

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 19, 2019 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

The minutes of the last meeting were unanimously approved.

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)
KEY TO THE COUNTY**

Key to the County

Presented to

Phyllis Fields

Phyllis Yvonne Fields born August 21, 1935 to Charles & Alberta Dempsey. In February 1955 Phyllis worked as a clerk in the St. Joseph County Registration Office. Married Horace Fields on February 28, 1959. Phyllis was blessed with one son Garrett Fields April 1, 1962. On February 16, 1981 Phyllis became a clerk in the St. Joseph County Civil Division. On March 24, 1986 she moved to the Warrants Division as a secretary. In 1988 Phyllis became active in community service by working as a children's advocate at the Robinson Center in South Bend. On September 1, 1990 Phyllis retired with St. Joseph County.

Phyllis had an extensive work history and dedicated herself to helping and serving on various committees. She was very instrumental in organizing a Police and Fire Appreciation Day breakfast and luncheon for 20 years to honor the men and women in uniform who serve and protect our community.

She became a charter member of both St. Joseph County Police Department and South Bend Police Department. Phyllis was appointed to the St. Joseph County Merit Board on February 1, 2005 under Sheriff Frank Canarecci, Sheriff Michael Grzegorek, and Sheriff William Redman. She also served on the VIP Program and the Citizens Police Academy Program.

We, the Board of Commissioners of St. Joseph County, are proud to present this posthumous Key to the County to Phyllis Fields, in recognition of a lifetime of service to her community.

Andrew T. Kostielney
President

Deborah A. Fleming, DMD,
Vice-President

Dave Thomas,
Member

Mr. Kostielney. I had the pleasure of serving with Phyllis on the merit board for a few months and also when she worked at the Robinson Center. I kind of took over the program she had been a part of. Phyllis was the kind of person if you met once then you made a dear friend for life. She just had that kind of personality that she was unforgettable. I am glad that we were able to commemorate her.

C)
IN THE MATTER OF APPROVAL
OF MISHAWAKA-PENN-HARRIS
PUBLIC LIBRARY BOARD
APPOINTMENT

Dr. Fleming moved to nominate Marcia Wells.
Motion seconded by Mr. Thomas.
Mr. Kostielney asks if there are any other nominations. Seeing none.
Motion adopted by a 3-0 vote.

D)
IN THE MATTER OF APPROVING
A HISTORIC PRESERVATION
COMMISSION APPOINTMENT

Mr. Thomas nominates Eric Stalheim motion dies for lack of a second.
Are there any other nominations?
Dr. Fleming nominates Sarah Ponder.
Motion seconded by Mr. Kostielney.
Are there any other nominations? Seeing none nominations are closed.
Motion adopted by a 2-1 vote.
Mr. Kostielney. Clarification on my vote, I know Eric is a very qualified individual who has applied on more than one occasion to the Council. In fact that is how his appointment came to us. He had requested to be appointed as a council appointment so, I would strongly recommend, I think Eric has a great resume and hopefully council will make that appointment.
Mr. Thomas. When looking at the applicants Eric's resume seems to have his lifetime of commitment to Historic Preservation topics and not other topics. It seems he would be a much more qualified candidate.

E)
IN THE MATTER OF APPROVING
A TERMINATION AGREEMENT
WITH WSJM, INC.

Peter Agostino, 131 S. Taylor St., South Bend, IN.
The agreement is basically a mutual termination agreement with WSJM. We had some equipment on a tower they had in Lakeville for use by PSAP. PSAP then for better coverage of the county moved its equipment to a different site. There was a lease for the old location and some old equipment that we didn't need anymore so, we have been operating as if this agreement was in place. We have not paid any rent or lease for that and we have abandoned the equipment there. This contract termination agreement confirms that arrangement and makes sure the county doesn't have any liability on any unpaid lease and allows WSJM to take over whatever equipment is left behind.

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

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

BILL NO. ORDINANCE NO.

28-19 27-19

Dr. Fleming moved to approve ordinance 27-19 as read and outlined.
Motion seconded by Mr. Thomas.
Motion adopted by a 3-0 vote.

22-19 28-19

Dr. Fleming moved to accept the above ordinance 28-19 as read and outlined.
Motion seconded by Mr. Thomas.
Motion adopted by a 3-0 vote.

24-19 29-19

Mr. Thomas. For them to be asking for raises in February and get to this point in March, didn't these staff receive raises on January 1st already?

Mr. Hamann. If you look at the request following that it would be from the County Assessor Rosemary Mandrici the issue is in my opinion, that when they came into the budget meetings they weren't asking for what they really needed. They are losing people. Other counties are poaching our people. I suggested they go to you and the County Council and see what type of salary they need to attract people from other counties and we would stop losing folks. Penn and the County said this is what people are making in other counties. In a perfect world this would have waited until budget time, but both felt pretty strongly that it was necessary now. They feel that with these salaries they are on par with other counties.

Mr. Thomas. Thank you for your interpretation of that. I believe and agree with most of that. The Penn Assessors office I believe more so with the county Assessor. I believe her staff to be understaffed and underpaid. The township Assessor it seems that staff has grown quite a bit the last couple of budgets.

Dr. Fleming moved to accept the above ordinance 29-19 as read and outlined.
Motion seconded by Mr. Kostielney.
Motion adopted by a 2-1 vote.

Mr. Kostielney. I agree I am not a fan of budget increases and salary increases during the year but, I think with both here and with the Assessors office they are the foundational piece of how we fund all county operations. I have spoke to both Mayors and this is a mission critical component.

26-19 30-19

Dr. Fleming moved to accept the above ordinance 30-19 as read and outlined.
Motion seconded by Mr. Thomas.
Motion adopted by a 3-0 vote.

27-19 31-19

Dr. Fleming moved to accept the above ordinance 31-19 as read and outlined.
Motion seconded by Mr. Thomas.
Motion adopted by a 3-0 vote.

23-19

32-19

Dr. Fleming moved to accept the above request 32-19 as read and outlined.
Motion seconded by Mr. Thomas.
Motion adopted by a 3-0 vote.

21-19

33-19

Mr. Thomas. Although I don't approve of the section regarding the Penn Township raises there is a lot of good in the other bills so I will vote for it.
Dr. Fleming moved to accept the above ordinance 33-19 as read and outlined.
Motion seconded by Mr. Thomas.
Motion adopted by a 3-0 vote.

COMMUNITY CORRECTIONS ADVISORY BOARD

**IN THE MATTER OF APPROVAL
TO APPLY FOR IDOC BLOCK GRANT**

Kate Williams, Executive Administrator, offices in the basement.
I would like to submit for the above grant which funds the Community Corrections adult program as well as some other programs in St. Joseph County. This grant is in the amount of approximately \$2.25 million.

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

PSAP

**IN THE MATTER OF APPROVAL
FOR AN AT&T ASE CONTRACT**

Ray Schultze, Executive Director PSAP, 58266 Downey Ave.
This is how we transmit our 911 lines between South Bend Police and our back up center and the primary center. This includes a discount for a multi-year commitment.

DEPT. OF PLANNING, PUBLIC WORKS, AND ECONOMIC GROWTH:

CONSENT AGENDA

Development / Subdivision Requests
Description
Cashier's Check Pleasant Valley Estates Subdivision, Section 26
Special Event Requests
Description
Traffic Regulatory Requests
Description
Project Completion Affidavit
Description

Motion made by Dr. Fleming to accept the above recommendation in reference to the above request as read and outlined.
Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

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

B-F)

IN THE MATTER OF APPROVAL
OF 2018 BID AWARDS FOR:

1) Liquid Bituminous Materials

It is recommended to award Bit-Mat Products as low bidder. It is further recommended accepting all bids, so we may purchase from the low bidder depending on availability.

2) Miscellaneous Aggregates

It is recommended that all bids be accepted except for Aggregate Industries as they failed to submit a form 96 and a non-collusion affidavit, so we may purchase from the low bidder depending on availability.

3) Traffic signage and paint

It is recommended that paint items be awarded to Ozark materials as the lowest and most responsible bidder to supply paint, Ennis-Flint be awarded Paint Beads, and Osburn Associates as the lowest and most responsible bidder to supply signs. It is recommended accepting all bids for both paint and signs to purchase from the lowest and most responsive bidder depending on availability and shipping and handling cost except for Custom Products Corporation and Allstates Coating Company as they did not supply all the required bid documentation as stated in the notice.

4) Drainage pipe & structures, guardrail, and bridge materials

It is recommended that all bids be accepted except for American Timber Bridge as they failed to submit a non-collusion affidavit. This allows the County to select from the lowest available bidder during the design phase for any type of structure built in 2018.

5) Bituminous Patching materials

It is recommended that the items be awarded to the low bidder as highlighted in the attached bid tabulation. It is further recommended that all bids be accepted and purchase from the lowest bidder based on availability.

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.

Bill Schalliol, Director of Economic Development, offices on the 4th floor.

G)

IN THE MATTER OF APPROVAL
OF TAI GINSBERG & ASSOCIATES
LLC PROPOSALS

This is to provide the Redevelopment Commission and the County grants consulting and legislative advocacy as we seek to apply for outside or matching funds to aid in projects to grow infrastructure and development opportunities in the County. They have been involved with the county working on several other grants. The amount is a not to exceed \$60,000.00. This was approved by the Redevelopment Commission

Mr. Thomas. Is this TIF money being spent.

Mr. Schalliol. Yes.

Mr. Thomas. Did you go out for bid?

Mr. Schalliol. No. It is a professional service.

Motion made by Dr. Fleming to accept the above request as read and outlined.
Motion seconded by Mr. Kostielney.
Motion adopted by a 2-1 vote.

H)
IN THE MATTER OF APPROVAL
OF APPRAISAL SERVICES, INC.
LOT 8, CENTRAL GARAGE SITE

I)
IN THE MATTER OF APPROVAL
OF IVERSON GROVE, MAI
LOT 8, CENTRAL GARAGE SITE

These two proposals are related to lot 8 located between Lathrop and Old Cleveland Road. We need two independent appraisals, so we can set a disposition value for this property and begin the process of disposing of it. Appraisal Services, Inc has proposed a fee of \$1500.00 and Iverson Grove has proposed \$1800.00.

Mr. Thomas. When looking at the map it looks like we would be losing our access road to the north.

Mr. Schalliol. On the map there is a proposed public road that would be created as part of the development. There is no road presently only a path.

Mr. Thomas. I don't see this as logical in reference to the road and I am not a fan of selling the land.

Motion made by Dr. Fleming to accept the above request as read and outlined.
Motion seconded by Mr. Kostielney.
Motion adopted by a 2-1 vote.

J)
IN THE MATTER OF APPROVAL
OF INDIANA ENTERPRISE CENTER
APPRAISAL SERVICES PROJECT 2

This is a cover letter and applies to items K, L, M and N and those are the items to be voted on. There are two appraisal assignment requests here.

K)
IN THE MATTER OF APPROVAL
OF APPRAISAL SERVICES INC
PROPOSAL 30233 EDISON ROAD

L)
IN THE MATTER OF APPROVAL
OF IVERSON GROVE, MAI-
30233 EDISON ROAD

Assignment one is appraisal for 30233 Edison Road it is presently for sale. The Commissioners own the property to the east and the west. The appraisal is from Appraisal Services, Inc in the amount of \$750.00 and one from Iverson Grove MAI in the amount of \$700.00.

M)
IN THE MATTER OF APPROVAL
OF APPRAISAL SERVICES, INC
PROPOSAL-I/N TEK SITES A,B,C

Assignment number three is in the amount of \$2000. These sites are located on the map.

N)
IN THE MATTER OF APPROVAL
OF IVERSON GROVE, MAI

PROPOSAL-I/N TEK SITES A,B,C

Assignment number three is in the amount of \$1500. These sites are located on the map.

Mr. Kostielney. For clarity, all of these funds are coming out of redevelopment?

Mr. Schalliol. These will be paid for out of the New Carlisle economic development TIF.

Mr. Thomas. I am not in the desire to buy the land, so I certainly do not have the desire to appraise them. I don't desire to spend that TIF money that way when it could be spent on better projects.

Judith Robleski, 515 S. Meade, South Bend, IN.

Discusses the most fertile soils and their importance. An appraisal is inaccurate because it does not take into account the ultimate value of the land.

Mr. Thomas. Do you know what percentage of the Earth is farmable?

Ms. Robleski. I can get back to you with that.

Mr. Thomas. I noticed that the papers were not signed by Mr. Jordan or Ms. Canada. Are they still on the board?

Mr. Schalliol. They were not at the meeting. Ms. Canada has resigned her position to serve on the area plan commission.

Mr. Thomas. Are you going to make a recommendation and request the Board of Commissioners fill the vacancy?

Mr. Schalliol. Yes, we are working on that.

Mr. Thomas. We should do it like we did for Historic Preservation.

Mr. Schalliol. That is fine. So you know, as of 2010 the World Bank reported that about 37.7% of the worlds total land area was considered agricultural land. While approximately 10.6% was considered arable. That is a lot of land.

Motion made by Dr. Fleming to accept the above request as read and outlined.

Motion seconded by Mr. Kostielney.

Motion adopted by a 2-1 vote.

O)

IN THE MATTER OF APPROVING
RESOLUTION R-4-C-2019

This authorizes the application to the US Department of Transportation for a grant under the automated driving systems grant application that is currently available and authorizing the economic development to sign and submit all documents associated with the grant application. This packet details the grant that allows for automated driving system vehicles level 3 and above to be tested at the Navistar Proving Grounds and for the potential of future policy developments as it relates to the research and development gathered in the future. The total amount is approximately 10 million dollars. This is a huge opportunity to advance forward the EDA grant that we just received this past Friday.

Mr. Kostielney. I want to compliment you on your efforts with this and the EDA grant. This is a great partnership with the University and the private sector and what role we can play in the government sector to help move this forward. Thank you.

Mr. Thomas. The forth paragraph, I have not determined that I can understand others may have. I have similar language questions for items 8-9, if this resolution passes those bodies will have had their authority probably to say that. This seems to give you an authority and seems to take away a layer of transparency. (previously discussed)

Mr. Schalliol. This request and the letter only allows us to do what is needed to file the grant the same as previously requested.

Mr. Kostielney. This was asked precisely the same way previously.

Mr. Thomas. I feel the contract should be more clear.

Mr. Kostielney. It is.

Mr. Thomas. I disagree. I feel it is wreck less to spend that kind of money to run the internet through cornfields.

Mr. Schalliol. It is in the public right of way not cornfields. There are no matches with this. It is a reimbursable grant. Our budget amount for this is about \$700,000.00. The rest of the ten million is distributed to the other partners in this grant.

Motion made by Dr. Fleming to accept the above request as read and outlined.

Motion seconded by Mr. Kostielney.

Motion adopted by a 2-1 vote.

P)
IN THE MATTER OF APPROVAL
OF US DOT AUTOMATED DRIVING
SYSTEMS GRANT-EXECUTION
AUTHORITY

This is just a letter that needs to be inserted with the packet that gives authorization for myself and Jessica Clark in the event that either of us need to sign any documentation to file this grant. That would not extend beyond filing of this grant.

Mr. Thomas. What if the filing requires a match?

Mr. Schalliol. Then we would have asked for that in the resolution.

Short discussion on the issue of transparency.

Motion made by Dr. Fleming to accept the above request as read and outlined.

Motion seconded by Mr. Kostielney.

Motion adopted by a 2-1 vote.

OLD BUSINESS:

None

PUBLIC COMMENTS:

Judith Robleski, 515 S. Meade, South Bend, IN.

In reference to the vacated redevelopment seat we would like a farmer from the IEC New Carlisle area to fill that seat.

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

One of the reasons we feel a farmer should be put on that commission or create a position specifically for that with all of the development happening there. The farmers are by far the largest land owners and existing industry that needs to be represented on any kind of development. I wanted to comment about the metro net article. This is referring to the 230 jobs that were not defined. These are usually construction jobs and end when completed. I would like for those to include union labor and that we have information on what kind of long-term jobs are being provided. Also, the comment that this covers homeowners. We have several in the area who have a strong feeling that they are not being given access to this internet. It is primarily for businesses. We would like to have information as to how many homeowners in the area will be served.

Mr. Thomas. I would say very few would sign up for this internet because it is so expensive to connect to it.

Dr. Fleming. I am so glad for this grant. It will help our economy by putting in the Broadband project in our IEC. It will help for job creation and the private sector growth. I want to thank Jackie Walorski and Governor Holcomb is trying to do this with the rest of the state and in the rural areas.

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

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