

STARKE COUNTY BOARD OF COMMISSIONERS
MINUTES
MONDAY, MAY 2, 2022

Pursuant to adjournment comes now the Starke County Board of Commissioners and meet in Regular Session at 5:00 PM, in person at the Starke County Annex Building, Knox, Indiana, with Mark Gourley and Bryan Cavender, present and the following proceedings were held to wit:

The meeting of the Board of Commissioners was called to order by Commissioner Vice-President Mark Gourley directly at 5:00 PM.

KOONTZ LAKE ACCESS POINTS- MICHELLE HAVREN

Michelle Havren came before the Board of Commissioner to discuss Koontz Lake access points/easements. She presented the Board of Commissioners with plats and timeline photos of each access point. She advised she had purchased her home in December of 2017 and her neighborhood has had a chronic issue with the public access on her street. Her journey started with the DNR and that is who she got the plat survey from, notifying that they are listed in the plats as parks and a dedication of rights to all the residents who live offshore. She presented the pictures that give a timeline of the four different accesses. Two have been landscaped over as a part of their homes, hers has been taken over at Dogwood and Hickory was a part of Stanley's so that has a little bit of an overreach. Her current issue on hand is the access point right next to Dogwood. They contact the Sheriff's Department when they have problems with parking and they do not mandate them to move they just tell them to make a path which makes it very difficult for them. She explained that there are also homes that are impeding these access points. She explained some of the photos presented including what the homeowner has done as far as building into their pier area of the access point and that their pier had been removed. She did reach out to DNR and they said he has encroached but they did not ticket him.

Michelle advised that prior to the homeowner building their pier the public pier was in tack, but since the homeowner had built their pier the public pier was damaged. She advised that in May of 2020 the homeowner completely removed the public pier. She advised her neighbors and herself are willing to put up another pier but their concern is that is the homeowner does not remove their stuff out of the public access it will not work because he may say they are encroaching on him now. Attorney Schramm stated that there are many things to consider, he advised that this may be a question for the BZA but the individual who extended his pier in a way that in now encroaches upon public access, and he does not know if he received any variance from the BZA. He is also wondering if the way this is zoned it permits some type of public encroachment on the public access point. Michelle stated that the DNR recognized that he encroached but stated that they should replace their public pier first before he does anything. Attorney Schramm would like to research this issue a little more but generally speaking if this is a public access that belongs to the county then any structure or fixture that extends from the real estate would then become a part of the property that the county owns and is part of the real estate.

Commissioner Gourley advised that there are even worse encroachments located around the lake. Attorney Schramm advised that he is also disturbed by the fact that they removed county property. She also presented a letter of support from one of her neighbors about this situation. Michelle advised she is at a point where they just need something more. She stated she will be going through the divisions of hearing for the water part to file a petition to get that matter resolved because he should have been ticketed right away. A discussion was held regarding the crushed limestone that was laid on one of the easements as well. Commissioner Gourley advised we need to hammer out the most effective way to addresses the parking issues around the lake at the easement points. Attorney Schramm advised he will look into this issue and then send notices to the surrounding property owners reminding them that the area in question is county right away and they are not to park within the county access point and also a reminder that removal of county property is defacement of public property and prosecutable. He stated he will leave it up to them if they do want to put a pier back in there and how they want to handle that. Commissioner Cavender made a motion to approve Attorney Schramm to move forward with the process of notifying the property owners. Attorney Schramm advised he will be sending out notices by certified mail to surrounding property owners of the access points and then we will have a period for remonstrance. He will then look into the zoning when it comes to piers and what the buffer is. Commissioner Gourley seconded the motion and the motion was approved with all ayes.

AUDITOR BUSINESS

Commissioner Cavender made a motion to approve the vendor claims docket for a total in the amount of \$286,646.34. Commissioner Gourley seconded the motion and the motion was approved with all ayes. Commissioner Cavender made a motion to approve the payroll claims in the amount of \$284,078.27 including deductions in the amount of \$83,288.26 for pay period ending 04/16/2022 and payroll date of 04/22/2022. Commissioner Gourley seconded the motion and the motion was approved with all ayes. Commissioner Cavender made a motion to approve the minutes for April 18, 2022. Commissioner Gourley seconded the motion and the motion was approved with all ayes.

OTHER BUSINESS

Indiana Department of Correction
Community Corrections Grant Program
Indiana Government Center, South-E334
Indianapolis, Indiana 46204-2738

To Whom it May Concern,

The Starke County Board of Commissioners on May 2, 2022, reviewed and approved the submission of Starke County’s Grant Application for Fiscal Year 2023. Included in this application are funding requests for Starke County Community Corrections, the Starke County Justice Center and Starke County Circuit Court Probation Department. In accordance with IC 11-12-2-3 the advisory board has also approved the application and budget. The total amount of the request is \$476,822.98.

Once again, thank you for the ongoing financial support you have provided Starke County Government. Commissioner Cavender made a motion to approve the letter for support. Commissioner Gourley seconded the motion and the motion was approved with all ayes.

PUBLIC COMMENT

Robert Troike, BZA Board President, came before the Board of Commissioners to request that the Part Time position of the BZA Secretary become Full Time. He advised he has spoken to all of the board members from the Board of Zoning and several other people they feel that it would be beneficial to have Mary as a full time employee. They feel it would be a valuable asset to have her as a full time employee considering all the experience she has with the county. Commissioner Cavender asked if there is enough work to make this a full time position. Mary Beaver handed out a job description of the position. Commissioner Gourley stated that having her more available in the office would be there more processing and paperwork that could be done. Commissioner Gourley stated the big question is, is how much more of an expense this would be? He would like to take some time to find this information out. He requested Auditor Oesterreich to provide these numbers for their next meeting. Commissioner Cavender made a motion to table the full time position request. Commissioner Gourley seconded the motion and the motion was approved with all ayes.

With there being no further public comments and no further business, Commissioner Cavender made a motion to adjourn the meeting. Commissioner Gourley seconded the motion and the motion was approved with all ayes. The meeting was adjourned at 5:34 PM.

MONDAY, MAY 2, 2022

Charlie Chesak, President

Mark Gourley, Vice-President

Bryan Cavender, Member

Rachel Oesterreich, Auditor and Secretary to
the Board of Commissioners