

## **MONDAY, NOVEMBER 21, 2016**

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 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 Vice-President Don Binkley at 6:37PM. Commissioner President Kent Danford was absent.

### **2017 COUNTY HEALTH INSURANCE**

Holly Horan and Debbie Rykovich, of 1<sup>st</sup> Source Insurance, appeared before the Board to discuss the renewal of Anthem's Health Insurance for 2017. They advised Anthem's renewal for 2017 is at 7.08% but there have been a lot of claims in the last couple of months. They advised they will not be able to lower that 7.08%. They distributed the Summary Plan Documents. Commissioner Norem asked if they could have some more time to review the documents and evaluate the plan for 2017. They advised they could hold off until the December 5<sup>th</sup> meeting. Commissioner Norem advised this rate was the rate the County was at in 2008 and it has taken until now to get back caught up. She noted the County will not do this again next year. They advised the County may need to pick up the Wellness Committee Again. Councilman Dave Pearman inquired if it would benefit the County to be associated with a school to get cheaper insurance rates. They advised the County would need to go into a self-funded product.

### **BIDS FOR BRIDGES 46 & 47**

Highway Department Superintendent Rik Ritzler appeared before the Board. County Attorney Marty Lucas advised he will be opening the bids received for the replacement projects of Bridges 46 & 47. Attorney Lucas opened and read the following bids:

1. From Larsen Danielson, LaPorte, IN a combined total of \$928,213.30.
2. From JCI Bridge Group, LaPorte, IN a combined total of \$585,851.35
3. From LaPorte Construction Co., LaPorte, IN a combined total of \$574,422.00
4. From Northern Indiana Construction, Mishawaka, IN a combined total of \$538,747.26.
5. From Reith Riley, Gary, IN a combined total of \$776,773.40.

Rik, Robert Lorenz, and Mark of JPR took the bids to review them and see if they were up to the bid specifications. Superintendent Ritzler advised he will return to the meeting with the report. He will also advise at that time the amount from the company of the Engineer's Pre Bid Estimate.

### **COMMENTS FROM CAROL SILHAVY & AARON SIMERLY**

Carol Silhavy and Aaron Simerly appeared before the Board to discuss the concerns they have with the North Judson Industrial Park. Mr. Simerly advised the Park does not meet the criteria for an Industrial Park since it is created in a wild life protected area. He advised the Metro Waste Company had no testing done prior to its announcement and he would like to see feasibility studies completed on the Industrial Park. He stated he would like to see the Board of Commissioners to consider any item for the heavy industrial park. He noted Metro's trucks would have hurt the County and Town roads. Mr. Simerly also noted the question of the driveway into the industrial park has been in court for the last five years and it actually sits on someone else's property. Commissioner Norem advised the zoning issue will need to be addressed by the County Planning Commission. She stated she believed the Park was changed to heavy duty industrial in 2010. Mr. Simerly advised they are looking for capable, confident and qualified individuals. Commissioner Norem advised the Highway Superintendent will need to add his input as to the condition of the roads leading into that industrial park off the designated truck routes. Mr. Simerly and Mrs. Silhavy talked about how they heard about Metro coming into the industrial park. They stated it was kept so secret by the Economic Development Foundation. Commissioner Norem advised the SCEDF actually owns the North Judson Industrial Park. She advised Charlie Weaver had never come into a Commissioner Meeting and discussed his plans with Metro at the NJ Park. Mr. Simerly stated when they had called Commissioner Norem she had just read about the project in the newspaper. Mr. Simerly advised a lot of people are on the Board of the SCEDF but no one knows what is going on. Commissioner Norem asked them what kind of communication they would like to see; is newspaper sufficient or do they want to receive a telephone call. Attorney Lucas advised the Metro issue was never addressed at a Commissioner meeting. Mary Perron of WKVI Radio advised it was news to them also but the SCEDF is not a governmental entity and it does not have open, public meetings. Mrs. Silhavy stated the industrial park is in a horrible location. Ken Arnett also stated he had heard about the Metro Company through an ad in the Market Newspaper.

### **EMS DEPARTMENT REPORT**

EMS Director Keith Emigh and Clerk MaryLynn Richie appeared before the Board. Clerk Richie advised she had collected \$974.03 from Collections Attorney Jonathan O'Hara and a total of \$880.66 from the Starke County Clerk for Small Claims Court. She also advised the total amount of accounts receivable this year is over 2015 and they are looking at their yearly ambulance fees received plus the amount of Medicaid reimbursement they received this year covers totaling their budget balance. She stated this is the first year they can say that. Clerk

Richie also advised they are still waiting on DATAMED's update to move forward with the new billing software. She noted she completed a class through WPS Medicare and Interactive Voice Response Part A/B. Director Emigh advised he held a meeting with their shift captains and they are still working out some problems with the hospital pertaining to new medicine procedures that were put into place last month. He stated he has been looking for new grants to help them with equipment purchases and he has begun working on this year's AFG grant. Director Emigh advised he has spent a lot of his time getting the bid specs out again for a diesel 170" box ambulance that they were approved to purchase. He stated they had purchased a new truck from Fire Services in St. John, IN. He is expecting to receive the rig next week and will have thirty days to get with the State EMS Coordinator to get it inspected and file the correct paperwork with the State. He advised they are retiring 0514. He advised he was approved to spend \$122,476.00 from the Rainy Day Fund to purchase a new rig but he actually spent only \$121,876.00.

Personnel: Director Emigh stated he has hired two part time Medics and one part time EMT.

Education: He stated he has attended a DPC meeting in Plymouth; and the following classes:

Machinery Rescue Awareness, Introduction to CERT, and along with Medic 3 attended a training put on by KFD on scba, taking vitals and rehab, and the Medic 1 crew attended a training put on by SPFD on ambulance procedures and operations.

Rig Maintenance: The brakes and wheel bearings had to be replaced on 0086; 0514, 0084 and 0085 had basic maintenance.

Base Maintenance: Medic 1 had a water leak and they changed out the toilet flapper and the faucet on the kitchen sink. Medic 3 needed a new kitchen faucet and it was replaced also.

Safety: No injuries occurred this month.

Cost Savings: Director Emigh advised he is constantly looking at ways to save money on their supplies and services.

## **COUNTY HIGHWAY DEPARTMENT REPORT**

Highway Department Superintendent Rik Ritzler appeared before the Board to present his monthly report. He advised the engineer's proposed bid for Bridges 46 & 47 was \$662,000.00 and the bid they received from Northern Indiana Construction was for \$538,727.26 which is a considerable savings. He advised NIC is currently completing Bridge 78. Superintendent Ritzler stated he was recommending the bid received from Northern Indiana Construction for Bridges 46 & 47. He advised that project would begin April 1, 2017. Commissioner Norem made a motion to accept the low bid from Northern Indiana Construction for Bridges 46 & 47, in the total amount of \$538,727.26. Commissioner Binkley seconded the motion, and it passed with all ayes.

Superintendent Ritzler then explained the listing in his monthly report of the County Bridges and their completion date and other pertaining information. He advised they completed their summer road improvements completing over 50 miles of various improvements. He stated they are frequently asked for historical data related to the Highway Department and he asked for the use of a part time worker on a temporary basis to assist the Office Manager and Superintendent in compiling the information. Commissioner Norem stated she wants to think about it that.

Superintendent Ritzler advised they have been having some problems with individuals performing road cuts without a permit. He stated any work done by a contractor or individual in a Starke County roadway requires a permit from the Highway Department. The permits can be obtained at their office at 3835 E 250N; or to call them at 574-772-3011.

Superintendent Ritzler advised there are four sections of the Highway Handbook they would like to see be modified and they are: Sick Leave; Appointments for Workman's Comp. Injuries; Personal use of Supplies & Equipment; and Cumulative Service for the Purposes of Determining the Longevity Bonus. Commissioner Norem advised the Council is the entity that needs to address the Longevity issue and she would like to see Attorney Lucas address the other three issues. Attorney Lucas stated in regard to Sick Leave to Edit 7.02 using alternative language; in regard to # 2 he suggests rewording it to not include vacation days only using sick days; he also suggests rewording of # 3. He will work on the changes and advise. Commissioner Norem made a motion to agree with Attorney Lucas' plan of action on items 1, 2, and 3. Commissioner Binkley seconded the motion and it passed with all ayes. Commissioner Norem made a motion in regard to # 4, Cumulative Service for Longevity, they will recommend it to the Council to change the Longevity earned to be the employee's hire date and not January 1<sup>st</sup>. It will be up to the Department Heads to keep track of their employees making their hiring date and reporting it in their payroll claim for that time period. Commissioner Binkley seconded the motion and it passed with all ayes.

Superintendent Ritzler then proceeded with his report. He advised of road inventory changes: vacate East Maple St. at Bass Lake; vacate 200E, north of 50S; vacate Division Road, west of 200E, add Woodlawn Road at Koontz Lake and vacate 700N, west of 50E. Attorney Lucas stated he should not use the word "vacate" since they are not official county roads. Ritzler is just considering the changes of removing those parcel areas from the road inventory listing.

In regard to Training Superintendent Ritzler advised they recently purchased a new hot box for winter patching and hot box training was held on that day; the LTAP Road Scholar classes are being held in November and December; Four drivers have taken tests for their Certified Construction inspection; and the AICC Conference.

In regard to Winter Preparations, Ritzler advised they are ready to go for winter. All material, personnel, and planning requirements are complete. They are taking advantage of the mild weather by stockpiling material for next year's road improvements. He advised they are currently stock piling stone for next year.

## **EXTENSION OFFICER NEEDS AGREEMENT APPROVED**

Julia Miller, Starke County's Extension Officer, appeared before the Board to request approval of the Contractual Services Agreement between Starke County and Purdue University. She advised it is an annual agreement and this one was for 2017. Commissioner Norem made a motion to approve the agreement. Commissioner Binkley seconded the motion and it passed with all ayes. The agreement was signed by Commissioner Binkley.

### **OVERTIME ORDINANCE TO GO INTO EFFECT ON DECEMBER 1ST**

Attorney Lucas advised he had fully explained this overtime ordinance at the previous Council Meeting. He advised the proposed ordinance goes into effect on December 1<sup>st</sup> and the County does have some employees that will be close to bumping up in their pay to meet the set pay but others that aren't. He advised the changes amounted to a long term budget impact. He also noted this ordinance was not pertaining to Sheriff's Officers and Jailers due to their new overtime policy, but that the Dispatch Office will need to change its work schedule to go to a 40 hour work week. (Auditor Chaffins, Deputy Rhoda and Attorney Lucas met with Sheriff Dulin and Chris Suprenaut to discuss the Dispatcher's work schedule and how this ordinance would affect them.)

### **BIDDING ORDINANCE**

Marcella Kunstek and Marc Poulos of the Indiana-Illinois-Iowa Foundation for Fair Contracting appeared before the Board to discuss the creation of a Responsible Bidder Ordinance. They advised their desire was to promote high quality contractors in public works construction; increase hours worked to be employed; and drive the taxpayer's value. They advised the Responsible Bidder Ordinance is a protection plan for taxpayers. They noted over thirty units of local government (towns, cities, schools, and counties) in the State of Indiana have already implemented this ordinance. Attorney Lucas inquired if there has been any litigation channeling this issue and the response was no there wasn't. Commissioner Binkley asked that this issue be tabled for now until the newly elected Commissioner, Charles Chesak, takes his seat on the Board after January 1<sup>st</sup>, 2017 so that he could be included in this ordinance. Commissioner Norem seconded the motion and it passed with all ayes.

### **AUDITOR'S BUSINESS: MINUTES, PAYROLL CLAIM, VENDOR CLAIMS**

Commissioner Norem made a motion to approve the payroll claims docket for the pay period ending on November 5<sup>th</sup> with a pay date of November 10<sup>th</sup>, in the total gross amount of \$216,558.46. Commissioner Binkley seconded the motion and it passed with all ayes.

Commissioner Norem made a motion to approve the minutes of the November 7<sup>th</sup> meeting. Commissioner Binkley seconded the motion and it passed with all ayes. Commissioner Norem made a motion to approve the Vendor Claims Docket in the total gross amount of \$325,815.73. Commissioner Binkley seconded the motion and it passed with all ayes.

### **IN OTHER BUSINESS**

#### **2017 Inmate Catastrophic Medical Policy**

Commissioner Norem advised she was contacted by Marcia Hayes of 1<sup>st</sup> Source Insurance about the annual Inmate Catastrophic Medical Policy which pays out if an inmate has a catastrophic health condition. The Sheriff would need to submit the claims in order for it to be used. She advised the rate is 95cents a day per inmate. She noted the cost would be approximately \$28,000.00. Commissioner Norem made a motion to renew the policy. Commissioner Binkley seconded the motion and it passed with all ayes.

#### **2017 Appointments**

Commissioner Norem advised she had prepared a press release stating the Board openings for 2017. She advised if anyone is interested in serving on a board they should submit a letter, either hand deliver or email it to the Board of Commissioners and deliver it to the County Auditor's Office. Commissioner Norem made a motion to submit the listing to the media. Commissioner Binkley seconded the motion and it passed with all ayes.

#### **CAFO**

Attorney Lucas advised the public hearing of the Amended CAFO Ordinance will now be reconvened to hear of changes to the CFO.

Lisa Saine spoke asking for the footage from the roadway to be changed from 150 feet to 300 feet. She also stated she is concerned about her water table and she would like to receive a guarantee signed from someone in the government that she will always have water.

There was discussion in regard to the two mile jurisdiction surrounding the City of Knox and now around the Towns of North Judson and Hamlet. There was a complaint received that the intersection of CR200N & CR700E should be given more stop signs. Commissioner Norem noted that she will speak with the Highway Superintendent regarding the stop signs at that intersection and the DNR will assist with any wells that run dry. She also noted that a CAFO Business would need to obtain an IDEM permit. She stated the Board of Commissioners was contacted on Friday that the permit was received on the new CAFO business that will be built in Mrs. Saine's area. Todd Lawrence then spoke to those present and advised with the wastes from an operation they are only allowed to put out so much per acre and it is tested for nutrient value. He stated the business does not use that much water. There is more conflict from smell issues; noting it can have a spell and then it will be gone within the same day. Lee Nagai stated he believes the distance from the roadway should be reduced to 100 feet instead of the 150 feet or the 300 feet. He also believes the two mile jurisdiction is too much and that should be reduced to one mile. He advised the reason he has a CAFO is that it creates jobs, produces food, and creates a tax base. He said he receives 100% positive reviews and he feels like it feeds everybody.

At that time the public hearing portion was closed.

Commissioner Norem asked Superintendent Ritzler that the Highway Department check out the stop sign situation at 200N & 700E.

She also advised the request for the 300 feet would need to be taken back to the Planning Commission for them to consider whether or not it should be added to the ordinance. Attorney Lucas stated now the Board of Commissioners needs to either approve the Amended CAFO Ordinance as written or send it back to the Planning Commission for revision.

Commissioner Norem made a motion to approve this ordinance as it has been presented because it does expand it to the CFO. Commissioner Binkley seconded the motion and it passed with all ayes. Commissioner Norem then made a motion to have the Planning Commission consider amending the ordinance to change the distance from 150 feet to 300 feet or 100 feet. Commissioner Binkley seconded the motion and it passed with all ayes. There was talk that they would like to see the purposed CAFO be moved from the 200N location, so that the main entrance would be on the side road. Commissioner Norem stated that would be up to the Planning Commission or IDEM to change that location.

**INTERNAL CONTROL POLICY**

Auditor Chaffins advised an Internal Control Committee has been formed with Carrie Block, Betty Dotlich and herself. They have met and reviewed the County’s policies on Internal Control and reviewed the existing monthly paperwork received from all Departments. She noted so far there are no revisions produced to the existing policies. She stated the Committee will be meeting again in February.

**CERTIFICATE TAX SALE**

Auditor Chaffins advised a Certificate Tax Sale will be held on Feb. 17<sup>th</sup>, 2017 at 10:00AM.

**PUBLIC COMMENT**

There being no public comment and no further business, Commissioner Norem made a motion to adjourn the meeting. Commissioner Binkley seconded the motion and it passed with all ayes. The meeting adjourned at 8:44PM.

**NOVEMBER 21, 2016**

ABSENT \_\_\_\_\_  
Kent Danford, President

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Donald Binkley, Vice President

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Kathy Norem

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