

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 June 16, 2020 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.

Frank Fotia goes over the health rules for meetings in the chambers and procedures.

**PLEDGE OF ALLEGIANCE**

**PRAYER**

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: None**

**REPORTS AND REQUESTS FROM:**

COMMISSIONERS

**A)  
IN THE MATTER OF APPROVING  
THE ACCOUNTS PAYABLE DOCKETS**

Mr. Thomas moved to accept the Accounts Payable Docket as read and outlined.  
Motion seconded by Dr. Fleming.  
Motion adopted by a 2-0 vote.

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

BILL NO.                      ORDINANCE NO.

47-20                              39-20

Mr. Thomas questions the appropriation stating \$5000 was originally appropriated and are we doing another \$18,200?  
Mr. Murphy explains that there was no money budgeted in that account. It is a private collection agency fee that comes out of that fund when we collect child support money. The Prosecutors office didn't think that account needed to be budgeted but I thought it did. I asked them to include that as an additional appropriation. This money comes from the state. It is a dollar per dollar amount. No cost to us.

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

23-20                              41-20

Mr. Thomas. For clarity are these fees in place? Do they affect somebody that wasn't affected before?  
Jessica Clark, County Engineer, offices on the 7<sup>th</sup> floor.  
This ordinance establishes a permit to permit the actual fee. We have done this for years without a fee. This fee will recover costs for the 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.

46-20

42-20

Mr. Thomas. For clarification we passed this before as a resolution and now it is being ratified to an ordinance.

Mr. Kostielney. Correct.

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

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

**HEALTH DEPT:  
IN THE MATTER OF APPROVING  
TO SPEND COVID 19 FUNDS**

Mr. Thomas asks for clarification on this and should it be an ordinance.

Mr. Hamann. They do not need permission to spend this as it has already been approved. But there is confusion. Are they signing a contract with somebody? That would need approval.

Mr. Murphy. I believe they are trying to digitize health records which is expensive. There is an account set up for the CARES act grant. We will be reimbursed from the state for most of this money.

Amy Ruppe, Finance Manager, offices on the 8<sup>th</sup> floor.

Under the direction of Mr. Murphy and Bree we were told it needed to be approved with the Commissioners.

Mr. Thomas. How will this be done? Through staff or will you hire someone.

Ms. Ruppe. That will be done through Information & Records with a contract.

Mr. Thomas. That will need to be done with a contract or it may need an RFP due to the price or due to the situation of COVID if it is an emergency situation this may not need to be done. I would discuss it with Jamie Woods.

Mr. Woods. I will discuss the urgency of this with the Health department. I think that in the area of COVID these would all be perhaps emergency type purposes that we need to have in place before the second wave. Plus, we are talking some combination of software and hardware and installation. I will discuss that with them. The way I understand this is it will be CARES act money. These are qualified expenses as set forth by the federal regulations of the CARES act. I believe the going forward of the expenditure would be appropriate and then we can work through the contract issues and bring a formal request later.

Mr. Thomas. Let Mr. Woods review the contract.

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

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

**INFRASTRUCTURE, PLANNING & GROWTH:**

<b>Development / Subdivision Requests</b>	
<b>Description</b>	
Irrevocable Standby Letter of Credit Cash-In – Augustine lakes Subdivision	
Irrevocable Letter of Credit – Laurel Creek Subdivision, Section One, Two, Three, and Four	
<b>Special Events Requests</b>	
<b>Description</b>	
8 <sup>th</sup> Annual Get Wet for a Vet Motorcycle Ride	

<b>Traffic Regulatory Requests</b>
<b>Description</b>
Traffic Regulatory Ordinance on Birch Road from Jefferson Blvd. to McKinley Hwy. for a "No Trucks" Exclusion
Traffic Regulatory Ordinance on Birch Road from Jefferson Blvd. to McKinley Hwy. for 30 MPH Speed Limit
Traffic Regulatory Ordinance on Anderson Rd. from Bittersweet Rd. to Ash Rd. for a " No Trucks" Exclusion

<b>Project Completion Affidavit</b>
<b>Description</b>

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. Thomas.  
 Motion adopted by a 3-0 vote.

Frank Fotia, IPG, offices on the 11<sup>th</sup> floor.

A)  
 IN THE MATTER OF APPROVAL  
 OF ADDITIONAL SERVICES AGREEMENT  
 FOR ST JOSEPH COUNTY SPACE  
 PLANNING PROJECT-CREATIVE  
 DESIGN SOLUTIONS

This agreement is related to additional work needed at the new Sheriff's Post on Lathrop due to change order delays on the project. The total of the request is \$26,700.  
 00. This does not result in an increase of the original contract. It is a shift of the balance from the other two buildings that was not utilized.  
 Mr. Thomas asks for clarification on the money. Mr. Fotia explains there is no request for additional money just a shift in the money.

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. Kostielney.  
 Motion adopted by a 2-1 vote.

B)  
 IN THE MATTER OF APPROVING  
 CHANGE ORDER NO 3-BLDG04-  
 2019-SA: CONSTRUCTION &  
 RENOVATION OF OFFICE-  
 PHASE 1-CENTRAL HWY GARAGE

The revised amount of this project is \$2,937,303 which is an increase of \$152,071. These are changes requested by the Sheriff's office as well as changes due to unforeseen building conditions.  
 Mr. Thomas talks about the change order numbers and the amount of money being spent. Mr. Kostielney. Part of the changes are due to the current administrations request. We have been working with the Sheriff's office to make it as accommodating for them as possible.

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. Kostielney.  
 Motion adopted by a 2-1 vote.

Bill Schalliol, Economic Development offices on the 4<sup>th</sup> floor.

C)  
IN THE MATTER OF APPROVING  
A PROFESSIONAL SERVICES  
PROPOSAL-DANCH, HARNER  
& ASSOCIATES-CANDACE DRIVE  
INTERSECTION DESIGN WORK

D)  
IN THE MATTER OF APPROVING  
A PROFESSIONAL SERVICES  
PROPOSAL-KENT SCHUMACHER  
P.E.-CANDACE DRIVE  
INTERSECTION DESIGN WORK

This is for Candace Drive intersection and driveways to service the fire station and school corporation sites. This will also provide traffic engineering and signalization planning and related design assistance on the project team. These two professional services will work together. This is a not to exceed \$40,000 and \$10,000 respectively.

Mr. Thomas asks if there will be any reimbursements from the Fire Department or the schools.

Mr. Schalliol states there will not. This is all part of the project.

Mr. Thomas states that do to the financial situation we are in and no reimbursements he cannot support this.

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. Kostielney.

Motion adopted by a 2-1 vote.

Mr. Kostielney says that he too is disappointed that there was not any help from the Fire Department or the Schools.

E)  
IN THE MATTER OF APPROVING  
A PROFESSIONAL SERVICES  
PROPOSAL CHRISTOPHER B  
BURKE ENGINEERING, LLC-  
JEFFERSON BLVD. SIDEWALK  
EXTENSION FOR ADDITIONAL  
DESIGN SERVICES AND ON CALL  
CONSTRUCTION ENGINEERING  
SERVICES

This project is the first piece of several projects that will create connection points to and along the Capital Avenue Recreational Trail. Due to changes in the scope and design of the project, the project design representatives incurred additional costs for their work. This contract will provide compensation for the additional work that was required to complete the design. The cost for this part of the contract is \$14,200.00. This contract also has a component for On-Call Construction Engineering Services. While the County will serve as the project construction manager, this contract line would provide on-call services in the event that there are any changes required or any additional work needed to modify project elements. The cost for this part of the contract is \$3,000.00. This amount will only be drawn against in the event there is additional work required.

The Redevelopment Commission approved this proposal at their meeting on June 9<sup>th</sup>. Staff respectfully request s approval of this proposal.

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. Thomas.

Motion adopted by a 3-0 vote.

F)  
IN THE MATTER OF APPROVING  
A PROFESSIONAL SERVICE  
PROPOSAL-PLEWS, SHADLEY,  
RACHER & BRAUN LLP-  
ENVIRONMENTAL LEGAL SERVICES

Attorney Jamie Woods.

This is a professional services proposal from Daniel Cory, a Partner with Plews, Shadley, Racher & Braun LLP to perform environmental -related legal services for the Redevelopment Commission and St. Joseph County. The purpose of the engagement is to assist with review of environmental documentation, environmental reports and other environmental information related to Commission owned property located on the campus of Seres Motors located on East McKinley Avenue. The engagement with Plews, Shadley, Racher & Braun LLP might also include work related to review of environmental documentation related to areas adjacent to the Seres Motors and AM General property. The proposal is based on an hourly rate and a fee schedule for the legal team is included with the proposal.

The Redevelopment Commission approved this proposal at its meeting on June 9<sup>th</sup>. The Commission did set a not-to-exceed amount for this agreement at \$10,000. Staff requests approval of this proposal.

Mr. Thomas asks if this is a local firm.

Mr. Woods states they are.

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. Thomas.

Motion adopted by a 3-0 vote.

G)  
IN THE MATTER OF APPROVING  
A PROFESSIONAL SERVICE  
AGREEMENT-ABONMARCHE-  
ADDITIONAL SERVICES-STATE  
RD 933 CORRIDOR STUDY

This is a proposal extension to extend the work they are doing in the amount of \$35,000. That will close out the project budget. We also have an amount for an additional \$15,000, if in the event we determine we need legal description and related documentation for designation of the corridor. The total amount would be \$50,000. This money comes from the Healthwin account. This is within the original scope of request from the Council.

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. Thomas.

Motion adopted by a 3-0 vote.

Jessica Clark, County Engineer, offices on the 7<sup>th</sup> floor.

H)  
IN THE MATTER OF APPROVING  
A BID AWARD R&S 92002 JEFFERSON  
BLVD SIDEWALK EXTENSION

It is recommended this be awarded to Rieth Riley Construction in the amount of \$154,400.00.

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. Thomas.

Motion adopted by a 3-0 vote.

I)  
IN THE MATTER OF APPROVING  
A BID AWARD STW92001B BENDIX  
WOODS STORMWATER MANAGEMENT

Ms. Clark makes some clarifications to previous amounts that were announced.  
It is recommended this be awarded to HRP Construction in the amount of \$661,000.00.

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. Thomas.  
Motion adopted by a 3-0 vote.

J)  
IN THE MATTER OF APPROVING  
A BID AWARD-REVISED-R&S 92001D  
MAINTENANCE ASPHALT OVERLAY  
PROGRAM-LATHROP PARKING LOT

Walsh & Kelly was considered the low bidder previously however, they declined to complete  
the project.  
It is recommended this be awarded to Rieth Riley Construction in the amount of  
\$157,428.50.  
Mr. Thomas states he has been reluctant to approve Lathrop expenses, and this will be one of  
them.

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.

K)  
IN THE MATTER OF APPROVING  
AN ENGAGEMENT OF LEGAL  
SERVICES FOR THE ST JOSEPH  
COUNTY FLOODPLAIN HOME  
BUYOUT PROGRAM

Mr. Woods. This provides legal services for the FEMA project. There are 22 properties. You  
will note there are two grants. One dealing with FEMA pre-disaster mitigation grant and the  
Hazard mitigation grant. The first grant involves 17 properties and the second one 5. My firm  
would provide general legal services and legal descriptions and exhibit drafting for all 22  
parcels. The rates set forth are reimbursable by FEMA and the amounts charged are  
prescribed by FEMA.

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. Thomas.  
Motion adopted by a 3-0 vote.

Jessica Clark.

L)  
IN THE MATTER OF APPROVING  
AN APPRAISAL SERVICES  
AGREEMENT FOR THE FEMA  
HAZARD MITIGATION GRANT  
PROGRAM FOR THE ST JOSEPH  
COUNTY FLOODPLAIN HOME  
BUYOUT PROGRAM

M)  
IN THE MATTER OF APPROVING

AN APPRAISAL SERVICES  
AGREEMENT FOR THE FEMA  
PRE-DISASTER MITIGATION GRANT  
PROGRAM FOR THE ST JOSEPH  
COUNTY FLOODPLAIN HOME  
BUYOUT PROGRAM

It is recommended to award this to Appraisal Services, Inc and Iverson C Grove in the respective amounts of \$395.00 and \$400.00.

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. Thomas.  
Motion adopted by a 3-0 vote.

N)  
IN THE MATTER OF APPROVING  
BRIDGE NO 197 REHABILITATION  
ON MAYFLOWER ROAD OVER  
NORFOLD SOUTHERN AND NICD  
RAILROADS, DES NO 1902817  
LOCAL BRIDGE FEDERAL AID FUNDS  
AND REQUEST APPROVAL OF BRIDGE  
NO 196 REHABILITATION ON  
MAYFLOWER ROAD OVER ARDMORE  
TRAIL LOCAL PROJECT ENGINEERING  
SERVICES SELECTION

It is recommended to accept the proposal from DLZ Indiana, LLC for both contracts and we request authorization to begin negotiations.

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. Thomas.  
Motion adopted by a 3-0 vote.

O)  
IN THE MATTER OF APPROVING  
A 2020 ST JOSEPH COUNTY LIMITED  
LEAF PICK-UP PROGRAM

It is requested to advertise on June 26<sup>th</sup> & July 3<sup>rd</sup>, 2020 with the opening of letters of interest on July 14, 2020.

Mr. Thomas questions the previous release of an ERP and states that with the current financial state he will not be supporting this.

Dr. Fleming explains that this is to see what the committee has recommended and see how to help our citizens.

Short discussion held on the issue of the money and impact on the taxpayers.

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.

**OLD BUSINESS:**

IN THE MATTER OF APPROVING  
A REQUEST OF DEMOLITION  
SERVICES-NEW CARLISLE EDA-  
CHRISTOPHER B BURKE  
ENGINEERING LLC

Motion by Dr Fleming to untable the above request.

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

Bill Schalliol, Economic Development Director, offices on the 4<sup>th</sup> floor.

On June 9<sup>th</sup> the Redevelopment Commission approved this for a demolition project of 5 houses and a trailer. It is anticipated that the projects will be quoted in June/July and all work should be completed by summer 2020. The total fee is a not to exceed amount of \$33,000.00.

Mr. Thomas has a discussion on the demolition process, throwing away good money and why he won't support it.

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.

**PUBLIC COMMENTS:**

Hodge Patel, 103 S. Esther.

In regard to the leaf pick up program, my suggestion would be to try and model a program the City of South Bend and Mishawaka does with the sidewalk program. Those communities help to offset the cost of sidewalks. The county should look at something similar for the leaf program. Where vendors would be preapproved and within St. Joseph County to pick up leaves and then individual homeowners would pay for the cost of the leaf pickup and then submit the expense to the county, not at a 100% but at a modest rate and then they would be reimbursed if using a local firm.

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