

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 February 7, 2017 at the hour of 10:00 a.m. (EST) at which time in the following members were present: Andrew Kostielney, Dr. Deborah Fleming D.M.D., and Dave Thomas 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:

Public Works: 2017 St. Joseph County Highway Annual Bids for:

1) Fuel, Oils, Lubricants and Miscellaneous Materials

Bellman Oil Company
550 East 2nd Street
Bremen, IN 46506

Co-Alliance, LLP
16724 Bakertown Road
Buchanan, MI 49107

Crystal Flash
1754 Alpine Ave. NW
Grand Rapids, MI 49504

Mansfield Oil Company
1025 Airport Parkway SW
Gainsville, GA 30501

Nelson Fuel, Inc.
1511 South Olive Street
South Bend, IN 46619

North Central CO-OP
1-800-720-0550

Petroleum Traders Corporation
7110 Pointe Inverness Way
Fort Wayne, IN 46804-7928

RelaDyne
950 Wabash Ave.
Chesterton, IN 46304

Superior Petroleum Products, Inc.
865 N. Superior Drive
Crown Point, IN 46307

Yoder Oil Company
1221 N. Nappanee
Elkhart, IN 46514

2) Liquid Bituminous Materials

Asphalt Materials, Inc.
2820 E. Durbin Street

Warsaw, IN 46580

The Klink Group of Companies
P.O. Box 428
Ashley, IN 46705

3) 2017 Miscellaneous Aggregate

Phoenix Services LLC
1190 E. Loop Road
Portage, IN 46368

Rieth-Riley Construction Co., Inc.
P.O. Box 1775
South Bend, IN 46634

The Klink Group of Companies
P.O. Box 428
Ashley, IN 46705

U.S. Aggregates, Inc.
14530 W. 700 South
Francesville, IN 47946

Dr. Fleming moved to accept the above proposals for further study and review.
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
MEMORANDUM OF UNDERSTANDING
BETWEEN ST. JOSEPH COUNTY
PROSECUTOR AND ST. JOSEPH
COUNTY REGARDING ENFORCMENT
OF ORDINANCES

Ken Cotter, Prosecuting Attorney, offices on the 10th floor.

I have been in many conversations with our attorneys about ordinance violations. You have before you a memorandum of understanding between our office and St. Joseph County concerning how to handle those ordinance violations having to do with traffic. The Prosecutors office traditionally has been handling those. It was brought to my attention that there was no agreement. The statutes don't authorize the Prosecutor to handle ordinance violations. A prosecutor can do if there is an agreement with the legislative body. This agreement encompasses what we had traditionally been doing. We ask for approval.

Mr. Thomas. Gives thanks for the Prosecutors efforts. Would the smaller towns now use our county ordinances?

Mr. Kotter. Yes. As soon as I found out there was no agreement I discontinued enforcing any of those. It has caused some consternation with some of the smaller districts. We informed them if this was approved we would give them a copy and I would be more than happy to handle those.

Counsel. This is incorporated with the resolution that is next so these can be voted on together.

C)
IN THE MATTER OF APPROVING
RESOLUTION R-C-2-2017
AUTHORIZING THE ST. JOSPEH
COUNTY PROSECUTOR TO
ENFORCE ORDINANCES
WITHIN ST. JOSEPH COUNTY

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

D)
IN THE MATTER OF APPROVING
RESOLUTION R-C-3-2017 OFFICIALLY
AUTHORIZING EMINENT DOMAIN
PROCEEDINGS FOR PROPERTY
LOCATED AT 29167 US 20,
NEW CARLISLE, IN

Mr. Thomas says that this has not been properly advertised with the correct address and feels it should not be acted upon.

Counsel. The agenda was published with this resolution the address is incorrect, it is the owners physical address where they reside. The condemnation relates to the undeveloped farm land located in New Carlisle in the economic development area. It was identified correctly by parcel number. Mr. Thomas is correct the original resolution contains an error with the address. I will tell you that prior to getting to this point we don't need anything else from the landowners at this point. They received notification of the counties offer, the appraisal, the county has had communication with their attorney. We have received a counter offer. It is up to your discretion if you proceed or not as the agenda can be changed at any time.

Mr. Kostielney. What is your legal recommendation?

Counsel. I would proceed with consideration for the resolution. Both parties' attorneys have been in contact with each other on this matter.

Mr. Thomas. I disagree that this is not just a formality but a public hearing where citizens are allowed to speak publically before or after any vote. Even the revised agenda lists the wrong address.

Mr. Kostielney. If the address listed was for a different property owner and then they may not have been aware of it but if it is the same property owner that they were informed that they were going to condemn a different piece of property they would have the same notification to come in and discuss that.

Mr. Thomas. When there is a change in a zoning appeal a property owner would certainly know about it and anyone within so many feet would be notified by certified mail.

Mr. Kostielney. They were notified.

Mr. Thomas. By certified mail.

Mr. Schalliol. That is not a requirement to this step in the process. I would request that this be tabled so that it can properly appear on your agenda.

Dr. Fleming moved to table 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 APPOINTMENT TO THE
ST. JOSEPH RIVER BASIN
COMMISSION

Mr. Thomas would like to appoint Roger T Nawrot as his proxy.

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
A CONSULTING AGREEMENT
BETWEEN ST. JOSEPH COUNTY
AND KEYSTONE/BENEFITS
DIVISION**

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

This agreement is setting up retaining Keystone Benefits to provide consulting services in connection with input and review and process of proposals that later on the agenda for group insurance health benefit consultant and broker that has been under consideration.

Mr. Kostielney. This is borne out of the council that we take a look at our group insurance program?

Mr. Agostino. Yes the council with being concerned with the physical cliff is looking at all avenues it can save money. One of the items was if there could be any savings with the health plan and out of the process consideration has been given to requesting proposals for a consulting broker and in connection with that there are a lot of other services that are performed in connection with maintenance of our health plan, employee benefit plans from selection of the stop loss carrier, third party claims administrator, pre-certification and the employee health clinic. So as we solicit proposals if the Commissioners want to go forward with the RFP for that we think it would be beneficial to have an independent consultant also participate in that review. This particular one would not be bidding for the position of the broker/consultant position. The consulting I believe was quoted at \$15000.00. I am estimating 40-60 hours of work plus meetings and follow up. I think this is beneficial for us for them to oversee and add input.

Mr. Kostielney. It is challenging to find a more local vendor who is willing to serve in this role and then forfeit the ability to submit a proposal as well.

Mr. Agostino. That is correct. As we have a number of vendors interested in submitting a proposal.

Mr. Thomas. The council not being the executive body may not be aware of how hard it was several years of studying by our vendors, staff, and suppliers to meet the rigors of Obama Care. Did the Counsel express any dissatisfaction with our health care plan?

Mr. Agostino. There has been some dissatisfaction. The deals with some of the reporting on where things stand and having some measurable success relevant to the clinic. In reference to doctor care and performance that is satisfactory. It is mainly are we doing the best that we can be doing. This is not an isolated incident it is an overall process of looking at a number of different high cost things on the budget and seeing can there be improvement.

Mr. Thomas. There were reports showing from the reports that we are supplying really good service at a low cost. This is just a little surprising that this would go on. As they are not the Executive Branch I don't think they know what a giant task this is. Does Keystone have experience with government and a large number of employees, insurance and a clinic?

Mr. Agostino. Their expertise would be coming in on the review of services and qualifications provide services by the agent broker and evaluating that type of proposal. That is what the RFP is calling for. Whoever would be selected would undertake those other items. The RFP addresses that and what may happen with Obama Care. Keystone would deal with the services and the financial aspects.

Mr. Thomas. Considering the changes that President Trump may have it doesn't make a lot of sense to me to speculate and jumping ship and wasting a lot of people's time and even \$15000.00 of taxpayer's money. Since I am not going to support the RFP I cannot support this agreement.

Mr. Kostielney. I have been on record about the high quality of insurance we provide and the price. Even many augments with council about this issue but it does fit into what we do with our health program. We try and look at that. This is probably a little earlier than we normally would look at something but I am confident we will have an even better product than we currently have through this process. I agree with many of the comments by Mr. Thomas about the value of our health insurance program.

Mr. Thomas again stresses the issue of Obama Care and if it is replaced.
Short discussion held on changes to come and tabling this matter.

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

G)
IN THE MATTER OF APPROVING
A RE-APPOINTMENT TO THE
HOSPITAL AUTHORITY OF
ST. JOSEPH COUNTY

Dr. Fleming moved to nominate Robert Jamieson.
Motion seconded by Mr. Thomas.
Any other nominations seeing none.
Motion adopted by a 3-0 vote.

H)
IN THE MATTER OF APPROVING
AN RFP FOR GROUP INSURANCE

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

ADD ON
IN THE MATTER OF APPROVING
PART-TIME BENEFITS 2017

Peter Agostino, 131 S. Taylor St., South Bend.
This is a memorandum that provides correction and clarification to part-time benefits under our benefits manual. There was confusion in the past as to what consisted for a day of benefit for the various benefit time periods as it relates to part-time employees vs. full time employees. The schedule that is on page 2 of this memorandum modifies the time to clarify what the day means for part time employees based on the number of hours they worked. It adds clarification to the manual as it exists. There is also clarification on bereavement time.

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

COUNTY POLICE:
IN THE MATTER OF APPROVING
TO PURCHASE A 2017 FORD
PICK UP FOR MOTOR POOL

The low quote is from Jordan Ford and is in the amount of \$30574.00.

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
PERMISSION TO PURSUE
FD11707 LOOKING OUT
FOUNDATION GRANT

John Antonucci, EMA Director, 4714 Lathrop St., South Bend,

We have reached out to the Center of the Homeless to partner with our department on pursuing the Looking out Foundation Grant in the amount of \$3262.00. The purpose of this grant is to support humanitarian outreach efforts for the homeless. If awarded the funds they would be utilized to purchase cots for the Weather Amnesty locations so no one would be turned away for lack of beds.

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:

Development / Subdivision Requests
Description
Irrevocable Letter of Credit Boulder Bay Subdivision
Irrevocable Letter of Credit The 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 Stone Oak Farms Subdivision
Irrevocable Letter of Credit Westwood Knolls Subdivision
Amended Irrevocable Letter of Credit Cloverleaf Farms Subdivision, Section III
Amended Irrevocable Letter of Credit Fernwood Subdivision, Phase Three

Special Event Requests
Description

Traffic Regulatory Requests
Description

Project Completion Requests
Description

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

Jessica Clark, County Engineer, offices on the 7th floor.

A)
IN THE MATTER OF APPROVAL
FOR DONATION OF PROPERTY
BOLAND DRIVE, WEST OF
RIVERSIDE DRIVE

The donation agreement transfers property owned by St. Joseph County to the City of South Bend for their multi-use path project along the north side of Boland Drive. As part of the donation, the City agrees to include and install a drive access as part of the project and will provide and record an access easement to the cemetery site.

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/D-2 MAINTANENCE
ASPHALT OVERLAY PROGRAM
PROJECT COMPLETION AFFIDAVIT

The final project cost is \$1786886.09.

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:

IN THE MATTER OF APPROVING
A REVISED ONE YEAR CONTRACT
RENEWAL FOR INTEGRA DOCUMENT
DESTRUCTION/RECYCLING WORKS

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

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

Bree Roberts, Purchasing Manager, offices on the 7th floor.

They reduced the term of the contract to one year retroactive from the 1st of the year to December 31, 2017. They have also revised the terms and conditions. Either party with or without cause can terminate this agreement with at least 60 days written notice.

Mr. Thomas compliments Ms. Roberts for her efforts. In future years maybe we can do the shredding in house or get the solid waste department to expand and do shredding possibly. Mr. Kostielney. That conversation has taken place with them as when they move into their new facility they may be able to provide that service if they get equipment to do that.

Motion 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.

PUBLIC COMMENTS:

Mr. Thomas. Phil Sutton from Purdue Extension has retired.

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.