

**MONDAY, AUGUST 17, 2015**

Pursuant to adjournment comes now the Starke County Board of Commissioners and meet in regular session at 6:00PM in the Annex meeting room, Knox, Indiana, with Kathy Norem, Kent Danford and Donald Binkley present and the following proceedings were held to wit:

Due to the County Council meeting running late, the meeting of the Board of Commissioners was called to order by Commissioner President Kent Danford, at 7:05PM.

**RE: PROCLAMATION: OVERDOSE AWARENESS DAY**

Jordan Morris, Coordinator of Case Management of Starke County Community Corrections, appeared before the Board with a Proclamation requesting August 31, 2015 to be proclaimed as Overdose Awareness Day. Commissioner Norem read the Board of Commissioners' Executive Order Proclamation noting the International Overdose Awareness Day is a day recognized around the world to acknowledge individual loss and family grief for people who have suffered an overdose and provides an opportunity for people to publicly mourn for loved ones, without feeling guilt or shame. The Board signed and sealed the Proclamation.

**RE: RECORDER'S REQUEST TO EXPAND THE SCOPE OF THEIR FIDLAR SOFTWARE**

County Recorder, Lisa Minix, appeared before the Board along with the FIDLAR Software Representative, Greg Sullivan. Recorder Minix advised her Department would like to digitize the older records in the Record's Office which are currently stored on microfiche and make them available via the internet. She advised that would enable the Public to be able to search property records going back to 1983, and index books back to 1979. She also noted the records will be redacted for social security numbers. Recorder Minix stated she is currently utilizing the FIDLAR Software in her Office but this request would be expanding the scope of what their existing software. She advised the cost of the expansion of the software is \$38,000.00 but she does have the funding available to pay for it between the Recorder's Perpetual Fund and the Recorder Redaction Fund. Mr. Sullivan advised the FIDLAR Company would also scan in and re-jacket the current microfiche and also provide a backup on a portable hard drive. He presented examples of documents currently stored on the Recorder's microfiche versus what the same document would look like after the new FIDLAR Software. Commissioner Norem inquired if County Attorney Marty Lucas has yet reviewed the proposed contract. Recorder Minix advised he has not yet reviewed it but she will send it to him. Commissioner Norem made a motion to approve the additional software from FIDLAR, pending Attorney Lucas' approval. Commissioner Binkley seconded the motion and it passed with all ayes.

**RE: COUNTY CLERK'S REQUEST TO HIRE TITLE IVD CONSULTANT; REQUEST TO MOVE POLLING LOCATION WITHIN THE TOWN OF HAMLET**

Clerk Vicki Cooley appeared before the Board along with Charles Malinowski of MALCON to discuss her request to hire a TITLE IVD Consultant to file her department's monthly Title IVD State reports. She had previously appeared before the Board in March with the same request. Mr. Malinowski informed the Board the Clerk could pay for the cost of his Consulting work out of the Clerk's Title IVD Incentive Fund, which, he stated, is actually "bonus" money for the County, and therefore, would not be any expense to the County. Commissioner Norem inquired if she was correct in saying if a Title IVD Consultant was paid for out of County General than the County would receive a 66% reimbursement but if their fee was to be paid out of a Title IVD Fund then there isn't any reimbursement. He stated that was correct. Auditor Chaffins inquired if the MALCON Company would be willing to reduce their monthly fee of \$750.00 to be comparable to the Consulting Firm currently being utilized by the Circuit Court in the monthly reporting of their Title IVD expenses. They are paying the Maximus Co. a monthly fee of \$550.00 for the same type of service. Mr. Malinowski advised he will not be matching any other company's fees and MALCON's fees are consistent with other counties throughout the State. Attorney Lucas inquired as to Mr. Malinowski's guarantee he spoke of in regard to the services they would provide, what would be the benefit to the County if his company didn't perform as he is stating. Mr. Malinowski noted his company provides work which would be SBOA "auditable"; they report no questionable Title IVD expenses and would provide audit defense. But, he note, there are no consequences if there are any issues. Mr. Malinowski advised the contract is the same as the one he presented to the Board back in March. He also noted the County would have the ability to opt out of the contract at any time. Commissioner Norem stated she would like to see the Board take the Clerk's request under advisement for now and would like to set up a meeting with Clerk Cooley, Auditor Chaffins and herself prior to the next meeting, in order to discuss which Fund would be best to use for a Consultant's fee.

Clerk Cooley then presented a request to the Board to approve the change in the location of the polling place for Davis Township/Hamlet to be held at the newly constructed Davis Township Fire Station in Hamlet. She noted the fire station was constructed with grant funding and is ADA compliant. Commissioner Norem made a motion to approve the request for the change in polling location in Hamlet. Commissioner Binkley seconded the motion, and it passed with all ayes.

#### **RE: EMA DIRECTOR RESOLUTION PROPOSAL**

EMA Director, Ted Bombagetti, appeared before the Board with a request to adopt a resolution which would allow the Board of Commissioners to appoint 1 or 2 individuals, by position, that would have the authority to sign grant agreements on behalf of the County. He stated it would permit each County's designated person to be the signatory for all Homeland Security grants that are processed in the State of Indiana. He noted this will assist the County when they encounter a grant application with a specific date deadline but the Board of Commissioner would not have a regular scheduled meeting until after the deadline. Director Bombagetti suggested the County Auditor be designated as the person to be the signatory for Starke County. He also noted this same process is being completed by each of the State's 92 counties. Commissioner Norem made a motion to approve the Director's request, and approve the proposed Resolution. Commissioner Binkley seconded the motion and it passed with all ayes. Commissioner President Danford signed the resolution.

Director Bombagetti then stated he regretfully was submitting his resignation from employment as the County's EMA Director as he has accepted the position as the IDHS District 2 Coordinator. He noted Starke County will be one of the seven counties he will be serving. He also advised his office would be located at his residence in the County. He advised his resignation would be effective as of September 9<sup>th</sup>, and offered to participate with the training of his replacement. Commissioner Norem advised the Board would regretfully accept his resignation and thanked him for all the work he has done for the County in his role as EMA Director. He received a round of applause from the Board and those in attendance.

#### **RE: AUDITOR'S BUSINESS: MINUTES, PAYROLL CLAIM, VENDOR CLAIMS**

Commissioner Binkley made a motion to approve the Vendor Claims Docket in the total amount of \$193,411.98. Commissioner Norem seconded the motion and it passed with all ayes.

Commissioner Binkley made a motion to approve the Payroll Claims Docket for the pay period ending on August 1<sup>st</sup>, 2015, with a pay date of August 7<sup>th</sup>, in the total gross amount of \$198,054.30.

Commissioner Norem seconded the motion and it passed with all ayes.

Commissioner Binkley made a motion to approve the minutes of the August 3<sup>rd</sup> Regular Session and the August 5<sup>th</sup> Special Session. Commissioner Norem seconded the motion and it passed with all ayes.

Auditor Chaffins advised, in regard to the Monthly Financial Reports, for the months of June and July, all departments submitted their reports on time and were all in complete compliance.

#### **IN OTHER BUSINESS:**

##### **EMS DEPARTMENT RECEIVED COMPLAINT IN REGARD TO TRANSFERS POLICY:**

EMS Director Keith Emigh, EMS Clerk MaryLynn Richie, and EMS2 Travis Clary appeared before the Board in regard to a complaint that was received in regard to EMS Transfers. Commissioner Norem stated a complaint was posted on Facebook questioning the County policy of the handling of transfers by the EMS Department. Commissioner Norem stated the Board of Commissioners need to re-affirm the transfer policy of the EMS Department. She advised it is the main focus of the EMS Department to handle pre-hospital emergency calls but they do need to also make emergency transfers (emergent transfers) from the hospital out to other facilities as defined by the Physician on duty, and the transfer is ran following a Doctor's Order. Commissioner Danford noted the people complaining are the same individuals who had earlier complained on this same issue. He advised those were the only complaints he has received in a year's time is in regard to the EMS Department. Commissioner Norem noted the individuals who complained were invited to attend today's Board meeting but they did not show.

Director Emigh noted since the majority of the County is rural, the average response time for a rural call within the State is 18 minutes. He also noted that is the same reason members of the County's Fire Departments have been trained as First Responders in order to assist with on the scene assistance until the ambulance arrives on the scene. He noted the transfer call the complainants were referring to had a wait time of 15 minutes for the ambulance to arrive at the scene but the Fire Department's First Responders were on the scene in 4 minutes. County Councilman, Dave Pearman, who was in attendance advised he has actually received a lot of compliments on the service provided by the County's EMS Department.

#### **APPOINTMENTS TO STARKE COUNTY'S REDEVELOPMENT COMMISSION BOARD**

Commissioner Norem stated the County Council, at their meeting, named two possible appointments to the County's Redevelopment Commission (RDC) and they were Marvin McLaughlin, and Councilman Brad Hazelton. She advised Auditor Chaffins had received letters from two individuals who stated they would be interested in serving on the County's RDC Board and they are William Sonnemaker and Lee Nagai. Commissioner Norem since the RDC Board is a five member Board a member of the Board of Commissioners could also be authorized to serve on the Board. Commissioner Norem made a motion to name Commissioner Don Binkley, Councilman Brad Hazelton, Marvin McLaughlin, William Sonnemaker, and Lee Nagai to serve a one year term on the County's RDC Board. Commissioner Danford seconded the motion and it passed with all ayes. Attorney Lucas explained the difference between the County's RDC, EDC, and EDF Boards. He noted the Economic Development Commission (EDC) is a public entity and can be used as a helper to the Starke County Economic Development Foundation (a non-public entity) in regard to providing opportunities to fund projects with the establishment of bonds. Attorney Lucas also noted the EDC could be used as a replacement for the SCEDF and the economic development decision could be made in house. In that case the County could elect to end their contract with the SCEDF and defund it. Commissioner Norem noted both the EDC & the RDC are requirements of the County in having a TIF District and would also be same Boards if the County were to create any more TIF Districts within the rural areas of the County. Commissioner Norem suggested the Board postpone the EDC appointments until their next meeting. Commissioner Danford advised he will meet with Attorney Lucas sometime prior to their next Board meeting, to obtain a better understanding of the role of the RDC, EDC, and the SCEDF.

#### JUDGE'S ORDER RE: CEDAR POINTE RE-PLAT

Attorney Lucas advised he has received Judge Blankenship's order in regard to Cheryl & Billy Williamson v Starke County, Starke County Planning Commission, Julie Vorm & Suzanne McLaughlin. He advised the Court found the Starke County Planning Commission's decision to permit the replat of Cedar Pointe Park subdivision was arbitrary and capricious and without any basis since a petition for vacation of a right of way and replatting for Cottage Corner Pointe Pointe was never submitted to or before the Starke County Planning Commission. The order states also the Board of Commissioners did not have the authority to approve the recommendation of the Planning Commission in regard to the replat of that subdivision, and the building permit issued as a result of the replat was also invalid. Attorney Lucas noted the Judge's Order stated the Court further finds and orders that the Cedar Pointe Park replat of lots 10, 11, & 12 and outlot B that appears in the Recorder's Plat Book 2, page 171, as recorded on the 6<sup>th</sup> of May, 2015, shall be stamped with the word "Void", and reference the Court's order and cause number, and a copy be provided to the County Auditor who also entered the replat for purposes of taxation on the 4<sup>th</sup> day of May, 2015. Attorney Lucas advised no motion or action is required by the Board in regard to this Judge's Order; it is to be noted in the meeting's official record. (A copy of Judge Blakenship's Order will be posted in the Commissioner's Minute Record Book, attached to the finalized minutes of this meeting.)

#### ROBERT GRAY MATTER

Attorney Lucas advised the Board, at their June 15<sup>th</sup> meeting, the Board of Commissioners voted to deny a payroll claim, and any further future pay, for Officer Robert Gray. Attorney Lucas noted the officer has been on Administrative Leave from the County Police Department with pay since last summer. Attorney Lucas advised he had received word from Officer Gray's Attorney requesting the Officer's pay be reinstated immediately and also requested he receive the back pay from June 15<sup>th</sup> on. Attorney Lucas stated he was recommending the Board meet in an Executive Session as soon as possible in order to fully address this matter. In order to allow for the proper posting of an Executive Session the meeting was scheduled by the Board to take place on Thursday, August 20<sup>th</sup>, at 6PM, in the Annex Building Meeting Room. Auditor Chaffins advised she will be posting the meeting the next day, on the 18<sup>th</sup> of August.

#### MUNICODE CODIFICATION PROCESS

Auditor Chaffins advised her office had received a telephone call from Municode inquiring if the ordinances of the Planning Commission were completed in order for Municode to complete the County's codification project. Commissioner Norem advised the Planning Commission will be meeting that Wednesday. She also noted she is not happy with the quality of work Municode has completed thus far and would like to see Municode appear at a future meeting if they have any further questions.

#### RESIGNATION OF THE IT DIRECTOR, JOE SHORT

IT Director Joe Short presented to the Board his letter of resignation effective September 18<sup>th</sup>. He advised he would train his successor if time allowed prior to his last day of employment. In his letter he advised of some of the milestones met in his four years as Director, in particular his involvement in the construction of the Starke County Justice Center and the updating of the County's "dispatch facility with some of the oldest equipment in the state to a state of the art dispatch facility . . . in which other counties come to look at in plans to model theirs after ours."

Commissioner Danford stated Director Short had done a great job for the County and Commissioner Norem stated he is one of the top people she has ever worked with. Director Short received a round of applause from the Board and the audience.

**PUBLIC COMMENT**

Kenny Wallace stated if the County paid their employees better they wouldn't be having so many of their key employees resigning.

Commissioner Norem requested the openings for both positions, EMA Director and IT Director, be posted tomorrow, on the 18th and asked Director Short to post them also on Career Connect.

There being no further public comment and no further business, Commissioner Norem made a motion to adjourn the meeting. Commissioner Binkley seconded the motion and it passed with all ayes. The meeting adjourned at 8:15PM.

**AUGUST 17, 2015**

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Kent Danford, President

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Kathryn Norem

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Donald Binkley

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Katherine Chaffins, County Auditor  
& Secretary to the Board of County Commissioners

**EXECUTIVE SESSION  
THURSDAY, AUGUST 20, 2015**

The Starke County Board of Commissioners meet in an Executive Session, at 6:00PM, in the office of the Starke County Annex Meeting Room, Knox, IN with Commissioners Kathy Norem, Kent Danford, & Don Binkley, Sheriff Bill Dulin, County Attorney, Marty Lucas, and County Auditor, Katherine Chaffins present, and the following proceedings were held to wit:

The meeting was held to discuss a personnel matter pursuant to IC 5-14-1.5-6.1(b)(6)(B).

I can attest the only issue discussed at this meeting was in regard to a personnel matter.

The meeting was adjourned at 6:20PM.

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Katherine Chaffins, Auditor &  
Secretary to the Board of Commissioners