

STARKE COUNTY COUNCIL
MINUTES
1-21-25

Pursuant to adjournment comes now the Starke County Council at 6:00 PM in the Annex Building #1 meeting room, Knox, Indiana, with all members and one commissioner, Mike VanDeMark, present and the following proceedings were held to Wit:

IN RE: ELECTION OF PRESIDENT

Kay Gudeman moved to appoint Todd Leinbach President of the Board seconded by Cassandra Hine with 7 ayes.

IN RE: STATEMENT FROM PRESIDENT LEINBACH

Todd wants the meetings to be orderly and respectful with public comments held to one minute. He wants no side conversations and no cell phone use. He feels everyone should be heard as we want to show transparency. If there are disruptions, public comments will be stopped as we are not required by law to allow them. If anyone is disruptive, they will be escorted out.

Todd would also like to set up Robert's Rules of Order and Attorney Justin Schramm was asked to draw something up.

IN RE: ALL OTHER APPOINTMENTS

Cassandra Hine moved to appoint Bruce Bennett as Vice President seconded by Kay Gudeman with 7 ayes.

Cassandra Hine moved to appoint Bruce Bennett to the Economic Development Board and to reappoint Kay Gudeman to the same Board seconded by Bruce Bennett with 7 ayes.

Cassandra Hine moved to reappoint Bruce Bennett to SCILL seconded by Kay Gudeman with 7 ayes.

Dave Pearman moved to appoint Bill Crase to the K.I.R.P.C. Board seconded by Bruce Bennett with 7 ayes.

Dave Pearman moved to reappoint Howard Bailey to the Planning Commission Board seconded by Dave Pearman with 7 ayes.

Cassandra Hine moved to appoint JoAnne Bailey to the Starke County Library Board seconded by Bruce Bennett with 7 ayes.

Bruce Bennett moved to appoint Kenneth Peverelle to the Alcoholic Beverage Board seconded by Cassandra Hine with 7 ayes.

Howard Bailey moved to reappoint Todd Leinbach to the Solid Waste Board seconded by Dave Pearman with 7 ayes.

P.T.A.B.O.A. still needs a member as no one has requested the open position.

The Park Board had two requests and only one appointment is needed. Cassandra Hine moved to table until the next meeting seconded by Kay Gudeman with 4 ayes 3 nays (Dave Pearman, Bruce Bennett and Bill Crase).

Howard Bailey moved to appoint Dave Pearman to the Marshall Starke Development Board seconded by Bruce Bennett with 7 ayes.

IN RE: ALLEGED MISCONDUCT OF A COUNCIL PERSON

Justin Risner alleged misconduct of a council person. He stated that he forwarded the alleged misconduct to all council people for their review. He stated he is glad they are reinstating Robert's Rules of Order and a Code of Conduct.

IN RE: CODE OF CONDUCT AND GRIEVANCES

Todd Leinbach stated he wanted the Code of Conduct reviewed at a meeting. Cassandra Hine thinks the Code should be revisited with procedures to follow, but doesn't want it to be unconstitutional. Cassandra also stated that when speaking of county business, it can be pretty broad.

Cassandra also would like a laid-out plan for procedures on Grievances.

Justin Schramm, County Attorney, will search for a draft for a Code of Conduct.

Darren Lee stated that he thinks there should be something done about consequences to a public official when dealing with the public.

Cassandra stated that there is a state statute regarding Code of Conduct. Cassandra Hine moved to have Attorney Schramm prepare a draft of a Code of Conduct and censorship seconded by Bruce Bennett with 7 ayes.

IN RE: HIGHWAY

Rachel Oesterreich, Highway Superintendent, informed the council that she would be asking for additional in February due to budget cuts. Her receipts from fund 1173 were left off of the revenue report to the state which is why her budget was cut.

She has two main feeds that are heavily traveled and is asking to use fund 1173 for the matching amount of the grant. She is requesting approval prior to applying for the grant.

Todd Leinbach stated that he wants a joint meeting with the commissioners to create a plan regarding bridges and Rachel would like one for paving.

Cassandra stated that she wants a resolution stating that people requesting additional funds should inform the council a month ahead of time rather than at the last minute.

Howard Bailey asked Rachel to explain the 1173 Restricted Fund. Rachel stated that the state split MVH into two separate funds and fund 1173 can only be used for roadway preservation, construction and reconstruction.

Bruce Bennett stated that he would like to know ahead of time regarding all grants as he will not approve any after this if he not made aware ahead of time.

Dave Pearman moved to approve \$268,535.84 out of fund 1173 to support the above grant project seconded by Bill Crase with 7 ayes.

IN RE: COUNCIL POLICY ABOUT BEING INFORMED

Cassandra Hine moved to have Attorney Schramm create a draft of a policy about communications and keeping the council in the loop regarding what is going on seconded by Bruce Bennett with 7 ayes.

Cassandra Hine moved to have a \$50,000 threshold seconded by Bruce Bennett with 7 ayes.

IN RE: IT ASSISTANT

Stanley Budd requested a \$2,000 raise for his IT assistant, Luke Cook. He is requesting a salary ordinance amendment. He further stated he has the money in his budget. Dave Pearman stated that a range should have been established at budget time. Council members are worried about setting a precedent with other employees.

Cassandra Hine moved to approve the raise seconded by Kay Gudeman with 7 ayes. The council stated that this is not going to be a precedent.

IN RE: CODIFICATION OF ORDINANCES/RESOLUTIONS

Cassandra Hine submitted information on codifying ordinances and resolutions. Cassandra and Attorney Schramm both suggested American Legal Publishing.

IN RE: ECONOMIC REVITALIZATION BOND

Cassandra Hine questioned the petition review of the Economic Revitalization Bond increase. She says it should have been approved by the whole council. Justin stated that he is in a bad position as some of the petitioners are in the room, so he is not able to discuss much. He stated that the statute reads that if you have this problem you are required to post a bond. He further stated that if they want to discuss this, it needs to be in an executive session.

Cassandra Hine moved to schedule an executive session on Thursday, January 30, 2025, at 5:00 PM regarding filed litigation seconded by Kay Gudeman with 7 ayes. The council requested the Auditor to set the executive session with a special session immediately following.

IN RE: COUNCIL MEMBERS ON OUTSIDE COMMITTEES

It was brought to the attention of everyone that if any council member is on an outside committee not approved by the council, they have no authority regarding the council.

IN RE: INTERNAL CONTROLS

Cassandra Hine stated that we still need one appointment to the Internal Controls Board, and she feels this would help with people spending what they don't have.

IN RE: 12-16-24 COUNCIL MINUTES

Kay Gudeman moved to approve the 12-16-24 council minutes seconded by Cassandra Hine with 7 ayes.

IN RE: BUDGET CUTS

Todd Leinbach would like a special meeting for budget cuts.

Justin Risner feels the public should have a right to speak and that the council should weigh all options.

Mandy Thomason, Recorder, submitted information on her budget.

IN RE: OVERSPENDING

The council will not approve any additional if a department's budget is already overspent. And they are in hopes that the commissioners will deny the claims.

IN RE: DEPARTMENT HEAD MEETINGS

Kelly Graham, Treasurer, requested that Department Head meetings be started up again. The council agrees and feels that up to three council members could be there at any one time. It doesn't have to be the same council people every time.

The Department Head Meetings are to be scheduled for the 2nd Wednesday of every month at noon in the meeting room of Annex 1.

IN RE: TREASURER'S OFFICE

Kelly Graham, Treasurer, reported that her office chair and desk were given away and the bell letting them know someone is there is also missing. There is a claim on file proving that the county paid for the bell. She also stated that other things were gone. She also spoke of issues that happened the day before the past Treasurer left.

IN RE: SURF INTERNET

Scott Franko with Surf Internet reported on where Surf is and where it is going. There is a BEAD grant that they are applying for and would like collaboration such as a tax abatement for the fiber they will be putting in the ground. They are trying to strengthen their support for the grant. Attorney Schramm informed him there is not enough time to do a public hearing for a tax abatement to be done by February 12-15. Some of the council members are in favor of a letter of intent to consider.

IN RE: OTHER BUSINESS

Tom Busch with the Park Board stated that the campground revitalization is to begin next week. Bruce Bennett stated that he would like to stay involved.

Chris Kline with Mammoth/Doral stated he would like to give tours of the Mammoth facility if any of the council are interested.

Lee & Tiffany Nagai are fundraising for Davis Township in order to purchase a generator and may need help financially. It is a \$50,000 project. They have some money committed already and just wanted to give the council a heads up that they may be asking for help.

There being no further business to come before the Board, Kay Gudeman moved to adjourn seconded by Cassandra Hine with 7 ayes.

STARKE COUNTY COUNCIL
1-21-2025

Todd Leinbach, President

Norman (Bruce) Bennett, Vice-President

Kay Gudeman

Dave Pearman

Howard Bailey

Bill Crase

Cassandra Hine

Michaelene J. Houston, Starke
County Auditor and Secretary to the
County Council