

BE IT REMEMBERED THAT, The Board of Commissioners of the County of St. Joseph met in a regular session in the County City Building on November 26, 2013 at the hour of 10:00 a.m. (EST) at which time in the following members were present: Andrew Kostielney, Dave Thomas, and Marsha McClure were present.

Peter Mullen, County Auditor, was present and recorded the minutes of the meeting.

ANNOUNCEMENT:

The Commissioners meeting for the first week of December is moved to Monday, December 2nd at 2:00 p.m. and will be held on the 7th floor of the County-City Building in the Commissioners' conference room.

PLEDGE OF ALLEGIANCE

OPENING AND READING OF BIDS ON: NONE

REPORTS AND REQUESTS FROM:

ARCHIVES:
IN THE MATTER OF APPROVING
AN IN-LINE TRANSFER

The following in-line transfer has been requested.

From: 1000-22226-000-0010	microfilm supplies	\$300.00
Into: 1000-21030-000-0010	office supplies	\$300.00

Mr. Thomas moved to accept the above in line transfer as read and outlined.
Motion seconded by Ms. McClure.
Motion adopted by a 3-0 vote.

PORTAGE MANOR:
IN THE MATTER OF APPROVING
AN IN-LINE TRANSFER

The following in-line transfer has been requested.

From: 4019-11730-000-0030	united coordinator	\$389400
Into: 4019-11716-000-0030	dietary aide	\$3894.00

Mr. Thomas moved to accept the above in line transfer as read and outlined.
Motion seconded by Ms. McClure.
Motion adopted by a 3-0 vote.

PROSECUTING ATTORNEY:
IN THE MATTER OF APPROVING
AN IN-LINE TRANSFER

The following in-line transfer has been requested.

From: 1000-35015-605-0018	utilities	\$500.00
Into: 1000-9605-605-0018	buy & informant	\$300.00

Mr. Thomas moved to accept the above in line transfer as read and outlined.

Motion seconded by Ms. McClure.
 Motion adopted by a 3-0 vote.

**WEIGHTS & MEASURES:
 IN THE MATTER OF APPROVING
 AN IN-LINE TRANSFER**

The following in-line transfer has been requested.

From: 1000-11950-000-0031	part time	\$323.64
Into: 1000-14800-000-0031	FICA account	\$201.54
1000-14810-000-0031	PERF	\$122.10

Mr. Thomas moved to accept the above in line transfer as read and outlined.
 Motion seconded by Ms. McClure.
 Motion adopted by a 3-0 vote.

**COMMISSIONERS
 A)
 IN THE MATTER OF APPROVING
 THE ACCOUNTS PAYABLE DOCKETS**

Mr. Thomas moved to accept the Accounts Payable Docket as read and outlined.
 Motion seconded by Ms. McClure.
 Motion adopted by a 3-0 vote.

**B)
 IN THE MATTER OF APPROVING
 THE CONSENT AGENDA.**

Permission was requested to approve the following consent agenda:

Surplus Requests	
Department	Description
Circuit Court	A bookshelf and a copy machine
County Clerk	Two obsolete computer monitors
COOP	Various obsolete equipment

Travel Requests		
Department	Description	Cost Estimate
Health Department	Indianapolis, IN / December 11, 2013	\$20.00

Motion was made by Mr. Thomas to accept the consent Agenda as read and outlined.
 Motion seconded by Ms. McClure.
 Motion adopted by a 3-0 vote.

**C)
 IN THE MATTER OF APPROVING
 THE FIRST AMENDMENT
 PHARMACY SERVICES AGREEMENT
 TO PROVIDE PHARMACY SERVICES
 TO INMATES OF THE ST. JOSEPH
 COUNTY JAIL**

This amendment shall become effective as of the Effective date and shall extend through December 31, 2013.

Mr. Thomas moved to accept the above agreement as read and outlined.
Motion seconded by Ms. McClure.
Motion adopted by a 3-0 vote.

ADD ON

D)

IN THE MATTER OF APPROVING
AN AGREEMENT TO TERMINATE
PROFESSIONAL SERVICES
AGREEMENT AND ALL ADDENDUM
THERE TO WITH RBM

Upon the County's implementation of vote centers, the parties immediately terminate without any continuing liability to each other, the Professional Services Agreement made and entered into between the parties on or about February 16, 2010 and any and all addendums to the Professional Service Agreement.

This is in response to Mr. Thomas' concerns last week. If we switch to vote centers we had a maintenance agreement with RBM that may have been in conflict with that switch. This addendum cleans that up. If we go to vote centers then this maintenance agreement would be null and void.

Mr. Thomas says because voting services are multi millions of dollars of taxpayer's money Indiana state law requires a 48 hour notice of advertising the agenda I object to this last minute add on and request it be put on next weeks agenda.

Mr. Kostielney states that it is a fairly routine practice to include add ons all the time since we meet on a weekly basis. So my assumption from your stance would be to not allow add ons from this time forward.

Mr. Thomas says that is add ons of this magnitude.

Legal Counsel is asked for the law on this matter.

Counsel says that agendas are to be advertised 48 hours in advance but are subject by the governmental agency to change. It is your judgment as to proceed or not.

Ms. McClure moved to accept the above agreement with RBM as read and outlined.

Motion seconded by Mr. Kostielney.

Motion adopted by a 2-1 vote.

BOARD OF PUBLIC WORKS:

A)

IN THE MATTER OF APPROVING
A PROJECT COMPLETION AFFIDAVIT
FOR PRINCESS WAY INDUSTRIAL
PARK

The final project cost is \$96070.00.

Motion was made by Mr. Thomas to accept the above affidavit as read and outlined.

Motion seconded by Ms. McClure.

Motion adopted by a 3-0 vote.

B)

IN THE MATTER OF APPROVING
A FINAL CHANGE ORDER FOR
JUNIPER ROAD BIKE LANE
CONSTRUCTION FROM SOUTH
OF PENDLE STREET TO
CLEVELAND ROAD

The final amount of this project is \$167004.90 this is an increase of 10.2 percent to the contract.

Mr. Thomas moved to accept the above final change order as read and outlined.

Motion seconded by Ms. McClure.

Motion adopted by a 3-0 vote.

C)

IN THE MATTER OF APPROVING
CONSENT FOR ENCROACHMENT
FOR A SIDEWALK ON BURDETT
STREET ON THE OVERLOOK
PUD PROPERTY

The developer will construct sidewalks along the development adjacent to Burdette Street within the public right of way. The agreement states St. Joseph County shall allow the sidewalk to exist within the right of way, and the developer and PUD owner agrees to indemnify St. Joseph County from any maintenance responsibilities, liability, loss or damage, and hold the County harmless as a result of claims or demands from any act or injury on the sidewalk not caused by the County.

Motion was made by Mr. Thomas to accept the above consent for encroachment as read and outlined.

Motion seconded by Ms. McClure.

Motion adopted by a 3-0 vote.

D)

IN THE MATTER OF APPROVING
AN ENGINEERING PROJECT
AWARD/APPROVAL OF
CONSULTANT SELECTION FOR
THE ADAMS TRAIL EXTENSION
FROM FIR ROAD TO ELM ROAD
(PHASE II) PROJECT

There were seven proposals that were received. It is recommended that the proposal from the Troyer Group, Inc. be considered. The Troyer Group team includes Territorial Engineering, Earth Exploration, McCormick Engineering, and Meridian Title.

Motion was made by Mr. Thomas to accept the above award as read and outlined.

Motion seconded by Ms. McClure.

Motion adopted by a 3-0 vote.

E)

IN THE MATTER OF APPROVING
AN ENGINEERING PROJECT
AWARD/APPROVAL OF
CONSULTANT SELECTION
FOR THE EDISON ROAD AT
ASH ROUNDABOUT INTERSECTION
IMPROVEMENT PROJECT

There are five proposals that were received. It is recommended that the proposal from RW Armstrong be considered. The RW Armstrong team consists of Abonmarche, Earth Exploration, Meridian Title, and EFI Global.

Motion was made by Mr. Thomas to accept the above award as read and outlined.

Motion seconded by Ms. McClure.

Motion adopted by a 3-0 vote.

F)

IN THE MATTER OF APPROVING
AN ENGINEERING PROJECT
AWARD/APPROVAL OF CONSULTING
SELECTION FOR THE LASALLE
TRAIL EXTENSION FROM

CLEVELAND ROAD TO DARDEN
ROAD PROJECT

There are six proposals that have been received. It is recommended the proposal from Lawson Fisher Associates PC be considered. The Lawson Fisher Associates PC team consists of Earth Exploration, VS Engineering, and ASC Group, Inc.

Motion was made by Mr. Thomas to accept the above award as read and outlined.

Motion seconded by Ms. McClure.

Motion adopted by a 3-0 vote.

OLD BUSINESS:

IN THE MATTER OF APPROVING
PROPOSALS FROM FIRMS
QUALIFIED TO PERFORM VOTE
CENTER PROCESSES ACCORDING
TO INDIANA AND FEDERAL STATUTES

Motion made by Mr. Thomas to untable the above issue.

Motion seconded by Ms. McClure.

Motion adopted by a 3-0 vote.

There were a couple of concerns on this from last week that I had as well as Mr. Thomas. Those issues have been addressed and a new copy of the contract has been given to us from counsel with those updates. St. Joe County was named on the front page as the County. We modified the dates to receive bids to December 20th, 2013, a minimum of forty vote centers and a paper copy for each ballot. The next item was the maintenance contract. Prior action on that has cleared that up. When it comes to the purchasing of voting equipment, it is certified for purchase in the state of Indiana what is not certified is e-poll books and that is in the process down state.

Mr. Thomas says that he believes e-poll books would be required is that correct.

Mr. Kostielney says yes.

Mr. Thomas says that currently no e-books are certified is that correct.

Mr. Kostielney says correct.

Motion made by Ms. McClure to proceed with this proposal.

Motion seconded by Mr. Kostielney.

Motion adopted by a 2-1 vote.

PUBLIC COMMENTS:

The meeting next week will be on Monday at 2:00pm in the Commissioners office.

Mr. Thomas says not to forget about the firefighters, hospital workers, etc. that must work over this holiday as most of us will be with family.

There being no further business to come before the Board at this time, Mr. Kostielney asked for a motion to recess, Mr. Thomas so moved, seconded by Ms. McClure. Meeting recessed by a 3-0 vote.

