

**STARKE COUNTY BOARD OF COMMISSIONERS
MINUTES
MONDAY, NOVEMBER 7, 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.

2023 HEALTH INSURANCE RENEWAL

Debbie Rykovich and Holly Horan from 1st Source Insurance came before the Board of Commissioners to provide renewal rates for 2023. She presented the Board with a chart showing what the costs were for 2022 and the 2023 renewal rates. Commissioner Gourley had met with 1st Source Insurance in regards to choosing the 2023 plans that were being offered. Debbie advised that for 2022 we had the Difference Card in place and we had run very high with the claims. So they compared it to Anthem and moving back to the regular plans being the \$2000 deductible plan and also the \$1000 deductible plan. The plans she presented is the exact same plans as they had set up in prior years. Commissioner Gourley made a motion to approve the 728B plan as presented and the 728A plan as presented as well as the ancillaries as presented. Commissioner Cavender seconded the motion and the motion was approved with all ayes.

BASS LAKE SIGN - ANDERSON

Rick Anderson came before the Board of Commissioners to request permission to place a "Welcome to Bass Lake" sign at the intersection of CR210 and CR600S. This location is a three way stop. They would like to put a 4' X 12' concrete slab. He provided sketches of the proposed sign to the Board of Commissioners. Commissioner Gourley made a motion to approve the request for a "Welcome to Bass Lake Sign" in the right-a-way at CR210 and CR600S. Commissioner Cavender seconded the motion and the motion was approved with all ayes.

HIGHWAY BRIDGE 59/ENGINEERING CONTRACT/QUOTES

Dan Dipert, Starke County Highway Superintendent came before the Board of Commissioners to go over several requests. First being the signing of the Bridge 59 contract, this contract is with United Consulting for the engineering of the Bridge 59 project. Commissioner Cavender made a motion to approve the United Consulting Contract for Bridge 59. Commissioner Gourley seconded the motion and the motion was approved with all ayes. Superintendent Dipert then present an on-call service contract for VS Engineering to help with the 2023-01 Community Crossings Project. After some discussion with Attorney Schramm regarding the contract amount and whether or not it aligns with Starke County's Responsible Bidding Ordinance, Commissioner Gourley made a motion to approve the contract with VS Engineering for the 2023-01 Community Crossings Project up to the amount of \$25,000. Commissioner Cavender seconded the motion and the motion was approved with all ayes. The 2023-01 Community Crossings will open January 3, 2023 and close January 28, 2023.

Superintendent Dipert stated he is asking permission to purchase three new plows from Sourcewell. He would like two of the biggest plows that they can get because the last three trucks the county has purchased they had purchased small plows. He advised the three plows will be \$40,725.00. Commissioner Gourley made a motion to approve the purchase of the three requested plows. Commissioner Cavender seconded the motion and the motion was approved with all ayes. Superintendent Dipert advised they found a used boom mower he would like to purchase. It would be coming from Fulton County. They can get this piece of equipment for \$36,000. Superintendent Dipert did provide additional quotes being:

John Deer (Coming from Fulton County Highway) \$36,000
Polen Implement \$97,500
Douglas Equipment & Supply Co. \$57,500
Tiger Mowers \$73,118

Commissioner Gourley made a motion to approve the purchase of a 2013 New Holland Boom Mower Tractor for the amount of \$36,000. Commissioner Cavender seconded the motion and the motion was

approved with all ayes. Superintendent Dipert brought up the possible purchase of an emulsion oil silo. He advised that they have a total patcher machine and he is using the distributor truck as an oil tank and over the winter that will not be an option. He came across a used tank that was in a tornado in Kentucky. They are asking \$36,750 for the used tank, a new tank would cost around \$77,000. Both Commissioner Chesak and Commissioner Gourley asked if he had pictures of the tank he was wanting to purchase. Superintendent Dipert does not but he advised he will work on getting photos. Commissioner Gourley would also like to review the warranty that comes with the purchase of the silo. Superintendent Dipert will acquire photos and the warranty information and bring this information to the November 21st Commissioners Meeting.

CORE FACILITIES - MATT

Matthew Stechly from CORE Facilities came before the Board of Commissioners to review the Agreement for Project Services involving the Annex 1, Annex 2, and Courthouse buildings. Matt provided the Board of Commissioners with a Total Phase #1 price and a total Phase #2 price but it is over the threshold of it needing to be bid out so the amounts were not named. Matt presented an agreement that included the Scope of Work, Scope of Work Phase 2, and Project Pricing. Attorney Schramm advised that the county has a responsible bidding ordinance that they will need to follow and he needs time to research the bidding ordinance to see what steps the county would need to take next. After further discussion it was decided that Matt will attend the next council meeting to speak with them about the project scope and what CORE Facilities can bring to the table.

AUDITOR BUSINESS

Commissioner Gourley made a motion to approve the vendor claims docket for a total in the amount of \$635,494.28. 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 \$281,433.53 including deductions in the amount of \$74,726.53 for pay period ending 10/01/2022 and payroll date of 10/07/2022. 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 \$281,466.97 including deductions in the amount of \$79,655.44 for pay period ending 10/15/2022 and payroll date of 10/21/2022. Commissioner Gourley seconded the motion and the motion was approved with all ayes. Commissioner Gourley made a motion to approve the payroll claims in the amount of \$275,052.75 including deductions in the amount of \$73,776.70 for pay period ending 10/29/2022 and payroll date of 11/04/2022. Commissioner Cavender seconded the motion and the motion was approved with all ayes. Commissioner Gourley made a motion to approve the minutes for September 26, 2022. Commissioner Cavender seconded the motion and the motion was approved with all ayes. Commissioner Gourley made a motion to approve the minutes for October 3, 2022. Commissioner Cavender seconded the motion and the motion was approved with all ayes.

OTHER BUSINESS

Commissioner Gourley made a motion to approve the GIS Limited Service Agreement with CDM Smith LLC. Commissioner Cavender seconded the motion and the motion was approved with all ayes.

Commissioner Cavender made a motion to approve the Annex 2 key request for Sylwia Nicholson. Commissioner Gourley seconded the motion and the motion was approved with all ayes.

Commissioner Gourley made a motion to approve the Formella Mediation Settlement as presented. Commissioner Cavender seconded the motion and the motion was approved with all ayes.

Commissioner Gourley made a motion to approve the hiring of Stephen Bateman as Courthouse Custodian. Commissioner Cavender seconded the motion and the motion was approved with all ayes.

Commissioner Gourley made a motion to remove Kathy Norem from the CVC Board and the Hospital Community Board and in her place appoint Jennifer Bowmen to the Hospital Community Board and Kay Gudeman to the CVC Board. Attorney Schramm advised he will lay out the parameters but it would be up to the Board of Commissioners as far as the final decision. He advised with the CVC Board he would have to look into that. In regards to the Hospital Board there is a specific chapter under Title 16 under 16.22.2.5 and in that chapter it talks about removal of board members. This chapter advises that a member of the governing board who violates this chapter may be removed by action of the board would be upon majority vote for a violation of the chapter. Attorney Schramm explains that the Commissioners

appointment can be removed short of the fulfillment of the appointed term if they violate this chapter. He advised there are three sections that the individual would have to violate being:

IC 16-22-2.5-1 Discharge of duties

Sec. 1. (a) A member of a governing board shall, based on facts then known to the member, discharge the member's duties as follows:

- (1) In good faith.
- (2) With the care an ordinarily prudent person in a like position would exercise under similar circumstances.
- (3) In a manner the member reasonably believes to be in the best interests of the hospital.

(b) In discharging the member's duties, a member may rely on information, opinions, reports, or statements, including financial statements and other financial data, if prepared or presented by one (1) of the following:

- (1) A person whom the member reasonably believes to be reliable and competent in the matters presented.
- (2) Legal counsel, public accountants, or other persons as to matters the member reasonably believes are within the person's professional or expert competence.

(c) A member is not acting in good faith if the member has knowledge concerning a matter in question that makes reliance otherwise permitted by subsection (b) unwarranted.

As added by P.L.125-2006, SEC.4.

IC 16-22-2.5-2 Confidential information

Sec. 2. All proprietary and competitive information concerning the county hospital is confidential. A member of a governing board may not disclose confidential information concerning the county hospital to any person not authorized to receive this information.

As added by P.L.125-2006, SEC.4.

IC 16-22-2.5-3 Removal of member

Sec. 3. (a) A member of a governing board who violates this chapter may be removed from the governing board by action of the board.

- (b) The county executive may not:
 - (1) reappoint to a governing board; or
 - (2) appoint to a governing board;

an individual who violated this chapter while serving or after serving as a member of a governing board.

As added by P.L.125-2006, SEC.4.

Attorney Schramm advised he will look into the CVC Board a little bit more. Commissioner Gourley revoked his motion and Commissioner Cavender made a motion to table the removal of Kathy Norem from the CVC Board and Hospital Board. 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 6:11 PM.

MONDAY, NOVEMBER 7, 2022

Charlie Chesak, President

Mark Gourley, Vice-President

Bryan Cavender, Member

Rachel Oesterreich, Auditor and Secretary to
the Board of Commissioners