

STEBEN COUNTY BOARD OF COMMISSIONERS MEETING
January 22, 2019

The Steuben County Commissioners met at 8:30 a.m. on Tuesday, January 22, 2019, 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 and Kim Meyers, Steuben County Auditor.

Randy Strebig, BoAC, submitted and discussed the Aviation Board's 4th Quarter Report of 2018. Mr. Strebig stated that fuel sales are about the same for Jet A Fuel but the 100 Low Lead Fuel sales have increased.

Mr. Strebig said that at the beginning of the year they encumbered funds to finish pouring a concrete floor in the equipment storage building. He said that an investigation and engineering was done to get a septic system installed in order to install a bathroom in the maintenance hangar. He said that a heater in the maintenance hangar was also installed. Mr. Strebig said that they encumbered the balance of the Airport Improvement funds into 2019 for further septic installation.

Randy Strebig said that in his quarterly reports from 2018 he stated how they were trying to lease the vacant space for something more substantial than boat storage. Mr. Strebig said that they do have a tenant in the building now in the back of the maintenance building whom is making and selling truck tarps. He said that one of the biggest drawbacks with that building was that there were no restroom facilities. An investigation was done on getting a septic field installed or to connect that restroom to the septic that was installed for the terminal building. It ended up not being feasible to connect to the existing septic because of distance, etc. The BoAC decided to do the studies and engineering to locate a septic field near the maintenance building. Mr. Strebig said that they have State approval, they have bid the project out and there is a signed contract subject to the County's approval to proceed. He said that he would also like to run a directional bore to the Quanset Hut for a future restroom since the equipment is already there.

Mr. Strebig said that \$13,117.00 was encumbered to put with \$6,358.00 of 2019 funds to pay for the septic contract in the amount of \$19,475.00.

He also provided a proposal for time and material, not to exceed \$10,000.00 to repair the roof of the Quanset Hut. He said that he has a proposed number to add on the bathroom but he has not written any scopes or taken any quotes on that yet. Mr. Strebig said that there are also some grading and fill issues on the back of the building where the water is not sloping away from the building.

Mr. Strebig stated that he needs discussion and approval to proceed with the Construction Agreement with Dave Dilts Excavating for the new septic system and to repair the Quanset Hut Roof. Kim Meyers asked Donald Stuckey, County Attorney, if the BoAC enters into any Contractual Agreements do the Commissioners sign them or does the BoAC. Donald Stuckey said that they have to be brought to the Commissioners because they are supposed to do all of the contracting. Mr. Stuckey said that the BoAC has the right to spend the money but the Commissioners are supposed to authorize it. James Crowl made a motion to approve moving forward with the roof repair and the Construction Agreement with Dave Dilts. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Donald Stuckey specified that the BoAC can sign the Contract, but it has to be approved by the Commissioners. Randy Strebig asked if there was anything in the future that they would like done differently. Donald Stuckey said that if there is a formal contract the Commissioners need to approve it, which can be approved over the phone and then officially approved at the next meeting. Lynne Liechty asked if the BoAC was held to the rule that anything over \$500.00 would need approval. She said that can be done over the phone. Erin Schiffli said that the proper paperwork needs to be submitted to her in order to be submitted for official approval at the next meeting. Kim Meyers said that by doing this they are covering their bases for audits.

Mr. Strebig asked if this process was done again, what should be done differently. Donald Stuckey said that ideally the Contract would have been submitted to the Commissioners for approval before the BoAC signed the Contract.

Mike Sevits, Annex Maintenance, submitted two (2) quotes for the installation of a seamless gutter at the Annex. Lynne Liechty made a motion to accept the low quote from Preferred in the amount of \$3,845.00 to be paid from Cum. Cap. 1138-000-4000.15. James Crowl seconded that motion and the motion carried with three (3) ayes.

Brett Hays, NICC, submitted an invoice from Manahan Construction for repairs made to the Old Jail roof in the amount of \$445.00. Lynne Liechty made a motion to pay for half of the invoice. James Crowl seconded that motion and the motion carried with three (3) ayes.

Mr. Hays also submitted the November, December, 1st Quarter and 2nd Quarter TANF Reports. James Crowl made a motion to approve the Reports. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Brett Hays informed the Commissioners that the gutters need to be cleaned at the Old Jail. He said that he has gotten one quote from Sevits and asked if the Commissioners would like for him to get another quote. Mr. Hays said that the gutters need to be cleaned twice a year and it typically costs \$300.00-\$500.00 each time. The Commissioners requested that Mr. Hays solicit another quote and bring it to the next Commissioners' Meeting.

Jeff Bassett, Business Impressions, informed the Commissioners that the Assessor's Office Xerox did not come with a finisher and they would like to have that added to the Contract. He said that it would cost an additional \$13.00 a month to add that to the Contract. Lynne Liechty made a motion to approve amended the Contract to include a finisher. James Crowl seconded that motion and the motion carried with three (3) ayes.

Rodney Robinson, Sheriff, came to the Commissioners regarding the vending machine at the Annex. Sheriff Robinson said that the vending machine is owned and filled by the Deputy's Association. He said that he spoke with them and they are willing to sell it. Lynne Liechty made a motion to offer the Deputy's Association \$200.00 to purchase the vending machine. James Crowl seconded that motion and the motion carried with two (2) ayes. Kim Meyers said that if they accept the offer, let her know and she will issue the check to the Deputy's Association.

Gary Fair, Community Center Building Maintenance, submitted quotes for a new maintenance vehicle. Mr. Fair said that they've been plagued with old vehicles and that the vehicles are rusted out and hand-me-downs. Mr. Fair said that he has spoken to his staff and they have concluded that they cannot find a used fleet vehicle with an 8' bed, 2-wheel drive, tow package without all of the rust for the price of a new vehicle. He said that he is asking the Commissioners to consider the purchase and if it is approved, he'd like to have the under coating and a rust preventative done which would cost approximately \$350.00. Mr. Fair said that there is \$2,654.75 difference between the two (2) quotes with the Dodge dealer coming in with the low bid at \$18,545.25. He said that he would like the Commissioners take a look at this and determine if they should move forward.

Lynne Liechty asked if that was with a trade in. Gary Fair said that the quotes do not include a trade in, he said that they could auction the Colorado on the next Online Auction. Commissioner Liechty said that the vehicle that he doesn't want anymore is a 2007 Colorado and it has 74,000 miles. Gary Fair said that he is aware it has low miles, runs well, but it is rusting apart. Mr. Fair said that it also needs new tires and he felt it was wasting money getting new tires.

James Crowl asked where the money would come from. Kim Meyers said that there is an appropriation in the Cum Cap Fund, but there isn't a plan for that money and she is not sure what it is meant for. Ms. Meyers said that they started with \$300,000.00 and they are down to \$277,750.00 and that has to maintain all buildings repair, maintenance, anything that is coming at them. She said that there was quite a list of repairs that Mr. Fair turned in for the Community Center. Kim Meyers said that this vehicle purchase was not discussed at budget time and typically they like to have all of that planned for and in place before they go into the new year.

James Crowl said that if they wait another year, there won't be a vehicle to drive because it isn't safe to drive now. Ronald Smith asked what the basic purpose of use for this vehicle was. Mr. Fair said that the truck is used for maintenance, to travel from building to building and to retrieve supplies. Ronald Smith said that last year they came to a very close margin in Cum. Cap. He wants to get the vehicle, but doesn't want to put them in the

same situation. Lynne Liechty asked about a used vehicle from a dealership. She said that she thinks they should look a little further before they spend the \$18,000.00 because there is a lot coming up this year. James Crowl recommended waiting until the next meeting.

Patrick Kirkpatrick, EMS Director, informed the Commissioners that the North EMS pole barn is not keeping up with the weather. Mr. Kirkpatrick asked if the Commissioners would approve a ceramic infrared heater to be placed out there. The Commissioners asked Mike Sevits to speak to Armstrong's Heating and Air Conditioning about the installation of a cold air return.

The Commissioners and Kim Meyers, Auditor received a letter from Mefford, Weber and Blythe regarding DeKalb County Central United School District Ballot Question-Controlled Project Referendum. James Crowl made a motion to approve Kim Meyers to certify the language of the ballot question as requested in the letter. 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 \$342,533.47. 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 7, 2019. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

The Commissioners signed the minutes from the December 20, 2018, Commissioners' Meeting for the Index Book, which were approved at the prior meeting.

Rae Delaney, Payroll, submitted the January 18, 2019 payroll in the amount of \$397,616.31 for approval. Lynne Liechty made a motion to approve the January 18, 2019 payroll. James Crowl seconded that motion and the motion carried with three (3) ayes.

Southeastrans requested an attestation from the Commission Board stating that Steuben County Government will be doing Criminal Background, MVR and Drug Screenings on all new hires. James Crowl made a motion to approve and sign the attestation that was submitted. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Donald Stuckey stated that he has not received a dedication on Daniel and Beth Strasser's Petition to Vacate VPW-18-06.

Erin Schiffli submitted information regarding document envelopes, First Aid Kits and Fire Extinguishers that are to be put in all County Vehicles. She said that she wanted to let the Commissioners know what she was looking at and she is working on a tally of how much it will cost.

Marvin Retcher, Weights and Measures, gave his 4th Quarter Report to the Commissioners. Mr. Retcher also stated that he has training next month and he plans on attending the Boat Show to reach out to local marinas. He reported that his vehicle is serviced when needed and it is running fine.

Frank Charlton, County Park Superintendent, reported that there are a lot of snowmobiles at the County Park. George Pifer asked if the snowmobiles were on the marked trails. Mr. Charlton said that the snowmobiles go everywhere and they weren't up in the wildflower plot too much, but they were around the horse barn and one drove through a barn. He said that they do not want to stay on the trails at all and in the spring, they may want to look at what the skis are doing to the new roads. Donald Stuckey said that the Commissioners approve contracts every year with the Pokagon Snowmobilers Club. James Crowl said that the Contract says they shall stay on the trails and recommended contacting the Pokagon Snowmobilers. Frank Charlton said that the snowmobilers that are leaving the trails may not be part of the club.

James Crowl asked if the Conference Rooms have been rented at the Event Center. Frank Charlton said that they had not and maybe they can look at amending the rental charges.

Mr. Charlton said that the graffiti has been wiped off; however, it also wiped off the paint from the garage door and it will need to be totally repainted. He said that one sign was a total loss and the graffiti was removed from the other sign.

Frank Charlton also reported that a lot of rocks are disappearing off of the shoreline because the ice fishermen throw them on ice to see if it is safe yet.

Ronald Smith said that the Commissioners are communicating with the Liability Insurance Company concerning a couple of issues that have come to the Commission Board's attention. James Crowl made a motion to send a letter to Bliss McKnight to inform them that the Commission Board is seeking to remedy the liability issue with the current policy. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Ronald Smith said that non-county employee vehicle passengers is an assessed responsibility and will come back on the County and our insurance. Commissioner Smith said that in compliance, the Commission Board needs to specify that non-employees may not be provided with passage in any vehicles due to liability factors. Lynne Liechty made a motion to put that policy in effect and to send a memo to the Department Heads regarding that. James Crowl seconded that motion and the motion carried with three (3) ayes.

Bill Schmidt stated that there is a group called the LAB (Lakes Advisory Board) which is a statutory board whom serve as advisors to the Plan Commission. Mr. Schmidt said that they often times go with the Plan Commission on Site Survey's and ride in the vehicles. Donald Stuckey stated that they are not employees, they are just an Advisory Board and they would not be allowed to be in the County Vehicle under this policy. James Crowl said that they could follow the Plan Commission in a personal vehicle. Donald Stuckey said that the LAB is created by the Plan Commission as an advisory organization to them but they are not paid, they are not employees and the insurance company would probably take the position that they are not covered.

Bill Schmidt notified the Commissioners that specific wording concerning Casinos was taken out of the Zoning Ordinance. Lynne Liechty said that she wants it to be reinserted. James Crowl said he is not sure why it was removed. Donald Stuckey said that the Commissioners will have to get a recommendation from the Plan Commission. Bill Schmidt asked how much public notice was needed and if it could be placed on the February Plan Commission Agenda. Donald Stuckey said that they could discuss the matter at the February meeting, but they can't pass anything. Mr. Schmidt said that if the Commissioners want the Plan Commission to discuss it, they could call a special meeting. Donald Stuckey said he thinks they will have plenty of time and a special meeting won't be required. James Crowl said that the verbiage was there and it needs to be put back in. Lynne Liechty made a motion to submit the information to the Plan Commission and have the Plan Commission give a recommendation regarding having the casino wording reinserted into the Zoning Ordinance. James Crowl seconded that motion and the motion carried with three (3) ayes.

Jennifer Sharkey submitted SLRWD Utility Permits #2745RC and #2828 for approval. Lynne Liechty made a motion to approve the Utility Permits. James Crowl seconded that motion and the motion carried with three (3) ayes.

Ms. Sharkey submitted a reimbursement voucher for the 200 N/SR 827 Project. James Crowl made a motion to approve the reimbursement voucher. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Jennifer Sharkey submitted an Unofficial Detour for the US 20 small structure replacement that is happening this spring/summer. She said that the Unofficial Detour would be 800 W to 250 S to 600 W. Ms. Sharkey said that both she and Emmett Heller have been coordinating with INDOT on this project. She said by signing and approving this Unofficial Detour, that means they will do the preconstruction analysis, post construction analysis and any damages as a result of that project would be discussed with INDOT. Ms. Sharkey said that this was a step that was not taken by INDOT on the other US 20 project.

James Crowl asked what would happen if a big truck uses the Unofficial Detour and if they are subject to arrest. Donald Stuckey said that there is not an ordinance prohibiting a weight limit and if the Commissioners want to control it locally, they will have to have an ordinance that prohibits trucks on certain roads. Jennifer Sharkey said

that this project is bundled with the SR 327 Project but this portion should only take two (2) to three (3) weeks; however, the other SR 327 Project should take about six (6) months. She said that they aren't sure of the timing of this project and they are trying to coordinate that with INDOT because the Highway Department has activities on 600 W to do. Ms. Sharkey said that this will not be posted as a detour route, the detour posted will be the SR 327 to SR 120 to I-69. James Crowl made a motion to sign the Unofficial Detour. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Jennifer Sharkey submitted the financial commitment letter for the Community Crossings Grant. She said that it has been modified from the last application. She said that last time they were looking at eight (8) roads and this time they are looking at eleven (11) roadways that include: CR 100 N, Bayview, Metz Rd, 100 E, Bill Deller, 150 S, Hanselman, 110 W, Brassie Court, St. Andrews Court and Niblick Court. She said that this would be anticipating \$995,606.91 of Community Crossings Funds and the County would have a 25% match. Lynne Liechty made a motion to approve the Community Crossings Application. James Crowl seconded that motion and the motion carried with three (3) ayes.

Ms. Sharkey said that she did a presentation to INDOT on January 15 regarding the Roundabout at 100 N and 200 W. She said that awards should be announced at the end of February. She said that she has an optimistic feeling on this project due to the safety implications and it had strong support from the INDOT Office of Traffic Safety.

Ms. Sharkey also reported that she had a meeting with the City of Angola regarding the Historic Preservation of the Courthouse and what needs to be done with the applications for the Courthouse wall.

Jennifer Sharkey submitted a letter to Mr. Stuckey. She said that they've had issues with this company in the past where they will send the Highway Department an OSHA Compliance Manual when it was not ordered and then bill the Highway Department. She said that they have sent the Manual back but they still send an invoice. Ms. Sharkey said that they've looked it up on the BBB and it seems to have a negative review. Donald Stuckey said that he would take care of it.

Emmett Heller, Highway Superintendent, submitted bid recommendations for 2019. The bid recommendation reads as follows:

Steuben County Highway Department
1 9 0 0 N 2 0 0 W
Angola, Indiana 46703
Phone: (260) 668-1000 ext 3600
Fax: (260) 833-1564

January 14, 2019

Steuben County Board of Commissioners
317 S. Wayne Street, Suite 2-H
Angola IN 46703

Dear Ron, Lynne, and Jim,

Enclosed are the COUNTY HIGHWAY DEPARTMENT bid results for 2019 with our recommendations.

Pavement Marking or Striping

AIRMARKING CO., INC.

Centerline or edgeline \$.08 / 500,0001ft.
(Includes one mobilization, \$1000.00/ each additional mobilization)

THREE RIVERS BARRICADE

Centerline or edge line \$.09 per/LFT./500,000 lft.

Recommend accepting all quotes from vendors. When ready for striping, we can check with all suppliers to see who can schedule us first.

Grader & Maintainer Blades

AMERICAN WIRE ROPE AND SLING
MACALLISTER MACHINERY ST.
ST. REGIS CULVERT, INC.
WINTER EQUIPMENT COMPANY

There are too many sizes, materials, shapes, etc. to easily list. Recommend accepting all quotes and performing price comparisons for required type and size when purchasing.

Culverts

CIVILCON
ST. REGIS CULVERT, INC.

There are too many sizes, shapes, materials, etc. to easily list. Recommend accepting all quotes and performing price comparisons for required type and size when purchasing.

Item IA & 1B (Gas and Diesel Fuel for all county departments)

Was bid on at an earlier date.

Item 1C (Motor Oil & Grease)

Was bid on at an earlier date.

Item 2 (Paving Material for Maintenance Use)

API CONSTRUCTION CORP-(Auburn Plant)

No. 11 HMA surface\$57.00/ton
No. 8 or 9 or 12 HMA intermediate.....\$48.00/ton
No. 5 HMA Base..... \$48.00/ton

BROOKS CONSTRUCTION-(Auburn Plant)

No. 11 HMA surface.....\$55.00/ton
No. 8 or 9 or 12 HMA intermediate\$44.00/ton
No. 5 HMA Base\$44.00/ton

E & B PAVING, INC. (Angola Plant)

No. 11 HMA surface.....\$56.00/ton
No. 8 or 9 intermediate..... \$51.00/ton
#11 BINDER.....\$55.00/ton
No. 5 HMA Base\$51.00/ton

Recommend accepting all bids.

Item 2A (Paving Material for Maintenance Use (Installed By Contractor))

API CCONSTRUCTION CORP.	<u>Price per Ton</u>	<u>Price per sys</u>
No. 11 HMA Surface (1.5") Type B	\$66.00	\$5.45
No. 8 or 9 HMA Intermediate (2") T B	\$55.00	\$6.05
No. 5 HMA Base (2") Type B	\$55.00	\$6.05
BROOKS CONTRUCTION		
No. 11 HMA Surface (1.5")	\$75.00	No bid
No. 8 or 9 HMA Intermediate (2")	\$64.00	No bid
No. 5 HMA Base (2")	\$64.00	No bid
E & B PAVING INC		
No. 11 HMA Surface (1.5")	\$71.00	No bid
No. 8 or 9 HMA Intermediate	\$66.00	No bid
No. 5 HMA Base (2")	\$66.00	No bid

Recommend accepting all bids.

Item 3 (Bituminous Patching Material)

API CONSTRUCTION CORP.-(MC 250 Mix)	
Bit. Patch Mat'l. F.O.B (picked up at their plant)	\$70.00/ton
Bit. Patch Mat'l. Delivered.....	\$76.00/ton
API CONSTRUCTION CORP- (BMP HIGH PERF COLD MIX)	
Bit. Patch Mat'l F.O.B (picked up at their plant).....	\$93.00/ton
Bit. Patch Mat'l Delivered.....	\$99.00/ton
BROOKS CONSTRUCTION-(Fort Wayne)	
Bit. Patch Mat'l. F.O.B (Auburn)	\$72.00/ton
Bit. Patch Mat'l. Delivered.....	\$78.00/ton
E & B PAVING, INC.-(LHR PLANT)	
Bit. Patch Mat'l. F.O.B(high perf cold mix).....	\$100.00/ton
Bit. Patch Mat'l. Delivered (high perf cold mix).....	\$110.00/ton
PULVER ASPHALT	
Bit. Patch Mat'l. F.O.B	\$67.00/ton
Bit. Patch Mat'l. Delivered	\$72.00 /ton

Recommend accepting all bids.

Item 4 (Liquid Cutback and/or Emulsified Asphalts)

ASPHALT MATERIALS, INC
 K-TECH SPECIALTY COATINGS, INC.
 PIERCETON TRUCKING CO., INC.

Numerous material types were bid by each supplier. Bid is subject to escalator/de-escalator clause. Recommend accepting all bids and comparing prices and availability when materials are required.

Item 5 (Bank Run Gravel)

MICHAEL MCHENNEY\$ 1.50/CU.YD

(Pit Run gravel mine by County Force)

Item 6 (Processed Gravel, Sand, and Stone & Limestone)

BAILEY AGGREGATES, LLC
FREMONT SAND & GRAVEL
HANSON AGGREGATES
IRVING GRAVEL COMPANY, INC
KLINK TRUCKING, INC.
OLD PRAIRIE PRODUCTS, INC.
R SMITH & SONS, INC.

Numerous types of materials were bid by each supplier. Recommend accepting all bids and comparing prices, availability, and proximity to work location when aggregate materials are required.

Item 8 (Hourly Equipment Rental)

ALBRIGHT CONTRACTORS
CROWL EARTHWORK AND CONSTRUCTION, INC.
IRVING GRAVEL COMPANY, INC
PRIMCO

Numerous types of equipment and various hourly rates were submitted by the above bidder. Recommend accepting bid and, availability, and proximity to work location when additional equipment is needed.

Item 10 (BRIDGE MATERIAL)

AMERICAN TIMBER BRIDGE
CIVILCON
PRIMCO

There are too many sizes, shapes, materials, etc. to easily list. Recommend accepting all quotes and performing price comparisons for required type and size when purchasing.

ITEM 11 (LIQUID BITUMINOUS (CRACK SEAL ONLY)

API
Delivered to Steuben County Highway Dept.....N/A
Price installed (includes material, labor, & equipment) \$4000.00

PAVEMENT SOLUTIONS INC
Delivered to Steuben County Highway Dept.....\$1000.00
Price installed (includes material, labor, & equipment) \$2600.00

SEALMASTER

Delivered to Steuben County Highway Dept.....\$1100.00
Price installed (includes material, labor, & equipment)N/A

Recommend accepting all bids.

If you have questions or need information, contact Emmett Heller or Jennifer Sharkey at the Steuben County Highway Department.

Thank you,

Emmett Heller
Superintendent

Jennifer Sharkey
Engineer

Emmett Heller submitted paperwork for a vehicle registration. He said that it was approved at the last meeting and they inadvertently missed a signature page.

Mr. Heller requested to move the Auction proceeds in the amount of \$9,615.89 back into the Highway Budget.

Mr. Heller also submitted quotes for new flooring in the Highway Department's offices, restroom and closet. Lynne Liechty made a motion to approve the low bid from Sanborn's in the amount of \$9,440.81. James Crowl seconded that motion and the motion carried with three (3) ayes.

Emmett Heller said that they ordered another 150 tons of salt, they are up to about 1,000 tons ordered with 750 tons on the ground. Mr. Heller said that the contract is for 2,000 tons and he will need to go to County Council for an additional appropriation because the remaining of the salt has to be ordered by March 31.

Mr. Heller said that he talked to Brian Julian whom salts and plows the County parking lots. Mr. Julian would like to make a spot where the Highway Department could take a load of salt to his business so he has easy access to it when he needs to salt the County parking lots. James Crowl made a motion to approve that request. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Jennifer Sharkey stated that on 100 N there are drainage concerns by I-69 and the development there. She said that she met with Ross Ruckle from Rolands & Associates and he is working on getting a proposal together to get the right of way researched, outlined and staked in the spring so they can do a site visit to determine the best course of action.

Ms. Sharkey said that she received information on the I-69 small structure and drainage corrections between SR 4 and the Michigan line.

Randy Brown, EMA, submitted the Updated Steuben County Local Emergency Planning Committee Hazardous Materials Emergency Response Plan for approval. Lynne Liechty made a motion to approve the Plan. James Crowl seconded that motion and the motion carried with three (3) ayes.

Erin Schiffli asked Donald Stuckey if he had completed the written recommendation regarding the Petition to Vacate filed by Kevin Summers. Mr. Stuckey said that he didn't do a written recommendation, but he did the research. Mr. Stuckey said that he doesn't have a recommendation, but he will tell the Commissioners what the facts are after looking at the record. First, that is a platted alley and anyone in the County has the right to use that platted alley. He said that there is no prohibition and no limitation using that alley by anyone else; however, the Department of Natural Resources have determined that there are no riparian rights which means that no one has the right to put a pier at the end of it. Mr. Stuckey said that the use would be limited to walking down, looking at the water, fishing or swimming. He said that specifically in the DNR decision, they stated that they make no determination as to whether there is a non-riparian use of the alley. Mr. Stuckey said that the person that has been putting a dock down there cannot do that and the DNR has already determined that. Mr. Stuckey asked why would there be an alley across a subdivision to the lake, no one needs to use that because they are already on the lake. He said that those were all designed for potential development of back lot users and that is why it was put in. Mr.

Stuckey said that anyone on the back lots would have the right to walk down there, fish, jump in the lake or have a picnic lunch. Erin Schiffli said that the Plan Commission was waiting on Mr. Stuckey's written recommendation so they could resubmit this Petition to the Commissioners. Mr. Stuckey said that he would put that in writing and get a copy to Vina Conti as well. He said that it is up to the Commissioners on whether or not they close it, but there is a negative recommendation from the Plan Commission. He said that in light of the negative recommendation from the Plan Commission it is his opinion that there is nothing strongly suggesting that the Commissioners should close it, but if the Commissioners feel it should be closed, they can do so. James Crowl said that the Plan Commission is there to support the Commissioners, they all said no. Lynne Liechty said that she thinks that the Commissioners should write a letter in support of the Plan Commission's decision. James Crowl said that he agrees. Mike Marturello said that he believes in the early to mid-1980's the Commissioners overturned a Plan Commission decision concerning the landfill down in Hamilton, but that is just memory and he could be wrong.

James Crowl said that the deed for the cemetery plots needs to be filled out. He said that the chain of events is that an invoice is sent, the people pay, a receipt is given and that person then goes to him for a deed. Commissioner Crowl said that there is no rhyme or reason to how things are numbered at the Carter Cemetery. Ronald Smith said that a layout can be done and numbers can be assigned. James Crowl said that it can't be done now because of the snow, etc. He said that can be done in spring, but until that time, they are going to use the current graves as markers. He said that GIS can number it, but the distance between plots need to be figured out. Ronald Smith said that he would agree with that until it is more accurately identified. He said that a letter could be sent stating that the Cemetery Board plans on doing a thorough plotting and they will be notified as soon as that is done in 2019. Ronald Smith said that the deed process should be put in place this spring.

The Commissioners received the following correspondence: Rodney Renkenberger, MRBC re: Unveiling of St. Mary's River Stream Assessment Study, Joy Hudson re: Mayors & Commissioners Caucus Materials; Sinead Knightly re: US Census Bureau Hiring in Steuben County; Stacey Meek re: NICC Advisory Board Meeting; Joy Hudson re: NE Indiana Wants to be Heard in Statehouse.

STEBEN COUNTY BOARD OF COMMISSIONERS

Ronald L. Smith, President, South District

James A. Crowl, Vice President, Middle District

Lynne Liechty, North District

Attest: _____
Kim Meyers, Steuben County Auditor
els