

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 7, 2023 at the hour of 10:00 a.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)  
IN THE MATTER OF APPROVING  
RE-APPOINTMENT OF DIRECTOR  
OF THE HOSPITAL AUTHORITY  
OF ST JOSEPH COUNTY-DONNA  
R. PFEIL

Dr. Fleming nominates Donna Pfeil.  
Motion seconded by Mr. Dieter.  
Seeing no other nominations, nominations are closed.  
Motion adopted by a 3-0 vote.

C)  
IN THE MATTER OF APPROVING  
APPOINTMENT OF INSPECTOR  
OF WEIGTS AND MEASURES-  
WILSON MEDICH-EFFECTIVE  
APRIL 1<sup>ST</sup>, 2023

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.

D)  
IN THE MATTER OF APPROVING  
AN ENGAGEMENT WITH TAFT,  
STETTINIUS & HOLLISTER LLP

This agreement is to monitor and potentially intercede into the City of South Bend vs. State of Indiana Election Commission. A lawsuit that was filed in Marion Superior Court contesting our method of Government. This is much like the prior redistricting fight the City has taken it upon itself to bring this back up. We need a voice for the County and that's what this contract is for.

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

E)  
IN THE MATTER OF APPROVING  
AN AGREEMENT BETWEEN SJC  
BOARD OF COMMISSIONERS AND  
BYRON WELLNESS SYSTEMS

This will modify the current agreement we have. Currently it is a consulting only basis with the assumption that based on the prior vote by this board to close Portage Manor and the secondary vote by the County Council sending a recommendation favorably to the full Council to shut down Portage Manor. Byron would be engaged to provide services to assist with the outplacement of the residents. Right now, it would be very difficult to have the current staff do this. Byron has a larger, stronger team of social workers to assist the residents and can ensure that they are getting choices in this process, and they have a very good relationship with the state and other facilities. This will assist us in going through this process in the most judicious manner.

Mr. Dieter moved to accept the above request as read and outlined.  
Motion seconded by Mr. Baxmeyer.  
Motion adopted by a 2-1 vote.

F)  
IN THE MATTER OF APPROVING  
AN EMPLOYMENT AGREEMENT-IT

Richard Warfield, IT Director, offices on the 2<sup>nd</sup> floor.  
This individual is already on staff. This is for a two-week period of vacation time that he would like to keep.

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

G)  
IN THE MATTER OF APPROVING  
AN EMPLOYMENT AGREEMENT  
-ASSESSOR

Michael Castellon, County Assessor, offices on the 3rd floor.  
This is to fill the Chief Deputy position. It does ask for four weeks' vacation.

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  
IN THE MATTER OF APPROVING  
PHREESIA CONTRACT

Amy Ruppe, Administrator, offices on the 8<sup>th</sup> floor.  
This is a contract for a "patient reminder" extra add on with our Phreesia contract.  
This is an additional \$25.00 per month, and we would use grant funds to pay for that.

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

Sky Medors, County Engineer, offices on the 7<sup>th</sup> floor.

A)  
IN THE MATTER OF APPROVING  
A QUOTE AWARD FOR EARLY  
ROAD CULVERT REPLACEMENT

It is recommended that this be awarded to Grove Excavating, in the amount of \$15,000.

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  
A WORK AWARD: TWO GUARDRAIL  
REPAIRS: MAYFLOWER RD,  
IRONWOOD RD.

It is recommended that this be awarded to James H Drew, in the amount of \$10325.00.

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

**OLD BUSINESS:**

IN THE MATTER OF APPROVING  
TO APPLY FOR A GRANT THROUGH  
THE IDOH-FUNDING IMMUNIZATION  
SERVICES

Dr. Fleming made a motion to remove this from the table.  
Motion seconded by Mr. Dieter.  
Motion adopted by a 3-0 vote.

Amy Ruppe, Administrator, offices on the 8<sup>th</sup> floor.  
This is a request to apply for a grant that we have had for the last seven years. This grant is in the amount of \$637,000.

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

**NEW BUSINESS:**

Mr. Dieter asks EMA personnel to come up and briefly speak on the issue of oil spills and containment if there were to be a derailment in the area.

Al Kirsits, EMA Director, South Bend, IN and Assistant Director, Jim Lopez.  
If you read the Sunday paper about the train derailment in Palestine, Ohio and what happened, the author Merrick Messerek wanted to know are we prepared or what we have here in our county. We have a rather robust Hazmat team with South Bend fire. We are responsible for the LAPC committee. That captures funds and these funds can only go to support hazardous materials mitigation. Jim will talk about that. Nobody wants a derailment, but we worry about it. We would put an all-hazards incident management team into place. Some of the requirements with the state of Indiana for HC training and our CEMP plan and things. We actually have a big, planned tabletop derailment exercise coming up in April. This will bring together a lot of people from this County that are

involved in it, Fire and Police Departments, Hazardous materials teams and see how they all function in the command of that.

Jim Lopez. Our LAPC has a very diverse group of people. The state requires us to have twelve members and twelve proxies. We added a thirteenth member which was the 911 center. Out of those 13 members we feel if we have a disaster in our community, we have a group of people that are trained and educated to help us from all different aspects of emergency response. Our LAPC meets every other month, six times a year. We are required to have an LAPC by the state and half of our funds are paid for by the State of Indiana Department of Homeland Security. We hope we are prepared for an incident of that magnitude. We will do the best we can with the people that we have trained and educated to provide response capabilities for our community.

Mr. Kirsits. In the article it kind of implied, do you know what goes through your community? We generally know but because of security reasons, terrorism they don't want to put out ahead of time what's in this train. There is a manifest of what the load is within that train and also digitally that train company has it. So, the access of what it is plus these tanker cars are labeled now. There's Federal standards how many they can put together and that now why that's a tragic situation it's going to be a 30-year clean-up, I'm sure. I am more concerned with what they call sweet crude oil that almost burned down an entire Canadian town a few years ago. They've kind of regulated those with Federal regulations. The other thing we are extremely concerned about are the tanker trucks, the semis, that go through our community. We would anticipate more of an incident with those trucks. One thing we are working on through the LAPC committee is getting a high-tech drone that can sample hazardous material air situations and be decon for the local Hazmat team.

Jim Lopez. Our LAPC that did the commodity flow study in 2017 was published and is on the St. Joseph County website with detailed information.

Mr. Dieter compliments EMA for all that they have done.

#### **PUBLIC COMMENTS:**

Dan Caruso, New Carlisle, IN.

Speaks on getting a tour of Portage Manor and his thoughts.

Christopher Davis, South Bend, IN.

Is here to speak on behalf of Bobby who lives at Portage Manor and the need for it.

Mike McManus, South Bend, IN.

Talks about the contract in reference to Portage Manor that was signed today.

Roy Signs, South Bend, IN.

Talks about the agreement today on Portage Manor and requested documents.

Rebecca, 68822 South Shore Dr.

Asks if any of the Commissioners have dealt with mental illness within their family or have a friend with this condition. She also speaks on the process of placement.

Mark Catanzarite, South Bend, IN.

Speaks on Portage Manor and slowing this process down until we have some other plans in place.

Kevin Connery, South Bend, IN.

Talks about Portage Manor and the obligations there.

Chris Borkowski, Osceola, IN.

From a nursing profession the consulting is a little outrageous and talks about helping place people and no consulting fees. The current facility where I am employed would be willing to help but nobody has asked for help. The nursing profession is burnt out and short on nurses. We stay because we love the people not the money.

Debra Durall, South Bend, IN.

Thanks Derek for the tour of Portage Manor and expresses the need for more time on this issue. Speaks on eight parcels bought.

Robin Challinor, South Bend, IN.

Speaks on behalf of the residents of Portage Manor and the things that are offered to the residents.

Leah Schoon, Granger, IN.

Give people more time to come up with ideas for a solution with Portage Manor. Listen to the people that are speaking fighting for those who can't. Consider where the residents would have to go and the care they need.

Jenny Piantek, South Bend, IN.

Asking for more time with Portage Manor. Thanks Derek for everything he has done in the community but refers to a meeting when he communicated to not talk about Portage Manor and this did not leave a good impression.

Allison Meinsburg, South Bend, IN.

Talks about Portage Manor closing, and the cost should not matter.

Mary Countryman, New Carlisle, IN.

This should be slowed down and I look forward to the news stations filling out the freedom of information act and releasing this information.

There being no further business to come before the Board at this time, Mr. Baxmeyer asked for a motion to recess, Mr. Dieter so moved, seconded by Mr. Baxmeyer. Meeting recessed by a 2-0 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.