

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 22, 2023 at the hour of 6:00P.M.(EST) at which time in the following members were present: Carl Baxmeyer, Derek Dieter, and Dr. Deborah Fleming D.M.D. were present.

**PLEDGE OF ALLEGIANCE**

**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. Dieter.  
Motion adopted by a 3-0 vote.

**B)  
BUSINESS OF THE MONTH**

Cony Express

**C)  
CITIZEN OF THE MONTH-postponed**

**D)  
IN THE MATTER OF APPROVING  
REAPPOINTMENTS TO THE  
MISHAWAKA PENN HARRIS  
LIBRARY BOARD-KAREN BALDINI**

This would be for the reappointment of Karen Baldini.

Dr. Fleming moved to nominate the above individual.  
Motion seconded by Mr. Dieter.  
Seeing no other nominations, nominations are closed.  
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>
4-23	05-23
3-23	06-23
6-23	07-23
7-23	08-23
8-23	09-23
9-23	10-23
10-23	11-23
11-23	12-23
12-23	13-23
13-23	14-23

14-23	15-23
15-23	16-23
16-23	17-23

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

F)  
IN THE MATTER OF APPROVING  
A SETTLEMENT AGREEMENT  
-HRDC & REDMAN

Mr. Misch. Mr. Agostino negotiated this. We did have an issue where the County didn't distribute certain legal materials that should have been. The policy has update to ensure that we are in compliance from here on out. However, this case should be resolved, and we ask for your approval.

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

G)  
IN THE MATTER OF APPROVING  
RESOLUTION R-5-C-2023-  
PURCHASING OF FOUR POLICE  
VEHICLES

Mr. Misch. As we have stated in the past buying vehicles has become harder. We have a department that backed out of buying some vehicles and we would like to use our special purchasing power to buy these four vehicles. That's what this resolution is for.

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

Mr. Baxmeyer clarifies that the next meeting will be in these chambers to next Tuesday at 10:00 for those who want to attend to speak on Voters Registration.

POLICE:  
IN THE MATTER OF APPROVING  
TO PURCHASE FOUR 2023 FORD  
EXPLORERS POLICE MECHANICALS

Dean Chandler, Patrol Commander, South Bend, IN.  
The total cost for the four vehicles will be \$179,504.00.

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

PSAP:  
IN THE MATTER OF APPROVING  
A CONTRACT WITH ADVANCED  
ENGINEERING SERVICES FOR A  
GEOTECHNICAL ENGINEERING  
PROPOSAL FOR THE PSAP  
COMMUNICATIONS TOWER

Mr. Misch. This is needed to bid out for the Tower project. If we can get this issued today we can also authorize the bidding for the Tower project. There would be a caveat of issuing the bids 30 days after the Geotech is in.

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

ADULT PROBATION  
IN THE MATTER OF APPROVING  
TO APPLY FOR A GRANT THROUGH  
THE INDIANA SUPREME COURT  
TESTING FOR DRUGS OF USE IN  
PROBLEM SOLVING COURT

Jesse Carlton, Chief Probation Officer, offices on the 4<sup>th</sup> floor.  
This is a grant we have applied for in the past and would like to do so again.

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

HEALTH  
IN THE MATTER OF APPROVING  
TO APPLY FOR A GRANT THROUGH  
THE IDOH-FUNDING IMMUNIZATION  
SERVICES

Amy Ruppe, Health Department, offices on the 8<sup>th</sup> floor.  
This is for our immunization efforts. This is a grant we have written for and awarded for the last 7 years. The award amount is \$637,000.00.  
Mr. Dieter questions if this was approved by the Health Board.  
Ms. Ruppe states not as of yet.

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

INFRASTRUCTURE, PLANNING AND GROWTH

CONSENT AGENDA

Development / Subdivision Requests
Description

  

Special Events Requests
Description

  

Traffic Regulatory Requests
Description
a) stop sign on De Luna Way at Old Spanish Trail

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

A)  
IN THE MATTER OF APPROVING  
BID REQUESTS: R&S 92204  
MCKINLEY AVE SIDEWALK  
EXTENSION FROM SR 331 AND  
R&S 92205 SR 933 AND RIVERA  
DRIVE IMPROVEMENTS

Sky Medors, County Engineer, offices on the 7<sup>th</sup> floor.  
This is a request to advertise on March 3, & 10<sup>th</sup>, 2023 with a bid opening on March 21,  
2023.

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

**OLD BUSINESS:**

PSAP  
IN THE MATTER OF APPROVING  
TO ADVERTISE BIDS FOR PSAP  
EMERGENCY COMMUNICATIONS  
TOWER

Dr. Fleming moves to remove this item from the table.  
Motion seconded by Mr. Dieter.  
Motion adopted by a 3-0 vote.

Mr. Misch. We would like to authorize staff to take this out for bid. However, we don't  
do this until we have the Geotech information in hand, which we just approved. Once we  
have that we can go through the normal 30 day bid process. At this point we would like  
to authorize allowing the bid to go out upon receipt of the Geotech information.

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

**PUBLIC COMMENTS:**

Dan Caruso, New Carlisle, IN.  
Speaks about the Area Plan meeting and the tabling of the IEC overlay to amend the  
comments made yesterday. Abby and Sean have done a great job on trying to get that to  
meet everybody's approval. I felt very comfortable with it. I was all set for the approval  
until the Chamber of Commerce representative says they think things are to restrictive  
and to many requirements in there and scare business away. I helped to make those rules,  
this is my home you are coming to. If you don't like the rules go put your business  
somewhere else. I feel this is a delay tactic to get some of the things changed and bring  
an undesirable business into the area.

Debra Durall, South Bend, IN.  
I share Dan's feelings also. Reads a passage from a book.

Bradley Loniello, Osceola, IN.  
Speaks on moving here to the county and the restrictions and the ordinance of chickens  
and not being able to have any of their farm animals. I moved to the county to be able to  
grow fruits and vegetables and have farm animals.

Jenny Piontek, Portage Manor volunteer.

Very upset about what is happening at Portage Manor and discusses this issue.

Kim Bowman.

Also, would like to know what is the real story with Portage Manor.

Cynthia Heckman-Davis, Walkerton, IN.

Comments on: being pleased by seeing the various American Rescue plan funds detailed in the agenda.

-attending the Board of Health meeting last week and that the members do not reflect the diversity of our community. A seventh member is to be appointed and there are numerous people of color with a wealth of Public Health knowledge who should be considered for this appointment.

-Council member Drake testified on February 1<sup>st</sup> at the State House against Senate Bill 4 Health initiatives. She testified that she spoke for Mr. Baxmeyer among others. Is that true that she speaks for you? I speak for myself when I say I hope we can all work together to improve the health of those in our county. Have you already made up your mind to be against a bill that would many benefits for St. Joseph County and money for our Health Department? We should get our share of health care dollars for the county. I would like to hear your views as well as the other Commissioners on this bill.

Robyn Challinor, South Bend, IN.

I am here with other taxpayers that are concerned about Portage Manor. The transparency is not okay. We have not seen any of the studies. The public has not seen the renovations verses the rebuilds. MKM were paid with residence room and board funds unless ARP funds were used, I don't know. I do know that that should be public record and transparent to the public to understand why when Mike Misch, who gave the presentation to the council, couldn't back up any facts on his PowerPoint. I don't know what this was based on. Anyone can put things on a PowerPoint, but does that mean it's accurate without facts, or studies paid for by the County. Then you are going to put these people in places that they will be underserved. A population that is already disadvantaged in our community. The most vulnerable people in our community. We deserve transparency and facts of where that information came from on the PowerPoint. Specifically, MKM study, Byron Health study those consultants, what did they come up with? I was appalled to hear that the board members did not know about the Commissioners resolution that was voted on. It had many errors in it. From my understanding everything went to the Portage Manor board of managers and then they would make a recommendation for things to go before the Board of Commissioners, never would our County Attorney present these types of things to the Board. It would always come from the President of the board which I believe is Frank Fotia. He was on the call but did not say anything in favor or against this issue. We need to see the facts to back this up.

Julie Calhoun, South Bend, IN.

I hope you reverse this decision to close Portage Manor. I have a brother that lives there. He is not physically disabled; he is not old enough to be in a nursing home. Where will he go? What is the rush in closing? As the other caller said, I believe it has something to do with the land. There is a deeper agenda here. These are vulnerable people. This is a safe place for him. Show some compassion what if it was one of your family members.

Mike McManus, South Bend, IN.

You passed bill 6-23. One of the items on there was for \$7800.00 to give information and education to black women about prenatal care and care for their babies once they are born. That line item was struck from the appropriations via five to four Republicans majority simply because Amy Drake made up a story that a group that helps black women learn about prenatal care is somehow connected to advocating for white supremacy and fighting the current power structure. That is false. I looked the group up. I think it is horrible. I bet none of you looked at it and the County Commissioners just rubber stamped taking out money for black women's education on prenatal care. You took it out because Amy Drake's political sensitivities are offended by a fantasy she read, I don't know where she read it but I read their articles and they don't have anything to do with white supremacy. So, take some care about what you are doing to real live members of the community. Especially our disadvantaged communities.

Sarah Responda, South Bend, IN.

I have worked as a nurse practitioner in health for the past 11 years. I am here on behalf of Portage Manor. Reads a post she put on Facebook.

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

  
ST. JOSEPH COUNTY COMMISSIONERS

\*Please refer to the St. Joseph County website for the full audio and visual of the St. Joseph County Commissioners meeting if needed.