

STEBEN COUNTY BOARD OF COMMISSIONERS MEETING  
January 3, 2017

The Steuben County Commissioners met at 1:00 p.m. on Tuesday, January 3, 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, Jim Getz, Steuben County Councilman, Ruth Beer, Steuben County Councilwoman and Kim Koomler, Steuben County Auditor.

The Commissioners signed plats for Lochamire Acres.

Ronald Smith announced that the Commission Board would not be announcing the new EMS Director at today's meeting.

Lynne Liechty made a motion to approve the claims submitted for payment this day totaling \$741,102.69. James Crowl seconded that motion and the motion carried with three (3) ayes.

Kim Koomler, Auditor and Melissa Bixler, Treasurer, submitted the Monthly Comparison Report for approval. James Crowl made a motion to approve the Monthly Comparison Report. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Lynne Liechty made a motion to approve the minutes from the Commissioners' Meeting on December 19, 2016. James Crowl seconded that motion and the motion carried with three (3) ayes.

The Commissioners signed the minutes from the December 5, 2016, Commissioners' Meeting for the Index Book, which were approved at the prior meeting.

Frank Charlton, County Park Superintendent, submitted a verbal approval form for the purchase of coat racks for the Event Center, in the amount of \$1,707.00, for official approval. James Crowl made a motion to approve the purchase of the new coat racks for the Event Center. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

The Commissioners received information regarding Cyber Liability Insurance. Donald Stuckey, County Attorney, said that it would be a good idea to obtain that insurance due to the recent reports from other Counties. Lynne Liechty made a motion to approve adding Cyber Liability Insurance to the County Policy based on what Tami Sumney, IT Director, believes the coverage should be. James Crowl seconded that motion and the motion carried with three (3) ayes.

Donald Stuckey and the Commissioners discussed the Memorandum of Understanding between the 4-H Association and the County Park. Mr. Stuckey proposed changing four (4) items: Paragraph A(c) has been changed to "provide keys and access to any buildings which the Steuben County Parks Department determines are necessary for the 4-H Fair Association to carry out its responsibilities. Paragraph C(f) has been eliminated. Paragraph C(h) was modified to change the payee to the "Steuben County Treasurer" not the "Steuben County Parks Department." Paragraph C(i) has been changed to "Facilitate written contracts between the Steuben County Park and Community Individuals for the Lion's Building and Exhibit Hall." Ronald Smith said that the Exhibit Hall needs to be deleted from the Memorandum because the Commissioners have declared that not be used any further.

Donald Stuckey said that he is comfortable with the Memorandum of Understanding as amended. James Crowl made a motion to approve the Amended Memorandum of Understanding between the 4-H Fair Association and the County Park. Lynne Liechty said that she would like to review it further and make a decision at another time. Ronald Smith stated that the motion dies for lack of a second.

The Commissioners discussed doing a walkthrough of the buildings and the Courthouse with Martin Riley and American Structurepoint, so one company can be chosen for the Courthouse Feasibility Study. James Crowl offered to make himself available to do that, sometime after the next Commissioners' Meeting.

Kathy Armstrong, JDAI, came to the Commissioners to request permission to apply for the JDAI Grant. Lynne Liechty made a motion to approve the application for the JDAI Grant. James Crowl seconded that motion and the motion carried with three (3) ayes.

Ms. Armstrong also reported that she has been working with Tami Sumney on a computer purchase in the amount of \$1,650.00 and the funds are in her budget. Lynne Liechty made a motion to approve that computer purchase. James Crowl seconded that motion and the motion carried with three (3) ayes.

Erin Schiffli, Commissioners' Secretary, submitted a letter from Marathon Petroleum Company LP regarding Bond #5819732 – ROW. The letter stated that this surety bond was executed in 1995 for work to be completed by the spring of 1996 and they are requesting that the Commissioners provide a formal letter releasing the bond so it can be canceled with their surety company. Lynne Liechty made a motion to send a letter releasing the bond. James Crowl seconded that motion and the motion carried with three (3) ayes.

A Professional Services Contract #18383 with the Indiana Office of Technology, Geographic Information Office was submitted for approval. It was stated that this Contract is for the Aerial Photography for GIS. The Contract has a project cost of \$19,315.00 and those funds shall come from the 2010 Bond. James Crowl made a motion to approve the Contract. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Frank Charlton, County Park Superintendent, updated the Commissioners on the County Park and Event Center. Kylee Harris said that the Event Center has been rented fourteen (14) times, once now for 2018 and the Lion's Building has been rented three (3) times.

Kylee Harris, Assistant County Park Superintendent, submitted updated quotes for the Event Center door access controls for main doors only. Lynne Liechty made a motion to approve the quote from Lakeland Electronics in the amount of \$14,468.87. James Crowl seconded that motion and the motion carried with three (3) ayes.

Ms. Harris also stated that the Clear Lake Mowing Contract needed to be amended to reflect that mowing may continue into October, if authorized. Jim Getz asked if the new tractor that was purchased for the County Park could be transported to the Clear Lake Park for mowing. James Crowl said that a new trailer would have to be purchased in order to transport the tractor. James Crowl made a motion to amend the mowing contract for the Clear Lake Park to include mowing into October, if authorized. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Ms. Harris said that since the Lion's Building rental fee was increased, the Rental Contract for that building needed to be amended as well. She said that the rent was approved to be increased to \$450.00 plus a \$50.00 deposit. Donald Stuckey said that he would make the changes necessary and then email to Erin Schiffli for distribution.

Ronald Smith clarified the rental fee on the Lion's Club Building. He recommended the fee being \$420.00 plus tax and plus the \$50.00 security deposit. Lynne Liechty made a motion to make the rental fee for the Lion's Club Building \$420.00 plus tax, plus a security deposit of \$50.00. James Crowl seconded that motion and the motion carried with three (3) ayes.

George Pifer asked the Commissioners if they were going to revisit the boat slip fee. Lynne Liechty said that it was increased last year. Mr. Pifer said that he felt that the fee was still cheap and the County should take advantage of the opportunity to increase the revenue, within reason. Kylee Harris said that the current rate is \$600.00; however, one slip comes with a paid seasonal rental.

Frank Charlton said that the fee for a seasonal campsite is \$2,100.00 and that includes a boat slip. Bill Schmidt asked what \$1,500.00 would get at other campgrounds as compared to the County Park Campground. Mr. Schmidt said that due to the boat slips being included in the seasonal rental, the overall rental fee should be higher. Ronald Smith requested to wait until a future meeting to have this discussion as some investigation needs to be done into the rental fees and amenities at other campgrounds.

Jennifer Sharkey stated that the Notice to Proceed has been issued for the 200 N/SR 827 right of way phase.

Ms. Sharkey said that she spoke with Clark Dietz on the Bridge Inspection and the negotiations are ongoing regarding the contract.

Ms. Sharkey reported that paperwork was received so she can draft the proposals for the 200 N Phase II Project and that has been sent to INDOT for review.

Jennifer Sharkey said that BF&S has reached out to the DNR regarding the Bike Trail Phase II to set up a meeting and move forward with some questions on the proposed Bike Trail and tree clearing.

Ms. Sharkey submitted a letter requesting permission to attend the Legislative Fly-In taking place in March in Washington D.C. She said she attended last year and she is requesting to utilize continuing education hours for the travel days. James Crowl made a motion to permit Ms. Sharkey to attend the Legislative Fly-In and to utilize continuing education hours for the travel days. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Jennifer Sharkey submitted a packet regarding road funding for 2017 and future years to try to come up with some sustainable funding source for road repairs. Ms. Sharkey said that 2017 there will only be 1/6 of the funds available compared to 2016. She said that LOHUT/Wheel Tax is what is available now; however, it's up to the elected officials to decide if that is the best method. Ms. Sharkey said she hasn't been made aware of any other local opportunities to help maintain infrastructure.

Emmett Heller, Highway Superintendent, updated the Commissioners on projects at the Highway Department. Mr. Heller said that there is about 300 tons of salt in storage.

Mr. Heller reported that he locked in the fuel prices last week with North Central Co-op. The Fuel Confirmation for approval and reads as follows:

**FUEL CONFIRMATION – 2017**

December 22, 2016

To: Steuben County – Emmett Heller

This is to confirm the following fixed fuel prices for the period of January 1, 2017 thru December 31, 2017 at our EP 24 Stations and tank wagon delivery on the Prem. Deselex-4 Off Road.

**EP 24 STATION PRICING:**

60,000 gallons +/-	87E-10+ gasoline	\$2.153 + .18 (State Excise Tax)	\$2.333 total
70,000 gallons +/-	Premium Deselex-4 On Road	\$2.065 + .16 (State Excise Tax)	\$2.225 total

**TANK WAGON DELIVERED PRICING:**

13,000 gallons +/-	Premium Deselex-4 Off Road	\$2.215 (no Excise Tax)	\$2.215 total
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Please sign as confirmation of our agreement and email or mail back to North Central Co-op.  
Thank you for your business!

Bruce Richman  
Energy Products and Services Administrator  
Phone: (800) 720-0550 ext. 219  
Email: [brichman@ncc.coop](mailto:brichman@ncc.coop)

Emmett Heller  
Steuben County

Mr. Heller said that the light fixtures for the Old 127 lights will be in tomorrow. He said that he is still waiting on NIPSCO.

Emmett Heller said that he would like permission to gather quotes and information on distributors for chip and seal. He said that the old truck has outlived its usefulness and they can't get parts for it anymore. James Crowl said that the distributor is on its last leg and if the County Highway is going to continue doing their own work, the equipment has to be upgraded. The Commissioners agreed that there is no harm in investigating.

Lynne Liechty asked how many new trucks are now operational. Mr. Heller said another new truck will be operational this week and that makes a total of three (3) new trucks on the road. Emmett Heller said that there are four (4) more trucks to go.

Jim Getz asked if there was a total of seven (7) new trucks. Emmett Heller said that the County will have a total of seven (7) new trucks. Mr. Getz confirmed that currently the County has six (6), three (3) in the barn and three (3) on the road. Mr. Heller said that there are two (2) on the road today with another on the road towards the end of the week, making three (3). He said that he then has four (4) more to build.

Lynne Liechty updated the Commission Board on RES Polyflow. She said that RES Polyflow has delayed building, due to crude oil prices, until fall of 2017. Commissioner Liechty is requesting an addendum to the Contract be made, increasing the interest from 4% to 4.5%. James Crowl said that he is disappointed in this as RES Polyflow has wavered on the existing contract several times.

Donald Stuckey stated that this amended contract would only cover the \$1 Million loan, not the \$500,000.00. Mr. Stuckey said that the current agreement is technically in default and according to the current agreement the interest rate would go to 9%. He said that on the amended Contract he added that no matter what, it would be paid by January 1, 2019. Mr. Stuckey said that the note has been extended two (2) years and increased the interest rate effective 1/1/17 to 4.5%. He said that RES Polyflow still owes 4% which has not been received, from July 1, 2016 through the end of the year which is two (2) quarters and it should have been paid by this point. Mr. Stuckey reported that he has confirmed that they did purchase the equipment and it is currently located in Texas.

Lynne Liechty made a motion to accept the updated agreement to get payment and to proceed with getting the back payment on the interest as well. James Crowl asked for clarification and if the Contract states that the back interest is to be paid. Donald Stuckey said that RES Polyflow owes the back interest. The 4% interest started July 1, 2016 and ran until the end of the year. He said that accrued interest would have to be paid or they continue to be in default. The interest goes to 4.5% January 1, 2017 and that would be paid quarterly so the first payment would be due April 1, 2017. James Crowl said that he is not in favor of this contract until they take care of the back interest from 2016 and a new contract shouldn't be given until the back interest is taken care of.

Donald Stuckey suggested emailing Mr. Schabel, indicate the concerns and that the Commissioners want the interest for 2016 paid before an extension of the contract is approved. Mr. Stuckey said that he would indicate that a condition of approval is that the interest for 2016, in the amount of \$20,000.00, be paid forthwith and once the payment is made, the Commissioners will sign the new contract.

Lynne Liechty made a motion that once the back interest of \$20,000.00 is paid then the Commission Board will approve the new extended contract. James Crowl seconded that motion and the motion carried with three (3) ayes.

Gary Fair, Community Center Building Manager, came to the Commissioners regarding personnel issues and a directive for the future. Ronald Smith stated that there is not much that the Commission Board can do at this time as a revision of Mr. Fair's Job Description has to be completed by him and then has to go through a specific process. Commissioner Smith said that he understands that Mr. Fair is in a crisis as some people are scheduled to be absent and he's not sure who has the authority to fill the positions. Mr. Fair said that there are people that are scheduling vacation time without any notice. He said that he requires his staff to give a two (2) week notice for vacation time, personal and comp time has a different requirement. Mr. Fair said that scheduling vacation time with no notice is creating problems with the staff and having duties covered.

Mr. Fair said that he is working on the updated job description and asked the Commissioners if he was doing it correctly. Ronald Smith had some concerns regarding having the Highway Barn and County Park listed on his job description. Gary Fair said that he doesn't feel that it all has been thrown on him as he's volunteered for the duties. James Crowl said that Mr. Fair was told to amend the job description with what he's been doing and that's what he's done. Kim Koomler said that a final product was needed before it was taken to the Personnel Committee.

Ronald Smith said that currently the employees are merely to follow the rules as so stated, unless someone gives them the right to do differently and Mr. Fair shouldn't have to be the judge. Erin Schiffli said that currently there is no policy in place over the Maintenance Supervisors. Ms. Schiffli said that Mr. Fair has a policy in place over his custodians but he does not have the authority to have that policy over the other Maintenance Supervisors. Erin Schiffli said that Mr. Fair, along with other Maintenance Supervisors, contact her and tell her the days that they need off and there is no policy in place for those other supervisors. Ronald Smith said that if there is a rule in place and those days off are requested within those parameters, there should be no problem. Ms. Schiffli said that, as she understands, there is no rule in place. Kim Koomler said that they would always come to the Commissioners or their secretary to request days off. Lori Hickey said that if one of the Maintenance Supervisors wanted time off, they would coordinate with the other Supervisors to make sure everything was covered and now that doesn't seem to be happening. Ronald Smith recommended looking at and setting up a policy for each of the departments under the Commission Board's jurisdiction.

James Crowl told Gary Fair, that on his new job description, his duties for the Community Center, the parking lots, Courthouse and Annex need to be listed as his potential responsibility. Commissioner Crowl said that Mr. Fair would not have any control over the Jail, Highway Department or County Park.

James Crowl asked if they were going to discuss the EMS Director Applicants. Commissioner Crowl said that they went through the interviews and he thinks he's ready to hire someone. Donald Stuckey said that the Commissioners can make a decision, even if it isn't on today's agenda because it's been on a past agenda. Ronald Smith said that the Commissioners interviewed all six (6) applicants and have narrowed it down to two (2). James Crowl said that the press would be notified if the person accepted the position. The Commissioners said that they discussed \$45,900.00 as the annual salary. Ronald Smith said that candidate #1 was chosen by all three (3) Commissioners. James Crowl made a motion to offer candidate #1 the position of EMS Director. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

James Crowl made a motion to keep the officers of the Commission Board the same for 2017 as they were in 2016. Those positions are as follows: Ronald Smith, President, James Crowl, Vice President and Lynne Liechty, Member. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

The Commissioners received the following correspondence: William Harter, Coroner re: Month and Year End Reports; Northeastern Center re: Annual Report 2016; INDOT re: LPA Newsletter; AIC re: Legislative Conference Registration; NEIndiana re: News Release; The Herald Republican re: Meeting Notices; INDOT re: electronic invoices; Ball State University re: Professional Development Program.

STEBEN COUNTY BOARD OF COMMISSIONERS

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Ronald L. Smith, President, South District

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James A. Crowl, Vice President, Middle District

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Lynne Liechty, North District

Attest: \_\_\_\_\_  
Kim Koomler, Steuben County Auditor  
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