

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 1, 2022 at the hour of 10:00 a.m. (EST) at which time in the following members were present: Andrew Kostielney, Derrick 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.

The following two items will be tabled till the next meeting due to scheduling conflicts.

B)

EMPLOYEE OF THE MONTH

C)

BUSINESS OF THE MONTH

D)

CITIZEN OF THE YEAR 2021

Ethan Hunt

E)

EMPLOYEE OF THE YEAR 2021

Julie Toby

F)

IN THE MATTER OF APPROVING
OF AMERICAN RESCUE PLAN
ACT OF 2021 FUND SUB-RECIPIENT
AGREEMENT-OUR LADY OF THE ROAD

Mr. Misch. We received certain information that warranted looking into. The County wanted to ensure that we were abiding by our State and Federal requirements for using the funding. I have gone through the County records as well as the records from Our Lady of the Road. The conclusion was that these are good people doing good things but maybe in an unorganized way. We have worked with Steve Dalton to come up with a standard operating procedure for use of era funding. Since nothing illegal was found I think the County has covered its bases to ensure that we're in compliance. The only modifications made with the era funding is, instead of the county contracting directly with the motel Our Lady of the Road will have that responsibility. The contract was reviewed by Our Lady of the Road and this contract is contingent upon passage of the funding ordinance by the Council if they override the veto.

Mr. Kostielney. For clarification the vote two weeks ago was not indicative of a feeling of Our Lady of the Road in the job that they are doing, there was an issue where some doubts were arisen. We wanted to make sure that we could answer the questions that everything was being done properly.

Dr. Fleming. I am glad that we are supporting this.

Mr. Dieter. I appreciate all the hard work being done for the homeless community. For clarification, these commissioners nor the county council nor the city council are stupid

or reckless. I want to make that clear. We were given information and looked into this to make sure everything is okay, and it is. There are some accounting and procedural things that need to be cleaned up a little bit. I want to thank everyone over there for what they are doing.

Mr. Kostielney. I want to thank Mike Misch for making sure everything was being done properly.

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

Motion seconded by Mr. Dieter.

Motion adopted by a 3-0 vote.

IN THE MATTER OF APPROVAL
OF RESOLUTION R-6-C-2022:
RESOLUTION OF THE ST JOSEPH
COUNTY BOARD OF COMMISSIONERS
ESTABLISHING COMMISSIONER
DISTRICTS AND AMENDING
COMMISSIONER RESOLUTION R-28-C-2021

This process has been going on for approximately two months. As the public well knows their commissioners' passed maps within their legal obligation to do so. Council passed an ordinance that gave a couple of options and then initiated litigation. All parties worked together to come to a resolution. What is before the Commissioners today is that resolution, this will then go before the Judge ending the continuation of that litigation. The commissioners are today, tasked with new commissioner districts that have been mediated out and agreed upon, at least in principle by certain parties to the litigation. Mr. Dieter. Has the County Council come to an official vote on their part of this?

Mr. Kostielney. That will be tonight.

Mr. Kostielney. The process says we pass our commissioner districts and then theirs have to nest within ours. So, until ours are established they cannot take action.

Mr. Dieter. Is that in conjunction with their possibly dropping a lawsuit against the commissioners?

Mr. Misch. Yes, that is the contention. There will be a request tomorrow to dismiss the lawsuit.

Mr. Dieter. I will not vote for this. There was never any improvement in my district. I don't believe the process was fair.

Mr. Misch. Under the ADR rules since we were in an official mediation this couldn't be shared with the public or other members outside of the individuals who were mediating. That is why it was essentially behind closed doors.

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

Motion seconded by Mr. Kostielney.

Motion adopted by a 2-1 vote.

PROSECUTOR
IN THE MATTER OF APPROVAL
OF CONTINUATION OF THE
PROSECUTOR'S VOCA GRANT

Bob Risenhoover, Prosecutor's office, offices on the 10th floor.

This is a request to apply for a continuation grant for VOCA. This is a two-year grant in the amount of \$183,683.00. No match is required.

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 DEPARTMENT
IN THE MATTER OF APPROVAL
TO APPLY FOR A GRANT TO
HELP THE HEALTH DEPARTMENT
TRANSLATE SUICIDE, OVERDOSE,

AND ADVERSE CHILDHOOD
EXPERIENCES PREVENTION
CAPACITY ASSESSMENT TOOL
RESULTS INTO ACTIONABLE
GUIDANCE TOWARDS IMPROVEMENT

Amy Ruppe, Financial Administrator, offices on the 8th floor.
This is a request to apply for a grant through NACCHO. The amount is \$19391.00.

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

CASA PROGRAM
IN THE MATTER OF APPROVAL
TO APPLY FOR VOCA GRANT
FOR 2022-2024

Brenda Matuszkiewicz, Executive Director CASA, South Bend, IN.
This is a request to reapply for a VOCA grant. This is a reimbursement grant, and no match is required.

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
IN THE MATTER OF APPROVING
ACCEPTANCE OF R&S92101-D
MAITENANCE ASPHALT OVERLAY
PROGRAM COMMUNITY CROSSINGS
MATCHING GRANT PROJECT
COMPLETION AFFIDAVIT

Sky Medors, IPG, offices on the 7th floor.
The final project cost for this is \$2,770,480.08.

OLD BUSINESS:

No action taken.

A)
IN THE MATTER OF APPROVING
RESOLUTION R-3-C-2022:
RESOLUTION OF THE ST JOSEPH
COUNTY BOARD OF COMMISSIONERS
ESTABLISHING THE INTENT TO
AMEND THE INTERLOCAL AGREEMENT
FOR THE ADMINISTRATION OF
SOLID WASTE MANAGEMENT DISTRICT
USER FEES

B)
IN THE MATTER OF APPROVING
A SECOND AMENDMENT TO
INTERLOCAL AGREEMENT OF
THE ADMINISTRATION OF SOLID
WASTE MANAGEMENT DISTRICT
ACCOUNT SERVICES

C)
IN THE MATTER OF APPROVING
RESOLUTION R-4-C-2022:
RESOLUTION OF THE ST JOSEPH
COUNTY BOARD OF COMMISSIONERS
ESTABLISHING THE INTENT OF
SOLID WASTE MANAGEMENT
DISTRICT USER FEES

D)
IN THE MATTER OF APPROVING
EXTENSION TO INTERLOCAL
AGREEMENT FOR THE COLLECTION
OF SOLID WASTE MANAGEMENT
DISTRICT USER FEES

ADD ON
IN THE MATTER OF APPROVING
EXECUTIVE ORDER 1-22

Peter Agostino, County Attorney, South Bend, IN.
This is in reference to the appointment of Julie Toby as the interim director of PSAP. To clarify chain of authority with respect to her mother, who is a dispatcher. We're removing and authority of Ms. Kroger from Julie Toby and assigning it to Nancy Lockhart. This puts us in compliance with the nepotism laws.

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:

Debra Durail, South Bend, IN.
Reads a passage.

Dan Caruso, New Carlisle, IN.
Asks about the trailer park that was to be cleared. States that the redistricting is very frustrating and his request to the State Legislature.

Ralph Spelbring, Elkhart, IN.
Speaks about the redistricting that has taken place.

Jo Broden.
Is there a redline version of the maps that tracks the changes both in a list format and a representative map showing the changes?
Mr. Misch. There is not a redline version of these maps due to confidentiality.
Mr. Kostielney. I believe what she is asking for is a map from the previous districts to the current district so people can identify that.
Mr. Dieter. I can get the copies that I had to you.
Mr. Kostielney. Those maps will be published for everyone to see.

Cheryl Nix.
I am happy to see the renewed contract for Our Lady of the Road managing funding for hotels for now. I don't agree with your choices, but it appears that you are going to move forward now.

Bob Swenson.
I am a relocation consultant and have been retained by Mr. Rick Buchanan. He was displaced by the county due to the Douglas Road lighting project. He was awarded certain relocation benefits but believed he was entitled to additional relocation benefits. I

reviewed his case and determined that he was entitled to more. Claims just short of \$50,000 were submitted to the county attorney Mr. Phil Garrett, which he denied. A formal appeal was then submitted. On February 26th I was informed by Mr. Garrett that the county concluded its relocation appeal. The appeal denied Mr. Buchanan all but \$2800. The uniform relocation act is intended to provide fair, consistent and equitable treatment of a person's displacement by public agencies. Within this is a place for grievances to be heard, not in this case. Not only were his claims denied, but his right also to be heard was denied. There was no due process. This abuse of the county's power violates his relocation rights. For these reasons I assert that the county is violation of several federal regulations. Regulations read. A formal complaint has been submitted to the Indiana department of transportation and a similar complaint with federal highway ministries.

There being no further business to come before the Board at this time, Mr. Kostielney 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.

