County for a class.

Director Wickert then presented the Starke County Council and Board of Commissioners with the Economic Development monthly report. He advised that they did get a new company that is going to move into the Industrial Park, they make coffee. They had a real nice groundbreaking event. They currently have a small business in North Judson but are expanding, they wanted to stay in North Judson but there was not enough room for them to grow. He stated the Stellar Communities team went down to Indianapolis this past week for their Stellar Community final presentation. He thought it went very well and he believes they are still in the running for being awarded. The announcement for the Stellar Community Award will be December 5th, 2019. He also wanted to mention there is a mural over in North Judson that his team commissioned. The individuals who were doing the stellar video presentation suggested a mural to be done that would be included in the video. If anyone would like to see the 10 minute video it has been uploaded to the Constellation of Starke Facebook page. Councilman Baker asked if there was any news on the B & H building not being sold. Director Wickert stated he was glad it was not sold, he explained the building is currently being used for storage by the new business coming into the industrial park. After they have their other building built they will put the B & H building back on the market.

PUBLIC HEARING FOR VOTE CENTERS

Public Hearing Opened.

Starke County Clerk Bernadette Manuel came before the Starke County Council and Board of Commissioners for present the Starke County Vote Center Plan. President Pearman stated there have been public meetings all around the county for the pertaining to the vote centers. He advised the meetings have been exciting and the Elkhart County Clerk has been at these meetings as well to explain how much of a benefit the vote centers have been for the residents. Clerk Manuel read the Starke County Vote Center Plan aloud and the entire presentation (attached with these minutes as Exhibit A). Clerk Manuel wanted to stress after the presentation that there has never been internet connection to the voting machines and there will never be internet connection to the voting machines. She wanted to clear up the questions about Elkhart County voting on Sundays, the Elkhart County Clerk is present tonight and they have never voted on Sundays nor do they have any anticipation in voting on Sundays. President Pearman asked if this public hearing opened up a 30 day period in which there is a consideration for public comments regarding the vote centers. President Pearman asked Clerk Manual how members of the public can engage the Election Board to talk to them about this plan. Clerk Manual explained that she is the secretary of the board, Marsha Bedrock is the President, and Harrison Fields is a member. Attorney Lucas advised that although these members would not mind entertaining discussion on the matter, but by statute, refers to consideration of public comments in written form. Clerk Manuel advised she does have the public comment forms in her office and she will distribute to the Auditor's Office as well the county website. Attorney Lucas advised that the Election Board is allowed to consider written and spoken comments according to the statute. Clerk Manual asked if anyone had any comments or questions. Councilman Bailey asked all members of the Election Board if they are in agreement to changing over to vote centers.

Board member Harrison Fields stated he cannot answer that question right now and he won't answer it right now. He also stated he would not appreciate getting phone calls at 7, 8, or 9PM at night and he does not want a phone call. He stated they have election board meetings and if they want to call and get a form to fill out that fine. He stated he is not against talking to the public, if he is out and about he will talk to the public, he just does not want a phone call at 7, 8, or 9PM at night. They have board meetings and they can come to a board meeting. Clerk Manual advised there is a board meeting Wednesday at 9:30AM. Commissioner Cavender advised that the Board of Commissioners are in favor of vote centers for the record. Clerk Manual also advised that she has completed research with of Clerks of Indiana regarding vote center parking. She believes that they will have sufficient parking in all of the purposed vote center locations. Councilman Hazelton made a motion to close the public hearing. Councilwoman Gudeman seconded the motion and the motion passed with all ayes.

Public Hearing Closed

SHERIFF ADDITIONAL APPROPRIATIONS/TRANSFER REQUEST

President Pearman advised that last month he had spoken to Auditor Oesterreich regarding the Sheriff's Department pensions and getting the actuary numbers. He advised he had spoken to Mr. Troike, who is on the merit board and they both agreed things need to be looked into. Mr. Troike asked if he could pass out some information to the Starke County Council and Board of Commissioners regarding the

retirement fund. While this was being done President Pearman asked if they had previously agreed that they went back to putting 150,000 miles on police cars rather than 100,000. Councilman Hazelton agreed. President Pearman advised that the council had switched this awhile back because there was no financial benefit in retiring the police cars at 100,000 rather than 150,000. Mr. Troike advised he is here tonight because he is a member of the merit board and the merit board advises that by statute the sheriff's retirement plan is to be funded by the county's fiscal governing body. He stated the merit board is who votes on the investment manager. He advised that state statute also says the retirement fund cannot be underfunded for more than three consecutive years. He explained the funds at this point come from casino money, processing fees from golf cart registrations, officer's contributions, and earned interest. After further discussion regarding the shortfall for 2019, funding, and request for budget line item for the retirement funding it was decided that this discussion will continue at the December 16, 2019 joint council/commissioner meeting to allow for the publishing of the additional appropriation of \$61,554.72. President Pearman handed the meeting over to Councilman Hazelton as he had to leave the meeting. Councilman Hazelton advised what they need to do know is decide as the council where the money would be coming from so that Auditor Oesterreich can advertise appropriately. Councilwoman Gudeman made a motion to advertise to take the money from the Jail CREDIT fund in the amount of \$61,554.72. Councilman Baker seconded the motion and the motion passed with all ayes.

Sheriff Bill Dulin and Office Manager Pam McDonald came before the Starke County Council and Board of Commissioners to request an additional appropriation and transfer request. Office Manager McDonald first presented the additional appropriation for fund 1175, 2019 \$16,000.00 as well as 2020 \$16,000.00. She explained that this fund is misdemeanor funds that they receive from the state every year. Auditor Oesterreich advised that this is a fund in which a publication for an additional appropriation is not required. Only council approval is required. Councilman Baker made a motion to approve the appropriation request of \$16,000 for 2019 and 2020. Councilwoman Gudeman seconded the motion and the motion passed with all ayes. Office Manager McDonald then presented the Starke County Sheriff's Department transfer request. Councilman Baker made a motion to approve the transfer request as follows:

Move \$10,000 from 1114.10300.000.0027 Extra Help to 1114.21100.000.0027 Gas, Oil, Lube
Move \$2,500 from 1114.30804.000.0027 Prisoner Meals to 1114.31202.000.0027 Cellular Phones
Move \$4,000 from 1000.11400.000.0027 Overtime to 1000.11400.000.0005 Overtime
Move \$2,000 from 1000.10550.000.0027 Longevity to 1000.20208.000.0027 Laundry/Clean
Move \$915 from 1000.31050.000.0027 to 1000.31202.000.0005 Cellular Phones

Councilman White seconded the motion and the motion passed with all ayes.

MARSHALL-STARKE COUNCIL APPOINTMENT

Councilman Hazelton advised the council needs to make a Marshall-Starke Council Appointment. He advised that Dave would like to do this and asked if any other council members had an interest. Councilman White made a motion to appoint President Pearman to the Marshall-Starke Development Board. Councilman Baker seconded the motion and the motion passed with all ayes.

CITY OF KNOX ECONOMIC DEVELOPMENT COUNCIL APPOINTMENT

Councilman Hazelton advised the Starke County Council has received a letter from the City of Knox as stated hereon: The City of Knox has established an Economic Development Commission per Ordinance 961, The County Council has one member on this commission. This member shall be nominated by the Council for appointment by the Mayor of the City of Knox to a term of one (1) year. The Council has 15 days from the date of this letter to make this nomination. If the nomination is not made within this period, the Mayor may select and appoint this member without the nomination. The County Council's nominee does not have to be a member of the Council but must reside in the County. Councilman Baker made a motion to nominate Councilwoman Gudeman to the Knox Economic Development Commission. Councilman Bailey seconded the motion and the motion passed with all ayes.

DEPARTMENTAL TRANSFER REQUEST

Councilman Hazelton called for the Recorder Transfer Request. Recorder Thomason was not present. Councilman Sims made a motion to table the request until the Recorder is present. Councilman Baker seconded the motion and the motion passed with all ayes. Councilman Hazelton called for the IT Department Transfer Request. IT Director Franks was not present. Councilman Baker made a motion to

table the request until the IT Director is present. Councilwoman Gudeman seconded the motion and the motion passed with all ayes. Councilman Hazelton called for the Purdue Extension Transfer Request. Purdue Extension was not present. Councilman Bailey made a motion to table the request until the Purdue Extension is present. Councilman Sims seconded the motion and the motion passed with all ayes. Councilman Hazelton called for the Highway Department transfer request. Superintendent Ritzler explained their expenditures are based a lot on weather and other circumstances. Councilman Baker made a motion as follows: Move \$35,898.87 from 1176.40104.000.0533 Trucks and \$1,323.43 from 1176.12500.000.0533 Social Security to \$26,000 1176.10209.000.0530 Bookkeeper Clerk and 1176.30400.000.0530 Maintenance & Repair. Councilman Sims seconded the motion and the motion was approved with all ayes.

Councilman Baker made a motion as follows: Move \$13,000 from 1176.21100.000.0533 Gas, Oil, Lube and \$4,000 1176.21401.000.0533 Grader Blades to \$17,000 1176.31203.000.0530 Liability Insurance. Councilman Bailey seconded the motion and the motion was approved with all ayes. Councilman Gudeman made a motion as follows: Move \$29,923.20 from 1176.21600.000.0531 to \$20,000 1176.10218.000.0531 art-Time Worker, \$5,000 1176.11400.000.0531 Overtime, and \$4,923.20 1176.30405.000.0531 Service Contract. Councilman Sims seconded the motion and the motion was approved with all ayes. Councilman Hazelton then called for the Auditor's transfer request. Councilwoman Gudeman made a motion to move \$2,325.27 from 1000.10605.000.0002 First Deputy to 1000.20100.000.0002 Office Supplies. Councilman White seconded the motion and the motion was approved with all ayes. Councilman White made a motion to move \$550 from 1000.10200.000.0002 Deputy to 1000.30100.000.0002 Postage. Councilwoman Gudeman seconded the motion and the motion was approved with all ayes.

OTHER BUSINESS

Attorney Lucas presented the first reading of the Environmental Public Nuisance Ordinance. He stated the ordinance will be available in the Auditor's Office for inspections and comments. This will be up for a second reading at the next Commissioner's meeting.

PUBLIC COMMENTS

After having no public comments made Councilman Baker made a motion to adjourn at 6:26PM. Councilwoman Gudeman seconded the motion and the motion passed with all ayes.

**NOVEMBER 18, 2019
STARKE COUNTY COUNCIL**

Dave Pearman, President

Brad Hazelton, Vice-President

Kay Gudeman

Don White

Howard Bailey

Robert Sims

Freddie Baker

Rachel Oesterreich, Starke County Auditor and
Secretary to the County Council

**NOVEMBER 18, 2019
STARKE COUNTY BOARD OF COMMISSIONERS**

Charlie Chesak, President

Kathryn Norem, Vice-President

Bryan Cavender

Rachel Oesterreich, County Auditor
& Secretary to the Board of County Commissioners