

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 January 20, 2014 at the hour of 10:00 a.m. (EST) at which time in the following members were present: Andrew Kostielney, Dave Thomas, and Dr. Deborah Fleming D.M.D. were present.

**PLEDGE OF ALLEGIANCE**

The minutes of the last meeting were unanimously approved.

Michael J. Hamann, County Auditor, was present and recorded the minutes of the meeting.

Mr. Kostielney announces that the demolition hearing that was scheduled for today has been canceled as the owner is pursuing this on his own.

**OPENING AND READING OF BIDS ON:**

2015 Police Patrol vehicles

Major Dean Chandler, County Police, 401 W. Sample St.

Group 2 4x4 utility vehicles

Jordan Automotive group  
Mishawaka, IN

Group 1 all-wheel drive sedans

Jordan Automotive group  
Mishawaka, IN.

Group 3 2015 Police Impalas

Gates Chevy World  
Mishawaka, IN.

Dr. Fleming moved to accept the above request.  
Motion seconded by Mr. Thomas.  
Motion adopted by a 3-0 vote.

**REPORTS AND REQUESTS FROM:**

**COMMISSIONERS**

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

Dr. Fleming 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:

<b>Settlement Request</b>	
<b>Department</b>	<b>Description</b>

<b>Surplus Requests</b>	
<b>Department</b>	<b>Description</b>
Area Plan Commission	An obsolete chair, desk, Optiquest monitor and HP printer
County Clerk	Thirteen Typewriters and Ten Forms Printers
Health Department	An obsolete rolling cart
Prosecuting Attorney	Two broken wooden tables, one desk, and Two – 2 Drawer Filing Cabinets

<b>Travel Requests</b>		
<b>Department</b>	<b>Description</b>	<b>Cost Estimate</b>
Adult Probation	Indianapolis, IN / January 14, 2015	\$161.00
Adult Probation	Indianapolis, IN / February 3, 2015	\$35.00
Adult Probation	Indianapolis, IN / February 3, 2015	\$186.00
County Clerk	Elkhart, IN / January 5-7	\$14.85
County Clerk	Indianapolis, IN / February 3-4, 2015	\$425.00
County Council	Indianapolis, IN / February 3-4, 2015	\$980.00
County Assessor	Indianapolis, IN / February 3-4, 2015	\$495.10
EMA	Columbus, IN / February 11-12, 2015	\$542.00
EMA	Indianapolis, IN / February 24-25, 2015	\$668.64
Health Department	Warsaw, IN / January 26, 2015	\$22.50
Prosecuting Attorney	Chicago, IL / January 22, 2015	\$35.00
Prosecuting Attorney	Indianapolis, IN / February 17-19, 2015	\$115.99
Prosecuting Attorney	Knoxville, TN / February 17-20, 2015	\$790.00
Public Works	Indianapolis, IN / February 11, 2015	\$35.00
Public Works	Warsaw, IN / January 22, 2015	\$35.00
Sheriff	Mankato, MN / January 12, 2015	\$884.00
Sheriff	Fishers, IN / February 16-27, March 16-27 and April 20-May 1, 2015	\$10,020.00
Sheriff	Fishers, IN / February 16-27, 2015	\$3,340.00
Sheriff	Peoria, IL / March 17-19, 2015	\$1,368.00

Motion was made by Dr. Fleming to accept the consent Agenda.

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

**C)**  
**IN THE MATTER OF APPROVING**  
**RESOLUTION R-1-C-2015**

It is requested to conduct the County Commissioners sale online with SRI this year for the dates of March 19 through March 23, 2015. We are also requesting permission to advertise the sale in the South Bend Tribune and the Mishawaka Enterprise on the dates that will comply with the tax sale.

Dr. Fleming moved to accept the above request.

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

**D)**  
IN THE MATTER OF APPROVING  
A PAYMENT AND REDEMPTION  
OF THE ST. JOSEPH COUNTY  
INDIANA VARIABLE RATE  
EDUCATIONAL FACILITIES  
REVENUE BONDS, SERIES 2003,  
SERIES 2005, AND SERIES 2007  
(UNIVERSITY OF NOTRE DAME  
DU LAC PROJECT) AND  
DOCUMENTS AUTHORIZING THE  
PAYMENT AND REDEMPTION

Beth Swift, University of Notre Dame, 16339 Baywood Ln.  
Ms. Swift says that the University is in the process of issuing \$400,000,000.00 in taxable fixed rate debt. A portion of this bond issue will refund three current outstanding series, 2003, 2005, and 2007 bonds which were tax exempt bond issues. St. Joseph County was the conduit issuer of those. We are now issuing debt to refund those three issues. I brought documents with me they are essentially waivers and certificates for the Commissioners to acknowledge that they understand that the University is issuing this to redeem the bonds. The University will be paying the interest until the redemption date. The University is directing the co-trustee to take action to affect the redemption of the bonds. Also a waiver to receive a 45 day written notice about the redemption. Council states that he has reviewed these documents with outside council and Ms. Swift has documents for you to sign and they are very straight forward. This is good for the University as well as the County.

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

**E)**  
IN THE MATTER OF APPROVING  
AN EXTENSION OF CONTRACTUAL  
SERVICES AGREEMENT BETWEEN  
PURDUE UNIVERSITY AND ST.  
JOSEPH COUNTY

Eddie Sutton, Purdue Extension.  
Ms. Sutton explains that this is an annual agreement that is up for renewal.

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

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

<u>BILL NO.</u>	<u>ORDINANCE NO.</u>
78-14	01-15
79-14	02-15

\*as amended

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

**EMERGENCY MANAGEMENT:**

**IN THE MATTER OF APPROVING  
A REQUEST FOR PERMISSION  
TO APPLY FOR THE STATE  
HOMELAND SECURITY  
PROGRAM (SHSP) GRANT**

Kalie Ziots, Deputy Director, 4714 Lathrop St., South Bend, IN.

Ms. Ziots asks to pursue the State Homeland Security Program (SHSP) Grant. The amount of this grant is \$11100.00 which will be utilized to convert three of the existing Outdoor Warning System Sirens to the AC/DC conversion.

Dr. Fleming moved to accept the above request as read and outlined.

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

**HEALTH DEPARTMENT:  
IN THE MATTER OF APPROVING  
TO UPDATE HIPAA/HITECH  
COMPLIANCE PROGRAM**

Dale Deardorff, MD., Interim Health Officer, offices on the 8<sup>th</sup> & 9<sup>th</sup> floor.

Mr. Deardorff explains that this document is to help the Health Department with the HIPAA privacy plan up to date.

Dr. Fleming moved to accept the above request as read and outlined.

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

**ADD ON:**

**HUMAN RESOURCES:  
IN THE MATTER OF APPROVAL  
OF A TRAVEL REQUEST FOR TWO  
STAFF MEMBERS TO ATTEND THE  
2015 SAFETY AND HELTH  
CONFERENCE IN INDIANAPOLIS**

The conference takes place on March 16-18, 2015 with an estimated cost of \$2091.44.

Dr. Fleming 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:**

**CONSENT AGENDA**

A letter of credit cash in Cloverleaf Farms Subdivision, Section III and an irrevocable stand by letter of credit cash in Fernwood Subdivision, Phase Three are removed from the following consent agenda.

Dr. Fleming moved to accept the above request as read and outlined.

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

<b>Development / Subdivision Requests</b>
<b>Description</b>
Irrevocable Letter Of Credit Stone Oak Farms Subdivision
Irrevocable Letter Of Credit New Prairie Knolls Subdivision, Phase III

Irrevocable Letter Of Credit New Prairie Knolls Subdivision, Phase IV
Irrevocable Letter Of Credit Boulder Bay Subdivision
Irrevocable Letter Of Credit The Farms Subdivision
Irrevocable Letter Of Credit Westwood Knolls Subdivision
Irrevocable Standby Letter Of Credit Bradford Shores At Knollwood Subdivision
Irrevocable Standby Letter Of Credit Northbrook Shores Subdivision
Letter Of Credit Cash-In Cloverleaf Farms Subdivision, Section III
Irrevocable Standby Letter Of Credit Cash-In Fernwood Subdivision, Phase Three
Irrevocable Standby Letter Of Credit Cash-In Inverness Woods Subdivision, Section I

<b>Special Event Requests</b>
<b>Description</b>

<b>Traffic Regulatory Requests</b>
<b>Description</b>

<b>Project Completion Requests</b>
<b>Description</b>
S-565 Merrifield Drive Over Juday Creek Bridge Rail Replacement Affidavit
R&S 91401/2-1 Miscellaneous Road Resurfacing/Rehabilitation In Geier's Sterling Acres And Chain-O-Lakes Subdivisions And Wilson Manor Area Affidavit
R&S 91401 S Miscellaneous County Road Sealing Package Affidavit
R&S 91301/1-2 Miscellaneous Road Resurfacing/Rehabilitation In Juday Creek Estates, Greenview North, Swanson Highlands, Windingbrook & Felicity Gardens Subdivisions Affidavit
R&S 91201/1-1 Fir Road Realignment At Adams Road Affidavit
S-57-07/11 Spruce Road Over Pine Creek Bridge Replacement And R&S 91101/2-2 Spruce Road Rehabilitation From Us 6 To Underwood Road Affidavit

Motion made by Dr. Fleming 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.

A)  
 IN THE MATTER OF APPROVAL  
 OF R&S 91401/1-1 MISCELLANEOUS  
 ROAD RESURFACING/REHABILITATION  
 IN BRENDON HILLS, KNOLLWOOD  
 WEST, QUAIL RIDGE, SADDLEBROOK,  
 WATERFORD GREEN AND OTHER  
 SUBDIVISIONS FINAL CHANGE  
 ORDER (NO.1)

The revised contract amount will be \$1228781.23.

Motion made by Dr. Fleming 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.

B)  
IN THE MATTER OF APPROVAL  
OF R&S 91401/3-1 MISCELLANEOUS  
ROAD RESURFACING/REHABILITATION  
IN SAGEWOOD ESTATES, BOWER  
PARK, PARTRIDGE WOODS AND  
OTHER SUBDIVISIONS FINAL  
CHANGE ORDER

The final amount of the project is \$713757.45.

Motion made by Dr. Fleming 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.

C)  
IN THE MATTER OF APPROVAL  
R&S 91301/1-3 MISCELLANEOUS  
ROAD RESURFACING/  
REHABILITATION IN DAWN MANOR,  
BRENDON HILLS, QUAIL VALLEY  
AND QUAIL RIDGE SUBDIVISION  
FINAL CHANGE ORDER

The final amount of this project is \$654833.74.

Motion made by Dr. Fleming 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.

D)  
IN THE MATTER OF APPROVAL  
OF R&S 91201/1-1 FIR ROAD  
REALIGNMENT AT ADAMS  
ROAD FINAL CHANGE ORDER  
REVISED

The revised contract amount will be \$832265.11.

Motion made by Dr. Fleming 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 BID REQUEST 2015 HIGHWAY  
ANNUAL BIDS FOR:  
-PIPE BRIDGE & GUARDRAIL MATERIALS  
-MISCELLANEOUS AGGREGATE MATERIALS  
-BITUMINOUS PATCHING MATERIALS  
-LIQUID BITUMINOUS MATERIALS  
-FUEL & OIL MATERIALS  
-PAINT & TRAFFIC SIGNAGE MATERIALS

It is requested that these be advertised on January 23<sup>rd</sup>, and 30<sup>th</sup>, 2015.

Motion made by Dr. Fleming 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.

F)

IN THE MATTER OF APPROVAL  
OF PROPOSALS FOR VARIOUS  
FEDERAL AID PROJECTS

The projects are construction engineering services for the Olive Street/Sample Street Overpass intersection reconstruction and construction engineering services for the McKinley Highway at Ash Road intersection improvement.

It is requested that these be advertised on January 23<sup>rd</sup>, and 30<sup>th</sup>, 2015.

Motion made by Dr. Fleming 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.

G)

IN THE MATTER OF APPROVAL  
OF STATE LOCAL PUBLIC  
AGENCY COORDINATION  
CONTRACT FOR THE OLIVE  
STREET & SAMPLE STREET  
INTERSECTION IMPROVEMENT  
DES. NO. 1401191 AND 1401192

The agreement outlines the fiscal and construction responsibilities of each party. The funding is an 80/20 split.

Mr. Thomas asks Ms. Clark about the 20 percent local match and the City of South Bends participation in this.

Jessica Clark, County Engineer, offices on the 7<sup>th</sup> floor.

Ms. Clark says that we already have an inter local agreement that establishes what the physical responsibilities of each party is. Overall the funding has probably changed a little bit because South Bend has actually added scope. So their contribution is actually higher than ours due to their scope of work is higher.

Motion made by Dr. Fleming 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.

H)

IN THE MATTER OF APPROVAL  
OF STATE LOCAL PUBLIC  
AGENCY COORDINATION  
CONTRACT FOR THE MCKINLEY  
HIGHWAY AT ASH ROAD  
INTERSECTION IMPROVEMENT  
DES. NO. 1400296

The agreement outlines the fiscal and construction responsibilities of each party. The funding is an 80/20 split.

Motion made by Dr. Fleming 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.

I)  
IN THE MATTER OF APPROVAL  
OF ENGINEERING SERVICES  
PROJECT AWARD-APPROVAL  
OF PRELIMINARY ENGINEERING  
AGREEMENT FOR THE WALNUT  
ROAD OVER YELLOW BANK  
CREEK BRIDGE REPLACEMENT  
PROJECT

This agreement establishes the fee necessary to perform these services at an amount not to exceed \$166900.00. The services include designing the bridge replacement, approach work, environmental services, hydraulic modeling, permits, documentation, plan submittals and coordination as required for Federal Funding.

Motion made by Dr. Fleming 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.

J)  
IN THE MATTER OF APPROVAL  
OF ENGINEERING SERVICES  
PROJECT AWARD-APPROVAL  
OF PRELIMINARY ENGINEERING  
AGREEMENT FOR THE AUTEN  
TRAIL FROM LAUREL ROAD TO  
SR 933 PROJECT

This agreement establishes the fee necessary to perform these services at an amount not to exceed \$122748.00. The services include designing the trail, approach work, environmental services, drainage, pedestrian signalization upgrades, permits, documentation, plan submittals and coordination as required for Federal Funding.

Motion made by Dr. Fleming 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.

K)  
IN THE MATTER OF APPROVAL  
OF ENGINEERING SERVICES  
PROJECT AWARD-APPROVAL  
OF PRELIMINARY ENGINEERING  
AGREEMENT FOR THE LASALLE  
TRAIL EXTENSION PHASE III  
FROM DARDEN ROAD TO AUTEN  
ROAD PROJECT

Motion made by Dr. Fleming to table the above request as read and outlined.

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

L)  
IN THE MATTER OF APPROVAL  
OF ENGINEERING SERVICES  
PROJECT AWARD-APPROVAL  
OF PRELIMINARY ENGINEERING  
AGREEMENT FOR THE FIR ROAD  
AT BRICK ROAD ROUNDABOUT  
INTERSECTION IMPROVEMENT  
PROJECT

This agreement establishes the fee necessary to perform these services at an amount not to exceed \$326775.00. The services include designing the roundabout, approach work, environmental services, drainage, lighting, permits, documentation, plan submittals and coordination as required for Federal Funding.

Motion made by Dr. Fleming 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.

M)

IN THE MATTER OF APPROVAL  
OF ADAMS TRAIL PHASE II  
PROJECT AGREEMENT WITH  
FRIENDS OF GRANGER PATHS, LLC

This agreement outlines the fiscal, design, and construction responsibilities of each party. Federal Aid Transportation Alternative Program monies fund all phases of the project-design, right of way, and construction.

Motion made by Dr. Fleming 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.

N)

IN THE MATTER OF APPROVAL  
OF PROPOSALS FOR THE ST.  
JOSEPH COUNTY HIGHWAY  
FLEET LEASING AND  
MANAGEMENT PROGRAM

It is requested that this be advertised on January 23, and 30, 2015 with a bid opening on February 17, 2015.

Motion made by Dr. Fleming 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.

**OLD BUSINESS:**

DEMOLITION HEARING:

BUILDING DEPARTEMENT  
IN THE MATTER OF APPROVING  
THE DEMOLITION OF A PROPERTY  
AT 64555 US 31, LAKEVILLE, IN.

The hearing has been canceled.

Dr. Fleming moved to accept the above request as read and outlined.

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

**PUBLIC COMMENTS:**

**None**

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

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ST. JOSEPH COUNTY COMMISSIONERS