

## **MONDAY, SEPTEMBER 21, 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 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 Vice-President Kathy Norem, at 7:20PM. Commissioner President, Kent Danford, was absent from the meeting. Commissioner Norem inquired if there any additions or corrections to the posted agenda. She advised the discussion in regard to Medicaid for Inmates will be tabled for now.

### **RE: HIGHWAY DEPARTMENT SUPERINTENDENT'S REQUEST**

Highway Superintendent Rik Ritzler appeared before the Board to request signatures on the Bridge 71 Project Specification Books. He advised the books have been signed by the Contractor LaPorte Construction, the Superintendent, and it requires the Commissioners' signatures also.

Superintendent Ritzler advised he was contacted by the Election Board in regard to a request for the Highway Department to pave the parking lot of the North Bend Township Polling Location, which is the Lion's Club Building, at Bass Lake. He noted the cost to pave the parking lot would be approximately \$ 4,000.00 and if the request is approved by the Board of Commissioners the Election Board would be billed by the Highway Department after the completion of the paving. Commissioner Norem advised the original expense will need to be paid out of the Highway Department's budget, and the payment for the billing will be receipted into the Highway Department Fund. In order to reimburse the Highway Department's budget a request for additional appropriations would need to be requested. The Superintendent noted he was aware of the process. Auditor Chaffins also advised she had ran the question passed the SBOA and they advised the same, noting the request for additional appropriations will require approval from not only the County Council, but also from the Indiana Department of Local Government Finance (the DLGF). Commissioner Binkley made a motion to approve the paving of the North Bend Township Polling Location, seconded by Commissioner Norem. The motion passed with all ayes.

### **RE: ASSESSOR MILNER'S REQUEST FOR APPROVAL OF XSOFT CONTRACT**

Assessor Rhonda Milner appeared before the Board to request approval of the new assessment vendor contract for the X-Soft software program. County Attorney Marty Lucas advised he had reviewed the contract and stated he wanted to make note of the following: The X-Soft Company is allowing the purchase of their program to be paid in five yearly installments, with the first installment payable after the initial installation of the software. He noted the contract has a 30 days termination clause but he advised if the County did terminate the contract agreement early, the County would still need to pay the balance due of the original purchase amount. He also wanted to clarify, in addition to the annual purchase payment, there will also be an annual maintenance fee, and there could also be additional costs for any major upgrades completed on the software. Attorney Lucas noted the contract states the vendor will provide a copy of their Certificate of Insurance which will include Workers' Compensation coverage in the event one of their workers would be injured while working in the County during the installation or training of the software, and also when they are traveling to and from the County. He noted the County may want to include a request for a Certificate of Insurance in all future vendor contract agreements. Assessor Milner noted the X-Soft Representative will drop off a copy of their Insurance Certificate when he signs the agreement. Commissioner Binkley made a motion to approve the contract with X-Soft, seconded by Commissioner Norem. The motion passed with all ayes.

### **RE: STARKE COUNTY ECONOMIC DEVELOPMENT FOUNDATION DIRECTOR CHARLIE WEAVER'S REQUEST FOR APPROVAL OF RESOLUTION AUTHORIZING THE SUBMITTAL OF AN OCRA GRANT**

SCEDF Director Charlie Weaver appeared before the Board to request approval of a "Resolution of the County Commissioners of Starke County Indiana Authorizing the Submittal of the WDP Application to the Indiana Office of Community and Rural Affairs and Addressing Related

Matters”. He advised the resolution will allow the County to prepare and submit an application for grant funding to address the development of a workforce development program (WDP), and to execute and administer a resultant grant including requisite general administration and project management, contracts and agreements pursuant to regulations of the Indiana Office Community and Rural Affairs and the US Department of Housing and Urban Development. He advised there will be a county match that will be required and the funding will be provided by the Starke County Initiative for Lifelong Learning (SCILL) who is committing local funds in the amount of one hundred and six thousand dollars (\$106,000.00). Commissioner Binkley made a motion to approve the grant resolution, seconded by Commissioner Norem. The motion passed with all ayes.

Commissioner Norem then read aloud a newspaper article she received in regard to recognizing the great work of the SCEDF Director Weaver. (A copy of the newspaper article is on file in the Auditor’s Office.)

### **RE: ORDINANCE FOR THE REGULATION OF CONCENTRATED ANIMAL FEEDING OPERATIONS (CAFO)**

Planning Commission Administrator Terry Stephenson appeared before the Board to receive approval of the proposed CAFO Ordinance: Ordinance for the Regulation of Concentrated Animal Feeding Operations. He advised the ordinance had been approved by the Planning Commission and now needs to be approved by the Board of Commissioners. Commissioner Norem advised it had gone through the Public Hearing process through the Planning Commission. She advised the intent and purpose of the creation of the CAFO Ordinance is the establishing of a procedure for the permitting of CAFOs; regulation of the location, development and the expansion of CAFOs; protecting CAFOs from residential, commercial and public land use conflicts; protecting agriculture’s ability to grow and change; protecting the land, water, and air resources of Starke County; protecting Starke County’s taxpayer’s property values; and protecting human welfare, health, safety, and well-being. Commissioner Norem advised CAFOs are regulated by the Indiana Department of Environmental Management (IDEM) and Starke County’s CAFO is more restrictive than IDEM’s. Commissioner Binkley made a motion to approve the Ordinance for the Regulation of Concentrated Animal Feeding Operations in Starke County, Ordinance 2015-0921. Commissioner Norem seconded the motion and it passed with all ayes.

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

Commissioner Binkley made a motion to approve the minutes of the September 8<sup>th</sup> meeting, seconded by Commissioner Norem. The motion passed with all ayes.

Commissioner Binkley made a motion to approve the vendor claims docket in the total gross amount of \$215,477.83. 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 September 12<sup>th</sup> with a pay date of September 18<sup>th</sup>, in the total gross amount of \$202,339.62. Commissioner Norem seconded the motion and it passed with all ayes.

Auditor Chaffins advised all departments had submitted their financial reports on time, and without any reminders. They were all properly reconciled and are all in compliance with the reporting ordinance. She also presented the Board with financial reports: Fund Balances, and Estimated Misc. Revenues, for their information.

### **IN OTHER BUSINESS**

Commissioner Norem advised due to the resignation of IT Director Joe Short which was effective on September 18<sup>th</sup>, the Board, after interviewing candidates from the several applications received were ready to make an offer of employment to Brian Pinson as the new IT Director. She noted the County Council had created a range of pay for the position beginning at \$40,000.00. She said the Board of Commissioners set parameters on the pay to include items such as education experience, and years in supervision. She advised Brian the pay for the position would begin at \$40,000.00 and he would be eligible for an increase of \$1,250.00 after six months employment in that position and a favorable job evaluation, and then an additional increase of \$1,250.00 following the next six months and a favorable job evaluation. She noted

he would also be eligible to receive an additional increase of \$2,500.00 to the base pay when he completes his Associates Degree. Commissioner Norem stated the position of IT Director will no longer include the maintenance and supervision of the radio and antenna systems in the County as that will now become the responsibility and one of the duties of the EMA Director. Because he will not be required to drive from antenna to antenna as was required by the former IT Director, a vehicle will no longer be a benefit of that position. She advised he will be eligible to receive mileage. Brian Pinson accepted the position of IT Director and the terms of employment.

Commissioner Norem advised there was a form from Maintenance Director, Jim Coad, asking the Board of Commissioners' approval to give IT Director Pinson a master key to the Annex Building. Commissioner Binkley made a motion to approve the master key, seconded by Commissioner Norem. The motion passed with all ayes.

Commissioner Norem advised Alan Sahara spoke to them prior to the beginning of the meeting. He advised he was a neighbor of the Starke County Forest and was experiencing issues with the drainage on his property. Mr. Sahara was advised to attend the next Drainage Board meeting and advise them of his concerns.

Debbie Mix of the Starke County Park Board appeared before the Board to request assistance with the issues being addressed by the Park Board. She noted in regard to the Starke County Forest a possibility for funding with be from a \$5,000.00 grant and also possibly a contribution from the REMC Round-up Program. Commissioner Norem advised she would like to table the discussion in regard to the Starke County Forest until Commissioner Danford was present for the meeting. Ms. Mix then inquired if the Commissioners had received a copy of the complaint in regard to the Bass Lake Beach and Campground, which they stated they had not received a copy. Ms. Mix stated Mr. Callahan and his attorney, Dave Wallsmith, would like to set up a meeting with the County to discuss the renegotiation of the Lease. Ms. Mix stated she would like to have Counsel at the meeting. Attorney Lucas advised he was very familiar with the current lease and with the Bass Lake issues and would be willing to attend that meeting. Commissioner Binkley made a motion to appoint Attorney Lucas as the Counsel since the Board of Commissioners are a party of the lease. Commissioner Norem seconded the motion and it passed with all ayes. Commissioner Norem noted the Park Board does not have a budget and the Commissioners will be responsible for the attorney fees. Commissioner Norem noted the lease is specifically with Richard Callahan; not a corporation and not any other person other than him. Attorney Lucas stated that was very critical in noting. Ms. Mix inquired as to when they could have inspections on the repair work completed by Mr. Callahan. There was a lengthy discussion in regard to the requirement of permits for the repair work. Commissioner Norem advised Ms. Mix to compile a list of repair work they believed needed to be inspected and submit it to the Planning Commission for discussion at their next meeting. It will then be decided if the work falls under the scope of Planning Commissioner and was in fact Terry Stephenson's responsibility to inspect. Commissioner Norem advised her to submit the list to either Building Inspector Terry Stephenson or Planning Commission President Denny Estok. Commissioner Norem noted she didn't believe, if the repair wasn't under the scope of the Planning Commission, that Terry should be expected to inspect all the completed repair work.

Kenny Wallace, Chairman of the Democratic Party, advised the Caucus to elect a new County Coroner, will take place on Wednesday, September 23<sup>rd</sup> at 7PM. He noted four interested individuals had signed up for the caucus and they were: Danny Hoffer, Michelle Prater, Julie Carmean, and Ron Lawson.

## **PUBLIC COMMENT**

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.

**SEPTEMBER 21, 2015**

ABSENT \_\_\_\_\_  
Kent Danford, President

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Kathryn Norem

\_\_\_\_\_  
Donald Binkley

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