

MONDAY, DECEMBER 7, 2015

Pursuant to adjournment comes now the Starke County Board of Commissioners and meet in a special session at 5:30PM in the Annex Meeting Room, Knox, Indiana, with Kent Danford, Kathy Norem, and Donald Binkley present and the following proceedings were held to wit:

The meeting was called to order by Commissioner President Kent Danford. The Special Meeting was called in order for representatives from NIPSCO to present an update of their Reynolds Topeka Electric System Improvement Project. The NIPSCO representatives present for the meeting were Dana Brad (Director Transmission Projects), Thomas Galos (Construction Manager), and Larry Graham (Public Outreach). Mr. Graham advised the project is a one hundred miles of 270 million electric transmission line connecting NIPSCO substations in Reynolds, Burr Oak and Topeka, IN. He noted the project is considered a priority project and is required by the Midcontinent Independent Service Operator (MISO) which is the operator of the electric system or grid serving a twelve state area including Indiana. The line is needed to improve electric reliability and relieve transmission system congestion during high demand periods. Mr. Graham provided the timeline of the Project which began in 2012, is to begin construction in spring 2016, and be in service in 2018. NIPSCO provided a handout containing information on the project which is on file in the Auditor's Office. Mr. Graham advised NIPSCO did not route the project over any existing homes and was considerate of the environmental impact. Larry Wappel, who was present for the meeting, expressed his concern with irrigation systems and the impact the project would have on existing pivot irrigation systems. County Attorney Marty Lucas noted the NIPSCO website provides a map of the existing irrigation systems and he should see if the newer systems have been accounted for by NIPSCO. George Babchuk, also in attendance, had several questions and comments for the NIPSCO representatives. Mr. Babchuk noted it is the NIPSCO customers who will ultimately be paying for the cost of the project. Commissioner Danford advised Mr. Babchuk and the NIPSCO representatives could continue their meeting in the building's Commissary Room.

Commissioner Binkley made a motion to adjourn the special meeting, seconded by Commissioner Norem. The motion passed with all ayes and the meeting adjourned at 6:04PM.

Commissioner Danford called the regular meeting of the Board of Commissioners to order at 6:05PM. Present for the meeting, beside Commissioner Danford, were Commissioner Kathy Norem and Commissioner Don Binkley.

RE: EMS DEPARTMENT MONTHLY REPORT

EMS Director Keith Emigh, and EMS Clerk MaryLynn Richie appeared before the Board to submit their monthly report. Clerk Richie advised the number of runs has been consistent each month. She also advised of the increase in the amount of revenue for the year to date. Clerk Richie advised a total of \$1,081.22 was collected from Attorney Jonathan O'Hara and a total of \$463.18 was collected from Small Claims Court.

Director Emigh advised their new billing program is working smoothly and they are now receiving payments for billings made with the new codes. He advised a new SOP is in place and has cleared up a lot of questions and misinformation from the staff. He noted employees who don't follow the new SOP can be written up. Director Emigh stated he had advised his staff of the new Workers' Compensation Company coverage and the new forms they will be required to use. He noted, in regard to personnel, they have one new part time paramedic who is completing their ride time and another who will be beginning their ride time training. He advised the goal in having ALS staffing 24/7 at all three bases is a constant challenge and is an ongoing process. In regard to education, he advised Travis Clary, the Assistant Director and he attended a meeting with Margaret Dalphond at IU Starke Hospital in regard to a new program: Community Paramedicine. He noted the program is in the preliminary planning stage. He also noted he had attended the District 2 Meeting in Plymouth. In regard to Training, he advised they had held a K-9 training in the County and other surrounding counties attended the training. Director Emigh noted one of their employees held a training which dealt with autism and special needs children. He noted he is also working with EMA Director Jacob Lippner and District 2 Coordinator Ted Bombagetti in regard to holding a MCI table top event. In regard to rig maintenance he noted all the rigs have been out to the highway department for their routine maintenance however rig # 86 has been parked and is out of commission due to major engine problems. In regard to base maintenance, Director Emigh noted routine cleaning is done on a weekly basis at all three bases. In regard to safety issues, the Director advised they recently had one injury, and the employee is back to work with no restrictions following three days off due to the injury.

RE: COUNTY HIGHWAY DEPARTMENT REPORT

Superintendent Rik Ritzler appeared before the Board to present his monthly departmental report. He advised they experienced their first snow event on November 21st and then spent the next two days de-icing and cleaning up the roadways. He presented a chart of previous winters' information such as miles of snow cleared, miles cleared per hour per driver, number of snowfall events and the amount of snowfall. He advised during the November snow event the average snow plow speed driven was 19.19mph with their goal speed being 17.5mph. The Superintendent also advised they have hauled in approximately 10,000 tons of sand and received their first salt delivery. He noted they are taking advantage of the nice weather by sending out the brush cutting crews, hauling stone for next summer's paving operations, and patching roads.

Superintendent Ritzler advised they had solicited quotes for the purchase of a new loader and they received six quotes on comparable loaders. He noted the lowest quote was for a 2014 Hyundai from Harding's Equipment in the amount of \$129,974.00 however, he recommended they accept the quote from Ronson Equipment for a 2015

Doosan, in the amount of \$135,000.00 for five various reasons. Commissioner Norem made a motion to approve the purchase of the Doosan loader, seconded by Commissioner Binkley. The motion passed with all ayes. In regard to facility improvements, Superintendent Ritzler advised the County Council and the DLGF had approved the use of the additional revenue the department had received in 2015 and it will be used for facility improvements. He advised he had completed a five year plan of facility improvements from this additional revenue. He noted this year's improvements include replacement of the rear bay door; new fuel pumps and card system; updating the security system for the front gate; installation of new cabinets and a sink in the breakroom; restroom floor tile, and painting both rooms.

In regard to Bridge repairs, Superintendent Ritzler advised they had received five bids for the repair of two County Bridges, # 36, on CR25N, .5 miles west of CR600E, and Bridge # 38, on CR25N, just east of CR800E. He advised JCI Bridge Group was the lowest bid in the total amount of \$42,500.00 and he was recommending that company to the Board for their approval. Commissioner Norem made a motion to accept the bid received from the JCI Bridge Group. Commissioner Binkley seconded the motion and it passed with all ayes. (A copy of the Superintendent' report, complete with all price quotes and bids received, is on file in the Auditor's Office.)

RE: CLERK VICKI COOLEY'S DEPARTMENTAL SOFTWARE CONCERNS

Clerk Vicki Cooley appeared before the Board and advised on February 1st her department along with the Court and Probation will be going live with the Odyssey Court Software. Her concern though is for the month of January as the current agreement with their current provider, CSI, will expire at the end of the year. CSI has advised if they are called for support during the month of January they will bill at the rate of \$300.00 per call. Clerk Cooley inquired as to the source of funding if the billing was to occur. There was a brief discussion in regard to the current contract with CSI and it was suggested to have Attorney Lucas contact CSI to see if an extension of coverage for the month of January be negotiated and to see if they would forward a copy of the CSI contract. Clerk Cooley noted the new Odyssey program, which is the State approved program, has provided eleven new computers and a couple of printers for their departments.

Clerk Cooley advised she had submitted to the NJSP School Corporation a billing for the expense of the fall school referendum and now she was before the Board to discuss billing the City of Knox and the Towns of North Judson and Hamlet for their portion of the election expenses. Attorney Lucas advised since there was not a preliminary agreement made prior to the election and no notice given to the municipalities prior to the elections, the issue of billing them should not be done at this time but looked into going forward. Commissioner Norem stated the Election Board should make a recommendation to the Board of Commissioners in regard to this matter.

RE: IT DEPARTMENT SERVER PROBLEMS

IT Director, Brian Pinson, appeared before the Board to discuss the condition of the three current computer servers. He advised the main server is starting to malfunction and if it were to go down completely it could risk the loss of many County documents and programs. He presented three price quotes he had obtained for replacement servers. Commissioner Binkley made a motion to table the issue until the Special Meeting which was scheduled for December 14th, a combined meeting with the County Council, to discuss the 2016 capital expenditures. Commissioner Norem seconded the motion and it passed with all ayes. Director Pinson advised the Board the former IT Director had requested earlier in the year to purchase a server; he had received approval, but the server was never purchased.

ATTORNEY LUCAS' 2nd READING OF THE JAIL CONVICTED INMATE REIMBURSEMENT OF COSTS OF INCARCERATION ORDINANCE & PUBLIC HEARING

Attorney Marty Lucas advised this was the 2nd reading of the proposed County Ordinance 2015-1207 and the public hearing. Commissioner Norem made a motion open the public hearing portion of the meeting. Commissioner Binkley seconded the motion and it passed with all ayes. The public hearing was opened at 6:40PM. Steve Dodge presented information on the definition of "indigent" and stated concerns on the fairness of the fee on the inmates and how the money collected would be utilized, to reduce the jail budget, or to reduce the tax liability to taxpayers. Attorney Lucas advised the County Ordinance was created strictly following the State statute, IC 36-2-13-15. He noted it was unknown as to the percentage of the inmates who would qualify as to who are convicted and held for over seventy two hours. Council President Freddie Baker stated he disagrees with Mr. Dodge because he believes the inmates are a burden to the taxpayers. He stated he knows the program works in Porter County and he stated that County is collecting \$75.00 a day from their inmates. Attorney Lucas noted the maximum allowable per diem is \$30.00 per State Statute and the County Council would be required to set the per diem rate. Sheriff Bill Dulin advised 100% of the inmate fee revenue would be used for a drug treatment program. Attorney Lucas noted the statute also allows for reimbursement for jail expenses. Attorney Lucas also advised the Court would decide at sentencing if an inmate would qualify for that fee and he noted he has spoken to the Courts on this issue. Commissioner Norem stated she was afraid this was a lot to do about nothing as she fears there will not be that many inmates who will qualify for the fee. Attorney Lucas stated a study was not done to see how much revenue the fee would generate. He also stressed, as a lawyer, he would advise not to vary from the State Statute and the County should not add any additional to the proposed County Ordinance. The question was asked as to who currently pays for the detoxing of inmates and where the funding comes from. Commissioner Norem advised it is covered under the jail nursing contract out of the jail budget. The Sheriff stated of the inmate population approximately 90-95% of the male inmates and 100% of the female inmates were incarcerated due to drug related charges. He noted there is approximately a 60-70% recidivism rate. Commissioner Norem made a motion to close the public hearing, seconded by Commissioner Binkley. The

motion passed with all ayes and the public hearing closed at 7:14PM. Commissioner Norem stated both sides had good points but the majority feels it is not inappropriate to charge the inmates as it was created within the existing State Statute. However, she noted, her concern is that it won't garner the amount of money they would like it to or expect it to. Commissioner Binkley made a motion, that as long as the County Ordinance stays within and follows the State Statute, and as long as the Court makes the decision as to the qualifying inmates, to approve the proposed County Ordinance, # 2015-1207. Commissioner Norem seconded the motion and it passed with all ayes.

RE: DEPARTMENT OF CORRECTIONS' THERAPEUTIC COMMUNITY PROGRAM

Commissioner Norem gave a brief review of the proposed DOC Therapeutic Community; proposed by the Governor's Drug Task Force and which has received support and assistance from State Senator Jim Arnold, have chosen Starke County to house the first and only State Drug Program. She noted in the past this type of drug program had only been offered in State Institutions. The drug program would be administered through Horizons, and would be a twelve month program. The Starke County Jail would house inmates from not only Starke County but seven surrounding counties in the SC Jail. The program allows for a maximum of fifty inmates and Starke County would receive a per diem of between \$35.00-42.00 a day. She noted since this would be a reimbursement for jail expenses the money would be receipted back into the County General Fund, although the Sheriff didn't believe that to be correct. She advised the State will be providing two staff members but the County will need to increase the staffing at the Jail. Sheriff Dulin advised he will need to hire a Warden/Program Coordinator; to change the part time cook into a full time position, and also change a part time nurse into a full time position. The Sheriff noted the program would begin on February 1st and would be a gradual increase in number of inmates in the program. He also noted the revenue would not begin right away as the DOC would be billed by the County. Commissioner Norem advised a grant is being proposed to fund some of the positions but that funding runs on the State's fiscal year and their new year doesn't begin until July 1st. She noted Robert Hinojosa, Director of the Starke County Community Corrections is working on the grant. Commissioner Norem suggested the County use funding from the Rainy Day Fund for the positions until the grant funding is available and then reimburse the Rainy Day Fund with the proceeds from the drug program. Sheriff Dulin stated he would rather not use grant funding because it would be too restrictive as to the job duties of the positions covered by the grant. He noted he is proposing the salary of \$45,000.00-50,000.00 for the position of Warden/Program Coordinator. He stated he would like for the County to move forward with that position and also the creation of the full time cook. He also noted the Jail Nursing Contract needs to be renewed. Commissioner Norem made a motion to recommend to the County Council at their meeting on Monday, the 14th that they fund the position of Warden/Coordinator, which will require a job description, and change the status of the part time cook into a full time cook, with the funding to be paid out of the Rainy Day Fund, to be reimbursed with the program revenue. Commissioner Binkley seconded the motion and it passed with all ayes. The Sheriff noted he currently has eight full time jailers and sixteen part time jailers.

The Sheriff was asked as to the status of employee Robert Gray. The Sheriff advised Robert Gray's employment had been terminated but he had a thirty day period in which to appeal the decision which would expire on January 8th. There was a discussion in regard to the expenses associated with the Merit Board Hearing on employee Robert Gray. The expenses were as follows: \$720.00—cost of court reporter; \$2,790.00 attorney fees; \$5,062.50 cost of the expert witness; and \$3,360.00 Merit Board attorney fees. The Sheriff advised he would be paying for his own personal attorney. Commissioner Norem asked the Sheriff to review his jail budget to see if half of the expense could be covered by his budget and the County would cover the other half as it would be the Merit Board's expenses. The Sheriff advised he did not know how he would be able to pay for it.

RE: AUDITOR'S BUSINESS: MINUTES, PAYROLL CLAIM, VENDOR CLAIMS

Commissioner Norem made a motion to approve the minutes of the November 16th meeting, seconded by Commissioner Binkley. The motion passed with all ayes. Commissioner Norem made a motion to approve the payroll claim docket for the pay period ending November 21st, with a pay date of November 25th, in the total gross amount of \$211,724.33. 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 amount of \$218,162.35 but noted the expenses of Merit Board hearing may change from the Commissioner's budget to the Sheriff's budget. Commissioner Binkley seconded the motion and it passed with all ayes.

IN OTHER BUSINESS

In regard to the DLZ Agreement, a new agreement for professional services in regard to the former jail building and the courthouse renovations, Attorney Lucas advised he had spoken with Scott Carnegie of DLZ who answered all of his questions. He advised the agreement is ready for Board approval. Commissioner Norem made a motion to approve the agreement with DLZ for the renovations of the two County buildings. Commissioner Binkley seconded the motion and it passed with all ayes.

Commissioner Norem advised the Jail Medical Catastrophic Insurance policy is up for renewal. Commissioner Binkley made a motion to approve the renewal of the insurance policy, seconded by Commissioner Norem. The motion passed with all ayes. Commissioner Norem asked Sheriff Dulin as to why no claims have yet to be submitted to the insurance company for inmate medical issues. She advised the Sheriff that he needs to look into the situation.

President Danford advised they had received a request from County Assessor Rhonda Milner for her and her staff to attend a conference January 20-23, 2016, with a total cost of \$3,020.00. Commissioner Norem made a motion to approve the conference attendance, seconded by Commissioner Binkley. The motion passed with all ayes.

State EMA District 2 Coordinator Ted Bombagetti advised he was present for the meeting to present the State's response to a complaint made to the State by County Coroner Danny Hoffer in regard to the County's not furnishing the Coroner with an 800 Mhz radio. Coordinator Bombagetti advised the State does not mandate but only provides guidelines and they have no guidelines in regard to a County Coroner's radio. Commissioner Norem stated it was duly noted the Coroner had filed a complaint with the State.

Attorney Lucas advised he had recently attended the Municipal State Law Conference and noted it was very informative.

County Health Nurse, Frank Lynch, appeared before the Board, with the renewal of the County's 2016 Food Inspector Contract. He advised it had already been approved by the Health Board and was the same as last year's contract. Attorney Lucas reviewed the contract and recommended it to the Board for their approval. Commissioner Norem made a motion to approve the 2016 Food Inspector Contract. Commissioner Binkley seconded the motion and it passed with all ayes.

Commissioner Norem advised Jennifer Davis had been the County's appointment to serve on the Arrowhead Board but she is no longer able to serve on that Board. Commissioner Norem suggested Commissioner Binkley represent the County at the meeting of the Arrowhead Board Meeting which would be held in Pulaski County on Wednesday December 9th at 6PM Central time.

PUBLIC COMMENT

George Babchuk suggested the County should have all their computer servers set up to all work together.

There being no further 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 7:55PM.

DECEMBER 7, 2015

Kent Danford, President

Kathryn Norem, Vice-President

Donald Binkley

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