

**STARKE COUNTY BOARD OF COMMISSIONERS
MINUTES
MONDAY, MARCH 20, 2023**

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 Don Binkley, 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.

PORTER-STARKE SERVICES

Matt Burden from Porter-Starke Services came before the Board of Commissioners to provide a brief overview of services. He advised that mental health and addictions health care is complex work. They are looking at developing more mobile crisis care to meet people where they are at which would divert people from inappropriate jail or inappropriate hospital admission. They are also looking into developing a crisis center; this will be a place where law enforcement can take people. For example, if an individual is out making a ruckus at 2:00 AM, clearly they are not in their best state. If law enforcement takes them to a crisis center then they may not have to be arrested. He then handed out a county report to the Board of Commissioners that gives an overview on things that they do, how many people they serve, what kinds of things they treat, most common diagnosis, as well as ways that various staff are involved in areas of the community. Mr. Burden stated that just recently they received a \$925,000 grant in Starke County to do supportive housing. It is a branch off of HUD with the ability to help people with mental illness or individuals who have been chronically homeless. It would also pay for renovations.

EMS MONTHLY REPORT

Nancy Coad, Starke County EMS Clerk came before the Board of Commissioners to present their monthly financial report. Commissioner Chesak reported EMS received \$519.82 from Johnathan O'Hara and \$487.33 from Merchants and Medical which is the Accumed collection agency. Larry Brock, Starke County EMS Director, came before the Board of Commissioners to present his monthly report. He advised \$55,000 was collected from Accumed for the month and operational costs were \$101,000. He stated they had 142 requests for ambulances and out of that amount 51 of those were paramedic emergencies, 7 were non-emergencies, 53 were basic emergencies, 16 basic non-emergencies, and then 17 refusals. He advised they were able to hire 1 full time paramedic, 1 part time paramedic, and 2 full time EMT's. He advised this month he has an interview with another EMT to come aboard. Director Brock advised the ambulance with the rear end that needed to be replaced is back on the road at the Grovertown Station. In the next couple of weeks, they will be getting ready for summer. He was contacted by Kenny Pfof, Knox Fire Department, they are interested in one of their trucks. It is the 2003 Diesel, which is the green looking truck. This truck has been an issue for Starke County EMS. It has not been used for years, the engine is blown, it has been repaired three times, the brake lines are rusted and it has not moved in four years. The transmission is unknown and the tires are going to have to be replaced. The bottom line is the truck is not fit for EMS use.

Director Brock advised Mr. Pfof is interested in the truck and they are going to make it into a dive rescue truck. They would like to create a dive team in Starke County. He would like to donate the truck to them and they understand they will have to put work in the truck. Commissioner Binkley advised he would like to see it in the contract that if we donate it to him, if they ever decide to sell it or not use it then it should come back to the county. Commissioner Chesak asked if this would be donated to the Knox Fire Department or the City of Knox. Director Brock advised whoever they want to donate it too. Attorney Schramm advised he would make up a donative agreement. Commissioner Gourley advised he would like in the agreement that if they do not use it for the stated purpose or they do not need it anymore that they return it back to the county. Director Brock presented the Stryker pro care ambulance agreement. They have a power load system in their ambulances and with that; they have the power load cots. To get them repaired they have to go through Stryker for the repairs. He said one of their cots is malfunctioning and no one knows why, they have had the repair guy down looking at it several times but no one can figure it out.

Director Brock advised that the cots are four years old and he would like to purpose to sign a repair maintenance contract with Stryker which will cost \$9,000 a year for the next three years. Stryker's

products are made different and no one else can repair these items. Through this contract all the Stryker cots would be covered, all the load systems would be covered, and all there Lucas devices will be covered as well. When they call them they will come out and fix the equipment at no cost. The only thing that is not covered is the mattresses. He advised this would be a 3-year contract but he does have the money within his budget to cover these costs. Commissioner Gourley asked if Director Brock looked into the cost of switching out the systems to a different system that does not require going back to the original manufacturer. Director Brock advised yes they have and that system would be Ferno and that would cost \$40,000. After further discussion, Commissioner Gourley made a motion to approve the Stryker Contract upon Attorney Schramm completing a review of the contract. Commissioner Binkley seconded the motion and the motion was approved with all ayes.

HIGHWAY MONTHLY REPORT

Dan Dipert, Starke County Highway Superintendent came before the Starke County Commissioners to present his monthly report. He advised they are fully staffed with 17 Full Time CDL drivers. They opened up the bid at the last meeting for 2022-2. They are waiting for notice to proceed. He has met with Reith-Reilly and it sounds like the 3rd week in May they will be taking care of the project. They recently picked up a 2010 Service Truck this will be assigned to the mechanics. Over the weekend, the gas server went down. It is a Microsoft XP and it has been out of date since 2009. He advised Richard took their tower and he is going to try to rebuild or save the hard drive. He stated they currently can't tell who is getting fuel and how much. The Commissioners suggested putting a box by the fuel pumps so that the employees getting fuel record how much they are getting and when. Superintendent Dipert advised that they are going to begin construction on Bridge #7 around April 4th. Bridge #7 is located on 1200 E between SR 8 and 250 S. They should finished mid-September. He advised he is sending out two teams every day to patch with the hot boxes. Superintendent Dipert advised that he has a second quote that came in for the Local Road Safety Plan for the amount of \$34,500. He advised the plan would take about four months to complete and it would need to be done prior to this fall to be eligible for the grants opening this fall.

Commissioner Gourley stated he would want Attorney Schramm to review the purposed agreement before they approve the agreement. Commissioner Chesak stated they will review the agreement and will have a decision at the next meeting. Superintendent Dipert advised that the NIPSCO Fiber line is going to run from the Schaffer Plant in Jasper County to Marshall County. It will be crossing 24 miles in Starke County. He advised tomorrow Bliss McKnight will be there to train the highway department on Harassment in the Workplace and Sexual Harassment. April 3rd and 4th they will be sending a few employees to Illinois for an Etnyre Training, which is for their distributor truck. Last week they had three people that attended road school. Superintendent Dipert advised that Mammoth is starting to plant trees on 650 S. Next Era has been contacting them about road permits more often now so their projects are progressing. He has not heard anything from Hoosier Solar lately.

SCEDF – BAKERTILLY ENGAGEMENT & 6 RURAL AG STRATEGY

Lisa Dan, Starke County Economic Development Director and Nathan Origer, Pulaski County Economic Development Director came before the Board of Commissioners to speak about the six county rural ag strategy and a Bakertilly engagement request. Mr. Origer gave a short background on how he came to be in this position and the partnership with the SCEDF in how they can get noticed more on Regional Issues. The one area they began putting the theory into practice with with the Rural AG Strategy or Rural Economic Development model. Between the six counties they are working with, they took about 70-80 interviews that collected information on AG and AG related business information. With the information they collected they created "Detailed Action Steps" which included four items being Regional Food Systems, Food Supply Chain, AG Workforce, and Regulatory Streamlining. He explained each section to the Board of Commissioners. This is all in hopes of creating a stronger connection between the AG industry and the Economic Development side to create better engagements within the community.

Director Dan advised that she did provide the Commissioners with a Right to Farm Ordinance. She advised she did go to the Planning Commission with the Ordinance and they want her to come up with a couple examples, they did not feel like it was encompassing enough. Director Dan advised that the lead track is currently only being used by two companies; Knox Fertilizer and Reageant Chemical, about five years ago the rate plan was restructured. Right now, they are in year two of a three-year scope of work that is costing over \$300,000. This work will have to be completed on the lead track every 15-20 years. At \$10 a rail car that is earmarked for maintenance on the track, it will be 50 years before they build up

enough balance again to complete maintenance work. She reached out to Bakertilly and Bakertilly gave a proposal to complete a study on the this whole issue but the study could cost up to \$12,000. Director Dan advised she does not believe this would be needed. She would like to talk to each of the companies and show them the proposal. Commissioner Binkley suggested talking to the companies because they were involved in the change in rate for the rail cars a few years ago when that happened. She is trying to get another company that is a rail user into the 51 acres available in the Knox Industrial Park. Director Dan advised that she is having a second meeting today regarding hemp production. There is a farmer in Starke County that is a hemp farmer and is looking into providing seeds to other farmers that want to become hemp farmers. She advised there is a lot of grant money out there for hemp production. They are trying to get the SCEDF to be the grant administrator but this is too much for the Foundation to handle. They do not have the assets to cover if there is a default somewhere in the grant process to pay back that money. She advised they are having a ribbon cutting ceremony for new housing units near the North Judson Town Park that has just been completed. Their board will be doing a half-day training on April 5th for strategic planning. She is also still looking into broadband and expanding broadband options. They will also be having a Spring Job Fair in April. Director Dan advised they are still working with all kinds of developers for the hotel project.

PLANNING COMMISSION – REZONING REQUEST

Mary Beaver, Planning Commission Office Manager, came before the Board of Commissioners for a rezoning request. She advised at the last planning commission meeting they had a petition to rezone some acreage over by San Pierre for the Wappel's. She advised the planning commission did approve the request. She provided maps to the Board of Commissioners that showed the area to be rezoned. Mr. Wappel advised that the area is really good farm ground but poor development ground. Commissioner Binkley stated that his stipulations would be that if they ever went solar, that they would not get too close to the town and not right up against the town. Commissioner Chesak agreed with Commissioner Binkley's statement. Mr. Wappel advised that there are two homes in question. There is a house 350 ft East of this property and another home located just South of this property. Commissioner Chesak advised that the meeting that was held in Railroad Township regarding the solar panels there was more people against solar so he feels like they have a responsibility to protect San Pierre. Mr. Wappel asked if special buffers could be put in place. Commissioner Gourley advised that if there is development that is something that can be address when or if that comes along.

Nathan Origer from the Pulaski County Economic Development Foundation advised that the Board of Commissioners would not be able to put restrictions and standards on one parcel alone. He advised that they would have to go back to the planning commission and set more restrictions within the solar farm ordinance. For example, naming out a certain footage of how far back from an incorporated town or city they would like it to be. Attorney Schramm advised that they are dealing with at least with a modification or amendment of the original certification from the planning commission, which requires at least it being kicked back to the planning commission with written recommendations on how the Board of Commissioners would like to see it done. This could be through a modification of the solar ordinance to establish the buffer footage by towns. Commissioner Binkley made a motion to send it back to the planning commission for further modification. Attorney Schramm advised if they are sending it back to the planning commission they will need to discuss which specific amendments they are looking for. Commissioner Binkley advised they are looking for farther setbacks for solar near towns. Attorney Schramm advised if they are looking for that type of amendment it would need to be done through the solar ordinance. We cannot ask for some type of amendment to just that parcel in particular, it would have to be done in the entire solar ordinance.

Attorney Schramm asked if there is a recorded lease for solar right now with this ground in question. Mr. Wappel stated it has to be changed to AG before anything can be done. Attorney Schramm asked again if there was a recorded solar lease right now with this ground in question. Mr. Wappel stated yes there is but it needs a change in zoning. Attorney Schramm advised that this means we have a constructive notice now which changes the dynamic a little bit. He stated the hypothetical Nathan had presented was one where we did not know what was happening with the property but we know now there is a lease in place and we have government intertwining itself with a contractual lease and this could bring in constitutional concerns. Attorney Schramm advised they are not tied to rezone this just because we know there is a lease. It just changes it because we are trying to negotiate terms on a private contract if we are looking to change the ordinance. There would be no recourse on the Board of Commissioners if they deny the rezoning but there could be recourse on Mr. Wappel. Commissioner Chesak would like to see something from Next Era in writing stating they will not be putting solar panels in a certain area. Mr. Wappel asked if there could be a request to Next Era to double or triple the

buffer in that area. Attorney Schramm stated that would need to come from Mr. Wappel otherwise we would be intertwining ourselves in a private contract. Attorney Schramm advised they have 60 days to act on this rezoning request once it is certified by the planning commission. He asked Mr. Wappel if he would be able to provide something in writing from Next Era regarding the buffers that would be able to shield the town. Mr. Wappel stated he would go back to Next Era and talk about the request. Commissioner Binkley rescinded his original motion. Commissioner Goulrey made a motion to table the rezoning request. Commissioner Binkley seconded the motion and the motion was approved with all ayes.

AUDITOR BUSINESS

Commissioner Binkley made a motion to approve the payroll claims in the amount of \$296,803.11 including deductions in the amount of \$80,146.63 for pay period ending 03/04/2023 and payroll date of 03/10/2023. 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 in the amount of \$302,082.74. Commissioner Binkley seconded the motion and the motion was approved with all ayes. Commissioner Binkley made a motion to approve the minutes for March 6, 2023. Commissioner Gourley seconded the motion and the motion was approved with all ayes.

OTHER BUSINESS

Commissioner Gourley made a motion to table the last CVC Board appointment request pending innkeeper research by Attorney Schramm. Commissioner Binkley seconded the motion and the motion was approved with all ayes.

Commissioner Gourley made a motion to approve a read only WTH GIS license for Kankakee Valley River Basin, the Kankakee Valley River Basin would have to pay for the license as well. Commissioner Binkley seconded the motion and the motion was approved with all ayes.

Commissioner Binkley asked the council to look into raising the Part Time Pay within the county government.

PUBLIC COMMENT

With there being no further public comments and no further business, Commissioner Binkley 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 11:16 AM.

MONDAY, MARCH 20, 2023

Charles Chesak, President

Mark Gourley, Vice-President

Don Binkley, Member

Rachel Oesterreich, Auditor and Secretary to
the Board of Commissioners