

**STARKE COUNTY BOARD OF COMMISSIONERS
MINUTES
MONDAY, JULY 5, 2022**

Pursuant to adjournment comes now the Starke County Board of Commissioners and meet in Regular Session at 5:00 PM, in person at the Starke County Annex Building, Knox, Indiana, with Mark Gourley and Bryan Cavender, present and the following proceedings were held to wit:

The meeting of the Board of Commissioners was called to order by Commissioner Vice President Mark Gourley directly at 5:00 PM.

AUDITOR BUSINESS

Commissioner Cavender made a motion to approve the payroll claims in the amount of \$273,739.94 including deductions in the amount of \$89,932.54 for pay period ending 06/25/2022 and payroll date of 07/01/2022. Commissioner Gourley seconded the motion and the motion was approved with all ayes. Commissioner Cavender made a motion to approve the vendor claims docket for a total in the amount of \$218,391.37. Commissioner Gourley seconded the motion and the motion was approved with all ayes. Commissioner Cavender made a motion to approve the minutes for June 20, 2022. Commissioner Gourley seconded the motion and the motion was approved with all ayes.

OTHER BUSINESS

Councilman Pearman came before the Board of Commissioners to present his proposal for an EMA Director Candidate. He introduced Victoria (Tori) Chessor and advised that he would like the board's approval to hire her as the new Starke County EMA Director. Commissioner Cavender made a motion to appoint Victoria (Tori) Chessor as the new EMA Director. Commissioner Gourley seconded the motion and the motion was approved with all ayes. Discussion was held regarding where the EMA office would be located. Commissioner Gourley advised he would like to keep it in the Annex Building within the EMS Department for now as the Park Board has some things to sort out in their area at Annex 2. Councilman Pearman advised that the council would like to request that we review our policy for take home vehicle due to the cost of fuel increasing. It was discussed that Auditor Oesterreich will send out the current take home vehicle policy to the Board of Commissioners and Attorney Schramm to be reviewed.

Commissioner Gourley brought up the discussion regarding the railroad crossing at 225 S. between SR 23 and 1000 E. Commissioner Cavender stated he is not in favor of closing the crossing but he would like to hear from the audience regarding what they would want. The issue was opened for public discussion. John Wise, Arlene Wise, Mike Thompson, John Shedrow, Anthony Garland, Steve Garland Brad Risner, and Eldona Risner all stated they are not in favor of closing the crossing because it would cause hardships in being able to get emergency vehicles to their location, if needed, in the future. Many also travel the road themselves as they own property on both sides and this would cause longer travel times moving from one location to another. More so, it was stated that the roads that they would be diverting traffic to are not in good condition and they are currently dirt roads. Dr. Fritz made a statement as well, he advised that he lives within a mile of the crossing, he does not have a particular opinion one way or another he just has some thoughts on the matter. He believes the railroad industry is interested in eliminating as many grade crossings as possible for reasons of safety and it does cost them money day to day for the gages and flashers. It does cost extra to maintain the track and if there is a collision the railroad is almost always sued and incurs a lot of legal expense. It has been railroad philosophy for years to try and eliminate as many highway crossings as possible. In general he would say that if the residents of the road are against it then they should not agree to have it closed. He advised that if they choose to close the crossing they need to get as much as possible from the railroad and it should be negotiated. Richard Beachamp also spoke up and said he has property on 225 S. He said if they closed the crossing it would make the travel time longer for emergency vehicles to get to their location.

Attorney Schramm advised that he had received email correspondence from Jacob Joseph. He read the email aloud: I am a citizen of Starke County and a former employee of Norfolk Southern Railroad where I was employed as a Communications and Signals Supervisor for over 10 years before I resigned in October of 2020. I harbor no ill will towards NS and enjoyed my time there and the comfortable lifestyle it afforded my family and myself. My address is 11560 E 150 S Culver 456511, despite the Culver address I live in Washington Township. My area of responsibility included all of the crossings,

wayside devices, wayside signals and all communication infrastructure from Ft. Wayne to the terminus of the NS B-line in Chicago. It isn't that I have great deal of concern with them wanting to close a limited use crossing my issue is the price to do so. They may or may not have informed the county of their ultimate intentions with that area and that crossing in particular. There is a project that is or was called the "Long Train Project." As part of that project NS intends to build several siding tracks in excess of 12,000' to accommodate longer and heavier trains between Chicago and points east as they currently cannot handle those types of trains along the B-line. They intend or intended to build one of those sidings from near SR23 back towards CR1150 and on in to Marshall County and their Upas road. I feel like the farmers and locals that use CR225 would argue that \$52,000 is not going to offset their headaches of going around the crossing or encouraging them to use other crossings at busier roads where we would see more impacts from farm traffic and more opportunities for crossing incidents to take place. Also this newly created siding is going to turn several other crossings in to two track crossings, furthermore the intent of a passing siding is a place to park one train while another train goes around it. In essence anytime there is a train parked in this new siding there could be or would be several other adjacent crossings possibly blocked and possibly blocked for hours. The state of Indiana has repeatedly sided with the Federal law stating the trains can sit as long as they need to and any fines levied by the state or local governments on the RR are null and void, ask the people of Hammond about it. If you want firsthand accounts of what can go wrong when a group of crossings are blocked for an extended period go and ask the people of Burr Oak what happens when SR17 is blocked for hours, ask them about their neighbor who lost her arm in a farming incident when SR17 and several other crossings were blocked and first responders were significantly delayed in rendering aide. I think her arm or my neighbors arm is worth more than \$52,000. I think we should ask NS for a (much) larger sum or for other types of grants or funding's for mutually beneficial projects like railroad safety education, railroad hazmat safety training for our first responders (this project will create more opportunities for hazardous materials to travel through and possibly stop and leak in our county) or grants to the Hoosier Valley Railroad. If they intend to go forward with the project including the closing of the CR225 crossing perhaps they can find a way to build an above or below grade crossing at CR1150 so there will be a way for first responders to get to the other side of a parked train. Due to my work schedule I am unable to attend the commissioners meeting myself but I would be willing to discuss my knowledge or past knowledge in more detail with anyone who would like to talk. Please pass my concerns and information along to any pertinent groups or individuals as well as the Commissioners and the Council as I was unable to locate contact information for them anywhere online.

Commissioner Cavender made a motion to table this discussion until their next meeting. Commissioner Gourley seconded the motion and the motion was approved with all ayes.

PUBLIC COMMENT

Janice advised she has a couple comments about Western Ave and CR210. She stated that the Board of Commissioners advised they wanted to have a resolution about the property and a survey completed by this meeting and she wanted to know when this is happening. Attorney Schramm advised her that surveyors are severely back up with work at the moment but the Board of Commissioners are still actively working on this project. John Colage came before the Board of Commissioners to advise that the Starke County Highway Department was cutting on a tree that was located full on his property and not in the right-of-way. He lives at 1015 E. 700 S. Commissioner Gourley stated that he will have a conversation about this situation with the Highway Superintendent.

With there being no further public comments and no further business, Commissioner Gourley made a motion to adjourn the meeting. Commissioner Cavender seconded the motion and the motion was approved with all ayes. The meeting was adjourned at 5:44 PM.

MONDAY, JULY 5, 2022

Charlie Chesak, President

Mark Gourley, Vice-President

Bryan Cavender, Member

Rachel Oesterreich, Auditor