

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 February 18, 2020 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:

Public Works: 2019 St. Joseph County Highway Annual Bids for:

Fuel, Oils, Lubricants and Miscellaneous Materials

Bellman Oil Company
550 East 2nd Street
Bremen, IN 46506

Ceres Solutions Co-Op
2020 E Wabash St.
Wabash, IN. 46992

Co-Alliance, LLP
5250 E US Hwy 36 Ste. 1000
Avon, IN. 46123

Crystal Flash
1754 Alpine Ave. NW
Grand Rapids, MI 49504

Petroleum Traders Corporation
PO Box 2357
Fort Wayne, IN 46804-7928

Yoder Oil Company
1221 N. Nappanee
Elkhart, IN 46514

Liquid Bituminous Materials

Asphalt Materials, Inc.
PO Box 68123
Indianapolis, IN. 46268

The Klink Group of Companies
P.O. Box 428
Ashley, IN 46705

Miscellaneous Aggregate

Phoenix Services LLC
1190 E. Loop Road
Portage, IN 46368

Rieth-Riley Construction Co., Inc.
25200 SR 23
South Bend, IN 46634

The Klink Group of Companies
P.O. Box 428
Ashley, IN 46705

Aggregate Industries
PO Box 19760
Kalamazoo, MI. 49001

Beemsterboer Aggregates
3411 Sheffield Ave
Hammond, IN 46327

Bituminous Patching Materials

Phend & Brown, Inc.
367 East 1250 North
P.O. Box 150
Milford, IN 46542

Rieth-Riley Construction Co., Inc.
25200 SR 23
South Bend, IN 46614

Walsh & Kelly, Inc.
24358 State Road 23
South Bend, IN 46614

Drainage Pipe & Structures, Guardrail, and Bridge Materials

ATB
8767 Waruf Ave
Portage, MI 49002

Debco Metal Culverts
PO Box 8
Francesville, IN, 47946

James Drew Corporation
8701 Zionsville Rd.
Indianapolis, IN 46268

Metal Culverts, Inc
PO Box 330.
Jefferson City, MO. 65102

St. Regis Culvert Inc.
1101 S. Kitley
Indianapolis, IN 46203

Traffic Paint & Signage Materials

Davis Imperial Coatings, Inc
25200 SR 23
South Bend, IN 46320

Ennis Flint, Inc
4161 Piedmont Pkwy., Ste 370
Greensboro, NC 27410

Sherwin Williams Co
101 W Prospect Ave
Cleveland, OH 44115

Osburn
PO Box 912
Logan, OH 43138

Ozark Materials, LLC
591 Glendale Ave.
Greenville, AL 36037

Dr. Fleming moved to accept the above proposals for further study and review.
Motion seconded by Mr. Thomas.
Motion adopted by a 3-0 vote.

COUNTY POLICE

2020 Police patrol vehicles

Dean Chandler, 2817 LWW, South Bend, IN.
The bid is from Jordan Ford in the amount of \$43,093.00 for each vehicle. This is the only bid.

Dr. Fleming moved to accept the above proposals for further study and review.
Motion seconded by Mr. Thomas.
Motion adopted by a 3-0 vote.

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.

ADD ON

B) EMPLOYEE OF THE MONTH

County Commissioners
Marie Nimitz

C) IN THE MATTER OF APPROVING HOSPITAL AUTHORITY REAPPOINTMENT

Dr. Fleming nominates Daniel Smogor and Jerome Kearns.
Mr. Thomas seconds that motion.
Mr. Kostielney asks if there are any other nominations, seeing none nominations are closed.
Motion adopted by a 3-0 vote

D) IN THE MATTER OF APPROVING COMMUNITY CORRECTIONS ADVISORY BOARD REAPPOINTMENT

Dr. Fleming nominates Bobbi Woods.
Mr. Thomas seconds that motion.

Mr. Kostielney asks if there are any other nominations, seeing none nominations are closed.

Motion adopted by a 3-0 vote

E)
IN THE MATTER OF APPROVING
ALCOHOL BEVERAGE BOARD
REAPPOINTMENT

Dr. Fleming nominates John Schalliol.

Mr. Kostielney seconds that motion.

Mr. Kostielney asks if there are any other nominations, seeing none nominations are closed.

Motion adopted by a 2-1 vote

F)
IN THE MATTER OF APPROVING
REDEVELOPMENT COMMISSION
BOARD APPOINTMENT

Dr. Fleming nominates Jessica Clark.

Mr. Kostielney seconds that motion.

Mr. Kostielney asks if there are any other nominations, seeing none nominations are closed.

Motion adopted by a 2-1 vote

G)
IN THE MATTER OF APPROVING
A SETTLEMENT AGREEMENT

Jamie Woods.

This is a settlement agreement with two individuals that live in Juday Creek. This is in the amount of \$5000.00 each.

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

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

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

BILL NO. ORDINANCE NO.

11-20

09-20

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

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

09-20

10-20

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

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

10-20

11-20

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

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

08-20

12-20

Mr. Thomas. I noticed that there is another \$243,000 being appropriated for, I assume, Sheriff construction on Lathrop and it looks like another \$55,000 for furniture and fixtures and \$30,000 for other expenditures. Am I correct that these are for the Sheriff project?

Frank Fotia, Offices on the 11th floor. It is for that building. They are not all new appropriations or expenditures. When this went in 2019, we could not ask for the entire bid. A \$100,000 of this is from the original bid we are just going back and getting monies we did not ask for in 2019. No furniture has been purchased.

Mr. Thomas. I believe if we check the minutes we advertised and then rejected all bids at your request.

Mr. Fotia. For the two buildings that weren't funded not for the Sheriffs. That was awarded the same day as the award for the construction.

Mr. Thomas. Do you think that in 2019 when you asked for funding from the Council, do you think they knew you were going to ask for more money for this project or that when you made your request that that was the amount of the project?

Mr. Fotia. When we went to Council, we told them this was the bid and that what we were asking for did not equal the bid. I can't tell you what Council thought.

Mr. Kostielney. To answer that, Council did part of the funding piece was intentional that we would come back in this calendar year for funding because the entire project would not be funded in 2019. Part of it was intentionally to be funded in 2020.

Mr. Thomas. Is there an elevator for the second floor to be ADA compliant?

Mr. Fotia. It is not required for buildings under three stories.

Mr. Thomas. I have heard different on that topic.

Mr. Woods asks Mr. Agostino to look into the elevator issue by the next meeting.

Short discussion on this issue.

Chuck Bulot, Building Commissioner, 125 S Lafayette.

Any commercial or remodeled building goes through my office. We do a thorough review. It is correct that if you have a building of three stories or higher an elevator is required to be ADA compliant.

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

Motion seconded by Mr. Kostielney.

Motion adopted by a 2-1 vote.

02-20

13-20

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

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

03-20

14-20

Dr. Fleming. I am glad they are opening one in Mishawaka to help them.

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

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

04-20

17-20

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

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

06-20

18-20

Mr. Thomas. This says roadside stand and I see that as a structure, Mr. Schalliol did you have anything to do with this?

No.

Larry Magliozzi, Executive Director of the Plan Commission, offices on the 11th floor.

Mr. Thomas. I see it says there should not be more than one roadside stand per lot. What is the definition of a roadside stand? Is it a cart, a structure? If I was a farmer and had more than one stand on their lot when I read this I think not. So, I don't want to inhibit some farmers ability to sell fresh vegetables.

Mr. Magliozzi. A roadside stand has always been in the ordinance, it has been there for decades. There is no definition. We have never run across a problem with someone complaining that one is too small or too big. Most of these that I know of have no plumbing or electricity running to them. It can range from an 8ft table to a covered stand built with wood. They come in various sizes. We have never really regulated them.

Jordon Wyatt, IPG. Part of this ordinance is actually to make that easier. Currently there is a size limit on it. We took that size limit off of it.

Short discussion continues on the definition.

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

Motion seconded by Mr. Kostielney.

Motion adopted by a 2-1 vote.

Mr. Kostielney. For clarity, the limitation of each property owner must have their own stand to sell their own products that is an existing law. It is not changing as a result of this. What this is trying to do is make it easier for someone to do that.

07-20

19-20

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

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

**BUILDING DEPARTMENT
IN THE MATTER OF APPROVING
OF DEMOLITION BIDS**

Chuck Bulot, Building Commissioner, 125 S Lafayette.

I have reviewed these bids and have come up with the results.

A list of these results can be obtained in the Building Department.

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

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

**COUNTY POLICE
IN THE MATTER OF APPROVING
NURSE PRACTITIONER AGREEMENT
FOR THE COUNTY JAIL**

Pete Agostino, 131 S Taylor, South Bend, IN.

This is the third agreement that makes up the plan for providing medical care. This is the second nurse practitioner contract. We are now ready to move forward.

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

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

**IN THE MATTER OF APPROVING
PHYSICIANS AGREEMENT FOR
COUNTY JAIL**

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

A)
IN THE MATTER OF APPROVAL
OF STATE-LOCAL PUBLIC AGENCY
PROJECT COORDINATION CONTRACT
FOR THE ST. JOSEPH COUNTY BRIDGE
INSPECTION PROGRAM 2020-2023
DES. NO. 1593056

Jessica Clark, County Engineer, offices on the 7th floor.
This agreement is between INDOT and St. Joseph County. We recommend your approval.

Dr. Fleming moved to accept 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 2020 CENSUS EXPENDITURES

This is a request not to exceed \$2400.00 for the County's share of this community effort.

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

C)
IN THE MATTER OF APPROVAL
OF INDOT CONTRACT R-36882
INTERSECTION IMPROVEMENT,
ROUND ABOUT ON ASH ROAD
AT EDISON RD CHANGE ORDER
NO 4

This is for an increase of \$9137.40. This change covers maintenance of traffic items used during additional work performed.

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

D)
IN THE MATTER OF APPROVAL
OF STREET NAME CHANGE

This is a request to change the name from Parker Ave to Parker Dr.

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

E)
IN THE MATTER OF APPROVAL
TRI COUNTY APPRAISAL LLC
AGREEMENT FOR REAL
ESTATE SERVICES

Bill Schalliol, Executive Director of Economic Development, offices on the 4th floor
This proposal is in the amount of not to exceed \$25,000.00 for the year.
Mr. Thomas. Was this approved by the old or new member board?
Mr. Schalliol. It was the five-member board that was established in that point in time.

Mr. Thomas. The contract seems kind of vague.
Discussion over these points. Examples given.

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

Motion seconded by Mr. Kostielney.

Motion adopted by a 2-1 vote.

F)

IN THE MATTER OF APPROVAL
OF ST. JOSEPH COUNT AIRPORT
FREIGHT LINE FEASABILITY STUDY
SUPPLEMENT NO 1 WITH DLZ

On January 2, 2019, the Redevelopment Commission approved a professional service proposal from DLZ, Inc. of South Bend to perform a Rail Line Feasibility Study to determine an alignment path and related design to take rail service from the South Shore mainline track to the SBN/Bendix Field Freight & Logistics Park (F&LP) with a final terminus at the west side of the South Bend International Airport (SBIA) Terminal building. The study was being done in conjunction with an AECOM study being conducted by the City of South Bend and the South Bend International Airport.

The scope of the proposal covered a variety of tasks including the following:

1. Order of Magnitude study for overpass or at -grade alignment of rail at Lincolnway using Oak Road (Alternate 1) or Sundown Avenue (Alternate 2) alignment.
2. Cost delineation for freight only or freight and passenger construction
3. Update of new interchange/Lincolnway realignment proposal to include rail alternatives
4. Traffic circulation plan for traffic intersections and roadways impacted by new alignment paths
5. Rail RPZ Feasibility Investigation
6. Stake survey to allow for marker placement for new alignment
7. Various public meetings with stakeholders as needed

The total cost of the proposed study is \$119,000.

Attached to this memorandum is Supplement Agreement No. 1. The purpose of this agreement does the following three things:

8. Prepare and submit the AGL Runway Protection Zone (RPZ) Land Use Form to the FAA Great Lakes Region for Alignment No, 1 to penetrate the RPZ south of Runway 36
9. Perform a traffic study to evaluate potential traffic impacts created by the future realignment of the NICTD railroad and build-out of the F&LP
10. Initiate a modification/reclassification to the National Highway System (NHS) Intermodal Connector status of Lincolnway West

At the present time, it has been determined that Alignment No. 1 will be the alternative that will advance through the study process. Alignment No. 1 was the original alignment path selected over ten years ago and will provide for the most logical pathway to the F&LP and the west side of the SBIA terminal building. While much of the work was done for the first seven points above, the additional

three studies of work are necessary to finalize the original work product and allow for the project to move forward.

The new fee structure, identified on page 6 of 9, details how the additional fees to the existing agreement. **The additional One Hundred Thirty-Eight Thousand One Hundred (\$138,100) will create a total contract amount of Two Hundred Fifty-Seven Thousand One Hundred Dollars (\$257,100).**

The SJC Redevelopment Commission approved this proposal.

Mr. Thomas. Is it possible that this study could come up with an answer that says don't do this?

Mr. Schalliol. Absolutely. That would be if the Federal Government says we can't take the train though the South Bend that the runway protection zone that ends this project. This component of the project.

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

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

Jessica Clark informs the Commissioners that during the meeting Sherwin Williams dropped off a proposal and would like for it to be accepted.

Mr. Woods. That would be fine.

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

Motion seconded by Mr. Thomas.

Motion adopted by a 3-0 vote.

OLD BUSINESS:

NONE

PUBLIC COMMENTS:

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

We hear the IEC is not a new idea, since the history of development on farmland near Bendix Woods, beginning with 1920's Studebaker and Singer, continues today. No, this history does not create tradition. Yes, this big idea spin, and political cover story-any jobs, anywhere, for any cost-are old ways to sidestep deeper public concerns and delay legislation protecting farmland. The repeat of large format industry here due to lack of land anywhere else, is misconceived as a solution to Indiana's competitive economy challenges, when it is causing many of our biggest problems. Comments such as "there is lots of farmland-you can go somewhere else and farm" is blissful ignorance at best, and likely why an as yet undefined IEC, with acknowledged small jobs and judge costs, is already bulldozing over the history of generations of farming, traditional values of accountability and passing it on? It's time to make history, to protect our farmland, ecological diversity, natural resources, and climate, with spending and legislation that assists the community as a whole. We are still waiting on the updated 2002 Comprehensive Land Use Plan. If we are running out of land for development, we are running out of land for everything else too, and its time to value it more. It's time to say "No" to more land loss, no matter how you spin it.

Dan Caruso, 305 Compton St., New Carlisle.

I just heard a lot of what I was going to say, and I will say it again. We have coexisted with them. In recent years it has been the growth up in the Smilax Road, Edison, and Walnut Road which was part of the 2002 CLUP. We had been told, in there was identified 2500 acres for the industrial growth. We were told that the area has been fulfilled it can't bring in any more industry. So they are trying to look for someone to bring money into the area not saving the land.

Conversation continues on land in other parts of South Bend that could be used and accommodate these people.

Katheryn Enders, 23037 Grove Road.

I have been around this community for years and have worked in this building a few times so, I know how things tend to go. The bottom line is, I just read a report, there was a study done in Indiana in 2018 where Indiana is losing population. If this is true why build buildings for jobs if there is no guarantee that anybody will be available to do those jobs. The reason for lost population is the wage has been slashed. You can not live on \$10.00 an hour. We have lost good teachers to other states for pay and benefits. Kids move out of state for better paying jobs. Where are these people coming from to work in the IEC or any other building? Amazon will be moving from the current building to a new one they are having built. We need to think this through. What kind of jobs are they? Are they actually viable jobs that will include a generation of income and an economy for the substance of everybody here? Everything has to be looked at. You need to have better pay and increase the benefits.

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.