

STARKE COUNTY BOARD OF COMMISSIONERS
MINUTES
TUESDAY, SEPTEMBER 6, 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 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 5:00 PM.

CONSTELLATION OF STARKE – BASS LAKE PROJECT

Mike Reese with Troyer Group, Shawn Cain with KIRPC, and Stephen Ritzler came before the Board of Commissioner to discuss the Constellation of Starke Bass Lake Project. Mr. Reese explained that this project went out to bid and the bids came in high a year ago so it was bid again and expected. It was broken down into some bid divisions. He advised the project was accepted which was improving the alignment of the drives and adding a boat/trailer parking area. There was a restroom building that was included in another bid division that was not accepted. This project was designed a couple years ago and for this project specifically he worked with Mr. Ritzler at the Highway Department. They discussed doing a perpendicular intersection for traffic safety reasons. Mr. Ritzler advised that he had originally thought that with the building it would be all paved but because of the bids coming back so high they had to make modifications to the plan. The understanding was that they could do gravel and it would be paved at a later time. Commissioner Gourley stated that is what created the issued for him is that he was not made aware that there was plans to cut up the road and replace it with gravel. A discussion was held regarding which areas of the roadway would have been turned to gravel. Shawn Cain advised that because of the financial restrictions within the project they were not going to be able to pave because unfortunately the grant was not nearly as much as they had hoped for.

Commissioner Gourley stated at this point they have to do something because they can't have the roads like that and he does not want to lose the other projects in Knox and North Judson. Mr. Reese explained that the parking lot had always planned on having 73's and then three car parking spots had the alternate for paving. There was an alternative to pave that area but it was not accepted originally in the bid due to the budget for the project. After further discussion Shawn Cain stated they had the opportunity where their group was told that 73's could be used, that's where this is coming in that we were told that they could be used but that person is no longer affiliated with the county portion at this time. Unfortunately messages don't get relayed when new people come on staff and they understand that; no big deal. She stated with this, is the concern that the road is the paving issue or is it the entire parking lot? Commissioner Chesak advised that just the road is the issue. Commissioner Gourley agreed that that is the part that will negatively affect that area. Shawn Cain advised that realistically they can do that within a change order. They will ask the contractor to prepare a change order to be able to switch that from the gravel into the pavement. She does not think this will be a big issue. They will complete this change order and Commissioner Chesak is to sign the documents.

SHERIFF – K-9 RETIREMENT

Sheriff Dulin came before the Board of Commissioners to recognize SGT Hudgens and his K9 Zardoz, K9 Zardoz has been retired. He would also like to recognize Deputy Olejniczak and his K9 Terror, K9 Terror will also be retiring in October.

KRIS KROUSE – LAND CONSERVATION

Kris Krouse, the Executive Director of Shirley Heinze Land Trust and Eric Byrd their Stewardship Director came before the board of Commissioners to request their support for a land conservation. He advised Shirley Heinze land trust is about 1 of 1300 land trusts in the United States. There are currently 20 land trusts in the State of Indiana and their mission is to preserve land and steward that land. Each land trust has a difference in mission. Their mission is preserving and restoring natural lands in Northwest Indiana. They at first focused on the Southern Lake Michigan watershed and then for the last 8 years they have expanded into St. Joseph, Starke, and Marshall County with a focus on the Kankakee watershed. They now have an opportunity to acquire and preserve a 425 acre in Starke County. This will be a significant project area. Mr. Krouse advised this is 2 ½ miles East of North Judson, it has a lot of unique habitats and is largely black oak savannah. There are some prairie remnants and some emergent

and wetland marsh on the property. He advised there are two regulated ditches that run through the property. He advised this property also has a segment of the Erie Trails going through the property. They are currently pursuing funds through a program Governor Holcomb established. There was a project application deadline of August 1st so they have put forth an intention to purchase this 425 acres and partnership with the Town of North Judson, the Prairie Trails Club and also the North Indiana Community Foundation.

Mr. Krouse advised they are here today to ask for the County's support for this project and to introduce themselves. Commissioner Chesak asked if that the ditches, being regulated, will there be any issues in the future if there is work that needs to be done to the ditch can they still work on and access the ditches on that property. Mr. Byrd advised that it being a regulated legal drain they would have no power over not allowing the county to do what they need to do with the ditches. Commissioners Gourley asked if this nature preserve would have any negative effects on drainage in the area. Mr. Byrd stated he does not see that happening he said they may have opportunities to enhance the preservations but if they have that opportunity they will work closely with the drainage board. After some further discussion Commissioner Gourley made a motion to approve the support letter requested by the Heinze Land Trust. Commissioner Gourley seconded the motion and the motion was approved with all ayes.

HIGHWAY- SERVICE CONTRACT

Dan Dipert, Starke County Highway Superintendent, came before the Board of Commissioners to request approval for an on call service with United Consulting. He advised the bridges will have a call in November and he would like to use some engineering assessments to turn in with those calls. Auditor Oesterreich asked how much it will cost. Superintendent Dipert stated \$7500 per bridge. Auditor Oesterreich asked how many bridges they will be doing. Superintendent Dipert advised they will be doing 2 bridges. Commissioner Gourley made a motion to approve the on-call service agreement as presented for United Consultants. Commissioner Cavender seconded the motion and the motion was approved with all ayes.

AUDITOR BUSINESS

Commissioner Cavender made a motion to approve the payroll claims in the amount of \$271,040.12 including deductions in the amount of \$72,303.82 for pay period ending 08/20/2022 and payroll date of 08/26/2022. Commissioner Gourley seconded the motion and the motion was approved with all ayes. Commissioner Gourley made a motion to approve the vendor claims docket for a total amount of \$416,761.94. Commissioner Cavender seconded the motion and the motion was approved with all ayes. Commissioner Cavender made a motion to approve the minutes for August 15, 2022. Commissioner Gourley seconded the motion and the motion was approved with all ayes.

OTHER BUSINESS

Commissioner Chesak advised they will now have the second reading of the Amended Solar Ordinance. Commissioner Gourley advised he has asked Attorney Schramm to look at several areas within the Amended Solar Ordinance because he would like to see something a little more concrete of the prohibition of wind but that may not be within the scope of this document. He advised there are things within the Amended Ordinance that go above and beyond what the standards are in the State Statute and he would like to research those more. Councilman Pearman advised that one of the things that was ambiguous within the Amended Solar Ordinance was the type of pollinators and the plants that were requested. He advised that Next Era is here tonight and they had brought a plant expert for a discussion and at least make some suggestions. Chris, Zack, and Kurt Hansen all appeared before the Board of Commissioners for suggest some recommendations to be made to the ordinance.

Kurt Hanson, who is with Environmental Consulting Technology, stated the way the ordinance is written now, it talks about wanting native evergreens and native dissuasion scrubs. Native is great but the one catch is when that are planted by roadways or in areas where they may be disturbed such as by mowing. He would suggest keeping the conversation about native in the ordinance but to give a little more flexibility and also add that native cultivar can be used as well. He advised that right now there is no conversation about existing vegetation within the Amended Solar Ordinance and also the landscape buffer screening talks about a buffer along all property lines joining the development. He believes ecologically they will run into trouble because developers try to avoid areas with existing trees and when it says that the buffer needs to be placed along adjoined property lines they would technically need to cut down rows of tree to be able to place the buffers zones.

Mr. Hanson also advised that having a minimum width of 30 feet for your landscape buffer is a little wide because they also added in an extra 5 feet off the fence line. This also may lead to a situation where existing vegetation would need to be cut to be able to achieve the 35 feet. Attorney Schramm advised that the Board of Commissioners would need to send the ordinance back to the Planning Commission with their recommendations and then the Planning Commission would need to reconsider it in another public hearing and then it could be recommended back to the Board of Commissioners. After further discussion Commissioner Gourley made a motion to table the 2nd reading of the Amended Solar Ordinance. Commissioner Cavender seconded the motion and the motion was approved with all ayes.

Commissioner Gourley made a motion to approve the issuance of Annex keys to Deputy, Assessor Goldie Wagers. Commissioner Cavender seconded the motion and the motion was approved with all ayes.

Commissioner Gourley made a motion to terminate Eric Wood the current EMS Director. Commissioner Cavender seconded the motion and the motion was approved with all ayes.

Commissioner Gourley made a motion to place the IT Director on a 30 days paid administrative leave of absence pending an investigation. Commissioner Cavender seconded the motion and the motion was approved with all ayes.

Commissioner Cavender made a motion to close the county buildings for an Employee Appreciation Event on December 2nd from 1-4 PM. Commissioner Gourley seconded the motion and the motion was approved with all ayes.

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 6:01 PM.

TUESDAY, SEPTEMBER 6, 2022

Charlie Chesak, President

Mark Gourley, Vice-President

Bryan Cavender, Member

Rachel Oesterreich, Auditor