

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 March 3, 2020 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**

**PRAYER**

**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)**

EMPLOYEE OF THE MONTH

Ryan Rodts.

It is my pleasure to recommend Ryan Rodts for employee of the month. Ryan has worked for me in his role with St. Joseph County Procurement since April of 2018.

Ryan proved himself as an asset to our team very early on. He is dependable, honest, hardworking, and self-motivated. Beyond that, he is an impressive communicator who is always trying to find ways to support and aid our department as well as other County staff he encounters. Ryan interfaces with all County departments as procurement clerk and I continue to hear great things about those interactions.

His technical knowledge and expertise have been a vast advantage to our office. He put this skillset to work in order to execute a County-wide rollout of Amazon Business, as well as a total revision of our current purchase order processing strategy. I communicated my overall vision to Ryan, and he immediately dove into making it a reality. He also goes the extra mile to save the County money by applying his technical skills to repair items instead of disposing of them. One example of this was when we received tablets for auction from the health department. Two of the tablets would not turn on at all, decreasing their value. He found a way to initiate a factory reset and the tablets once again came to life.

Consequently, the revenue of that surplus auction saw an increase.

Along with his undeniable technical talent, Ryan has been a joy to work with. He fosters positive discussions in the workplace and is a true team player. Ryan is always willing to give a helping hand to those in need and will go above and beyond to see a project through to completion.

Without a doubt, I confidently recommend Ryan for Employee of the month!

C)  
IN THE MATTER OF APPROVING  
A BARNES & THORNBURG  
AGREEMENT

Similar to past agreements, we have set up nonprofits to assist EMA. This would allow the Health Department to receive donations in terms of a nonprofit then they could direct how the money is spent.

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

AUDITOR  
IN THE MATTER OF APPROVING  
A NYHART CONTRACT

Mike Hamann, County Auditor, offices on the 2<sup>nd</sup> floor.  
This is in regard to the St. Joseph County Police retirement plan and benefit plan. The cost continues to go up and we were asked to come up with an analysis for the future. That is beyond our abilities, so we are reaching out to Nyhart for this analysis and some options.

Mr. Kostielney. We have used them in the past for other analysis to help the County. We have a long-standing relationship with Nyhart.

Mr. Thomas. How much did you budget?

Mr. Hamann. This year we budgeted \$2.9 million. This is what is needed to make it sustainable.

Mr. Thomas. I have not been a big fan of Nyhart. This is specific to the retirement fund. Have there been productive meetings?

Mr. Hamann. We have a representative from the Sheriff's office here. We have tried to bring all the parties together and said here is the problem, then we have stepped away. I know there are meetings between several members of each party.

Steve Newnan, Executive Officer for the Sheriff.

We are meeting on March 12<sup>th</sup> with the Commissioner for the pension, which is the merit board to decide on what to do going forward. I don't believe Nyhart is looking to be the investor they are just an advisor and we welcome that.

Mr. Thomas reads the second paragraph of the contract.

Mr. Newnan. That would be referring to Mr. Agostino and he has been involved.

Dr. Fleming. We have been losing money and this should save the County some money in the future because we have been losing money on the pension.

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

COUNTY POLICE  
IN THE MATTER OF APPROVING  
BID AWARD FOR POLICE VEHICLES

Steve Newnan, Executive Officer for the Sheriff.

We would like to purchase 13 vehicles. One of those being a 2020 GMC Yukon XL. This is used to transport inmates around the state. The remaining vehicles are 2020 hybrid police vehicles.

Mr. Thomas. I believe we passed for the transport vehicle and this is for the remaining 12 vehicles.

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

JUVENILE JUSTICE CENTER  
IN THE MATTER OF APPROVING  
TO APPLY FOR VOCA GRANT

Brenda Matuszkiewicz, Executive Director CASA, 1000 S Michigan St.  
This is a request to apply for the VOCA grant. This grant is used for salaries and benefits for the three staff members employed under this grant. This is essential to accomplish our goal of serving all children adjudicated children in need of services in St. Joseph 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.

PENN TWP ASSESSOR  
IN THE MATTER OF APPROVAL  
TO ADVERTISE FOR INFORMATION  
TECHNOLOGY SERVICES

Julie Modelin, Penn Township Assessors Office.  
This is a request to advertise/bid request. There is no software involved in this project.

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

PORTAGE MANOR  
IN THE MATTER OF APPROVAL  
TO APPLY FOR TWO GRANTS  
WITH TRANSPO

Robyn Challinor, Director Portage Manor.  
The Capital Funding Grant is a 20% match and we do have the funds in our 2020 budget. The Operation Funding Grant Is a 50/50 match. We have funds in our 4019 general fund to cover these costs.  
These grants are to serve the senior and adults with disabilities population.

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

PROCUREMENT  
IN THE MATTER OF APPROVAL  
OF ENFOCUS CONTRACT FOR  
ERP PROJECT BACKFILL AND AID

Bree Roberts, Procurement Director, offices on the 7<sup>th</sup> floor.  
Mike Hamann, Auditor, offices on the 2<sup>nd</sup> floor.  
Back in the summer when the County Council decided to go with Tyler for the ERP the cost was about \$2.1 million. Part of the cost was for implementation, the Council budgeted \$40,000 for potential use of an Enfocus fellow and about \$230,000 for 4 full time employees for backfill. We are starting the process in a couple of weeks. We are not sure if all of this money will be used. At this juncture we think we can go in with a lighter footprint. The money is there if we need it. The request is for two Enfocus employees. One for \$40,000 to help Scott Seniff and another to help Bree Roberts and John Butler. Ms. Roberts. I am slated for about three FTE's including my procurement position here with the County. I am just trying to make sure we backfill our resources so that we have the most optimal plan for success. I essentially need someone that is bright, willing to learn, and willing to take on tasks with me as they come.  
Scott Seniff, IT Director, offices on the 2<sup>nd</sup> floor.  
The component for IT in this proposal would be helpful for us. In two weeks, I have logged 30hours working on the infrastructure needed so we can connect to the software and bank of servers. There are a couple different areas in IT on a project this size. One of

them is that kind of hard-core networking and security driven work and the other is IT related yet could be done with a background in computer sciences such as an Enfocus fellow. In order to get the old data into the system it must be converted and doing that is no small fete. I am looking forward to maybe having some help with that. We still have to maintain a busy IT department with projects of our own.

Mr. Hamann. I forget to mention that the original appropriation came out of the rainy-day fund last year. That was as a kind of safeguard we weren't sure where our revenues would land. It looks like we can reimburse the rainy-day fund so the Council has asked John and myself to make that happen so that \$1.2 million will go back to the rainy-day fund.

Mr. Kostielney. Going around it from an Enfocus standpoint saves a minimum of \$100,000 in salary, if we were going to go out and hire individuals to come in as full-time employees to do this work. I appreciate you looking for economical ways to do this.

Mr. Thomas. I know the staff has worded hard. I have not been a fan of the ERP Project and I am still not going to be.

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

Motion seconded by Mr. Kostielney.

Motion adopted by a 2-1 vote.

### **INFRASTRUCTURE, PLANNING & GROWTH:**

Frank Fotia, Project Manager, office on the 11<sup>th</sup> floor.

A)

IN THE MATTER OF APPROVAL  
OF CHANGE ORDER NO 2  
BLDG-2019-SA; CONSTRUCTION  
& RENOVATION OF OFFICES-  
PHASE 1-CENTRAL HIGHWAY  
GARAGE

This is an increase of \$113,432 which brings the revised contract amount to \$2,785,232. The change order paperwork reflects a "substantial completion date of May 15, 2020" which is an extension of 64 days. Included in the change order are changes requested by the Sheriff's Department to the original plans, as well as necessary changes due to unforeseen building conditions.

Mr. Thomas. The paperwork I have says change order number 2 is an increase of \$113,432 I think you're saying that is an increase of change order 1 & 2.

Mr. Fotia. Correct. If you look at the second page, it shows the breakdown.

Mr. Thomas. So, this should say \$28,694 for this change order.

Mr. Fotia. Yes. That is the total for both change orders. I apologize.

Mr. Thomas. I am not a fan of this and do not feel it is smart. I feel that these things mentioned in the change orders would have been in the original plans. I see that there will be additional costs for supervisory costs so, I imagine that will be in a later change order. It shows a change of a completion cost. How will this affect the costs? It seems we will be penalized.

Mr. Kostielney. A lot of these things were changed from the original specs. The fencing for example was because the County and the Police wanted a different fencing than proposed. Some of these things are a result of changes being requested by the Sheriff Department. Some of the project delaying is due to the request of the Sheriff Department there are things they would like to add or modify or approve than what was originally proposed. That is causing some of the delays.

Mr. Thomas. It seems they would have been involved in the initial design.

Mr. Kostielney. They were.

Mr. Thomas. It seems then these problems shouldn't have occurred.

Mr. Kostielney. You can take that up with the Sheriff.

Mr. Fotia. This started with the old Sheriff and is now with the new Sheriff.

Motion made by Dr. Fleming to accept the recommendation of the Department of Infrastructure Planning and Growth in reference to the above request as read and outlined.

Motion seconded by Mr. Kostielney.

Motion adopted by a 2-1 vote.

Mr. Kostielney asks Mr. Fotia to give them the cost if they had done this from new construction when he can.

**OLD BUSINESS:**

None

**PUBLIC COMMENTS:**

Debra Durall, 21677 Auten Rd, South Bend, IN.

I would like to have my name removed from the IEC steering committee on-line. I would also like to have my name put forward to fill the opening on the IEC executive steering committee as it would help balance the decisions made there. I am self-employed so I can change my schedule to accommodate the many workday meetings that prevent members of the public from attending. I will be glad to forward my resume for consideration. I realize that I may often times be outnumbered but that would fall in line with law in St. Joe County tradition of outvoting the dissenting vote. I believe that an Open Space and Agricultural Alliance member as a voice on the steering committee would help harmonize and insure the authentic and transparent process of the IEC going forward and ensure that we continue to have beautiful days in St. Joe County neighbor.

Mr. Kostielney. I would like to note that entirety of the steering committee that portion was taken down from, the original iteration I believe of the steering committee was not called steering committee members they were called stakeholders so that was an error that has since been removed. I appreciate your group pointing that out and yes, the last few days have indeed been beautiful in St. Joseph County.

Jack Dailey, 217 W. Michigan St., New Carlisle.

I didn't want to delay in responding to the area management plan that has been released. Given the arbitrary April deadline that's supposedly put in place for engagement with the community. Mr. Schalliol and that proposal, he speaks as if it has already been approved. I understood that although we are being subjected to death by a thousand financial cuts there is some final approvals that the County Council will weigh in on. Unless you all are working in tandem. I want to give you a couple of quotes. You can not solve a problem and contribute to it at the same time. So, stop. Stop your spending, stop your progressing on something that you still have not publicly promoted. There are still people who do not understand what you are doing out there and despite your protestations that you are giving to our community that is bs. Start doing it instead of talking about it. This living document is dead on arrival. Throw it out clean what you can out of it, start all over with a true participation which is not happening now.

Mr. Kostielney. We always work in tandem.

Mr. Daily. No, I sat across from you at a table where you assured me you were not actively seeking property and at the same time you were offering people beyond the assessed value and you were actively seeking things. You need to build trust.

Mr. Kostielney. That is categorically false.

Jennifer Betz, 23150 Roosevelt Rd.

I am here today because of the actions of one of your employees in the County Economic Development Office and the consultants they have hired. I recognize that the steering committee list has been changed, but for almost two weeks I was listed as a steering committee member of the IEC area management plan as were five other members of OSAA and OSAA itself. I don't know if you have ever had your name misused in such a manner. I don't know if you have ever been misrepresented in such a manner but imagine my horror when I saw my name included in a plan that I have opposed for two years. I have spoken about my opposition in this very room. The County Economic Development Office besmirched my name and I will not be silent in the face of such callousness. Whether this was incompetent or a sick joke I don't know but Mr. Kostielney your comments in the South Bend Tribune did not help. (Reads an excerpt from the paper) You know that the very last community meeting on the IEC was held in June of 2018. The meetings that we have gone to that hundreds of people have gone to, to voice their opposition have only occurred in regularly scheduled meetings of elected officials. Not meetings of the IEC. You know tax dollars have been spent on ad campaign because of the event opposition of IEC and you now have an employee circumventing democracy by saying the only vote he needs on this is the Redevelopment Commission. Which is

appointed by people, by you, the majority members. If there has been any trust it has been completely lost and I am not alone. We will be fighting this tooth and nail every step of the way.

Mr. Kostielney. On two occasions back in late 2019 we had meetings, actually one of the meetings Mr. Daily just accused me of lying to him at.

Ms. Betz. Those were not public meetings. Those were meetings that you invited the OSAA group into. That is not an authentic participatory community process.

Mr. Kostielney. Thank you for your comments.

Dan Caruso, 305 Compton St., New Carlisle.

I was so pleased to hear this quote "we need to do everything we can to help our children, I am all for helping our children." I am so pleased to hear that Commissioner Fleming. I would hope that we could agree, following that line of reasoning I am sure that the children of New Carlisle and Olive Township and St. Joseph County are best served by given the opportunity to grow up in a community where the food is nongenetically modified, produced and grown locally on our fertile farm land particularly in northwest St. Joseph County. Those foods need to be supported by an unpolluted aquifer. These children, many of them the children of farmers are best suited to carry on the real tradition of northwest St. Joseph County. Some comingling of nonfarmers we do quit well with. Commissioner Fleming, I am glad to hear that you support the future of our children. I hope that you can agree our children need to eat healthy.

Kim Karkiewicz, Human Resource Director, offices on the 7<sup>th</sup> floor.

I have made copies of the COVID 19 information for the county employees as requested by the Health Department. Members of the public can also take copies. With increased COVID 19 activity we wanted to ensure that we share credible information on how to protect yourself and your family. Currently we have no confirmed cases in our County. Local risk is currently low however, it is best to be prepared. There are also updates on the Health Departments website.

Mr. Thomas. In todays voice of the people there was a really good quote, it talked about the abuses of government. I hope everyone takes a look at it. Ms. Betz even though you and I and others may not agree with Mr. Kostielney, as you read, he has the right to believe, he said he believes, and he has that right, but I appreciate your passion. Yes, people's names were advertised wrongly on the Steering Committee. You are welcome to file a class action lawsuit against the Redevelopment Commission or the County maybe. There was an issue about a grant for the bridge in New Carlisle. I believe there is a match, I could be wrong. It will close the intersection. I am sure the residents will not be happy. One group we have not heard from recently is the Ardmore Trail. If this bridge is repaired and upgraded to allow heavier freight then people are probably going to say well though it was set for the IEC now we can afford to send heavier freight to the airport westside entrance so lets proceed with that project and kick the people of Ardmore out of their neighborhoods and bring up that fiasco again. On the issue of Mr. Schalliol being quoted as the Redevelopment Commission as the final say so, generally anything they do is a recommendation to the Board of Commissioners who finalize the action for clarification purposes.

Mr. Kostielney. One comment in regard to the potential South Shore relocation. The current plan is that if in the event that any modification would be made the Ardmore area would not be included in the new train route. It is still be looked at.

Jeffrey Vance, 56160 Francis Ave.

I am here about the condemned building beside my house. This was on the list last summer. It is the only one left to be taken care of. I would like to know what we are doing about this.

Mr. Thomas. Please leave your name and number with Marie and she will check the status with the building department. We have steps to follow for utilities and such.

Mr. Vance. I have talked to the building and was told that building was not approved. They said it cost to much and it is no longer on the list.

Mr. Kostielney. We will take another look at that.

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

    
ST. JOSEPH COUNTY COMMISSIONERS