

STEBEN COUNTY BOARD OF COMMISSIONERS MEETING
January 17, 2017

The Steuben County Commissioners met at 8:30 a.m. on Tuesday, January 17, 2017, in the Commissioners' Room of the Steuben County Community Center. Present this day were Commissioners Ronald Smith, James Crowl and Lynne Liechty. Also present were Donald Stuckey, County Attorney, Ruth Beer, Steuben County Councilwoman, Jim Getz, Steuben County Councilman, Ken Shelton, Steuben County Councilman, Rick Shipe, Steuben County Council President and Kim Koomler, Steuben County Auditor.

Magistrate Randy Coffey came to the Commissioners regarding the wireless internet for the Courthouse. Judge Coffey said that with a lot of help from Tami Sumney, IT Director, they gathered quotes from ZipSpider and Frontier Communications for the installation and monthly fee for the wireless internet. ZipSpider had a higher installation fee but a lower monthly cost. Magistrate Coffey said that he does not have the funds in his budget for the installation costs; however, he believes that they can find the funds for the monthly cost.

Tami Sumney reported to the Commissioners that this wireless connection would be a completely separate system. Magistrate Coffey said that they will be fully electronic filing on February 5, 2017, but the State hasn't decided to "turn on the switch" to make the My Case System available to the public. He advised that the Chronological Case Summaries are available; however, the electronically filed documents are not yet available.

Ken Shelton, Steuben County Councilman, reported that he has spoken to John McCoy, an iMAN board member. Mr. Shelton said that Mr. McCoy indicated that iMAN would also be available, wouldn't compromise the system and it probably wouldn't cost the County anything on a monthly basis. He said that Mr. McCoy also said it may be as simple as assigning a separate IP Address on iMAN and then having good routers installed that couldn't be breached. Ken Shelton said that Mr. McCoy is more than willing to sit down and talk to Tami Sumney regarding this issue. Tami Sumney said that the wireless access is feasible through the County network; however, the issue is that it would be more of a cost than just actually paying for a separate service for the Courthouse. Ms. Sumney said that she doesn't have funds in her budget to purchase wireless equipment to allow them on the network. She said that wireless access controllers would have to be installed and they are \$1,800.00 apiece. In addition to that, Ms. Sumney said that another device would have to be added to the network and that would cost \$5,000.00 and that does not include any set up at all. Therefore, Ms. Sumney said that it is feasible, but getting wireless through another provider is a lesser cost.

James Crowl made a motion to allow Magistrate Coffey to approach Council for an additional from the General Fund and that the monthly payments for the wireless shall come from the Courthouse Budget. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Lynne Liechty made a motion to approve the claims submitted for payment this day totaling \$182,291.79. James Crowl seconded that motion and the motion carried with three (3) ayes.

James Crowl made a motion to approve the minutes from the Commissioners' Meeting on January 3, 2017. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

The Commissioners signed the minutes from the December 19, 2016, Commissioners' Meeting for the Index Book, which were approved at the prior meeting.

Donald Stuckey submitted the updated Memorandum of Understanding between the 4-H Association and the County Park. Lynne Liechty made a motion to accept the updated Memorandum of Understanding. James Crowl seconded that motion and the motion carried with three (3) ayes.

The Commissioners scheduled a County Park Improvement Meeting for Thursday, January 26, 2017, at 8:30 a.m.

Ronald Smith officially announced Mary Allred as the new EMS Director. Ms. Allred has not yet assumed her new position, but will on January 19, 2017.

Abby Salge, Director of Wellness Services at Trine University, submitted a request to the Commissioners to waive the rental fees for the Multi-Purpose Room on February 16 and 23, 2017 from 6:00 p.m.-9:00 p.m. Ms. Salge said that Trine Wellness Services is looking to host a Rape Aggression Defense System Program at that time. Lynne Liechty made a motion to waive the rental fees for the Multi-Purpose Room for the purpose of hosting the R.A.D. Program, pending the availability of the room. James Crowl seconded that motion and the motion carried with three (3) ayes.

Ordinance 893, an Ordinance Enacting and Adopting a Supplement to the Code of Ordinances for Steuben County, Indiana was submitted for adoption. James Crowl made a motion to adopt Ordinance 893. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

**Second and Third Readings
Steuben County, Indiana
Ordinance No. 893**

Thereupon, County Commissioner, Lynne Liechty moved that all rules of procedure of the County Commissioners which might prevent, unless suspended, the second and third readings of Steuben County Ordinance No. 893, for final passage and adoption of said Ordinances at this meeting without reading the said Ordinances in full but reading the title only. This motion was seconded by James Crowl and was on the call of the roll adopted by the following vote:

Ayes
3

Nays
0

Under the suspension of the regular rules, County Commissioner, James Crowl, then moved that the Ordinances be read for the second and third readings by title only and thereby be ready for passage and final adoption in this meeting. This motion for the second and third readings for final passage and adoption of said Ordinances was seconded by Lynne Liechty and on the call of the roll was adopted by the following vote:

Ayes
3

Nays
0

The County Auditor then read aloud the title of said Ordinances for the second and third readings. Thereupon, County Commissioner, James Crowl, moved for final passage and adoption of the Ordinances in full applicable regulations to establish such Ordinances. This motion for final passage and adoption was seconded by Lynne Liechty and on the call of the roll adopted by the following vote:

Ayes
3

Nays
0

The President of the Steuben County Commissioners, Ronald L. Smith, declared publicly Ordinance No. 893, to have been duly passed and adopted. Thereupon, said Ordinance was signed by all members of the County Commissioners present and attested by the County Auditor. Ordinance No. 893 is on file in the Auditor's office. Ordinance No. 893 reads as follows:

ORDINANCE NUMBER 893

**AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE
CODE OF ORDINANCES FOR
STEBEN COUNTY, INDIANA
AND DECLARING AN EMERGENCY**

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio, has completed the 2015 S-9 Supplement to the Code of Ordinances of the Political Subdivision, which supplement contains all ordinances of a general and permanent nature enacted since the prior supplement to the Code of Ordinances of this Political Subdivision; and

WHEREAS, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances which are based on or make reference to sections of the Indiana code; and

WHEREAS, it is the intent of the Legislative Authority to accept these updated sections in accordance with the changes of the law of the State of Indiana; and

WHEREAS, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date;

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF STEUBEN COUNTY, INDIANA:

- Section 1. That the 2016 S-10 Supplement to the Code of Ordinances of the Political Subdivision as Submitted by American Legal Publishing Corporation of Cincinnati, Ohio, and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.
- Section 2. Such supplement shall be deemed published as of the day of its adoption and approval by the Legislative Authority and the Clerk of the Political Subdivision is hereby authorized and ordered to insert such supplement into the copy of the Code of Ordinances kept on file in the Office of the Clerk.
- Section 3. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the people of this municipality, and shall take effect at the earliest date provided by law.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 17th day of January, 2017.

First Reading: 1/17/17
Second Reading: 1/17/17
Third Reading: 1/17/17

STEUBEN COUNTY BOARD OF
COMMISSIONERS

Ronald L. Smith, President, South District
James A. Crowl, Vice President, Middle District
Lynne Liechty, North District

Attest: Kim Koomler, Steuben County Auditor

Clint Knauer, Building Commissioner, stated that the Plan Commission is in the process of starting to update the zoning ordinance and he would like to hire a consultant to check for continuity and update the sign ordinance. Mr. Knauer said that he had a meeting with the Plan Commission earlier this month and they would like permission from the Commissioners to request an additional from County Council, in the amount of \$5,500.00 for a consultant. Mr. Knauer said that he has contacted three (3) consultants and asked for a quote; however, he has only heard back from one (1). Lynne Liechty asked if this was something that could be done in house. Mr. Knauer said that it is; however, it is time consuming and you have to stay on track. He said that a lot of times what happens is that the project is started and then it gets put to the backburner. He said the continuity aspect may be what can be done in house. Mr. Knauer said you look at one section and a different section conflicts what is stated in the first section; however, there is a clause that states the stricter application applies, but it is still very confusing. Mr. Knauer said that it has been eight (8) or nine (9) years since someone has looked at it and it would probably be best for someone else to steer the ship at this point. James Crowl made a motion to allow Clint Knauer to go to County Council and request an additional in the amount of \$5,500.00. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Kim Johnson, Assessor, submitted a request for reappointment of Richard Ruselink and Tina King to PTABOA. Lynne Liechty made a motion to approve that request. James Crowl seconded that motion and the motion carried with three (3) ayes.

Kylee Harris, Assistant County Park Superintendent, reported that the Ren Faire informed her that they are not using the County Park this year. Ms. Harris said that she wanted to obtain permission to come up with a contract or guidelines for the Girl Scouts. She said that there were some issues with the Waste District bills and the Lion's Building was left dirty the last time the Girl Scouts used the park. Ms. Harris said that the Waste District bill was \$205.00 for prohibitive discharge and they had to come out three (3) separate times. Frank Charlton said that a charge was also incurred, in the amount of \$200.00, for the cleaning of the Lion's Building. James Crowl lightheartedly said, "Wow, the Girl Scouts are messy." Lynne Liechty asked if there were signs in the restrooms and Ms. Harris said she would make sure signs were posted this year. Donald Stuckey said no formal action was needed until the formal document is completed. Lynne Liechty said that a contract needs to be drafted stating that the Girl Scouts would be accountable for any damages and/or expenses. Donald Stuckey said that he will get with Kylee Harris and draft a new contract for the next meeting.

Kylee Harris also advised the Commissioners that the payment for the new booking software is only accepted through a credit card payment. Frank Charlton said that they are wanting the County to use a credit card for the monthly billing and they will not send an invoice through the mail. Kim Koomler said putting a monthly charge on the Commissioners' Credit Card is not permissible. Frank Charlton said that he will check with the company to see if they would allow an annual prepaid subscription.

Kylee Harris requested permission to use her personal vehicle and to submit claims for mileage. She said she has been doing a lot of driving back and forth from the Community Center, County Park and her home while Frank Charlton is using the County Park truck. Erin Schiffli, Commissioners' Secretary, said that she was not sure if that request was granted in a past Commissioners' Meeting or a County Park Meeting; however, it was approved on a part time basis and Ms. Harris is now full time. Ms. Schiffli said that the County Park does not have a line item for travel and/or mileage expenses and those costs would have come from the Commissioners' travel and/or mileage line item and that line item is used for conferences, etc. Kim Koomler said that either a line item is needed for the County Park or the Commissioners could request an increase in the Commissioners travel line item. Lynne Liechty said that she would rather it be kept separate so it is identifiable and easily tracked. Jim Getz, County Councilman, stated that doing so may be opening it up to other departments as well. Tami Sumney asked if she should be claiming all of her personal mileage that she uses going to the County Park and helping out, because currently she doesn't.

Lynne Liechty said that she feels that this situation includes a sales position and travel is needed to meet clients. Ms. Harris said that she is meeting clients on Saturdays and Sundays and is driving from her home multiple times a day to meet clients. James Crowl said that Ms. Harris is generating income at the Event Center and he thinks that the County Park should have a line item for travel. Kim Koomler said that a line item can be added and funds can be transferred to that line item. Lynne Liechty made a motion to cover the travel and mileage costs out of the Commissioners' travel line item; however, in the future they will seek to separate it and make it a separate line item. James Crowl seconded that motion and the motion carried with three (3) ayes.

Frank Charlton, County Park Superintendent, reported that he got the Kubota back yesterday. He said that he put two (2) hours on the tractor and it sprung a leak in the radiator.

Donald Stuckey asked about Mr. Kurtz and if he has paid his fees. Ms. Harris said that Mr. Kurtz has not paid. Donald Stuckey said that he would be filing the small claims case against Mr. Kurtz today.

Mr. Charlton said that he met with the electrician and the generator contractor yesterday and they will be getting a quote submitted.

George Pifer asked about the signs for the County Park on 200 W and the one that is to be visible from I-69. The Commissioners told him that there are signs installed on CR 200 W and the proposed sign that is to be visible from I-69 is on hold.

Donald Stuckey submitted an amended contract for RES Polyflow. It was stated that RES Polyflow did pay the back interest for 2016, in the amount of \$20,000.00. Lynne Liechty made a motion to approve the amended contract with RES Polyflow. James Crowl seconded that motion and the motion carried with three (3) ayes.

Vicky Meek, EMS Director, submitted December Closeouts in the amount of \$250.00 and December Writeoffs in the amount of \$150,638.57 for approval. James Crowl made a motion to approve the submitted Closeouts and Writeoffs. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Lori Hickey, Chief Deputy, submitted Miscellaneous Claims/Checks from July 1, 2016 - December 31, 2016 for approval. Lynne Liechty made a motion to approve the Miscellaneous Claims/Checks. James Crowl seconded that motion and the motion carried with three (3) ayes.

Fred Beck, Angola Rotary Club President, submitted a request to the Commissioners for permission to decorate the Steuben County Courthouse for Christmas 2017. James Crowl made a motion to grant that request. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Region IIIA submitted a Board of Directors Appointee Certification to the Commissioners. Lynne Liechty made a motion to have Ronald Smith continue on the Region IIIA Board. James Crowl seconded that motion and the motion carried with three (3) ayes.

Kone Inc., submitted an Annual Safety Inspection Test Contract for review. The Commissioners tabled that Contract until the next meeting because Donald Stuckey wanted to contact Kone regarding amendments.

Jennifer Sharkey, Highway Engineer, reported that she sent another email to INDOT requesting an update on their process for reviewing the Maple Street Project. Ms. Sharkey said that she is holding onto API's last pay estimate, so they are anxious for it to get closed out as well.

Ms. Sharkey said that everything is authorized for the right of way acquisition and engineering for the 200 N/SR 827 Project. She said that she has an amendment to the Right of Way Contract for approval. Ms. Sharkey said that after a close review, the fee seemed different. She said that the fee will decrease by just under \$51,000.00 due to some of the services were already included in the preliminary engineering contract. Lynne Liechty made a motion to approve the amended Right of Way Contract. James Crowl seconded that motion and the motion carried with three (3) ayes.

Jennifer Sharkey said that she is still in negotiations with Clark Dietz regarding the Bridge Inspections. She said that it was understood that the inspection fees would go up for this cycle due to additional requirements; however, what was submitted was significantly higher than expected. Ms. Sharkey said that she has to have a Contract to INDOT by the end of February to keep on schedule for the October inspection timeline.

Ms. Sharkey said that the RFP's for the Phase II of the CR 200 N Project has been advertised and they should be received by February 3, 2017. She said that the County was awarded federal funds for construction which includes the utility reimbursement and any construction inspection; however, the engineering and right of way is not funded at this time. She said that she believes they are waiting to award any PE and right of way funds due to the federal funds swap legislature bill.

Jennifer Sharkey submitted a Grant Agreement from the Steuben County Community Foundation for the Bike Trail, in the amount of \$52,665.69. James Crowl made a motion to approve the Grant Agreement with the Steuben County Community Foundation. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Ms. Sharkey said that she spoke to the Council about allocating the funds received for the Community Crossings Grant and it is scheduled for the February Meeting.

Ms. Sharkey said that during the January Council Meeting, they had a discussion and presentation on road funding and the options that are available, including LOHUT.

Jennifer Sharkey submitted a Clear Lake Park Road Improvement Plan to the Commissioners. Ms. Sharkey said that it includes options that are available for the Commissioners' consideration. Lynne Liechty said that there is \$15,000.00 in the Clear Lake Improvements line item and the proposal is in the amount of approximately \$20,000.00. Erin Schiffli, Commissioners' Secretary, said that there is \$15,600.00 in the Clear Lake Improvement line item; however, the mowing bills are paid from that line item. The Commissioners took the information under advisement for further review.

Emmett Heller, Highway Superintendent, reported that he is still waiting for NIPSCO to switch the electric for the lights on Old 127.

Mr. Heller said that they have been trimming trees and working on drainage projects trying to keep the water off the road. He said that on Tuesday, January 10, about ten (10) trees were taken care of that evening due to the high winds.

Mr. Heller reported that by next meeting, he will have the quotes for the distributor.

Brett Hays, Community Corrections, came to the Commissioners requesting permission to apply for a grant for the annual budget of Community Corrections. Mr. Hays said that this budget is what NICC is currently operating under and he has been able to adjust the budget to allow for one (1) more employee for LaGrange. Lynne Liechty made a motion to approve that request. James Crowl seconded that motion and the motion carried with three (3) ayes.

Brett Hays also stated that Dylan Heiden needs to be appointed to the Community Corrections Advisory Board. James Crowl made a motion to appoint Dylan Heiden to the Community Corrections Advisory Board. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Mr. Hays also resubmitted a quote from Manahan Construction, in the amount of \$19,685.00, for the installation of a Generator at the Community Corrections Building. Donald Stuckey said that if the power went out he didn't think there would be any liability because the purchase of a generator is discretionary, not a requirement. Lynne Liechty suggested purchasing a standby generator instead of doing construction to have one installed. Rick Shipe asked if there was battery backups on the computers and Brett Hays confirmed that there was. Mr. Shipe said Council didn't see the need to expend that amount of funds for a generator because of the low probability of a major issue. The Commissioners did not take any action on the request.

Kim Koomler, Auditor, reported to the Commissioners that she received Gary Fair's amended job description back from the Consultant. Ms. Koomler said there was no change in the job classification from the last amended job description and he would still be considered an LTC-C. She said that Mr. Fair needs to review the job description to see if it is acceptable. Lynne Liechty made a motion to approve the amended job description. James Crowl seconded that motion and the motion carried with three (3) ayes.

The Commissioners received the following correspondence: Dan Caruso re: EDC Meeting for tomorrow; AIC re: AIC eNews 1/13/17; Board of Aviation re: Meeting Memo; Soil & Water re: Approved SWCD Meeting Minutes; Maumee River Basin Commission re: MRBC Lobbying Publication; Maumee River Basin re: Viewing Details for MRBC Board President; Randy Streb, BOAC re: Airport FY 2016 Report; MRBC re: President's Father-in-law passes; MRBC re: Maumee River Basin Commission State Budget; BOAC re: Airport Revenue Report; IN.gov re: OCRA Block Grant Round 1; IACC re: Weekly Legislative Report; IACC re: Indiana Historic Bridges Programmatic Agreement; Soil & Water re: Preliminary Agenda; NICC re: Advisory Board Meeting; INDOT re: LPA Newsletter.

STEUBEN COUNTY BOARD OF COMMISSIONERS

Ronald L. Smith, President, South District

James A. Crowl, Vice President, Middle District

Lynne Liechty, North District

Attest: _____
Kim Koomler, Steuben County Auditor
els