

STEBEN COUNTY BOARD OF COMMISSIONERS MEETING
October 20, 2014

The Steuben County Commissioners met at 8:30 a.m. on Monday, October 20, 2014, in the Commissioners Room of the Steuben Community Center. Present this day were Commissioners Ronald L. Smith, James Crowl and Loretta S. Smart. Also present were Donald Stuckey, County Attorney, Kim Koomler, Steuben County Auditor, Dan Caruso, Steuben County Councilman and Rick Shipe, Steuben County Council President.

The Daughters of the American Revolution contacted Ronald Smith about placing a wreath on the Baron for Christmas. All three (3) Commissioners agreed to allow the Daughters of the American Revolution to decorate the Baron.

Loretta Smart made a motion to approve the claims submitted for payment this day totaling \$355,108.89. James Crowl seconded that motion and the motion carried with three (3) ayes.

James Crowl made the motion to approve the Commissioners Meeting minutes from October 6, 2014. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

The Commissioners signed the minutes from September 15, 2014, for the Index Book, which were approved at the previous meeting.

The Commissioners received a request from a covered person about extending his COBRA coverage for an additional eleven (11) months. Loretta Smart made the motion to extend the COBRA for an additional eleven (11) months. James Crowl seconded that motion and the motion carried with three (3) ayes.

The Commissioners reviewed the old County Park Improvement Committee Roster. The new Committee will consist of Loretta Smart, Frank Charlton, Eric Ditmars, James Crowl, Ronald Smith, Tami Mosier and Rick Shipe. The Commissioners directed their assistant, Erin Wray, to check with David Ballinger and F. Mayo Sanders to see if they still had an interest in sitting on the Committee.

The Commissioners also scheduled a County Park Improvement Committee meeting for Tuesday, October 28, 2014, at 6:30 p.m. in the Commissioners Room.

The Steuben County Board of Commissioners had a discussion regarding removing information from the GIS website for a fee of \$75.00 fee per parcel. It was discussed possibly having the \$75.00 fee, per parcel, put in the department budgets. Chad Hoover, GIS, stated that once requested, the information is removed forever and if that person leaves their employment with the County Government, it is giving a non-county employee a benefit. Mr. Hoover stated that it would cost the county about \$350.00-\$400.00 per person that requests to have their name removed, to keep the list maintained plus the \$75.00 per parcel if the fee was put in the department budgets. Mr. Hoover stated that if the Commissioners wished to waive the fee, they could do that as well.

Chad Hoover advised that the names will still be on the internet, just not on the GIS website so there are other ways the public can obtain the information. He stated that the county is required, by state law, to submit the tax roll to the Department of Local Government Finance and that entire spreadsheet can be downloaded from the DLFG website. It has tax ID numbers, addresses, etc., and that is not restricted.

James Crowl stated that time-wise, cost-wise and the use of taxpayer dollars, he believes the \$75.00 fee per parcel should be kept in place. Loretta Smart stated that removing the information from the GIS website is not a permanent solution and she doesn't believe the taxpayers should be charged. The Commissioners decided that placing the fee in department budgets was not the appropriate remedy. It was decided that the \$75.00 fee, per parcel, will remain in effect for any person covered under I.C. 36-1-8.5 that wishes to have their information removed from the GIS website.

Ronald Smith reported that a meeting regarding the Toll Road Interchange Project with the Branch County EDC, Steuben County EDC, Steuben County Board of Commissioners, Steuben County Highway Engineer and

INDOT is scheduled for October 29, 2014, at 10:00 a.m. at One Grand Street, Coldwater, Michigan. Ronald Smith stated that he will attend that meeting.

Frank Charlton, Plan Commission, came to the Commissioners with an alleyway vacation for Scott and Julie Leonard and Elliot and Patricia Weinstein. They petitioned the Plan Commission for a vacation of an alley located between Lots 940 and 960 on Lane 440 Lake James. On October 1, 2014, the petition was heard and with a vote of 6-1 with 1 abstention, it was recommended to not vacate the alley.

James McEntarfer, Attorney at Law, represents the Leonard's and the Weinstein's. Mr. McEntarfer addressed the Commissioners and stated that the request is for a vacation of a platted alley in the Old Ford Plat along the Jimmerson Lake/Lake James Channel. The alley does not extend all the way to the channel or the lake because there is a square piece of property that lies between Lots 8 and 9. Lot 8 is the Leonard's and Lot 9 is the Weinstein's. Mr. McEntarfer stated that the alleyway, even though it is platted as a public alley way, is dedicated only for other owners of the Old Ford Plat. Vacation of the alley does not exclude members of the general public. Historically, the alley has not been used by anyone other than the adjacent property owners and has been used as a parking area.

Mr. McEntarfer stated that there is a square piece of property that lies to the north of the alleyway and adjacent to the lakes. That property is an area that has been used exclusively by the Leonard's and was used by the previous property owners as well. Mr. McEntarfer stated that if the alleyway is vacated there has already been arrangements made between the Leonard's and the Weinstein's that the Leonard's will obtain ownership of that square piece of property.

James Crowl stated that the question of the Plan Commission is that the piece of real estate that lies to the north of the alley is not owned by either one of the petitioners requesting the vacation. At the present time, the last ownership was from 1923. Donald Stuckey, County Attorney, stated that the square piece of real estate is not being taxed at this time and that name listed is the last name that the title reflects so it hasn't been taxed for many years. Mr. Stuckey stated that there are old plats where there are little pieces here and there that never get transferred because of the old platting process. Mr. Stuckey said that he believes Mr. McEntarfer thinks that the Leonard's have a claim of adverse possession and can acquire title because it is being used by them and has been used by their predecessors for more than ten (10) years; however, they have not yet acquired legal title.

Frank Charlton stated that the Plan Commission recommended to the Petitioners that they gain title of that piece of property, come back to the Plan Commission and then revisit the request to vacate the alleyway at that time.

Loretta Smart made a motion to follow the Plan Commission's recommendation and leave the alley as is. James Crowl seconded that motion and the motion carried with three (3) ayes.

Brett Hays, Community Corrections, came to the Commissioners with a request to use the Commissioners' Credit card for purchases. Mr. Hays requested to purchase belt straps in the amount of \$52.90, coats in the amount of \$312.22, a chest freezer in the amount of \$269.00, four (4) electric heaters in the amount of \$1,200.00 and a generator in the amount of \$599.00 for a total purchase price of \$2,433.12. James Crowl made a motion to approve the request to purchase the belt straps and the chest freezer. The rest of the items are conditionally approved once verification of funds on the credit card was obtained. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

Sheriff Troyer, came to the Commissioners regarding the Spillman Interlocal Agreement with the Steuben County Board of Commissioners and the City of Angola. Sheriff Troyer stated that he and Stu Hamblen, Angola City Police Chief, met and reviewed the Spillman Interlocal Agreement. He stated that overall, the agreement covers the infrastructure and some of the issues dealing with the system itself, the contract, etc. Sheriff Troyer stated that there were a few concerns that the Police Chief and he had dealing with the differences between the system itself, the data inside the system and the security of that data. He stated that they put together a few changes that they felt were important for the security of the data obtained inside the Spillman system.

Sheriff Troyer said that they want a smaller, easily accessible board consisting of the Sheriff or Sheriff representative, the Angola Police Chief, Marshal representative, Communications Director and the Prosecuting Attorney that would deal with user issues coming into the system and seeing the data contained in the system.

The Sheriff also recommended deleting the paragraph regarding the appeal process for the users.

The Angola City Police Chief had some concerns dealing with a trained and/or certified person having access to the Spillman system. Stu Hamblen felt that trained would be adequate rather than having a full certification.

Sheriff Troyer would also like to see the ability of each department to limit access by certain individuals within their department to that department's specific data, not the whole system, if needed. Sheriff Troyer stated that an example of that would be if someone was terminated, suspended, etc.

Sheriff Troyer stated that he wasn't sure if Tami Sumney, IT Director, was in agreement to all of the proposed changes. Ronald Smith stated that he would like to have Ms. Sumney's input before any changes are made.

Loretta Smart made a motion to table the Spillman Interlocal Agreement due to wanting input from Tami Sumney. James Crowl seconded that motion and that motion carried with three (3) ayes.

Donald Stuckey opened bids for the Steuben County Arena Building. One bid was received from Leupp Building Service, Inc. in the amount of \$690,067.00 for a building with a MSC Standing Seam Roof and \$672,122.00 for a building with a screw down roof. After discussion with Frank Charlton and the Board of Commissioners, Loretta Smart made the motion to reject the bid from Leupp Building Service, Inc. James Crowl seconded that motion and the motion carried with three (3) ayes.

The Commissioners reviewed the Annual Allocation letters and contracts for RISE, Steuben County 4-H Association, CAVA, Council on Aging, First Responders, Steuben County Historical Society, Steuben County Humane Society, Maumee River Basin, Region IIIA, S.C.U.R.R.T., St. Joseph River Basin, Steuben County Soil & Water, Well Child Clinic, Wood-Land-Lakes RC&D Council, Steuben County Economic Development Corporation. After review, James Crowl made the motion to accept all of the letters and contracts submitted except for RISE, First Responders, Steuben County Soil & Water, due to typographical errors that needed to be corrected, and the Steuben County Economic Development Corporation, due to not receiving a response on their position regarding the open door law. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

Jeff Bassett, Business Impressions, came to the Commissioners regarding information on a machine swap from EMS to the Health Department he had previously spoke to the Commissioners about. He stated that he misunderstood and the machine that is in EMS is very old and not equal to the Health Department machine so they did not want to do the swap. Mr. Bassett explained that nothing changes on the plan that is in place, he just wanted to update the Commissioners.

Gary Fair, Community Center Building Maintenance, came to the Commissioners with a request to have outside lighting repairs done. Mr. Fair stated that he received quotes from Clear Lake Electric and Hi-Tech electric company. Mr. Fair also stated that this morning, after he had received the quotes, another light went out so these quotes do not reflect that light repair. Loretta Smart made the motion to accept the low quote from Clear Lake Electric in the amount of \$862.00 plus the other light repair and the invoice shall be paid from Cum Cap 1138-000-4000.15. Ronald Smith seconded that motion and the motion carried with two (2) ayes.

Gary Fair reported that the Impala is going in for a repair on a recall and it will be retired out to the Old County Home with the Oldsmobile Silhouette.

Mr. Fair further reported that Dr. Wilson, MSD, requests a letter of intent from the Steuben County Board of Commissioners giving them permission to use the new parking lot for after hour events and activities in the Central Gym.

James Crowl told Mr. Fair that he spoke to Julian's Earthwork regarding snow removal and salting. James Crowl stated that Julian's Earthwork informed him that the salt at the Highway Department is too coarse. Julian's Earthwork plans on using their own salt at no extra cost to the County unless they have to go to extreme measures and buy a lot of it for use on county parking lots.

Emmett Heller, Highway Superintendant, reported that the price of fuel leveled off a little bit over the weekend. Mr. Heller stated that it is still below the bid that was submitted. He said that he will continue to watch the fuel price trend.

Emmett Heller updated the Commissioners on work done by the Highway Department since the last meeting. Mr. Heller stated that their second full time mechanic, Jeff Beaty, started this morning. He also stated that Brandon Smart is back from school with a Class A CDL License.

Jennifer Sharkey, County Engineer, submitted utility permit #2716 from Frontier for approval. James Crowl made a motion to approve Frontier utility permit #2716. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

Ms. Sharkey updated the Commissioners on the 200 N/200 W Intersection Project. She stated that the final design prints were submitted to INDOT on October 7 for approval. Ms. Sharkey also stated that the draft contract with A&Z Engineering for the construction inspection was sent to INDOT for approval. Once INDOT approves the contract, she will bring it to the Commissioners for formal approval.

Jennifer Sharkey reported on the progress of the Bike Trail. Ms. Sharkey stated that Frontier is relocating their lines and they are doing it in place, laterally, 30' below the subgrade of the trail. She stated that it is anticipated that there won't be any trail construction this year and that Frontier will take most of this year to relocate the lines. She stated that Frontier is doing an open trench relocation and every 50' they are putting pipes in so you can measure the depth of their facilities so the contractor has a good location of where the newly relocated lines are.

Ms. Sharkey submitted a change order for approval. She stated that the change order is in the amount of \$5,692.50 and is for the potholing that the contractor did to verify the utilities at the beginning when they hit the fiber optic line. Ms. Sharkey stated that this will be through the federal program and there will be an 80/20 match so the total amount is not 100% county funds at this time. James Crowl made a motion to approve the change order in the amount of \$5,692.50. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

Jennifer Sharkey stated that Phase I of the Bridge Inspection Contract is complete and she has received the final invoice for that. She also stated that the report has been turned in. Ms. Sharkey stated that the consultant is on call until 2016 when Phase II inspections will be conducted. She further stated that at that time, the funds will need to be in place in Cum Bridge.

Ms. Sharkey updated the Commissioners on the CR 200 N/SR 827 project. She stated that the INDOT project manager was at a training all week so she has not received approval on the scores that were submitted on the engineering firms that submitted proposals. She stated that once she receives approval from INDOT she will coordinate a meeting with all of the officials along with the three (3) winning firms.

Jennifer Sharkey stated that Three Rivers Barricade has not yet been able to do any of the striping as of yet and she will follow up with them.

Ms. Sharkey informed the Commissioners that she had Tami Sumney, IT Director, visit the Highway Department to review the computer networking system. She stated that after some discussion with them and Chad Hoover, GIS, she stated that she received two (2) quotes for networking upgrades and she would like to accept the low quote.

Phil Pieri, Nordic Energy Services, LLC, addressed the Commissioners regarding the Natural Gas Supply Price for Steuben County. Mr. Pieri stated that NIPSCO's fixed price is \$0.629 per therm, transportation/storage is \$.1089 per therm. Nordic's fixed price is \$0.495 per therm, transportation/storage is \$.08 per therm. If the county

purchased 79,960 therms, it would equal an estimated savings of \$13,025.48. Mr. Pieri stated that if the market dropped even lower, a blend and extend contract can be executed so the price can be dropped even lower. James Crowl made a motion to accept the proposed contract with Nordic Energy Services, LLC. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

The Commissioners received the following correspondence: SME re: Bridge Coatings; Jack Gerard, API re: Renewable Fuel Standard; ENR Equipment & Trends re: Monster Machines, Collision-Mitigation Tools, Trends in Crane Operator Certification, Nifty New Products; NACo re: NACo Alert; NACo re: County News Alert ó October 6, 2014; EMC Insurance re: Loss Control News; County Commissioners re: October 6 email from Commissioner Schaafsma; Indiana County Commissioners re: INDOT Storm Water Quality Management Plan Public Open House; Lexis Nexis re: CLE Webinar; County Commissioners re: October 14 email from Commissioner Schaafsma; Shale Smart Brief re: Complimentary Newsletter; Indiana EDC re: IEDC Market News Update.

STEUBEN COUNTY BOARD OF COMMISSIONERS

Ronald L. Smith, President, South District

James A. Crowl, Vice President, Middle District

Loretta S. Smart, North District

Attest: _____
Kim Koomler, Steuben County Auditor
elw