

STEBEN COUNTY BOARD OF COMMISSIONERS MEETING
October 3, 2016

The Steuben County Commissioners met at 1:00 p.m. on Monday, October 3, 2016, in the Commissioners' Room of the Steuben County Community Center. Present this day were Commissioners James Crowl and Lynne Liechty. Also present were Donald Stuckey, County Attorney, Jim Getz, Steuben County Councilman and Kim Koomler, Steuben County Auditor.

Lynne Liechty made a motion to approve the claims submitted for payment this day totaling \$367,726.63. James Crowl seconded that motion and the motion carried with two (2) ayes.

Lynne Liechty made a motion to approve the minutes from the Commissioners' Meetings on September 8 and September 19, 2016. James Crowl seconded that motion and the motion carried with two (2) ayes.

Donald Stuckey, County Attorney, informed the Commissioners that he sent a letter to RES Polyflow and has not received a response. Lynne Liechty stated that she will contact them personally and she will request a written response.

Mr. Stuckey also updated the Commissioners on the matter regarding the bankrupt Juvenile Detention Facility in which Steuben County has a credit with.

Kim Koomler, Auditor and Laurie Stoy, Treasurer, submitted the Monthly Comparison Report for approval. Lynne Liechty made a motion to approve the Monthly Comparison Report. James Crowl seconded that motion and the motion carried with two (2) ayes.

The Commissioners signed the minutes from the September 6, 2016, Commissioners' Meeting for the Index Book, which were approved at the prior meeting.

Lynne Liechty submitted the Advised Pass-Through Fund Agreement Between Steuben County Community Foundation, Inc., and Steuben County Commissioners ("Donors") for the County Park Exhibit Hall for approval. Commissioner Liechty stated that this fund is for construction of the Exhibit Hall only and shall not be used for operational and/or maintenance costs. It was clarified that the building previously call the "Arena Building" is now being called the "Exhibit Hall." Lynne Liechty made a motion to approve the Pass-Through Fund Agreement with the Community Foundation for the County Park Exhibit Hall. James Crowl seconded that motion and the motion carried with two (2) ayes.

The Commissioners reviewed the request from Debbie Arnett for reimbursement of the \$75.00 cleaning fee she paid to have the Lion's Building cleaned. Lynne Liechty stated that she has spoken to Frank Charlton and Kylee Harris regarding this issue and Ms. Arnett should be reimbursed. James Crowl made a motion to reimburse Debbie Arnett for the \$75.00 cleaning fee and to issue a letter of apology. Lynne Liechty seconded that motion and the motion carried with two (2) ayes.

Brett Hays, Community Corrections, submitted an Elevator Out of Service Affirmation for a lift that is no longer being used at the Old Jail. Lynne Liechty made a motion to approve the Affirmation and send to Homeland Security. James Crowl seconded that motion and the motion carried with two (2) ayes.

Donald Stuckey, County Attorney, opened the Snow Removal RFQ's. Only one quote was received; however, the quote was submitted after the deadline. The only quote received was from Julian's Earthwork in the amount of \$80.00 per hour for plowing and for salting (using salt that is supplied by the County). James Crowl made a motion to accept the quote from Julian's Earthwork, if it was the same as the 2015-2016 season. Lynne Liechty seconded that motion and the motion carried with two (2) ayes.

Kylee Harris, Assistant County Park Superintendent, submitted verbal approval forms, to purchase warming tables and trays in the amount of \$4,272.59 and door locks and a new safe in the amount of \$3,815.77, for official approval. Lynne Liechty made a motion to official approve the verbal approval forms. James Crowl seconded that motion and the motion carried with two (2) ayes.

Tami Sumney, IT Director, submitted a request to update the memo regarding the purchasing of computer equipment and software and resend it to Department Heads. Lynne Liechty made a motion to have the memo updated and sent to Department Heads. James Crowl seconded that motion and the motion carried with two (2) ayes.

Jody Kinsey, USI and Karla Linville, Pro Claim Plus, submitted information for the 2017 Health Insurance Renewal and more information on changing networks and aligning with one of the systems instead of offering both.

Ms. Kinsey explained some things that would help alleviate the Cadillac Tax if indeed it is still in place in 2018.

Jody Kinsey also said that for 2016 claims are down by fifteen percent (15%).

Ms. Kinsey discussed eliminating a network. She stated that currently it costs \$1.594 Million to offer both networks. If only Lutheran was offered it would cost \$1.3 Million and if only Parkview was offered, it would cost \$1.276 Million. She stated that the savings range from \$200,000.00-\$260,000.00 if the claims materialize the exact same way.

Jody Kinsey also submitted a map of all of the facilities and the disruption of limiting the network.

Ms. Kinsey said that if the County decides to stay with its current carrier, there will be about a 7.73% increase or \$231,334.00 in expected cost. She said that one of the alternate carriers is Gerber Life and they're specific cost is lower than the current specific rates. Ms. Kinsey said that it would be great savings for 2017; however, she's not sure what the rates would look like for 2018.

Jody Kinsey also stated that she would like to get the specific coverage to include Rx in addition to medical because there are some individuals that are on some high dollar medications.

Ms. Kinsey stated that grandfather status of the plan could be affected depending on what decision is made. She said that if grandfather status is lost, preventative services would have to be covered 100% because of Obamacare.

Ms. Kinsey stated that there is a good option available to move all ancillary services to one carrier. It would save the County money and the employee's money as well. She said that she would propose Lincoln for that consolidation.

Jody Kinsey said that if the Cadillac Tax stays in place, the County is looking at approximately \$290,000.00 in 2018; however, there is a lot left to happen with the upcoming election, etc.

Ms. Kinsey also said that she would like to work with Rae Hall, Payroll and Benefits, on a complete compliance checkup. She said that they are hearing that the Department of Labor is deploying individuals out into the market and she would like to work with Ms. Hall to get around all of the necessary information in the event they come to Steuben County.

Carla Linville, Proclaim Plus, said that she started working with Gerber Life about a year ago so she will have a better idea if there are any increases in the costs. Ms. Linville said that they are solid and she has a lot of underwriting firms that use them, she just not sure how aggressive they are when renewals come around.

Charles Malinowski, MALCON, came to the Commissioners regarding two (2) renewal agreements for the preparation of the Annual Cost Allocation Plan and the preparation of the Annual Medicaid Ambulance Cost Reporting Program. Mr. Malinowski stated that MALCON has been doing these reports since 2007 and that gets back, on average, about \$79,000.00 a year from the Title IV-D Enforcement.

Mr. Malinowski said that the newer program, the Medicaid Ambulance Cost Reporting, which Steuben County was a pilot project for, has been an extremely difficult audit process. Mr. Malinowski said that the contract

can be canceled at any time for any reason for no cost to the County. He said for this process, MALCON's fee is \$9,500.00 a year; however, he said that they are looking at getting six times their fee returned to the County.

Kim Koomler, Auditor, stated that she believes it is well worth continuing and the funds are in the budget. Lynne Liechty made a motion to accept the renewal agreements with MALCON. James Crowl seconded that motion and the motion carried with two (2) ayes.

Lori Cole came back to the Commissioners to give an update on her previous request to use the lake access at 350 N, to keep that access open and to place a dock there. Ms. Cole said that she has been working with Vina Conti, Plan Commission.

Vina Conti said that there is a subdivision sign in front of the easement for Glen Eden Springs and when she looks at that plat, it says it is a public roadway. Ms. Conti said that the County has no record of any vacation. She said that the title company also did some research and they could not find a vacation of the 10 foot easement to the lake. Ms. Conti also stated that on the Plat for Glen Eden it states that it is for public use.

Vina Conti asked if the Lake Association should be contacted to move the sign from the easement. Donald Stuckey stated that no one has the right to obstruct an easement or put anything within an easement. Lori Cole stated that Joe Newman owns the dock that is placed on the easement and he is the previous owner of her home. Ms. Cole said that she has been in contact with Mr. Newman; however, he has not returned her recent calls.

Ms. Cole asked that she would like the Commissioners to state that it is a public access and families on 350 N or whoever has used it in the past, can walk to the lake and access the lake, swim, etc. Donald Stuckey stated that assuming the public roadway still exists, anyone has the right to go up and down the easement. Mr. Stuckey said that it is open and anyone in the public has the right to use it; however, the Commissioners' do not determine who can place a dock there as that is up to the DNR. He said that last time he went to the DNR about a similar issue, it was first come first serve. Lori Cole said that if the gentleman that use to own her house wants to put the dock there next year, there's nothing that she can say or do. Donald Stuckey said that someone could beat him out there and install their dock first.

Lori Cole said that the neighbors on either side of the easement have told her that the access is cut off and she is not allowed to use it. She said that she would like to have some sort of documentation that she could give to them and let them know that the public can use it. Donald Stuckey stated that the Plan Commission could draft a document stating that they have done the research and found that the public roadway has not been vacated; however, without a survey the exact 10 foot easement cannot be located. Mr. Stuckey said that an easement to the lake is basically that, you can go to the easement, you can do whatever you normally do at the end of the lake like put a fishing line out, wade in the water, etc., but that's it.

Lori Cole asked if the neighbors could request to have it vacated. James Crowl stated that they would then have to come before the Plan Commission and that takes a lot of work. Donald Stuckey stated that ultimately it would have to be approved by the Commissioners and traditionally, no one knows what the Commissioners will do based on the evidence submitted; however, traditionally if there is objection from back lot owners, they do not close or vacate easements to the lake.

Vina Conti said that she would draft a letter for approval by the Commissioners.

Vina Conti submitted a plat for the 1st Addition to Rocky Ridge for signature.

The Commissioners congratulated Jennifer Sharkey, County Engineer, for her Engineer of the Year award that was given to her by the Association of Indiana Counties.

Jennifer Sharkey submitted four (4) Frontier utility permits #3197, #3202, #3203 and #3204. James Crowl made a motion to approve the four (4) utility permits. Lynne Liechty seconded that motion and the motion carried with two (2) ayes.

Ms. Sharkey reported that the environmental documents for the 200 N/827 Project has been submitted and approval should be received in October. She said that once that approval is received, they can move forward with the right of way phase.

Jennifer Sharkey said that the RFP's for the Bridge Inspection have been received. Ms. Sharkey said that six (6) firms have submitted proposals. She submitted the packets, score sheets and instructions to the Commissioners.

Ms. Sharkey stated that another letter from the Outlet Mall has been received regarding the lights on Old 127. Emmett Heller stated that the total cost to turn them back on is \$15,000.00; however, they aren't sure what the annual maintenance expense will be. James Crowl said that the State has turned off the lights and now it is the County's responsibility to turn them back on and we need to find the money to do this. Commissioner Crowl stated that the expense should come from the Highway Department's budget and maintenance costs should as well. He said if they cannot find the funds, they need to go to Council and ask for an additional. Emmett Heller said that a new line item for the lights were placed in the 2017 budget. Kim Koomler said that anything road related should be funded from the road budgets and not from County budgets.

Emmett Heller said that his concern is to get the underground portion done before the ground freezes. James Crowl made the motion to find the money and move forward with the project. Lynne Liechty seconded that motion and the motion carried with two (2) ayes.

Ms. Sharkey stated that some award has been received from the State for the 200 N Phase II. She said it was not the full amount and she's still doing some investigation into that.

Jennifer Sharkey reported that she has a meeting this Friday with the consultant regarding the Bike Trail Phase II.

Ms. Sharkey said that she has received the signs for the County Park Event Center and the Campground.

Ms. Sharkey submitted the Community Crossings Grant Contract for approval. James Crowl made a motion to approve the Community Crossings Grant Contract. Lynne Liechty seconded that motion and the motion carried with two (2) ayes.

Donald Stuckey discussed the policy on private roadways. Mr. Stuckey stated that he understands the policy as the street name signs are provided by the County because of emergency services and if it intersects with a county road, a traffic control sign is provided if needed. The County does not supply and install dead end signs or information signs on private roads. Ms. Sharkey asked if there currently is not a stop sign installed, does the County have to put one up if it is requested. Donald Stuckey stated that one can be installed if it has been requested and the Engineer believes it is appropriate. Mr. Stuckey also stated that in order for a new sign to be enforceable, a traffic ordinance needs to be drafted and approved.

Emmett Heller updated the Commissioners on projects being done.

Mr. Heller stated that 50 tons of salt has been ordered from Compass Minerals and it has been delivered. He has also ordered another 400 tons and that is expected to arrive this week. He said that they were very prompt with the ordering.

Emmett Heller said that he talked to Frank Charlton, County Park Superintendent, and he would like to ask the Commissioners for permission to park mowers and a couple other machines in the building that has the stage, just so the equipment is covered. James Crowl said that should be fine, but it has to be cleared with Frank Charlton first.

Mr. Heller stated that they are going to start doing road striping in house this year and he has the road striper from LaGrange County for another two (2) weeks.

Gary Fair, Community Center Maintenance, reported that he found a company out of Fort Wayne, Ace Radiator, that will fix the Commissioners' Tahoe Air Conditioning for \$275.00-\$300.00. It would then be brought back to Angola and Midas would fill it with Freon, free of charge. Lynne Liechty made a motion to allow Gary Fair to take the Commissioners' Tahoe to Fort Wayne to get it repaired. James Crowl seconded that motion and the motion carried with two (2) ayes.

Mr. Fair stated that the cooking hood in his workshop is no longer being used. He said that he has had someone inquire about buying it and he was not sure of the protocol. Donald Stuckey stated that it should be put in the online auction. Gary Fair said that whomever buys it has to remove it.

Gary Fair stated that there are some issues at the Old Jail with some windows. Mr. Fair said that there are some windows in an unoccupied attic area are about ready to fall out. He said that area is cleaned, the holes have been fixed and the windows need replaced so pigeons don't get back in the attic. He said that they have been looking at Anderson windows for about 1/3 of the cost of Pella windows. The replacement windows would be a single double paned glass with a bar across it so it looks like a double hung window, but it is not. James Crowl said that he was there on Saturday and it has to be fixed.

Gary Fair estimated for the roof that needs to be fixed at the Old Jail, labor would cost approximately \$1,000.00. James Crowl requested that Mr. Fair get a cost estimate while the lift is there so that isn't an added cost.

Gary Fair stated that the repairs being done at the Courthouse are in need of a larger lift to finish the repair. He said it would be a one day rental and it would cost approximately \$1,000.00. Mr. Fair said that they took \$20,000.00 from Council for that job and it is actually coming in at \$18,725.00 or \$18,775.00, so there should be about \$1,000.00 left that could be used on the lift rental. The Commissioners gave Mr. Fair the permission to move forward with the project.

Charles Diehl came to the Commissioners regarding some drainage issues that have been brought up before; however, more issues have arisen. Mr. Diehl said that he is located in White Oaks Glen and he is having water issues. He said that his addition is a cul-de-sac and when his house was built a larger culvert was put under the road which kept the houses on the other side of his addition from flooding. Doing that then caused the water to back up in the woods behind his home and now the owner of the woods has dammed up an area so now the water is flooding his back yard. James Crowl said that water runs downhill and the larger culvert was put in because the other homes were getting flooded on the opposite side. James Crowl stated that he will have the County Engineer and the County Surveyor to take a look at it and see if they can alleviate the problem. Commissioner Crowl said that the water always went to Loon Lake through the woods and that there is no regulated drain out there.

Brett Hays, Community Corrections, requested approval for the TANF Grant. Mr. Hays said that it would be a pass through to CAVA. Lynne Liechty made a motion to approve the TANF Grant. James Crowl seconded that motion and the motion carried with two (2) ayes.

Lynne Liechty asked about receiving quotes to have the Clear Lake Park repaved. Commissioner Liechty asked to have Jennifer Sharkey look into it.

Donald Stuckey asked if any quarterly reports have been received from the Aviation Board.

Rae Hall, Payroll and Benefits, came to the Commissioners to point out some of the health insurance information that was discussed. Ms. Hall stated that Jody Kinsey, USI, plans on coming back to the Commissioners to get approval on some of the items that were discussed today. She said that the Dependent Audit starts on October 31 and Ms. Kinsey would like to be here the week of October 24th to do an Open Enrollment Meeting with everyone before the Dependent Audit Starts.

Ms. Hall stated that she told Jody Kinsey that she didn't believe that the Commissioners were planning on switching to one network for 2017. The Commissioners discussed the costs and Jim Getz, County Councilman, stated that the costs to the employees also has to be considered. Kim Koomler stated that since the Cadillac Tax has been pushed out and that alleviates the pressure to do something as soon as possible.

Rae Hall requested that the Commissioners look at Gerber Life, but look at the medical and the Rx instead of just the medical. She said that Carla Linville, ProClaim Plus, is going to push for Gerber Life to give numbers sooner.

Bill Schmidt stated that he is trying to schedule a demonstration of bridge lights.

The Commissioners received the following correspondence: Indiana State Department of Agriculture re: Insider Newsletter; Department of Homeland Security re: Water and Power Organizations; Indiana Department of Transportation re: Funds for Infrastructure Improvements; Maumee River Basin re: October Agenda; Indiana Economic Development Corporation re: IEDC Marketplace News Update; St. Joe River Basin re: Watershed Council Meeting; IN.gov re: Lt. Governor statement on August employment report.

STEUBEN COUNTY BOARD OF COMMISSIONERS

Ronald L. Smith, President, South District

James A. Crawl, Vice President, Middle District

Lynne Liechty, North District

Attest: _____
Kim Koomler, Steuben County Auditor

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