

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 4, 2015 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.

OPENING AND READING OF BIDS ON: None

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:

Settlement Requests	
Department	Description

Surplus Requests	
Department	Description
County Assessor	A broken copier and a broken chair
County Council	An obsolete wooden table
Health Department	Three broken copiers

Travel Requests		
Department	Description	Cost Estimate
Adult Probation	Niles, MI / November 4, 2015	\$13.50
Adult Probation	Elkhart, IN / November 6, 2015	\$15.75
Adult Probation	Plymouth, IN / November 6, 2015	\$81.00
BOC/Economic Develop.	Fort Wayne, IN / December 1, 2015	\$472.12
Community Corrections	Indianapolis, IN / November 18-20, 2015	\$849.97
Community Corrections	Indianapolis, IN / November 19 & 23, 2015	\$549.19
Community Corrections	Indianapolis, IN / November 23, 2015	\$35.00
County Assessor	Indianapolis, IN / November 16, 2015	\$237.64
County Clerk	Indianapolis, IN / December 14-16, 2015	\$1,862.90
Dept. of Public Works	Indianapolis, IN / January 5, 2016	\$35.00 + fuel
Health Department	Indianapolis, IN / November 6, 2015	\$639.00
Prosecuting Attorney	Indianapolis, IN / October 27-28, 2015	\$667.74
Prosecuting Attorney	Revised / Indianapolis, IN / October 30, 2015	\$1,335.50

Prosecuting Attorney	South Bend, IN / November 12, 2015	\$1,680.00
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Motion was made by Dr. Fleming to accept the consent Agenda.
Motion seconded by Mr. Thomas.
Motion adopted by a 3-0 vote.

**ADD ON
ELECTION BOARD:
IN THE MATTER OF APPROVING
A REQUEST TO APPLY FOR THE
HAVA GRANT**

It is request to apply for the HAVA Grant (Help America Vote Act). This is to help fund handicapped accessibility improvements required by law at a new polling place.

Motion was made by Dr. Fleming 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 CERTIFY THE RECORD OF
APPOINTMENT OF LAOCAL
HEALTH OFFICER: DR. LUIS
N. GALUP**

The Board of Health appointed Dr. Luis N. Galup as the full time permanent Health Officer, effective Monday, October 19, 2015. It is requested that the state form 48135 be signed so it can then be submitted to the state for final appointment.

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

**D)
IN THE MATTER OF APPROVING
A MASTER PRODUCTS AND
SERVICE AGREEMENT AND
SUPPLEMENTAL WITH MICROINTEGRATION**

Ian Alford, IT Director, offices on the 2nd floor.
Mr. Alford this is a follow up to for rack space that was previously approved. This is the terms and conditions for this. It outlines the things that we should expect like payment, and the counties ability to recoup some of the costs depending on if that service goes down.

Motion was made by Dr. Fleming to approve the above agreements as read and outlined.
Motion seconded by Mr. Thomas.
Motion adopted by a 3-0 vote.

**E)
IN THE MATTER OF APPROVING
AN APPOINTMENT TO THE ST.
JOSEPH COUNTY AIRPORT
AUTHORITY**

Dr. Fleming nominates Dr. Jay Asdell.
Motion seconded by Mr. Thomas.
Motion adopted by a 3-0 vote.
Mr. Kostielney asks if there are any other nominations.
There are none.
Motion was made by Dr. Fleming to formally appoint Dr. Asdell as read and outlined.

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

F)

IN THE MATTER OF APPROVING
AN APPOINTMENT TO THE
MADISON TOWNSHIP ADVISORY
BOARD

Dr. Fleming nominates Kirsten Marker.

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

Mr. Kostielney asks if there are any other nominations.

There are none.

Motion was made by Dr. Fleming to formally appoint Kirsten Marker as read and outlined.

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

G)

IN THE MATTER OF APPROVING
AN APPOINTMENT TO THE BOARD
OF TRUSTEES OF THE MISHAWAKA
PENN-HARRIS PUBLIC LIBRARY

Dr. Fleming nominates Naomi Rae.

Mr. Thomas nominates Mr. Raymond Vander Heyden.

Mr. Kostielney asks if there are any other nominations.

Seeing none nominations are closed.

Mr. Thomas makes a motion based on the Mishawaka Public Library Board to appoint Mr. Vander Heyden.

Motions fails for lack of second.

Motion was made by Dr. Fleming to appoint Naomi Rea.

Motion seconded by Mr. Kostielney.

Motion adopted by a 2-1 vote.

H)

IN THE MATTER OF APPROVING
A RFQ FOR THE GUARANTEED
ENERGY SAVINGS PROJECT

Counsel says that the RFQ was approved in a little bit different format in a previous meeting. The County Commissioners are in in charge of or will be responsible for the issuance of the RFQ and its advertisement. The decision to proceed with the performance contract lies within the County Council. After the issuance of the RFQ there were inquiries made by vendors perhaps about language in the RFQ that might prevent getting as large of an applicant pool as was request or preferable. Specifically there was language in the RFQ about the vendor having on-site maintenance and monitoring of the energy systems that would be put into place by the project. Myself, and the Attorney for the County Council have revised the RFQ to remove that language. Also language was inserted in the RFQ to make very clear the county shall review bids that contain alternative proposals solutions and various technical approaches and there will be no single solution that will be favored. The determination will be based upon the most beneficial solution for the county and creative alternatives will be considered. We also have had discussions with Mr. Hedl on building more time into the RFQ response process to allow vendors time to come and inspect the various facilities. It meets with our approval.

Mr. Kostielney says this is a little different from other RFQ's in that we are releasing it but I believe the County Council will take official action.

Counsel confirms this.

Motion was made by Dr. Fleming to approve the above agreements as read and outlined.

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

D)

IN THE MATTER OF APPROVING
AN EMPLOYEE CLINIC MANAGEMENT
AGREEMENT WITH BEACON
HEALTH VENTURES

Peter Agostino, 131 S. Taylor, South Bend, IN.

Mr. Agostino explains that the first agreement is for the continuation of management for the employee health clinic. There were some changes that needed to be made. We wanted to make sure Dr. Henderson would be the doctor and that is now in the contract. We wanted a shorter time for termination and that has been done. There were other minor changes that have been done. Beacon has agreed to the changes. We are under an extension agreement now but we are prepared to move forward with this agreement and also the WeCare agreement that is also on the agenda. This has been gone over in a previous meeting. Gives a brief recap. This came to an overall decrease of \$731000.00. It is my recommendation that the Commissioners approve both of these contracts.

Troy Scott, R&R Benefits, 1251 N Eddy St.

Mr. Scott says he believes everyone values the clinic. This was a cost containment strategy to keep costs down. A lot of times you forget about what is going on at the clinic. On the way here I replayed an issue at the clinic with a spouse going there, it was free, they were healthy, but in this visit it was determined that more tests were needed. In the end it was a big thank you to the clinic because if it hadn't been there this issue may not have ever been found. As far as the process it took longer than expected but we now have a very good clinic with these two vendors working together. Gives thanks to all involved with this process.

Mr. Kostielney thanks R&R. I believe this clinic will be benchmarked as one of the finest in the country. We have a clinic that meets everyone's needs and gives us the data we need.

Mr. Thomas says not long ago he voted against this. I am glad to see that changes were made and that an agreement could be worked out to satisfy everyone.

Mr. Thomas asks Mr. Agostino about the previous contract and the voting process.

Mr. Agostino says you should not have to vote again the subsequent contract will supersede that and there is a clause in there to that affect.

Motion was made by Dr. Fleming to approve the above agreement as read and outlined.

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

J)

IN THE MATTER OF APPROVING
AN ELECTRONIC MEDICAL RECORD
SYSTEM LICENSE AGREEMENT
WITH WECARE TLC, LLC

Motion was made by Dr. Fleming to approve the above agreement as read and outlined.

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

ADD ON

IN THE MATTER OF APPROVING
THE RESIGNATION OF TODD GEARS

Mr. Agostino says this is to formally accept the resignation of Todd Gears as the Director of the Public Safety Consortium. This would be affective Friday but due to business issues that could not be accepted until this morning by the executive board. The board has a recommendation for an interim director. At this point I believe it is appropriate for the Commissioners to formally accept the resignation of Mr. Gears affective upon acceptance here today.

Motion was made by Dr. Fleming to approve the above recommendation as read and outlined.

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

**ADD ON
IN THE MATTER OF APPROVING
AN INTERIM DIRECTOR TO
THE PUBLIC SAFETY
CONSORTIUM**

Mr. Agostino states that the Executive Board has recommended that Brent Croymans be appointed interim director until a permanent director can be appointed. It is also requested that his pay be elevated to the minimum pay range for this position. I believe this is at \$70000.00.

Mr. Thomas asks for clarification on the pay.

Mr. Agostino says the pay is set at \$70000.00 to \$90000.00. The Executive Board recommended that for the period Mr. Croymans serves as interim director that his pay be elevated to the \$70000.00.

Mr. Thomas gives praises to Mr. Croymans.

Motion was made by Dr. Fleming to approve the above recommendation as read and outlined.

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

**PUBLIC SAFETY COMMUNICATIONS CONSORTIUM
IN THE MATTER OF APPROVING
AN AGREEMENT WITH LOCUTION
SYSTEMS, INC. FOR THE PRIMEALERT
CAD VOICE SYSTEM**

Counsel states that the technical issues in this were approved by the operations board and this is the final contract that will come in front of the Commissioners as part of the technology solutions. My firm requested changes as to law and venue, extending the time for payments to be made and reducing the interest rate in the event of a payment default. My firm has reviewed this and it meets approval.

Motion was made by Dr. Fleming to approve the above recommendation as read and outlined.

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

BOARD OF PUBLIC WORKS:

CONSENT AGENDA:

Development / Subdivision Requests
Description
Change Order No. 1, Maintenance Asphalt Overlay Program
Change Order No. 1, Miscellaneous Road Resurfacing in District 1 Subdivisions
Change Order No. 1, Pavement Preservation Package, "Bid F"
Change Order No. 1 / Final Change Order, Willowgate Subdivision
Irrevocable Letter of Credit as Surety, Northbridge Valley, Section Two A

Special Event Requests
Description

Traffic Regulatory Requests

Description

Project Completion Affidavit Requests
Description
Willowgate Subdivision, R&S 91401/1-2

Motion made by Dr. Fleming to accept the recommendation of the Department of Public Works in reference to the above consent agenda as read and outlined.
 Motion seconded by Mr. Thomas.
 Motion adopted by a 3-0 vote.

**ADD ON
 IN THE MATTER OF APPROVING
 DATES FOR RESIDENTS TO
 BURN LEAVES**

Jessica Clark, County Engineer, offices on the 7th floor.
 Ms. Clark states that per ordinance the Commissioners are permitted to add a burn amnesty week to the burn ban ordinance. By looking at the weather forecasts and the progress of Greenworld the week of the 16th, Thanksgiving week, and the week starting the 30th would be potential candidates for that. I don't anticipate Greenworld being complete by the week of the 16th with the third and final pass. I believe that by Thanksgiving they should be done although the weather is always a factor.
 Mr. Thomas states that there is also a third option. He confers with counsel as to if you have to have a burn amnesty week at all.
 Counsel says that you are authorized to do it and it is in the purview of the Commissioners if you want to have an amnesty or not.
 Mr. Thomas says that he feels it has been excessively dry and in light of public safety as a third option not to have a burn amnesty this fall.
 Mr. Kostielney says that from a homeowner's perspective they believe that they will have at least a week in which they can burn and some may have been planning that into how they are going to get rid of their leaves so at this point it would be difficult to not offer that.
 Mr. Thomas comments that people are already burning.
 Dr. Fleming suggests that the 30th seems to be the best time for the burn amnesty week.
 Mr. Thomas says he leans toward there being no burn amnesty week but if there is one not around the holidays.
 Mr. Kostielney says if there is a burn amnesty it would be after the holidays.
 Mr. Thomas makes a motion for no burn amnesty week.
 Motion fails for lack of a second.
 Dr. Fleming makes a motion to have the burn amnesty to start on November 30th.
 Mr. Kostielney seconds the motion.
 Motion adopted by a 2-1 vote.

OLD BUSINESS: None

PUBLIC COMMENTS:

Dr. Fleming commends the poll workers for their hard work.

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.

04TH DAY OF TERM NOVEMBER TERM TUESDAY, NOVEMBER 4, 2015