

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 January 17th, 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

Beiger Mansion

C)
CITIZEN OF THE MONTH

Canisha Dinkers Taylor

D)
IN THE MATTER OF APPROVING
REAPPOINTMENTS TO THE
REDEVELOPMENT COMMISSION

This would be for the reappointment of Dennis Jordan, Josh Gobel, and Tyler Gillean.

Dr. Fleming moved to nominate the above individuals.
Motion seconded by Mr. Dieter.
Seeing no other nominations, nominations are closed.
Motion adopted by a 3-0 vote.

E)
IN THE MATTER OF APPROVING
REAPPOINTMENTS TO THE
ALCOHOL BEVERAGE BOARD

This would be for the reappointment of John Schalliol.

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

(ORD 2-23)

BILL NO. ORDINANCE NO.

177-22

02-23

Peter Agostino, Attorney at Law, South Bend, IN.

This relates to appropriation of a grant in the amount of \$100,000.00. This has been awarded by the state, FSSA. I have provided a report about the grant and how it works. Initially the grant was for providing care for people with drug related, mental health disabilities, competency restoration and in the grant process, going through the state they changed the way it was going to award the money. The state decided they wanted an implementation plan and reporting the progress of the grant with an eye towards a second grant that's being awarded as a pilot program for St. Joseph County. Because of that change the work being done by Sharon McBride would be done as a consultant to the county. If this grant is approved that will trigger several things. First since she is an employee of the county, she would need your consent to function in an outside consulting position. That is one of the resolutions before you. The second part of this is because she is an employee of the county and would be receiving compensation you would need to approve the conflict-of-interest disclosure statement also. This grant is a benefit to St. Joseph County.

Mr. Baxmeyer states he would like to hear more on the specifics.

Sharon McBride, South Bend, IN.

Dr. Chisholm Buggs, South Bend, IN.

Ms. McBride and Dr. Buggs go over what this work entails and an explanation of what the grant is for.

Linda Scopolitis, President of the CC Advisory Board, South Bend, IN.

Talks about the grant.

Mr. Dieter states this is a good thing for the community and praises the parties.

1) Resolution R-2-C-2023-Receipt of conflict disclosure and approving participation of Sharon McBride.

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

Motion seconded by Mr. Dieter.

Motion adopted by a 3-0 vote.

2) Resolution R-3-C-2023-approving outside consulting work for McBride.

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

Motion seconded by Mr. Dieter.

Motion adopted by a 3-0 vote.

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

Motion seconded by Mr. Dieter.

Motion adopted by a 3-0 vote.

G)

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

BILL NO. ORDINANCE NO.

178-22

01-23

Salary amendment and transfer for Treasurer.

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

Motion seconded by Mr. Dieter.

Motion adopted by a 3-0 vote.

180-22 03-23
ARP funding allocated to Clay Fire Territory.

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

181-22 04-23
ARP funding allocated to Election Board.

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

H)
IN THE MATTER OF APPROVING
RESOLUTION R-1-C-2023-
ABOLISHING THE BOARD OF
VOTER REGISTRATION

This was something that really started years ago. This was first suggested in 2016. Questions concerning this have been raised several times in a bipartisan manner. I will note that all but three, at the latest count, counties have moved their voter registration boards to the clerks. This is not something that just came up.

Mr. Dieter. Speaks about a letter and press conference dated July 13, 2016, by then Jason Critchlow, chairperson of the Democratic Party. Mr. Misch reads this letter. There is another letter from reader Rita Glenn, dated July 29, 2022. Talks about a lawsuit that stemmed from the county having no oversight or control over VR. Mr. Dieter reads letter written by Rita Glenn. The Democrats wanted it before but the Republicans did not, now the Republicans want it so hopefully we can come to an agreement. There would be two individuals from each party placed in the clerk's office.

Mr. Misch. The resolution requires the individuals dedicated to VR to be split equally between the two parties. That is based on current state law. In the event there is an odd number of employees then the clerk can pick whoever they think would be best without party affiliation concerns. My understanding and our clerk here is that there will be four people so we don't have that issue currently.

Elizabeth Bennion, South Bend, IN.
Speaks on issues of abolishing VR. Would like to have this delayed.

Judy Bradford, South Bend, IN.
Speaks on issues of abolishing VR.

Pam Clays, South Bend, IN.
Speaks on issues of abolishing VR. Would like to have this delayed.

Cheryl Nix, South Bend, IN.
Speaks on issues of abolishing VR. Would like to have this delayed.

Peter Thomas Morgan, South Bend, IN.
Speaks on issues of abolishing VR. Would like to have this delayed.

Haley Nice, Mishawaka, IN.
Speaks on issues of abolishing VR. Would like to have this delayed.

Mark Rolfes, South Bend, IN.
Speaks on issues of abolishing VR. Would like to see independence hired for these positions also.

Peter Lotzenheiser, South Bend, IN.
Speaks on issues of abolishing VR. Would like to have this delayed.

Mike McManus, South Bend, IN.
Speaks on issues of abolishing VR and the Election Board.

Sylvia, Mishawaka, IN.
Speaks on issues of abolishing VR.

Ron DeWinter, Mishawaka, IN.
Speaks on issues of abolishing VR. Would like to have this delayed.

Rachel Tommas-Morgan, South Bend, IN.
Speaks on issues of abolishing VR. Would like to have this delayed.
Feels the publics questions need to be answered.

Dan Caruso, New Carlisle, IN.
Reads an article from the South Bend tribune from July of 2016. Feels this should be tabled.

Peter Agostino, South Bend, IN.
Advocated for the VR to be located in the Clerk's office.

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

I)
IN THE MATTER OF APPROVING
ACCREDITED CARE ORGANIZATION
(ACO) CONTRACT BETWEEN THE
COUNTY AND THE SELECT NETWORK
(ST JOE MEDICAL) REGARDING THE
COUNTY HEALTH PLAN

Peter Agostino, 131 S. Taylor St, South Bend, IN.
This is a renewal contract, and it is need of a signature. We have seen a significant amount of savings with this.

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.

J)
IN THE MATTER OF APPROVING
A SETTLEMENT AGREEMENT

Mr. Misch. This was litigation handled by outside counsel. Your approval is requested.

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

K)
IN THE MATTER OF APPROVING
AN AMENDED SECURITY CONTRACT
WITH TRINITY PROTECTION GROUP

This is for clean-up amendments to reflect the agreement of the Sheriffs office.

Dr. Fleming moved to accept the above request as read and outlined.
Motion seconded by Mr. Dieter.

Motion adopted by a 3-0 vote.

PROCUREMENT
IN THE MATTER OF APPROVING
INTERIOR RENOVATION OF
THE COUNTY-CITY LOBBY BID

Bree Roberts, Procurement, offices on the 7th floor.
This is requested for advertisement on January 19th and 26th with a bid opening on
February 14th, 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.

MAINTENANCE
IN THE MATTER OF APPROVING
CHANGE ORDER #1 SJC ARCHIVES
REROOF

Frank Fotia, Project Manager, offices on the 7th floor.
This is a reduction in cost of \$19,206 bringing the new total to \$416,499.00.

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 BID AWARD FOR PSAP REMODEL

Cassandra Quissell, DLZ, South Bend, IN.
It is recommended that this be awarded to The Robert Henry Corporation in the amount
of \$290,578.00.

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

POLICE
IN THE MATTER OF APPROVING
THE ANNUAL BYRNE JUSTICE
GRANT PROGRAM AWARD – MOU

Steve Noonan, SJC Police, South Bend, IN.
This is an annual grant we apply for each year. The MOU is standard of what it has been
for several years.

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

INFRASTRUCTURE, PLANNING AND GROWTH

CONSENT AGENDA

Development / Subdivision Requests

Description

Special Events Requests

Description
a) Irrevocable Letter of Credit – Audubon Woods Section Two
b) Irrevocable Letter of Credit – Boulder Bay Subdivision
c) Irrevocable Letter of Credit – Cloverleaf Farms Section Three
d) Irrevocable Letter of Credit – The Farms Subdivision
e) Irrevocable Letter of Credit – Fernwood Section Three
f) Irrevocable Letter of Credit – New Prairie Knolls Phase One First Replat Subdivision
g) Irrevocable Letter of Credit – New Prairie Knolls Phase Three Subdivision
h) Irrevocable Letter of Credit – New Prairie Knolls Phase Four Subdivision
i) Irrevocable Letter of Credit – Stone Oak Farms Subdivision
j) Irrevocable Letter of Credit – Westwood Knolls Subdivision

Traffic Regulatory Requests
Description
a) Approval of a Traffic Regulatory Ordinance: No Trucks on Quince Road from SR2 to US20
b) Approval of Traffic Regulatory Ordinances for the Havens Subdivision

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
CONTRACT R-37502 AUTEN TRAIL
BIKE AND PEDESTRIAN FACILITIES

Sky Medors, County Engineer, offices on the 7th floor.
This is an increase of \$9964.87 to the contract for removal of items and making way for the new system.

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

B)
IN THE MATTER OF APPROVING
CONSTRUCTION ENGINEERING
SERVICES AGREEMENT FOR
DES NO. 0902286-MCKINLEY HWY
ADDED TRAVEL LANES PROJECT

This agreement outlines the responsibilities of each party and establishes a not to exceed amount of \$1,674,200.00.

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

C)
IN THE MATTER OF APPROVING
A PROJECT COMPLETION
AFFIDAVIT-KLINE CREEK ESTATES
SUBDIVISION

We recommend approval for this completion affidavit.

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:

Mr. Dieter makes a motion to remove Commissioner Fleming from the Vice President of the Commission.
Motion seconded by Mr. Baxmeyer.
Motion adopted by a 2-1 vote.

Mr. Baxmeyer opens nominations for Vice President.
Mr. Baxmeyer nominates Mr. Dieter.
Nominations are closed.
Motion seconded by Mr. Dieter.
Motion adopted by a 2-1 vote.
Dr. Fleming states that she is getting very busy with her dental practice so that's probably why, I won't be around enough.

PUBLIC COMMENTS:

Cheryl Nix, South Bend, IN.
Just as a point of clarification for answering questions for people regarding voter registration. All employees of VR are county employees and are subject to county HR policies. The parties only appoint the VR board member, not all the employees.

Dan Caruso, New Carlisle, IN.
I just wanted to recognize our long time dedicated, faithful Clerk Rita Glenn and the vindication that she got from the Indiana State Police. Are we getting a refund on the monies paid to the attorney you requested? I hope that whoever requested this get the monies paid back to us the taxpayers.

Kevin Connery, South Bend, IN.
Speaks on the evening meetings. Would like to have the VR issue scheduled for an evening meeting so people of the public can attend.

Mike McManus, South Bend, IN.
Asks for clarification on the meeting about VR.

Peter Agostino, South Bend, IN.
I don't agree with Ms. Nix. I don't believe she gave an accurate summary of what the law is with respect to Voter Registration. I am making this comment, so her comments don't get undue weight given to them by the public. The law is very clear, it's in the statute. I wanted to correct any misconceptions.

Mike Misch. The two appointees, although they are employees of the county they're not accountable to the county HR or to anyone other than the party chairs. The other employees are accountable to HR.

Josh Osborne, Wyatt, Indiana.
I have been a voting machine technician for Saint Joseph County since the primary election of 2014. I have seen multiple changes in that time. Every time there is a change it causes a lot of problems. I am in favor of consolidating government functions but I believe this is the wrong time to be doing it. If a change is going to be made the best time would be in a year with no elections. I strongly recommend you delay this for a couple of years.

17TH DAY OF TERM JANUARY TERM TUESDAY, JANUARY 17, 2023

Mr. Dieter. Diana Hess spoke to Mark Root and they may be able to move their meeting to the back room and we may be able to use this room. We are checking on this. When I find out I will let everyone know.

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. Dieter. 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.