

**STARKE COUNTY BOARD OF COMMISSIONERS
MINUTES
MONDAY, JUNE 20, 2022**

Pursuant to adjournment comes now the Starke County Board of Commissioners and meet in Regular Session at 9:30 AM, in person at the Starke County Annex Building, Knox, Indiana, with Charles Chesak, 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 President Charles Chesak directly at 9:30 AM.

EMS MONTHLY REPORT

Nancy Coad came before the Board of Commissioners for the monthly financial report. She handed out the financial report for the Accumulated totals and Commissioner Chesak advised they had received \$1428.28 from Jonathon O'Hara, \$96.15 from Small Claims, and another \$25.00 from Small Claims. Director Wood came before the Board of Commissioners to present his monthly report.

Operations: All trucks are up and running. We are utilizing the transfer truck more and more now.

Personnel: We are short 3 Paramedics as of right now. We are full staff with EMT's. We have hired 1 full time Paramedic hired. She has not started yet.

Training: We have provided CPR training to the community through the library. We have provided CPR training/First Aid for O.D. school system.

Safety: One EMT-A is out with a back injury. He is currently on light duty.

Vehicles:

3308 (2021 Ford – Gas - North Judson) – No change. Tires ordered.

4230 (2019 Ford – Gas – Knox) – No change.

0514 (2015 Chevy – Diesel – Grovertown) – Air conditioning is fixed.

0086 (2009 Ford – Diesel – Backup) – No issues.

0085 (2013 Chevy – Diesel – Medic 2) – No issues.

0084 (2012 Chevy – Diesel – Backup) – No issues.

4149 (2013 Ford – Gas) – No change.

Base Maint.: The power supply for M5 base radio quit working. I will be looking into purchasing a new power supply.

PPE: - No change.

Director Wood also presented the Board of Commissioner with a quote from Gokeyless for more security at the ambulance bases. They have 5 main doors and 1 interior. He would like to secure the interior doors as well where they keep their supplies. Commissioner Gourley asked why it had to be a keyless entry why not go with an old fashion lock entry. After further discussion they keyless entry does allow monitoring of who accesses their building as well as who accesses their supply room. The quote provided was for a total of \$5,395.55. Commissioner Gourley made a motion to approve the quote as provided by Gokeyless in the amount of \$5,395.55 to be paid with the Cumulative Capital Development fund with Council approval. Commissioner Cavender seconded the motion and the motion was approved with all ayes.

Director Wood stated he would like to request a county issued cell phone. He advised they currently pay \$40 for a mobile hot spot and a cell phone would be an additional \$10 per month for the upgrade. Auditor Oesterreich advised that an additional cell phones lines needs to be approved by the Board of Commissioners. Director Franks advised that currently the Health Department, EMA, Parks, Planning Commission, Surveyor, and Highway had county issued cell phones. Commissioner Gourley made a motion to approve issuing a phone to the EMS Director. Commissioner Cavender seconded the motion and the motion was approved with all ayes. Director Wood advised that last month he brought up the holiday pay and wanted to provide the board with more information about it. He presented the minutes

from the Commissioners meeting back in 2020 when the Sheriff's Department was approved for a change in holiday pay. He would like his department to get paid for the actual holidays and not the days that the county observes. Commissioner Gourley would like to table this for now to make sure the wording in the handbooks addresses the entire issue. Commissioner Gourley made a motion to table the holiday pay request. Commissioner Cavender seconded the motion and the motion was approved with all ayes. Director Wood asked for the sick and vacation change to be approved. Attorney Schramm presented an updated version of the handbook at their last meeting. Director Wood advised the change would include:

<u>Years of Service</u>	<u>Vacation Days</u>	<u>Sick Days</u>
After 1st year	2	2
2 to 6	4	4
7 to 10	6	6
11+	8	8

Vacation days do not roll over. Sick time you can bank up to 15 days. The amount resets on their calendar anniversary.

Commissioner Cavender made a motion to approve the update regarding the sick and vacation time as presented. Commissioner Gourley seconded the motion and the motion was approved with all ayes. Director Wood advised he is working on a project called the Safe Haven Baby Box. He presented a packet to the Board of Commissioners for their review and he will discuss it further in future meetings.

HIGHWAY MONTHLY REPORT

Dan Dipert, Superintendent of the Starke County Highway Department came before the Board of Commissioners to present his monthly report. He advised that they only are two drivers short. They have 2 part time CDL drivers and 2 mechanics. They also have 5 people on the mowing crew and they have one open positive available. Last week they hired Jessica White as their new asset manager. He stated the Community Crossing 2022-1 at the next meeting they are going to open the sealed bids for the paving project. The Community Crossings 2022-2 will open up in July and there is still a little money left that they are going to apply for. The Community Crossings 2021-2 paving on 700 E has been completed but they are still working on putting stone along the burn and the last step would be painting the stripes. Superintendent Dipert advised that they are locked in to the lowest interest rate possible for the truck lease purchases. They did buy a second asphalt hotbox and is the same make and model of what they currently have. They also bought a used F-550 from the Town of Culver, they will be using the truck to pull the hot box with. He stated that all of the bridges have been weed wacked around and they are in the process of washing the bridges off but Oregon and Jackson Townships are done.

Superintendent Dipert stated they are going to try and get the gravel roads graded at least once a month. Commissioner Gourley asked if that includes any dust abatement. Superintendent Dipert advised that for the last couple of years they have not used anything for dust control. They have been taking road grindings out and putting that in front of the homes that have called and requested dust control. They currently do not have any pending dust control requests. He advised tomorrow their Workman's Comp insurance is going to come in and do an audit. They are still cutting brush back and will have the tractor out by 500 N for the fair. Last week they did lay 4 miles of asphalt grindings and will be chip sealing them this week. On 5/23 Mark Ennis came in and talked about poison ivy and using three point contact to get in and out of equipment and the placement of safety signs. Superintendent Dipert advised that as far as the solar project they are grading the gravel roads once a week and filling the potholes in with 73 stone. Mammoth has put no truck signs up at 700 E and 300 S at his request as well. He advised Next Era got the road and culvert evaluations done. There are three culverts that need to be replaced and they are waiting to hear back from them on how they want to proceed with that. He stated that Norfolk Southern would like to close a railroad crossing on 225 S between Highway 23 and 1000 E. They would have to divert traffic a quarter of a mile up to 200 S. Norfolk Southern would like to make an offer of \$52,500 for the permanent closure and INDOT would pay \$7,500 which would be for the paving of the road were traffic would be diverted to.

Auditor Oesterreich asked why Norfolk Southern wanted to close the crossing. Superintendent Dipert advised that Indiana ranks in the top 10% were people go around railroad crossings so they are trying to close as many as they can. Commissioner Gourley asked how many accidents have been at that crossing. Superintendent Dipert was no sure of the statistics on that particular crossing. The Board of

Commissioners agreed that they do not think it would be a good idea. Attorney Schramm recommended getting additional information from Norfolk Southern telling why they are identifying this as a dangerous crossing. He advised we would also get input from the property owners. It was decided that a public hearing would be held regarding the issue at their next Commissioners Meeting. Superintendent Dipert will get Attorney Schramm the property owner addresses so he can send out mailings to them to let them know this issue is being considered.

CORONER ARPA FUNDING REQUEST

Coroner Jack Rosa came before the Board of Commissioners to make a funding request from the ARPA money. His is requesting a new cot. They have two cots now and he checked into getting them rebuilt but they are so old that they don't make parts for them anymore. He is requesting \$2000 for the new cot and then another \$2000 for additional supplies. Their numbers are up quite a bit and he needs some equipment to help with those increased numbers. Commissioner Cavender made a motion to approve the Coroner's request for a total of \$4000 from the ARPA money in the revenue loss area. Commissioner Gourley seconded the motion and the motion was approved with all ayes.

SHERIFF SALE INCREASE FEES

Matron Pam McDonald and Sheriff Bill Dulin came before the Board of Commissioners to request and increase in their Sheriff Sale Fees. Matron McDonald explained that SRI increased their fees to \$180 as of July 1st so they are asking for approval to enter the contract at the increased amount and also approval to raise their fee as well to \$120. This fee goes into the county general and sheriff retirement fund. Commissioner Gourley made a motion to approve the Ordinance to Establish the Sheriff's Sale Program and Service Fee. Commissioner Cavender seconded the motion and the motion was approved with all ayes.

AUDITOR BUSINESS

Commissioner Gourley made a motion to approve the vendor claims docket for a total in the amount of \$1,010,055.28. Commissioner Cavender 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 \$277,709.97 including deductions in the amount of \$80,876.72 for pay period ending 05/29/2022 and payroll date of 06/11/2022. Commissioner Gourley seconded the motion and the motion was approved with all ayes. Commissioner Gourley made a motion to approve the minutes for June 6, 2022. Commissioner Cavender seconded the motion and the motion was approved with all ayes.

OTHER BUSINESS

Commissioner Gourley brought up the continued discussion about Kramer Beach in Koontz Lake. He advised this goes along with all the current topics of discussion they have been having regarding easements around the lake. Commissioner Gourley mentioned that something that needs to be taken care of is the round picnic tables they have up there is almost level with the ground and those need to be removed. There is also a sign posted that says the area is a private beach. Attorney Schramm advised that the sign is posted on private property so those individuals can post whatever signs they want on their property. Attorney Schramm asked what the nature of the dispute is. Attorney Schramm advised that were they left the last conversation was that this is county property and if individuals in that area feel like we are infringing on their private property the courts are at their disposal. Also, if the county is committing any casualty on our property that is causing any damage to the client's property then we can abate that, we just need to know what the damage is. However, this is county property and if they don't think this is correct then they need to make a claim. Auditor Oesterreich stated that the Park Superintendent did not have a clear understanding on whether or not they were supposed to be maintaining the property. Now they have a clear understanding for they will begin maintaining the property.

Rita Berger, with the Koontz Lake Property Owners Association, stated that there are now signs posted inside the fence stating "no parking, private beach". Commissioner Gourley advised that as Attorney Schramm has said because these signs are posted on private property they are allowed to post whatever signs they want. Rita stated she understands but the signs are stopping the people from using that area who could be using that area. Commissioner Gourley asked what the rules were on parking in this area and whether the same rules apply to this public access area just as they do all other easements around the lakes. Rita asked how individuals would access the beach area if they were not able to park in that area

near the beach. Attorney Schramm advised they could establish parking rules by an ordinance, they could publish it in a newspaper and assess a fine if individuals do not follow the ordinance. Commissioner Gourley asked what differentiates this area (beach area) from that of other easements they deal with around the lake. Attorney Schramm advised the areas are the same unless they choose to regular it differently. As of right now if it is an easement and they are blocking access to the property we would treat it like any other property. If they are in some way hindering people's ability to use that as public access then it's treated the same as the other piece of property unless they were to designate it differently.

Rita Berger asked if residents or Koontz Lake are allowed to access this area in question known as Kramer Beach. She advised that people have been chased off the beach all weekend. Attorney Schramm recommended the county putting up their own signs that saying it is a public beach but he recommends against trying to enforce removing signs that are on a private property. Attorney Schramm recommended the Board maintains that this area is county property and if someone believes that their personal property rights are being advocated by way of us claiming this as county property then they can act otherwise. After further discussion Rita Berger asked the Board of Commissioners if people are allowed to use the beach area. Commissioner Gourley stated that yes this is county property and they have delegated the administration of that property to the Park Board.

Commissioner Gourley asked Attorney Schramm about updates regarding the Bass Lake easement concerns. Attorney Schramm advised that he did look into it a little further and if the complaint has to do with anything that is on our easement or connecting to our easement on the property itself it would be under the jurisdiction of the Board of Commissioners but anything in the water would be under the jurisdiction of the Indiana Department of Natural Resources. Frank DeMarco came before the Board of Commissioners with a packet of information and pictures regarding pier complaints. After some discussion, Mr. DeMarco was advised that if he has complaints about anything in the water he would need to contact the Indiana Department of Resources.

Commissioner Chesak and Commissioner Gourley both spoke about the concern with towing companies and not having the proper equipment or permits in place when towing vehicles that have been requested to be towed by the Sheriff's Department. The Board of Commissioners will consider bidding the towing out for the year of 2023. Commissioner Gourley asked were the county's liability ends when the towing company picks up the vehicle they have been requested to tow. Attorney Schramm advised that the Commissioner just pasted the ordinance recently making sure that the businesses we hire have the proper license, insurance, and in some cases bonded. He stated if that person that we hire has the proper license, insurance, and bond (if required) our liability ends there.

PUBLIC COMMENT

With there being no further public comments and no further business, Commissioner Gourley made a motion to adjourn the meeting. Commissioner Cavender seconded the motion and the motion was approved with all ayes. The meeting was adjourned at 11:28 AM.

MONDAY, JUNE 20, 2022

Charlie Chesak, President

Mark Gourley, Vice-President

Bryan Cavender, Member

Rachel Oesterreich, Auditor and Secretary to
the Board of Commissioners