

STEBEN COUNTY BOARD OF COMMISSIONERS MEETING
October 5, 2015

The Steuben County Commissioners met at 1:00 p.m. on Monday, October 5, 2015, in the Commissioners' Room of the Steuben Community Center. Present this day were Commissioners Ronald L. Smith, James Crowl and Lynne Liechty. Also present were Ruth Beer, Steuben County Council Vice President, Jim Getz, County Councilman, Donald Stuckey, County Attorney and Kim Koomler, Steuben County Auditor.

James Crowl made a motion to approve the claims submitted for payment this day totaling \$346,765.52. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Lynne Liechty made a motion to approve the minutes from the August 17, 2015, Commissioners' Meeting. James Crowl seconded that motion and the motion carried with three (3) ayes.

James Crowl made a motion to approve the minutes from the September 18, 2015, Commissioners' Meeting. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

TJ Kunde, GIS Coordinator, came to the Commissioners regarding the fee and procedure regarding restricting addresses on the GIS system. Mr. Kunde stated that some counties have imposed fees and others have not. He said that one way to go about this issue is to make the Beacon website assessable via username and password only. Mr. Kunde believes by doing that, the County would not fall under the definition of the public property database website. If that was done, the County would no longer have to remove the covered person's information because it would not publicly accessible without creating a username and password. The Commissioners requested that Mr. Kunde solicit input from the Sheriff, Judges and the Prosecutor on this matter.

The Commissioners received two (2) requests to metal detect at the Old County Home. It was reiterated that anyone seeking permission to metal detect on County property shall obtain permission from the Commission Board; however, at this time it was decided to not allow metal detecting on the Old County Home property.

The Auditor's Office submitted information on GovDeals.com, a possible new online auction company, for consideration. Kim Koomler, Auditor, stated that this auction is for disposing of personal property from offices, not tax sale. Kim Koomler said that Carrie Parker in the Auditor's Office is in charge of the coordination of the auction; however, it is up to the Commissioners to have a sale. James Crowl said that it depends on what is on the list to get rid of and if most of it can be thrown away. Ronald Smith stated that it is his personal choice to not have an auction. Lynne Liechty agreed with Ronald Smith. The Commissioners decided to not take any action on this matter.

Enchanted Lakes Renaissance Faire, submitted a request to reduce the rent for use of the County Park during the Renaissance Faire, June 11-12 and June 18-19, 2016. Lynne Liechty stated that they have always paid the \$1,200.00 and they have not stated in the letter why they would like a reduction in the rent. James Crowl said if they decide to reduce the rent, the Commissioners will be continually asked to give out free weekends to other entities. Lynne Liechty asked if there was a rate sheet for the County Park. Lori Hickey, 1st Deputy, stated that she thought Eric Ditmars, Ex-County Park Superintendent, had a rate sheet. The Commissioners requested to see the rate sheet before they made a decision on this matter.

Donald Stuckey, County Attorney, opened the quote received for Snow Removal and Salt Application for the 2015-2016 Season. One bid was received from Julian Earthwork in the amount of \$80.00 an hour for plowing and \$80.00 an hour for salt application, salt to be provided by Steuben County Highway Department. James Crowl said that Julian's are very good about stretching the salt and he made a motion to accept the bid received from Julian Earthwork in the amount of \$80.00 an hour for plowing and \$80.00 an hour for salt application, salt to be supplied from the Steuben County Highway Department. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Al Knisely, Courthouse Maintenance, came to the Commissioners with a request to repair the Courthouse HVAC. Mr. Knisely stated that this was not a part of his three (3) year plan but the last couple winters the HVAC has not been working to its full potential. Mr. Knisely introduced Carl from Delta T Mechanical. Mr. Knisely said last year when it got really cold, there was a point where only one boiler was running. He gave the Commissioners a

diagram of the HVAC system to explain the process and the repairs that are needed. It was stated that the old boiler is only 75% efficient and the new boiler would be 96% efficient and would save money on utility bills. Al Knisely submitted a quote from Delta T for the repairs in the amount of \$44,860.00. Ronald Smith stated that it can be paid from two (2) different funds or they can go to County Council and ask for additional funding. Lynne Liechty made a motion to accept the quote from Delta T Mechanical, in the amount of \$44,860.00, to be split from Cum Cap 1138-000-4000.15 and CAGIT 1110-000-3000.39. James Crowl seconded that motion and the motion carried with three (3) ayes.

Al Knisely also reported that there are some bricks on the bottom of the Annex and on a corner of the Courthouse that need to be fixed. James Crowl said the estimated cost would probably be around a couple hundred dollars. Ronald Smith requested that Al Knisely get quotes for the next Commissioners' Meeting.

Pam Feller, Probation, requested approval of the Juvenile Accountability Block Grant. Ms. Feller stated that this is the money that they use to fund Youth Improvement Programs. James Crowl made a motion to approve and sign the grant. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Gary Fair, Community Center Maintenance, came to the Commissioners with a request to purchase a new vacuum for the Community Center. Mr. Fair submitted a quote from HP Products in the amount of \$570.96. He also requested to pay for the vacuum out of the Entrance Mat line item 1000-161-3000.63. Mr. Fair stated the vacuum that he wants to replace has a bad motor and it will cost approximately \$350.00 to fix it. Lynne Liechty made a motion to buy a new vacuum cleaner from HP Products, in the amount of \$570.96, to be paid from the Entrance Mat line item 1000-161-3000.63. James Crowl seconded that motion and the motion carried with three (3) ayes.

Gary Fair asked Donald Stuckey if he had heard anything about the 314 Washington Street property. Mr. Stuckey stated that he has not received the appraisal yet.

Gary Fair stated that he has all of the prints pulled for the surveyor to start on the legal description for the MSD Tower.

The Auditor's Office submitted a notice showing that Penny's School of Dance has not yet paid the Custodian's Fee in the amount of \$230.60 from their program held in May, 2015. Lynne Liechty made a motion that Penny's School of Dance must pay the fee before they can rent in the Community Center again. James Crowl seconded that motion and the motion carried with three (3) ayes. The Commissioners requested that Donald Stuckey contact Penny's School of Dance regarding the outstanding fee.

Judith Marbach, Executive Director of the Well Child Clinic, submitted a request to replace the carpet in the clinic at the clinic's own expense. Lynne Liechty made a motion to allow the Well Child Clinic to replace the carpet at their own expense. James Crowl seconded that motion and the motion carried with three (3) ayes.

The 2016 Commissioners' Meeting Schedule was submitted for approval. James Crowl made a motion to approve the 2016 Commissioners' Meeting Schedule. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Emmett Heller, Highway Department Superintendent, updated the Commissioners on the projects at the Highway Department. Mr. Heller also requested permission to purchase another Western Star Chassis. He stated that he can still get 2015 pricing at this time. Mr. Heller said that they will put the truck together themselves at the Highway Department and he does have the funds in his budget in line item 1176-533-4000.15. James Crowl made a motion to allow Mr. Heller to order another Western Star Chassis and to pay for it out of line item 1176-533-4000.15. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Jennifer Sharkey, County Engineer, submitted Frontier utility permit #2750 for approval. Lynne Liechty made a motion to approve Frontier utility permit #2750. James Crowl seconded that motion and the motion carried with three (3) ayes.

Ms. Sharkey submitted three (3) reimbursement vouchers, one for the 200 N/200 W Intersection Project Inspection Services, another for the CR 200 N/827 Design Services and another for inspection of the Bike Trail. James Crowl made a motion to approve all three (3) reimbursement vouchers. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Jennifer Sharkey said that the paving has been completed at the 200 N/200 W intersection. The final grading and ditch work is also being worked on and she believes that all of the guardrail is installed as well. Ms. Sharkey stated that October 8 is when the road will be reopened, but the signal will not be up and operational at that time. She said that electric service should be installed later this week and once the signal is up and connected the Plan Commission/Building Department will inspect it and it will be ready to be operational. Ms. Sharkey stated that the striping will be completed on Wednesday and the tentative completion date is October 16, 2015. Ronald Smith requested to have letters sent to the business owners and express apologies and wish them well as the project should enhance their location.

Ms. Sharkey stated that the Bike Trail has been pushed back a week from the schedule that she submitted previously. She said that it looks as if the week of October 12 is when asphalt will be put down. Ms. Sharkey stated that the cutoff for seeding is October 15 so more than likely a warranty bond will be needed on that work since it will be done after that date. Jennifer Sharkey reported that the week of October 19 is when the HAWK signal is scheduled to be erected. Ms. Sharkey said that she would like to get with the newspaper and the radio to get information on how the HAWK signal works out to the public.

Jennifer Sharkey submitted a draft maintenance contract for the bike trail from the City of Angola. She said that the contract is being submitted to the City's Park Board this Wednesday, October 7. Ms. Sharkey gave the agreement to Donald Stuckey for review. She said that the contract is for an annual payment of \$10,000.00 to perform snow removal and summertime mowing along the Bike Trail. Once she hears that it was approved, she will come back to the Commissioners with the final agreement.

Ms. Sharkey stated that the consultant for the 200 N/SR 827 Project was out doing a walkthrough and she also met with them concerning the design progression.

Jennifer Sharkey reported that the bridge inspections will start the week of October 14. She said that she will meet with them on the 14th and they will start their inspection work after that.

Jennifer Sharkey reported that the bridge on 100 N will be closed and she has been working with business owners to allow them to put their own detour signs up to help their customers access their facilities.

Ms. Sharkey reported that the summer road work list has been finalized. She said that they ended at a recovery rate of 68% and the expenditure was about \$1.64 Million.

Ms. Sharkey stated that a permit has been submitted to INDOT for the Maple Street Project. She said that she has not heard anything back on that permit. Ms. Sharkey reported that the environmental permits have also been submitted for approval. Jennifer Sharkey said the driveway for Lurecraft has been designed within the Maple Street right of way at the original location which is near the west end of the roadway and the southwestern end of the property. Ronald Smith requested to wait to finish the conversation until the other people involved in this project were in attendance.

Jennifer Sharkey introduced Mark B. Jesse, GAI Consultants, to the Commissioners. Ms. Sharkey stated that due to the additional meetings and the back and forth with INDOT and Lurecraft, GAI has spent numerous additional hours and afterhours working on this project coordination. Jennifer Sharkey submitted Amendment No. 3 to the Maple Street/SR 120 Roadway Improvements Project from GAI. Ms. Sharkey said that it would be an amendment in the amount of \$12,170.00.

Mark Jesse, GAI Consultants, addressed the Commissioners regarding the request for additional funds. Mr. Jesse said there have been several twists and turns in the project, a lot of stopping and starting and when that happens you have to get organized again which incurs costs. He also stated that there were site distance calculations and surveying that was required by INDOT that was not originally anticipated. Mr. Jesse said that there were quite a

few additional hours involved, especially involving the Lurecraft driveway. He said that the INDOT permit was more of a cost than originally anticipated as well. Mr. Jesse said that the additional hours total 150 over what was initially agreed upon. Jennifer Sharkey said that if this agreement is approved, they will be short a total of \$12,770.00 to cover this request because they were already short \$600.00. Jennifer Sharkey is to check on funds in other project line items to see if there are any funds available for transfer. Kim Koomler, Auditor, stated that if no funds are available in other line items, an additional from Major Moves will need to be requested from Council. James Crowl made a motion to approve Amendment No. 3 to the Maple Street/SR 120 Roadway Improvement Project, pending funding. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Jennifer Sharkey started the discussion on the driveway at the Lurecraft property. Ms. Sharkey noted that Gene German, Town of Orland, Dave Koenig, Steuben County EDC and Kim Straley, Owner and Operator of Lurecraft are here for the discussion on the drive way. Ms. Sharkey said that part of the permitting process for the State is that Lurecraft's large drive be closed off and the only access from SR 120 would be the smaller northern drive. Jennifer Sharkey pointed out on the diagram the dark line that indicates the line of sight right of way that the State has acquired and it totals about .61 acres of land. That line of sight right of way was necessary to allow trucks and vehicles entering and exiting a line of sight from the proposed Maple Street approach. Ms. Sharkey said that the consultant did turn movements with semi-truck trailers and it was discovered with the turning radius of those vehicles, it would encroach upon the line of sight right of way. Also causing further problems is that the line of sight must have a fence along the back line and nothing can be utilized in that front portion. Jennifer Sharkey said that they have had several meetings with INDOT and Ms. Straley and INDOT is not willing to compromise at this point.

Jennifer Sharkey said that the drive is designed to enter in from the front portion. If the drive was placed in the back, the loading docks would have to be relocated, creating the need for significant facility renovations. Emmett Heller said the day they were out there, a tractor and trailer was brought to the property. He said that it is possible to pull up and back in, but without modification to the front storage building it is not possible to pull back out and around the corner, it is just too tight. Jennifer Sharkey reported that the State is saying that semi-truck traffic cannot access the property from SR 120. It doesn't matter if they are entering the property or exiting the property, INDOT is concerned with having a safety issue.

Ms. Straley stated that when she purchased the property, John Laramier had been in talks with the State on putting a loading dock in the rear of the facility. She informed him that she would not be able to afford to do any of that. Ms. Straley said that INDOT was going by his drawings, which she did not realize until after she signed the papers. Kim Straley said when she purchased the property they had plans of a lot of truck coming in; however, that project has not developed and probably will not develop, so there is not as much truck traffic as anticipated. Ms. Straley said that she cannot afford to put the Maple Street drive in, let alone renovate her building. She stated that the fence that INDOT is wanting to install will shut her business down.

Lynne Liechty asked Ms. Straley where the most likely place to put an entrance to the back was. Ms. Straley said that as of today, she does not have to use the loading dock, but if she were to sell the building, it is not a sellable property without access to the loading dock. She said that currently the trucks pull around to the overhead door; however, the far building is rented for storage and a 30 foot trailer cannot be backed into the far building.

Jennifer Sharkey said that the driveway permit has been submitted for the Lurecraft drive. Ms. Sharkey stated when she last spoke to INDOT they were holding off on granting approval until they saw what access Lurecraft would have from the Maple Street portion. Now since the Maple Street portion has been submitted for review, Ms. Sharkey believes they will grant approval concurrently for the two (2) permits. Ms. Straley asked what happens with the driveway since she can't afford to put it in. Ms. Sharkey stated that she did not have an answer to that question.

It was recommended to get State Representatives involved to see if anything can be done so this issue can be resolved. Gene German, Town of Orland and Dave Koenig, Steuben County EDC, are also going to do some research to see if they can find anyone to lend support from the Community.

Kim Koomler, Auditor, submitted a request to purchase a new map book printer from her budget. Ms. Koomler stated that the printer they used to have has been gone for a few years now and a new one is needed. James

Crowl made a motion to approve the request to purchase a new printer. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Vicky Meek, EMS, submitted Closeouts in the amount of \$4,631.05 and Writeoffs in the amount of \$133,602.12 for approval. Lynne Liechty made motion to approve Closeouts in the amount of \$4,631.05 and Writeoffs in the amount of \$133,602.12. James Crowl seconded that motion and the motion carried with three (3) ayes.

Ronald Smith stated that Dane Goshorn, County Park Superintendent, and the Commissioners have offered the position of County Park Assistant Superintendent to Kylee Harris. James Crowl made a motion to hire Kylee Harris and her start date would be October 13, 2015. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Ronald Smith requested that a County Park Improvement Committee Meeting be scheduled for October 14, 2015, at 6:00 p.m. in the Commissioners' Room.

Ronald Smith also requested a meeting be scheduled with Tim Frederick, Steuben County Lakes Regional Waste District, as soon as possible.

Jim Getz, County Council, stated that Council approved the Commissioners request for the \$500,000.00 loan to ResPoly Flow and he was wondering if the contract was being drafted. Donald Stuckey stated that he spoke with ResPoly Flow and they indicated they would like everything completed by December 1, 2015. Donald Stuckey said that he believed they could meet that deadline easily. Mr. Stuckey also reported that he received the email today on the terms of the contract. He also said that he received the piece of equipment that ResPoly Flow wishes to give the County a security interest in. Mr. Stuckey said that it is tricky because the equipment is financed but as soon as it is installed it becomes a part of the equity and will be lien free.

Gene German, Town of Orland, recommended meeting with the new Property Managers of the Toll Road. Dave Koenig and Gene German will organize that meeting.

Dave Koenig, Steuben County EDC, stated that he has a letter for the OCRA Grant Application that says that the Commissioners are asking to use \$30,000.00 of in-kind match. Mr. Koenig stated that permission has to be obtained and the letter signed. Donald Stuckey stated that he understands and approved the letter. Lynne Liechty made a motion to give permission and sign the letter. James Crowl seconded that motion and the motion carried with three (3) ayes.

Ronald Smith thanked Dave Koenig for the plaque that was presented to the County from the EDC.

Ronald Smith said that at the AIC Annual Conference, Steuben County was awarded for the various projects improving quality of life and the County was awarded a large road sign. Commissioner Smith asked for recommendations on where to place the sign. James Crowl asked if the Highway Department could duplicate the sign. Ronald Smith asked if maybe the sign could be placed on the Community Center property in a prominent spot for a year duration and then be moved to a permanent spot. Ronald Smith asked Erin Wray, Commissioners' Secretary, to ask the AIC if they mind if the sign is duplicated.

Kim Koomler, Auditor, requested permission to postpone giving John Court, Colonial Life Insurance, County employee information until the Spring due to the extra demands placed on the Auditor's during the 4th quarter of the year. Ronald Smith said that was fine and to inform Mr. Court that the timing was not good.

The Commissioners received the following correspondence: United States Department of the Interior re: Fish & Wildlife Services; INDOT re: LPA Newsletter – Oct 2015; State of Indiana re: ISDA recognizes Boone County livestock farmer for excellence in progressive farm practices; DHS re: Fire Marshal Encourages Smoke Alarms; NEIndiana re: Partnership News; Monarch Capital re: Investment Newsletter; IEDC re: Marketplace News Update; EMS Insurance re: Loss Control Insights; Turning Point Shelter re: Thank you; NEIndiana re: You're Invited – Explore Angola; NACo re: 2016 Healthy Counties Initiative Forum; Macog re: SJRBC Letter; State of Indiana re: Lt. Governor Eellspermann's Schedule for Week of September 28-October 2; NEIndiana re: You're

Invited – Join us in Indianapolis to show your support for NEIndiana; State Department of Agriculture re: Meeting Notice Update; Commonwealth Engineers re: eNews; Indiana State Department of Agriculture re: News Release; ENR Equipment re: Supercrane Probe Points to Unsafe Positioning; NACo re: County News Alerts.

STEUBEN COUNTY BOARD OF COMMISSIONERS

Ronald L. Smith, President, South District

James A. Cowl, Vice President, Middle District

Lynne A. Liechty, North District

Attest: _____
Kim Koomler, Steuben County Auditor
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