

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 January 2, 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**

**ELECTION OF OFFICERS:**

The meeting is called to order by Auditor Michael Hamann.  
The first order of business is to elect the officers for the calendar year 2019.  
Mr. Hamann asked for nomination of President.  
Dr. Fleming nominates Andy Kostielney for President.  
Motion seconded by Mr. Kostielney.  
Motion passed by a 2-1 vote.  
Mr. Kostielney asked for nomination of Vice President.  
Mr. Kostielney nominated Dr. Fleming as Vice President and Dr. Fleming seconded.  
Motion passed by a 2-1 vote.

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)**

Next on the agenda was to approve Department Appointments for 2018, they are as follows:

**DEPARTMENT APPOINTMENTS 2019**

<b>NAME</b>	<b>POSITION</b>
Frank J. Agostino	Deputy County Attorney
Peter J. Agostino	Assistant County Attorney
John Antonucci	Emergency Management Director
Jessica Clark	County Engineer
Brian Davidson	Building Engineer
Brandie Ecker	Deputy County Attorney
Kimberly Karkiewicz	Human Resources Director
Mitch Heppenheimer	Deputy County Attorney
Brittany "Bree" Roberts	Purchasing Manager
Charles "Chip" Porter	County Highway Engineer
Jamie C. Woods	County Attorney
William Schalliol	Executive Director of Economic Dev

**BOARDS AND COMMISSIONS 2019**

<b>NAME</b>	<b>Board/Commission</b>
Andy Kostielney, Deborah Fleming, Dave Thomas	Board of Finance
Andy Kostielney	Data Board
Andy Kostielney	Drainage Board
Deborah Fleming, Dave Thomas	Housing Consortium
Deborah Fleming	Michiana Area Council of Governments
Andy Kostielney	Northern Indiana Transportation Commuter District
Dave Thomas	St. Joseph River Basin
Andy Kostielney, Deborah Fleming, Dave Thomas	Solid Waste

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

**C)  
EMPLOYEE OF THE MONTH**

The employee of the month is Charles "Chip" Porter.

Jessica Clark, County Engineer, offices on the 7<sup>th</sup> floor.  
Chip effectively manages 73 highway personnel and is responsible for overall operations at six (6) area garages. Peers and co-workers describe Chip as being an excellent researcher, able to successfully balance projects, being an excellent leader, being thorough, being very open-minded, and takes initiative to explore new ideas.

Aspects of Chip's character and work ethic that make him an outstanding Supervisor and Highway Engineer include the complete culture and environmental change in our Highway Division. St. Joseph County, its residents and Highway staff have benefitted from Chip's knowledge of materials and equipment and ability to lead the following efforts:

- Established a Personal Protective Equipment Policy
- Implemented an Anti-icing Pre-Treatment Program
- Established a snow and ice control policy providing consistent levels of service throughout our community with expectation levels and clear methods of procedure,
- Initiated Chip Seal & Snow Plow Rodeos – annual training all Highway staff discussing "the Good, the Bad and the Ugly" of the past season's efforts and accomplishments, areas of improvement and highlighting the upcoming season's expectations and goals
- Implemented VueWorks – A Service Request & Tracking System
- Implemented a Training & Safety Program – monthly programs targeted at specialized skills or training necessary to perform routine work assignments safely and properly
- Initiated a Performance Based Wage Scale – employees regularly receive raises within a given pay range based on existing skill set/certification and skills acquired throughout the year
- Initiated an "Outstanding Employee Award" where two employees from each garage area are acknowledged and congratulated for their efforts during the previous season, meaning we celebrate the efforts of 12 employees in the Spring for their efforts on winter operations and then again in the Fall for their efforts in summer operations

Chip effectively communicates with the public using weekly program updates sent to the media and posted on our web-site, as well as, sends correspondence letter to residents informing them of upcoming work on their roads, the process and expectations of the work, its schedule and construction steps. He effectively delivers projects and plans on

time through yearly, monthly and weekly planning with our Area Supervisors and personnel.

Chip Porter works diligently every day to make St. Joseph County the best place to work and live.

D)

KEY TO THE COUNTY

# Key to the County

*Presented to*

## Susan Hadary

*Susan Hadary began her career with St. Joseph County in the Treasurer's Office on November 24, 1986. She was hired by Joe Doran, the County Treasurer at that time and also served under former treasurers Cindy Bodle, Tom Zakrewski, Sean Coleman and the current treasurer Mike Kruk. During her thirty years plus with the Treasurer's office, Sue has performed just about every operation in the office and has served as the Deputy Treasurer for the last 15 years. Because of her depth of knowledge of all things related to the Treasurer's Office, the office was able to function in a smooth and efficient manner over the years.*

*Sue and her husband Frank opened up their home to her fellow workers and they always threw the best Christmas parties the office ever had. Sue would not start her workday without a strong cup of coffee and on those few occasions when she didn't, everyone in the office knew it.*

*While we wish Sue could serve with us indefinitely, we know that she has earned her much deserved retirement that she has other things that she has yet to accomplish. She has served the residents of St. Joseph County with the utmost integrity and the highest degree of professionalism and St. Joseph County is a better place for all she has done. She will be sorely missed.*

*Upon the occasion of Susan Hadary's retirement after 32 years of continued service to the residents of St. Joseph County, we are proud to present this Key to the County in token of our sincerest gratitude and best wishes for the future.*

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Andrew T. Kostielney  
President

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Deborah A. Fleming, DMD  
Vice-President

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Dave Thomas  
Member

This is special because my mother received one, she also worked in the Treasurer's office.

E)

IN THE MATTER OF APPROVING  
EXTENSION OF CONTRACT FOR  
ANIMAL CONTROL AND SHELTER  
SERVICES

This cleans up the contract it extended it for two days until we got through this meeting.

Dr. Fleming moved to accept 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  
CONTRACT FOR ANIMAL CONTROL  
AND SHELTER SERVICES

This contract begins January 1 thru December 2021. Council had passed and put in the first payment for 2019 so this is cleaning that piece up with extending this contract.

Mr. Thomas. What is our current rate? I see this is a three year contract. In year one, \$253,000, a slight increase from what I think we are paying. It looks like they keep the fees, I have never supported that. I believe the fee process is supposed to register that the animal has had a rabies shot. The fee structure, I think is unfair, it gives different rates for spade or neutered pets, microchipped. I am concerned about the transparency in the contract in reference to the quarterly reports, are they public?

Mr. Woods. Anything that you would receive would become a public document.

Mr. Thomas. I am still concerned with the price. When we get to year three it is nearly a 70% increase from year one. This seems excessive. I would like to know what other rates other government entities are paying. I can't support this contract as it stands.

Mr. Kostielney. Mr. Morton, President of the County Council, and I have had meetings, also Dr. Fleming. I believe they reached out to you also to meet about the contract. The situation was they have been operating at a deficit for a number of years. This is what it would cost them to provide the service. We are welcome from a county standpoint if we wanted to provide that service ourselves, which is what the city does. South Bend pays considerably more than what the upper limit of this contract at the end of the third year period. This is still less than what the city of South Bend is paying. Mishawaka is being asked to pay the same amount as the county.

Mike Kruk, 449 Philippi, South Bend. Member of the Board of Directors Human Society Our costs have risen substantially. The last three-year contract with the county was a bad contract for us. We should have done a better job negotiating it. We have been losing money over that last several years. This year we are slated to lose close to \$400,000.00. We have been able to sustain ourselves on some bequest that we have had but, those were never intended to fund day to day operations. We sent a renewal for the contract back in May. We did that, so it could be evaluated and give them time to decide what they wanted to do. This contract by the third year will put the Humane Society at a break even point. Even by signing this contract the Humane Society is still going to subsidize St. Joseph County for the next two years, but it will be at a decreased rate. If this is a surprise I am sorry, but we sent this out back in May.

Mr. Kostielney. Council did act on that information during the budget process that's why the first-year payment is reflective of what council budgeted.

Mr. Thomas. This does shed more light on things. Is the current rate around 242 plus licensing fees?

Mr. Kruk. Correct. What we collect in licensing fees is minimal. I don't know if it is \$15,000 a year. That is taken into consideration when arriving at the new numbers.

Mr. Thomas. The council budgeted for the first year but the next two are not budgeted.

Mr. Kruk. Well neither is anything else. Your 2020 budget isn't in play yet.

Mr. Thomas. Is Mishawaka also doing a new three-year contract at these rates?

Mr. Kruk. They are doing a four-year contract.

Mr. Thomas. How old is the new building?

Mr. Kruk. Maybe 7-8 years old.

Mr. Thomas. Is there a mortgage and is it space adequate?

Mr. Kruk. It is right now. I don't know that we took a mortgage out on it. I think we raised the funds. I would have to double check.

Mr. Thomas. The \$400,000 loss was that from the year 2018? How are you going to operate with such a heavy loss?

Mr. Kruk. Yes. I said we have some bequests that are regular donors and that is used.

Mr. Thomas. I think you have given me enough good answers that I will ~~not~~ support this 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.

**BOARD OF PUBLIC WORKS:**

CONSENT AGENDA

Development / Subdivision Requests	
Description	
Subdivision Bond Rider Brownstone Estates Major Subdivision	

  

Special Event Requests	
Description	

  

Traffic Regulatory Requests	
Description	

  

Project Completion Affidavit	
Description	

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.

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

A)  
IN THE MATTER OF APPROVAL  
OF CHANGE ORDER NO. 1 R&S  
91801 MISCELLANEOUS ROAD

The revised amount is \$2,828,570.50. This is to address drainage aspects, gutter pans, and ADA curve ramp issues.

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.

B)  
IN THE MATTER OF APPROVAL  
OF CHANGE ORDER NO. 2 R&S  
33106 CLEVELAND ROAD  
RECONSTRUCTION FROM  
RIVERSIDE TO SR 933

This alters the proposed storm sewer system to modify or relocate drainage structures to avoid an underground utility conflict. The increase amount is \$18,572.86.

Mr. Thomas. Did one of our engineers not catch this or did AT&T not report it?  
Ms. Clark. There was significant work and relocation work AT&T did perform on this project and was part of the utility coordination that the designer performed in advance of the contract. This aspect of this line they had not identified in their plans, but we encountered it in the field. I think it was in a location they were not aware it was in that particular location.  
Mr. Thomas. Who do you think didn't catch it?  
Ms. Clark. AT&T did not provide that information.

Mr. Thomas. It seems you should hold them accountable somehow.

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.

**OLD BUSINESS:**

None

**PUBLIC COMMENTS:**

Joseph Shabazz, South Bend, IN.

I represent a small group of people called community advocates association. We watch government operations. Over the past several months we received several complaints about Ducomb Center. Several people said they were forced to sign a power of attorney and a direct deposit slip, so they could turn their money over to the Ducomb Center. I am not a lawyer but the last I heard is that power of attorney's only work when there is no undo influence. According to the people I spoke to Justin Moody, the program director, threatened them with incarceration and a loss of there jobs if they did not comply. We think that is an issue. This is only one of many complaints received about the center.

Maybe we could speak to the county attorney about some of the other issues also.

Mr. Kostielney. If you could get us the specific information about that we can look into it and try to get you some answers.

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.