

Monday, November 19, 2012

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

The meeting was called to order by Commissioner President, Kathy Norem, at 7:00PM. President Norem noted a change to that meeting's agenda: Strike the review of health insurance price quotes, noting they will be conducting a special meeting on Tuesday, November 27th at 11:30AM, to review the quotes. She also advised anyone present at tonight's meeting, who wishes to speak in regard to the jail issue, should sign up on the sheet being passed around the meeting room. She noted each speaker would have a three minute limit.

RE: POSSIBLE JAIL SITE

President Norem advised present at tonight's meeting are Scott Carnegie and Paul Downing of the DLZ Company, and Scott Cherry of the Skillman Company.

Scott Carnegie advised the county was made aware of a possible location for the new county jail, at SR8 and CR550E. He advised the property is an eighty acre parcel, with a 10,000 square feet first floor, and 3000 square feet building presently on the property. He advised the facility was built in 1994-1995 and is currently in good shape. The property also is located within the Knox City limits, and therefore has the city utilities; and is in close proximity to the City and the hospital, courthouse, etc. He advised the project would utilize twelve acres of the eighty acre parcel, with the ability to expand the facility in the future if need be. Mr. Carnegie presented the proposed plans incorporating the existing building as the office, court area, and then the new construction would be the inmate processing area/ followed by the detention/cell area. Mr. Carnegie stressed the key elements when designing such a facility is to maximize efficiency for security, and minimize staffing. He noted the original plan would have a maximum inmate capacity of 108, with an additional quadrant that could expand the bed capacity to 140. (The proposed drawings are on file in the Auditor's Office.)

Scott Cherry advised the criteria when selecting a jail site are: the location/proximity to services; being close to accessible utilities; and adequate space for expansion. He advised the County has painstakingly reviewed all possibilities to deal with having an outdated jail. He noted they held six community meetings, and have thoroughly looked at all possibilities of how to address this issue. (Minutes from those meetings are also on file in the Auditor's Office and on the County's website.) The decision to build a new facility was decided to be the best solution, and the initial drawing was for a 45,000 square foot facility. He noted the cost to construct a new facility is approximately \$250./sq ft. and the cost of \$150./sq. ft. to remodel an existing building.

President Norem opened the floor for public comment. The first speaker was Rhonda Stacy of 1120S CR550E. She advised her concerns for the jail locating at that site were: the devaluing of her property; safety concerns for her teenage daughter---escaping of inmate; the noise level from the squad cars and the other traffic; it is already a done deal, she has not seen any other plans considered; and why is there a need for a court located inside the jail facility since the County already has a Courthouse. Her other statements included why not build the jail in an industrial area, and not a residential area, but she did agree with the need for a new jail.

The next speaker was Jason Reeves, one of the owners of Sabre Manufacturing, which is located across SR8, on the north side. He stated his concerns were the increase of traffic at that location, and also the danger from the railroad crossing which is located just east of his location. He advised he had contacted the State to post that area of SR8 as a no passing zone, but the State advised him that it did not meet their criteria for posting the road as such. He stated his company was instrumental in bringing the utilities out to that area, and had incurred that expense. He advised another issue he has is the negative perception there is for saying his business is located by a jail. He also noted he had, at one time, been interested in purchasing the property for a possible expansion of his business, but due to the bad economy is not possible at this time.

The next speaker was Dan Roscka who is a home owner in that area. He advised he has a beautiful home on eleven acres just north of the proposed jail site, and he is concerned with the devaluing of his property. He stated he feels as if they are "barking at a dead dog" since the Council has already approved the funding of the project. President Norem advised the Council had only approved the increase in the amount of the CEDIT tax, but not the actual location of the jail site, that is still to be determined.

County Attorney, Marty Lucas, also advised those present, that the inmates housed in the county jail are typically awaiting trial; they are not the same as prisoners that are incarcerated at an actual prison.

The next speaker was Mike Beron, who advised he is an eighty acre land owner on SR8, to the east of the proposed jail site. He also advised he is not opposed to the jail project; he is just opposed to locating it at that site. He also noted he feels his property will decrease in value, and inquired if the county would consider reimbursing the landowner through a credit to their taxes. He also stated his concern with the railroad tracks and the lack of visibility at the tracks. He inquired what the County's liability is if a inmate escapes? Mr. Roscka also added at this point, that the population of Knox has only one way to expand and that is to the east, noting that is why they would like to see the project find a different location.

County Councilman Marvin McLaughlin, the next speaker, suggested not to build a court room in the new jail facility since the video arraignment is a viable solution to communicating with the courts. He also noted that no matter what the project is, you will always have the same objections.

Betty Lewis, who was also in attendance, stated if the jail was located in an industrial area, would anyone protest that location? President Norem closed the public comment at 8:10PM, noting this was not a public hearing, just the allowance of public comment. She summarized what the Board just heard from the public: the concern for their property values, and the concern for their safety. She advised she will provide to the public an article written by the Dept of Justice which addresses the values of property in the proximity of a jail, and she will see that it and all the other information will be posted on the County's website. She noted when you are at the county's website the jail information is located at the lower left side of the page. Paul Downing, of DLZ, noted that jails tend to make good neighbors. President Norem also advised the plans presented were prepared at their request to adapt to the existing building. She also noted the property already has surveyed in and approved by the State—deceleration lanes. Attorney Lucas noted once the jail site is identified and acquired than public meetings, also known as design charets will be held before plans are finalized. Scott Carnegie advised as of right now they are in a holding pattern until a site is located. Commissioner Davis advised they hope to have the jail completed and open by December, 2014. President Norem advised the housing of DOC prisoners is not an issue in the planning of the size of the jail, since the County can't rely on the State's actions.

Commissioner Davis made a motion to take this issue under advisement and proposed scheduling a meeting for Tuesday, November 27, at 9:00AM at which time a decision will be made. The motion was seconded by Commissioner Bridegroom and passed with all ayes. Commissioner Davis advised, in the meantime, if the public has any further questions they should call the

County Auditor's Office, at 574-772-9101.

President Norem, at 8:32PM, announced the Board will break for a brief recess.

President Norem called the meeting back to order at 8:45PM.

RE: COUNTY LANDFILL

Brian Horvath and Mike Maxwell of Weaver & Boos appeared before the Board to request the renewal of the agreement between the County and Weaver & Boos to conduct the testing at the old County landfill site. They advised the testing consists of the ground water monitoring, the monitoring of methane gas, and the post closure cap inspection. They advised the proposal is for the fourth quarter of 2012, and then for 2013. They noted IDEM is requesting to increase the frequency of the methane gas testing to monthly in the southwest corner of the landfill, and if the concentration of methane gas exceeds the limit, the testing will need to be conducted on a weekly basis. Commissioner Bridegroom made a motion to approve the agreement, seconded by Commissioner Davis. The motion passed with all ayes, and two copies of the agreement were signed. President Norem advised Mr. Maxwell & Mr. Horvath to report the testing results to IDEM. Commissioner Bridegroom advised them that they should also be in contact with the owner of the property, who has expressed his concern with the lack of vegetation at that location, since the owner believed he was purchasing a habitat for hunting.

RE: REPORT FROM IT DIRECTOR, JOE SHORT

Director Joe Short appeared before the Board with a WTH/GIS agreement between LaPorte and Starke Counties, allowing them to share the GIS data between the two counties at no charge to either county. Director Short advised the types of information that will be exchanged are addresses, roads and parcel information. Attorney Lucas stated he saw no problems with the agreement. Commissioner Bridegroom made a motion to approve the agreement, seconded by Commissioner Davis. The motion passed with all ayes.

President Norem advised they had received a request from Director Joan Haugh, of Starke County Community Services requesting to move their antenna from the jail tower out to the County Highway Department's tower, located out at the County Highway Garage, and the repeater to be located inside the garage building. The move is necessary due to the damage sustained by the jail tower during the July storm. President Norem advised the Highway Department tower would need to be evaluated and this would not be a cost to the County. Director Short advised he is not qualified to make that decision about the tower. Commissioner Bridegroom advised an evaluation needs to be completed by a structural engineer to verify the tower could hold the additional weight of that antenna. Commissioner Bridegroom then made a motion to agree to the placement of their antenna out to that tower once the tower is evaluated by an inspector. Commissioner Davis seconded the motion and it passed with all ayes.

President Norem asked Director Short to notify Community Services and ask them to provide to the County the proper documentation advising the tower will indeed support their antenna.

RE: PAYROLL CLAIMS, VENDOR CLAIMS, MINUTES AND OTHER AUDITOR BUSINESS:

Commissioner Davis advised she was not present for the November 5th meeting, but she did read the minutes and they look good, except for the spelling of the 'SKILL Center'. Commissioner Bridegroom made a motion to approve the minutes of the November 5th meeting, seconded by President Norem. The motion passed with two ayes.

Commissioner Bridegroom made a motion to approve the payroll claim for the pay period ending November 10, 2012 in the total amount of \$ 174,932.10. Commissioner Davis seconded the motion, and it passed with all ayes.

President Norem advised the vendor claims were submitted for approval, but there were a few corrections to be made: the claim from the EMS Department should be expensed to the ambulance supplies line, not the building maintenance line item; and she was concerned with the cash balance of the Innkeeper's Tax Fund, if there was enough of a balance to pay the claim to the Indiana State Festival Association, for a ½ page ad, in the amount of \$1,100.00. Auditor Chaffins advised the cash balance in that Fund is presently \$ 7,198.09, and she advised she would see if a report with more information for the Board could be represented along with their copy of the vendor claims, for their review prior to the meetings. But, she also reminded the Board that the numbers of the County's funds will be changing to the State mandated numbering system before the end the year.

President Norem advised it was brought to her attention the Board needs to make a small transfer within their 30000 budget line items to cover the expense of some small invoices, and also need to supplement the PERF line to have an adequate balance to finish the fiscal year.

Commissioner Bridegroom made a motion to transfer \$75.00 from travel, account number 30204, to other services, account number 33000; transfer \$59,000.00 from health insurance account number 10804 to the PERF account number 10701, and to approve the vendor claims in the total amount of \$ 188,001.31. Commissioner Davis seconded the motion, and it passed with all ayes.

Auditor Chaffins gave a brief update of the balance of the misc. revenue received in the County General Fund, as of 11-19-12. The current revenue received, \$ 2,219,888.09 is presently a 21.98% increase over the amount that had been projected to the DLGF in the preparation of the 2012 budget. That amount was \$ 1,819,876.00. She advised the EMS Department's revenue has reached over \$ 600,000.00 for the year to date.

Auditor Chaffins advised all departments were in compliance with their Monthly Financial Reporting, except for the Treasurer's Office, who was late in the filing of the 47TR Report. The 47TR report is officially due to the State by the 15th of the month. The Auditor advised she had emailed the Treasurer's Office, as a reminder that the report was due. Auditor Chaffins also had submitted a copy to the Board, of the Financial vs. Funds Ledger Report by Fund balance, which she advised is the report that is utilized by the Auditor's and Treasurer's Offices to verify they are in fact in balance with their figures. She advised, as of the report dated 11-19-12, they currently have twenty four funds that are not in balance between the two offices.

IN OTHER BUSINESS:

WIC LEASE

Attorney Lucas advised he has received the updated version of the WIC lease, and even though it was a simple modification, it is sufficient and is now permissible to approve. Commissioner Bridegroom made a motion to approve the lease, seconded by Commissioner Davis. The motion passed with all ayes.

SALE OF SCRAP METAL UPDATE

Auditor Chaffins advised Howard Coffin had submitted to the Auditor, on 11-13-12, a check in the amount of \$ 1,211.20, the

settlement for the scrap he purchased from the County, and the invoice for the towing of the County's ambulance during the year. She advised Mr. Coffin had submitted a written statement noting the scrap metal agreement was terminated as of that date. She requested the Board state their intentions for the future status of the County's scrap. Auditor Chaffins also advised when the check was received from Mr. Coffin it was receipted into the misc revenue of the County General Fund awaiting word from the Board as to their requested distribution of the receipts of the sale of scrap. Commissioner Bridegroom advised when he had spoken with Howard Coffin that Mr. Coffin advised that 90% of the scrap belonged to the County Highway Department and 10% to the rest of the County's Departments. Commissioner Bridegroom made a motion to allow the County to sell each load of scrap and receipt the proceeds, and then pay for each towing invoice as it occurs. The receipts should be distributed 90% to the Highway Department, and 10% to County General. Commissioner Davis seconded the motion, and it passed with all ayes.

Commissioner Bridegroom advised he will speak with Howard Coffin to see if he will leave the scrap dumpster out at the County Highway and if so he will have the Highway Department pick up the scrap that is on the ground and place it in the dumpster.

EMPLOYEE GRIEVANCE

President Norem advised the Board had received a grievance from Kim Redlin, when her employment was terminated. Ms. Redlin was employed as a Deputy Treasurer, working for Interim Treasurer, Kasey Clark. When the Jasper County Court reinstated the former Treasurer, Linda Belork as the County Treasurer, Ms. Belork terminated Ms. Redlin's employment. Attorney Lucas advised the only relief that could be awarded in this particular situation, is if Ms. Redlin chooses to come back to work, after the newly elected Treasurer, Kasey Clark, takes over that office, then possibly Ms. Redlin could retain her original employment start date, noting that no sick days nor any vacation days would have been accumulating while she was off. Commissioner Bridegroom made a motion to allow the Deputy Treasurer to retain the employment start date. Following a brief discussion, Commissioner Bridegroom rescinded his motion. Commissioner Davis made a motion take this under consideration until Ms. Redlin resumes her position after Jan. 1st, if she does. Commissioner Bridegroom seconded the motion, and it passed with all ayes. Attorney Lucas advised he will draft a document and have it prepared for the next Board meeting.

President Norem advised they had also received a complaint from a former employee, Ron Lawson, who was an officer for the Starke County Police Department, and who has stated in a letter to the Board, that he had not received his holiday pay for the years of 2012, and 2011. President Norem noted she believed this issue had been addressed in 2012 for the police department, as it had been for the EMS department. Commissioner Bridegroom made a motion to take this issue under advisement until more information on procedures can be obtained. The motion was seconded by Commissioner Davis, and passed with all ayes. Auditor Chaffins advised she will check with the Owen County Auditor to see how this matter is handled by their County. President Norem asked that this topic be placed on the agenda for the December 3rd meeting.

CERTIFICATION OF BRIDGE 51

President Norem advised they had received a request for approval of a Certification Form for the completion of Bridge 51, from Mark Wilson of Wightman Petrie noting that the certification is from the Army Corps of Engineers. Commissioner Bridegroom advised there are typically three different bridge certifications: the Army Corps, the DOT, and IDEM. He made a motion to approve the certification received, seconded by Commissioner Davis. The motion passed with all ayes, and the certification was signed.

COUNTY EMPLOYEE CHRISTMAS PARTY

Auditor Chaffins advised she was contacted by her deputies as to if the Board would approve the County employees having a combined Christmas Party on Friday, December 21st. with the time to be decided. She advised they have a location, at no cost to the County, and in fact, the employees are willing to either have a complete carry in dinner, or else cater the dinner, and the employees are willing to share the expense themselves, with no expense at all to the County. The party would include all departments of the County, all 180 employees. Auditor Chaffins requested the Board ask Clerk Evelyn Skronski for the balance of the proceeds from the pop machines that are located in the Annex Building and the Courthouse, so the proceeds could be receipted into the County General Fund. In the past the proceeds from the pop machines had been used towards the expense of the Christmas Party, but the County was advised by the SBOA that this practice is no longer an acceptable practice as long as the pop machines are situated in a public area. Commissioner Davis stated there isn't much money is that pop account, and didn't see the need to transfer it. She instead made a motion for the Board to contribute a total of \$360.00 toward the employee Christmas Party, to be applied to the purchase of the meat for the dinner. Commissioner Bridegroom seconded the motion, and it passed with all ayes. Auditor Chaffins advised it didn't matter what the balance was that is left in that pop account, it still needs to be receipted into the County General Fund, since the location of the pop machines are still in public areas.

President Norem advised Carl Goodrich, the Courthouse Custodian, had forwarded to her a copy of an invoice he had received from the Kone Co. in regard to maintenance to the Courthouse elevator. She requested Attorney Lucas review the elevator maintenance agreement they have with the Kone Co to see why this repair was not covered by that agreement.

PUBLIC COMMENT:

There were no comments from the public at that time.

There being no further business, Commissioner Davis made a motion to adjourn the meeting, and seconded by Commissioner Bridegroom. The motion passed with all ayes, and the meeting was adjourned at 10:05PM.

November 19, 2012

Kathy Norem, President

Dan Bridegroom, Vice-President

Jennifer Davis

Katherine Chaffins, Auditor &
Secretary to the Board of Commissioners