

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 December 10, 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.

**PLEDGE OF ALLEGIANCE**

OPENING AND READING OF BIDS ON: NONE

**REPORTS AND REQUESTS FROM:**

COMMUNITY CORRECTIONS:  
IN THE MATTER OF APPROVING  
AN IN-LINE TRANSFER

The following in-line transfer has been requested.

From: 9114-11370-014-0080	detention officer	\$288.75
Into: 9114-11215-014-0080	substance abuse counselor	\$288.75
From: 9114-31015-014-0080	consultant services	\$6600.00
9114-32350-014-0080	postage	\$10.16
Into: 9114-31070-014-0080	other contractual services	\$6610.16
From: 9114-24110-014-0080	clothing	\$305.70
Into: 9114-22120-014-0080	garage & motor supplies	\$305.70

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.

COUNTY AUDITOR:  
IN THE MATTER OF APPROVING  
A TRAVEL REQUEST FOR FOUR  
PEOPLE TO ATTEND TWO  
MICROSOFT EXCEL CLASSES  
IN SOUTH BEND, INDIANA  
ON JANUARY 21-22, 2014

The estimated cost of this trip is \$512.00.

Mr. Thomas states that the Auditor is not using incentive funds; general fund dollars are being used. I understand that there may not be funds in there now but you could do a transfer of funds and since the class is not taking place until January you could use next years budget. I see that this is a basic course and unless you got new software I would think that your staff would be trained in this. Is there any comment on the incentive funds?

Mr. Mullen says no.

Mr. Thomas asks if he would like to do a transfer or pay for it out of next years funds. A short discussion is held and Mr. Mullen says that Mr. Thomas' suggestion is fine.

Mr. Kostielney asks if this is to be paid out of the 2013 travel budget.

Mr. Mullen says yes.

Mr. Thomas moved to accept the above request with the amendment to the fund as read and outlined.

Motion seconded by Ms. McClure.

Motion adopted by a 3-0 vote.

COUNTY CLERK:  
IN THE MATTER OF APPROVING  
AN IN-LINE TRANSFER

The following in-line transfer has been requested.

From: 1000-11601-000-0001	supervisor	\$3898.48
Into: 1000-11673-000-0001	court computer operator II	\$3898.48
From: 1000-11670-000-0001	bookkeeper	\$5000.00
Into: 1000-11673-000-0001	court computer operator II	\$5000.00
From: 1000-11670-000-0001	bookkeeper	\$745.98
Into: 1000-11611-000-0001	court administrator	\$745.98
From: 1000-32350-000-0001	postage	\$2.71
Into: 1000-32200-000-0001	telephone	\$2.71
From: 1000-32350-000-0001	postage	\$200.00
Into: 1000-37400-000-0001	lease	\$200.00

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

Motion seconded by Ms. McClure.

Motion adopted by a 3-0 vote.

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

The following in-line transfer has been requested.

From: 1159-11153-000-0055	asst dir of nursing	\$1250.00
Into: 1159-11152-000-0055	dir of nursing	\$1250.00
From: 1159-37050-000-0055	cc service fees	\$550.00
Into: 1159-32208-000-0055	telephone & beepers	\$550.00

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

Motion seconded by Ms. McClure.

Motion adopted by a 3-0 vote.

PROBATE COURT:  
IN THE MATTER OF APPROVING  
AN IN-LINE TRANSFER

The following in-line transfer has been requested.

A) From: 1000-11078-000-0025	chief prob officer	\$1000.00
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Into:	1000-11065-000-0025	court magistrate	\$100.00
	1000-11349-000-0025	truancy prob officer	\$900.00
From:	1000-36015-000-0025	contractual services	\$2000.00
	1000-36300-000-0025	repair office equip	\$1000.00
Into:	1000-33500-000-0025	service contract	\$3000.00

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

B)

From:	1000-11075-000-0049	deputy director	\$3457.00
	1000-11370-000-0049	detention officer	\$800.00
Into:	1000-11049-000-0049	director of detention	\$4257.00
From:	1000-11370-000-0049	detention officer	\$1500.00
Into:	1000-11367-000-0049	team leaders	\$1500.00
From:	1000-32050-000-0049	instruction & training	\$2200.00
Into:	1000-32200-000-0049	telephone	\$200.00
	1000-35020-000-0049	gas	\$2000.00

Mr. Thomas moved to accept the above in line transfers 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:	1000-21010-000-0018	stationary & printing	\$400.00
Into:	1000-21030-000-0018	office supplies	\$400.00
From:	1000-32020-605-0018	travel	\$2450.00
Into:	1000-31070-000-0018	other contractual services	\$2450.00

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

**SHERIFF:  
 IN THE MATTER OF APPROVING  
 AN IN-LINE TRANSFER**

The following in-line transfer has been requested.

A)

From:	1000-11950-000-0005	part time	\$2704.00
Into:	1000-11576-000-0005	night incentive	\$2704.00
From:	1000-21100-000-0005	photographic supplies	\$539.15

	1000-22400-000-0005	ammunition	\$350.00
	1000-22401-000-0005	flares	\$10.00
	1000-22404-000-0005	canine supplies	\$383.85
Into:	1000-21030-000-0005	office supplies	\$65.00
	1000-22417-000-0005	general supplies	\$1218.00
From:	4904-11571-000-0005	overtime	\$500.00
Into:	4904-14900-000-0005	uniform	\$500.00

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

B)

From:	1000-11312-000-0006	IT manager	\$1000.00
	1000-11530-000-0006	matrons	\$174.00
	1000-11534-000-0006	correction officer sergeant	\$6000.00
	1000-11541-000-0006	correction officer	\$42400.00
Into:	1000-11571-000-0006	overtime	\$48400.00
	1000-11576-000-0006	night incentive	\$1174.00

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

**SUPERIOR COURT:  
IN THE MATTER OF APPROVING  
AN IN-LINE TRANSFER**

The following in-line transfer has been requested.

From:	1000-32050-000-0020	instruction & training	\$4300.00
Into:	1000-32350-000-0020	postage	\$1800.00
	1000-39015-000-0020	legal books	\$2500.00

Mr. Thomas moved to accept the above in line transfers 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:

<b>Surplus Requests</b>	
<b>Department</b>	<b>Description</b>
County Clerk	One obsolete chair

<b>Travel Requests</b>		
<b>Department</b>	<b>Description</b>	<b>Cost Estimate</b>
Adult Probation	Goshen, IN / December 18, 2013	\$25.20
County Surveyor	Indianapolis, IN / January 15-17, 2014	\$459.00
Sheriff	Plainfield, IN / April 8-9, 2014	\$583.00

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  
 AN IN-LINE TRANSFER

The following in-line transfer has been requested.

From: 1000-32350-000-0034	postage	\$2000.00
Into: 1000-39010-000-0034	dues & subscriptions	\$2000.00
From: 1000-32350-000-0034	postage	\$4500.00
Into: 1000-32200-000-0034	telephone	\$4500.00
From: 1000-11945-000-0034	insurance investigator	\$3700.00
Into: 1000-11306-000-0034	county personnel manager	\$3700.00

Mr. Thomas moved to accept the first two of the above in line transfers as read and outlined.  
 Motion dies for lack of a second.  
 Ms. McClure moved to accept all of the above in line transfers as read and outlined.  
 Motion seconded by Mr. Kostielney.  
 Motion adopted by a 2-1 vote.

**D)**  
 IN THE MATTER OF APPROVING  
 A CONTRACT WITH LOW  
 ASSOCIATES FOR VARIOUS  
 INFORMATION TECHNOLOGY  
 DESIGN, DEVELOPMENT,  
 HARDWARE, SOFTWARE AND  
 ADMINISTRATIVE SUPPORT

Mr. Kostielney says that this will be tabled so that legal counsel has a chance to look this over.  
 Mr. Thomas states that the Data Board has looked this over and passed it unanimously but counsel has not had a chance to look it over.

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

**E)**  
IN THE MATTER OF APPROVING  
BILLS PASSED BY THE ST.  
JOSEPH COUNTY COUNCIL

<u>BILL NO.</u>	<u>ORDINANCE NO.</u>
84-13	70-13
85-13	71-13
86-13	72-13
87-13	73-13
77-13	75-13

\*as amended

Mr. Thomas asks how the raised in ordinances 71-13 and 73-13 would be distributed.  
Mr. Mullen says they would probably be given as a lump sum.  
Mr. Thomas goes on to discuss the amount of these raises and the validity of giving the \$3700.00 raise retroactive to the beginning of the year. A conversation with the Recorder, Phil Dotson revealed that he was unaware of this ordinance. He never requested this.  
Mr. Mullen informs him that this is due to being underpaid for the year and nothing more just a correction of error.  
Mr. Kostielney notes that the County Personnel increase is to justify the additional work of when the Airport Authority had come on board with the County health insurance. This is also reflected in the 2014 budget.  
Mr. Thomas moved to accept all of the above ordinances except for 71-13 as read and outlined.  
Motion seconded by Mr. Kostielney.  
Motion adopted by a 3-0 vote  
Ms. McClure moved to accept ordinance 71-13 as read and outlined.  
Motion seconded by Mr. Kostielney.  
Motion adopted by a 2-1 vote.

**BOARD OF PUBLIC WORKS:**

Mr. Kostielney will do items A-F all as one motion.

**A)**  
IN THE MATTER OF APPROVING  
AN IRREVOCABLE LETTER OF  
CREDIT FOR BOULDER BAY

This is in the amount of \$54419.00 and is drawn under the First State Bank of Middlebury, Indiana. This letter extends the expiration date to May 10, 2014.

**B)**  
IN THE MATTER OF APPROVING  
AN IRREVOCABLE LETTER OF  
CREDIT FOR NEW PRAIRIE KNOLLS  
SUBDIVISION, PHASE III

This is in the amount of \$7500.00 and is drawn under the First State Bank of Middlebury, Indiana. This letter extends the expiration date to May 10, 2014.

**C)**  
IN THE MATTER OF APPROVING  
AN IRREVOCABLE LETTER OF  
CREDIT FOR NEW PRAIRIE KNOLLS  
SUBDIVISION, PHASE IV

This is in the amount of \$9820.00 and is drawn under the First State Bank of Middlebury, Indiana. This letter extends the expiration date to May 10, 2014.

D)  
IN THE MATTER OF APPROVING  
AN IRREVOCABLE LETTER OF  
CREDIT FOR STONE OAK  
FARMS SUBDIVISION

This is in the amount of \$25000.00 and is drawn under the First State Bank of Middlebury, Indiana. This letter extends the expiration date to May 10, 2014.

E)  
IN THE MATTER OF APPROVING  
AN IRREVOCABLE LETTER OF  
CREDIT FOR THE FARMS  
SUBDIVISION

This is in the amount of \$9000.00 and is drawn under the First State Bank of Middlebury, Indiana. This letter extends the expiration date to May 10, 2014.

F)  
IN THE MATTER OF APPROVING  
AN IRREVOCABLE LETTER OF  
CREDIT FOR WESTWOOD  
KNOLLS SUBDIVISION

This is in the amount of \$9200.00 and is drawn under the First State Bank of Middlebury, Indiana. This letter extends the expiration date to May 10, 2014.

Mr. Thomas moved to approve the above letters of credit as read and outlined.  
Motion seconded by Ms. McClure.  
Motion adopted by a 3-0 vote.

G)  
IN THE MATTER OF APPROVING  
A FINAL CHANGE ORDER NO. 1  
FOR JACKSON ROAD OVER LAING  
DITCH SLOPE STABILIZATION

This change order will revise the contract amount to \$34696.00.

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

H)  
IN THE MATTER OF APPROVING  
CHANGE ORDER NO. 2 FOR  
SPRUCE ROAD OVER PINE  
CREEK BRIDGE REPLACEMENT  
AND SPRUCE ROAD REHABILITATION  
FROM US 6 TO UNDERWOOD ROAD

The revised total project cost is \$611341.25.

Mr. Thomas moved to approve the above change order no. 2 as read and outlined.  
Motion seconded by Ms. McClure.  
Motion adopted by a 3-0 vote.

I)  
IN THE MATTER OF APPROVING  
CHANGE ORDERS NO 4-5 FOR  
THE MAINTENANCE ASPHALT  
OVERLAY PROGRAM

The revised amount of this project is \$1650197.80. This is a decrease from the original contract amount. Change order no. 4 provides payment for the subbase repair on Ice Trail and is an addition of \$4365.00 to the contract. Change order no. 5 provides payment for grout and deck membrane replacement necessary to overlay the bridge structure on Juniper Road and results in an increase of \$6901.00

Mr. Thomas makes note of the typo of change order no 2-3 it should be 4-5.

Mr. Thomas moved to approve the above change orders as amended with the correction, as read and outlined.

Motion seconded by Ms. McClure.

Motion adopted by a 3-0 vote.

J)

IN THE MATTER OF APPROVING  
AN IN LINE TRANSFER

The following in-line transfer has been requested.

A)

From: 1172-43155-000-0023	McKinley AM General	\$324000.00
Into: 1172-43108-000-0023	Auten/Ironwood intersection	\$324000.00
From: 1176-23420-000-0062	bituminous	\$134000.00
1176-23400-000-0062	stone gravel aggregates	\$ 34000.00
Into: 1176-23210-000-0062	calcium chloride	\$168000.00

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

Motion seconded by Ms. McClure.

Motion adopted by a 3-0 vote.

K)

IN THE MATTER OF APPROVING  
A STATE-LOCAL PUBLIC AGENCY  
PROJECT COORDINATION FOR  
COUNTRYWIDE SIGN MODERNIZATION

This project involves replacing warning and regulatory signage in poor condition and improving signage retro reflectivity (night visibility) throughout St. Joseph County. St. Joseph County is partnering with Marshall County on this project to realize cost savings in the installation costs to upgrade our signage systems.

Mr. Thomas gives thanks for the Counties working together and saving money for everyone.

Mr. Thomas moved to approve the above project as read and outlined.

Motion seconded by Ms. McClure.

Motion adopted by a 3-0 vote.

**OLD BUSINESS:**

**PUBLIC COMMENTS:**

Larry Bauer, 52743 Sporn Dr., South Bend, IN.

Mr. Bauer says that he is here today to discuss the leaf pick up. It is taking way to long for the leaves to be picked up. There are several people in my neighborhood that have had to pay private individuals to come and pick up the leaves. They have been out there for some time. I am sure that Greenworld is doing the best that they can but this is Michiana. I have several suggestions for next year. Try and find a company that will work when the weather cooperates even if that means weekends and Sunday too. There

are a lot of landscaping companies and that is what they have to do. Secondly maybe they can subcontract to get the job done in the time frame that is allotted. Thirdly maybe it can be a company with better social media skills; that way people can be made aware of when and where they may be at any given time.

Mr. Thomas thanks Mr. Bauer for his comments and suggestions.

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.

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ST. JOSEPH COUNTY COMMISSIONERS