

BE IT REMEMBERED THAT, The Board of Commissioners of the County of St. Joseph met in a special session in the County City Building on June 17, 2014 at the hour of 10:00 a.m. (EST) at which time in the following members were present: Andrew Kostielney, Marsha McClure, and Dave Thomas were present.

PLEDGE OF ALLEGIANCE

The minutes of the last meeting were unanimously approved.

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

OPENING AND READING OF BIDS ON:

None

REPORTS AND REQUESTS FROM:

PROSECUTING ATTORNEY:

A)

IN THE MATTER OF APPROVING
TO APPLY FOR CONTINUATION
OF THE VOCA GRANT 2186

This grant is in the amount of \$153146.00 that supplements a portion of salaries paid within with the Special Victims Unit awards from this grant are for the period July 1, 2014 through June 30, 2015.

Ms. McClure moved to accept the above request as read and outlined.

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

B)

IN THE MATTER OF APPROVING
TO APPLY FOR CONTINUATION
OF THE STOP GRANT 1918

This grant is in the amount of \$81799.00 that supplements a portion of salaries paid within with the Victims Assistance group awards from this grant are for the period October 1, 2014 through September 30, 2015.

Ms. McClure moved to accept the above request as read and outlined.

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

C)

IN THE MATTER OF APPROVING
TO APPLY FOR CONTINUATION
OF THE ADULT PROTECTION
SERVICES GRANT (71-11-PV-1244)

This is to apply for a twelve month continuation of the Adult Protective Services Grant in the amount of \$246668.00 covering July 1, 2014 through June 30, 2015. This represents the fifth year extension of the grant dated July 1, 2010.

Ms. McClure moved to accept the above request as read and outlined.

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

**PURCHASING:
IN THE MATTER OF APPROVING
BID AWARDS FOR INSTITUTIONAL
SUPPLIES FOR ST. JOSEPH COUNTY**

It is requested that the low quotes be awarded which meet all specifications as follows:

Section CC1-Kabelin Commercial Supply Products
Section CC2-KSS
Section CC4-HP Products
Section CC5A-Central Poly Corp
Section CC6- 9 items to KSS; 20 items to HP Products

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

**ADD ON:
DOMESTIC RELATIONS:
IN THE MATTER OF APPROVING
TO APPLY FOR A GRANT**

This grant is from the American Academy of Matrimonial lawyers Foundation.

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

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

Ms. McClure moved to accept the Accounts Payable Docket as read and outlined.
Motion seconded by Mr. Thomas.
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
Area Plan Commission	1 Fax Machine, 1 27" Color Television, 1 Broken Chair
Maintenance	1 Broken Computer Monitor
Prosecuting Attorney	9 Obsolete Computers, 1 Broken Catalog Case, 1 Broken TV

Travel Requests		
Department	Description	Cost Estimate
Adult Probation	Indianapolis, IN / June 20	\$186.00
Adult Probation	Goshen, IN / June 25	\$25.20
Community Corrections	Germantown, TN / July 28-31	\$1948.16
Prosecuting Attorney	Lake County, IN / June 16, 2014	\$67.04

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

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

<u>BILL NO.</u>	<u>ORDINANCE NO.</u>
28-14	22-14
20-14	23-14
16-14	24-14
23-14	26-14
26-14	27-14
29-14	R3-14
Special use 17-14	25-14

*as amended

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

D)
IN THE MATTER OF APPROVING
OF AIA DOCUMENT G802-2007,
AGREEMENT BETWEEN ST. JOSEPH
COUNTY BOARD OF COMMISSIONERS
AND DLZ INDIANA, LLC FOR THE
PUBLIC SAFETY ANSWERING
POINT CONSOLIDATION PROJECT

Ms. McClure moves to table the above matter.
Motion seconded by Mr. Thomas.
Motion adopted by a 3-0 vote.

E)
IN THE MATTER OF APPROVING
THE COUNTY FIRE SIMULCAST
UPGRADE PROPOSAL

Ms. McClure says that this an important step for us with working with PSAP. It helps us to communicate County wide and it incorporates Walkerton more into our system.
Ms. McClure moved to accept the above request as read and outlined.
Motion seconded by Mr. Thomas.
Motion adopted by a 3-0 vote.

BOARD OF PUBLIC WORKS:

A)
IN THE MATTER OF APPROVAL
OF A BID REQUEST FOR
R&S 91401S COUNTY SEALING
PROGRAM

It is requested that this be advertised on Friday June 20 & 27, 2014 with a bid opening on July 15, 2014.

Motion made by Ms. McClure to accept the recommendation of the Department of Public Works in reference to the above advertisement request as read and outlined.
Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

B)
IN THE MATTER OF APPROVAL
OF A PERSONAL PROTECTIVE
EQUIPMENT POLICY-
HIGHWAY DIVISION

The purpose of the policy is to promote compliance with State and Federal Laws involving the health and safety of County Highway employees. The policy identifies the type of PPE the County will provide and the circumstances and conditions under which it is provided, replaced and to be used.

Motion made by Ms. McClure to accept the recommendation of the Department of Public Works in reference to the above policy as read and outlined.

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

C)
IN THE MATTER OF APPROVAL
OF A CONSULTANT SELECTION
FOR THE ENGINEERING SERVICES
FOR THE BRIDGE NO. 62 OVER
YELLOW BANK ON WALNUT ROAD

It is recommended the project be awarded to CHA Consulting Inc.

Motion made by Ms. McClure to accept the recommendation of the Department of Public Works in reference to the above award request as read and outlined.

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

D)
IN THE MATTER OF APPROVAL
OF AN AUCTION ENGAGEMENT
AGREEMENT FOR SURPLUS
HIGHWAY EQUIPMENT AND
INVENTORY

The County agrees to compensate Key Auctioneers for their services as follows, a 10 percent of the sale proceeds commission, a Buyer's Premium at 12 percent of the gross sales, other contractual expenses and \$3800.00 base fee. Key Auctioneers will remit the proceeds to the County within 21 days after the sale.

Motion made by Ms. McClure to accept the recommendation of the Department of Public Works in reference to the above request as read and outlined.

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

E)
IN THE MATTER OF APPROVAL
OF CHANGE ORDER NO. 2 FOR
R-30291 GUMWOOD ROAD
RECONSTRUCTION PHASE I

The revised contract amount is \$3275677.42, which is an increase in the original contract amount by 5.2 percent.

Motion made by Ms. McClure to accept the recommendation of the Department of Public Works in reference to the above change order as read and outlined.

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

F)
IN THE MATTER OF APPROVAL
OF CHANGE ORDER NO.3 FOR
R-30291 GUMWOOD ROAD
RECONSTRUCTION PHASE I

The revised contract amount is \$3809623.92, which is an increase in the original contract amount by 21.9 percent. Change order No. 3 provides for the local extension of the water main to provide fire protection, meet the demand needs and improve service for the City of Mishawaka utility customers.

Mr. Thomas says that as this document states this is not subject to an 80/20 split. I do support clean water for residents but I do not support doing this element without an interlocal agreement between the City of Mishawaka, Clay Township, Harris Township and St. Joseph County which spells out that St. Joseph County taxpayers will be fully reimbursed. This request for over a half million dollars and the nearly \$130000.00 request approved by the Board of Commissioners on Tuesday April 1st, 2014 by a vote of 2-1 for engineering services totals over \$663000.00 of county funds being spent for a Mishawaka city water project and today's request for over a half million dollars is for phase one only. Will phase 2 cost county residents another half million dollars. The absence of an inter local agreement seems very improper and does not protect county taxpayers funds. Mishawaka water department should pay to run their own water lines.

Mr. Kostielney says that under normal circumstances there would have been some memorandum of understanding or some document. If we would have waited two or three months to get that paperwork filed we would have missed this opportunity to do this while the construction was being done on the Gumwood project. This is the kind of project that I would applaud that we are leveraging our assets from local units of government to help perform a project that would be difficult to do outside of this. Both Harris and Clay townships have agreed to submit funding for this as has the city of Mishawaka. This is not a project for the city of Mishawaka but for the residents of Harris and more importantly for the fire protection of that area which is needed at this time.

Mr. Thomas says that this project has been going on for nearly 20 years and if Mishawaka wanted to be involved they had 20 years to be involved and whereas the last contract regarding this matter was approved on April 1st it seems that in the last several months an inter local agreement could have been obtained with the other municipalities. Public and private meetings with people pledging funds is not the same as having a contract that they will pay x amount of money.

Motion made by Ms. McClure to accept the recommendation of the Department of Public Works in reference to the above request as read and outlined.

Motion seconded by Mr. Kostielney.

Motion adopted by a 2-1 vote.

G)
IN THE MATTER OF APPROVAL
OF AN IRREVOCABLE LETTER
OF CREDIT FOR THE FARMS
SUBDIVISION

This is drawn on First State Bank of Middlebury, Mishawaka, IN. This letter extends the expiration date to November 10, 2014, in the amount of \$9000.00.

H)
IN THE MATTER OF APPROVAL
OF AN IRREVOCABLE LETTER
OF CREDIT FOR BOULDER BAY
SUBDIVISION

This is drawn on First State Bank of Middlebury, Mishawaka, IN. This letter extends the expiration date to November 10, 2014, in the amount of \$54419.00.

I)
IN THE MATTER OF APPROVAL
OF AN IRREVOCABLE LETTER
OF CREDIT FOR NEW PRAIRIE
KNOLLS SUBDIVISION PHASE III

This is drawn on First State Bank of Middlebury, Mishawaka, IN. This letter extends the expiration date to November 10, 2014, in the amount of \$75000.00.

J)
IN THE MATTER OF APPROVAL
OF AN IRREVOCABLE LETTER
OF CREDIT FOR WESTWOOD
KNOLLS SUBDIVISION PHASE IV

This is drawn on First State Bank of Middlebury, Mishawaka, IN. This letter extends the expiration date to November 10, 2014, in the amount of \$9820.00.

K)
IN THE MATTER OF APPROVAL
OF AN IRREVOCABLE LETTER
OF CREDIT FOR NEW PRAIRIE
KNOLLS SUBDIVISION

This is drawn on First State Bank of Middlebury, Mishawaka, IN. This letter extends the expiration date to November 10, 2014, in the amount of \$9200.00.

L)
IN THE MATTER OF APPROVAL
OF AN IRREVOCABLE LETTER
OF CREDIT FOR STONE OAK FARMS
SUBDIVISION

This is drawn on First State Bank of Middlebury, Mishawaka, IN. This letter extends the expiration date to November 10, 2014, in the amount of \$25000.00.

Motion made by Ms. McClure to accept the recommendation of the Department of Public Works in reference to the above irrevocable letters of credit as read and outlined.

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

M)
IN THE MATTER OF APPROVAL
OF A LETTER OF CREDIT
CASH IN FOR COUNTRY
FARM ESTATES SUBDIVISION,
SECTION ONE

This is drawn under Bank of America of Scranton, Pennsylvania. This is in the amount of \$40000.00.

N)
IN THE MATTER OF APPROVAL
OF A LETTER OF CREDIT
CASH IN FOR AUGUSTINE
LAKE SUBDIVISION,

This is drawn under 1ST Source Bank, South Bend, Indiana. This is in the amount of \$60000.00.

Motion made by Ms. McClure to accept the recommendation of the Department of Public Works in reference to the above letter of credit cash in as read and outlined.

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

P)

IN THE MATTER OF APPROVAL
OF A LETTER OF AGREEMENT
WITH PENN-HARRIS-MADISON
(PHM) FOR MATERIAL PURCHASING,
AND OTHER MISCELLANEOUS
WORK PARTNERSHIP

In this agreement the County agrees to provide engineering services, construction oversight and construction materials to PHM and PHM agrees to reimburse the County for materials at cost, and labor plus overhead.

Mr. Thomas says this is a great example of an interlocal agreement pointing out the repayment of items.

Motion made by Ms. McClure to accept the recommendation of the Department of Public Works in reference to the above event as read and outlined.

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

Q)

IN THE MATTER OF APPROVAL
OF A QUOTE AWARD FOR
SALVAGE ROAD MATERIAL
FOR SUB-BASE

It is recommended that the award for this project be given to Mt. Carmel Stabilization Group, Inc. with a low quote of \$35476.76.

Motion made by Ms. McClure to accept the recommendation of the Department of Public Works in reference to the above quote award as read and outlined.

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

R)

IN THE MATTER OF APPROVAL
OF A QUOTE AWARD TO REPAIR
ROCKSTROH ROAD OVER WALTERS
DITCH-CULVERT LINING

It is recommended that the quote award go to HRP Construction in the amount of \$26775.00.

Motion made by Ms. McClure to accept the recommendation of the Department of Public Works in reference to the above quote award as read and outlined.

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

ADD ON

IN THE MATTER OF APPROVAL
OF A REVISED BID REQUEST FOR
R&S 91401 D-1 AND D-2
MAINTENANCE ASPHALT
OVERLAY PROGRAM

It is requested that this be advertised on Friday June 20th and 27th, 2014 with a bid opening on July 15, 2014.

Motion made by Mr. Thomas to reject all previous bids on the above mentioned project.

Motion seconded by Ms. McClure.

Motion adopted by a 3-0 vote.

Motion made by Mr. Thomas to accept the recommendation of the Department of Public Works in reference to the above revised bid request as read and outlined.

Motion seconded by Ms. McClure.

Motion adopted by a 3-0 vote.

DEMOLITION HEARING

IN THE MATTER OF APPROVAL OFA DEMOLITION HEARING

A) Property located at 52704 Ida Street, South Bend, IN., Clay Township.

Mr. Kostielney says that he would like to applaud both the Health Department and the Building Department for fast tracking this to the point where we are able to have a demolition hearing today. This is new for us so I will turn this over to our legal counsel. Counsel states that we are here on the notice of public hearing on the order of compliance issued by the building department and the notice notifying the public of the hearing today. Are there any landowners or interested parties wishing to be heard in reference to the property 52704 Ida Street?

Phylcia Scott, 52682 Ida Street, South Bend, IN.

Ms. Scott expresses her appreciation to all those involved as this is very important to her and her family and goes over the concerns of the home still being there.

Charles Bulot, Building Commissioner, 125 S. Lafayette South Bend, IN.

Mr. Bulot says he was notified a while back about the conditions of this home through Mr. Nelson at the Health Department. Further investigation showed that indeed these were unhealthy conditions. I made a recommendation of condemnation. Legal notices have been sent and verified. Everything to date is in order for demolition of this property and I suggest we move forward.

Mr. Thomas extends his praise and thanks. What is the time line once bids are solicited?

Mr. Bulot says that the notice of bids is to take place and then the opening of bids is to take place on July 8th. At that time we would proceed as expeditiously as possible.

Motion made by Ms. McClure to accept the recommendation of the Building Department as read and outlined.

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

OLD BUSINESS:

None

PUBLIC COMMENTS:

None

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

17TH DAY OF TERM JUNE TERM TUESDAY, JUNE 17, 2014