

STEBEN COUNTY BOARD OF COMMISSIONERS MEETING
November 21, 2016

The Steuben County Commissioners met at 8:00 a.m. on Monday, November 21, 2016, 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 Koomler, Steuben County Auditor.

Lynne Liechty made a motion to approve the claims submitted for payment this day totaling \$170,669.38. James Crowl seconded that motion and the motion carried with three (3) ayes.

Kim Koomler, Auditor and Laurie Stoy, Treasurer, submitted the Monthly Comparison Report for review and approval. Lynne Liechty made a motion to approve the Monthly Comparison Report. 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 November 7, 2016. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

The Commissioners signed the minutes from the October 17, 2016, Commissioners' Meeting for the Index Book, which were approved at the prior meeting.

Paul Jones, American Legal Publishing, submitted a quote for the Annual Code Update in the range of \$2,000.00 and \$2,600.00. James Crowl made a motion to approve that quote. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

The 2017 Capital Improvement Plan was submitted for review and approval. James Crowl made a motion to approve the 2017 Capital Improvement Plan. Lynne Liechty seconded that motion and the motion carried with three (3) ayes. The original of the 2017 Capital Improvement Plan will be kept in the Auditor's Office.

Rental Contracts for the Community Center Tenants were submitted for review and approval. Lynne Liechty made a motion to accept the Rental Contracts. James Crowl seconded that motion and the motion carried with three (3) ayes.

Mike Sevits, Annex Maintenance, submitted a verbal approval form, for the furnace repairs at the EMS North Building, for approval. Commissioners Ronald Smith and James Crowl gave verbal permission for the repair, in the amount of \$2,050.00, on November 10, 2016. James Crowl made a motion to officially approve the repair to the furnace at the North EMS Building. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

The Commissioners reviewed board appointments for 2017. Ronald Smith requested that the LEPC, Mayor's and Commissioners Caucus, Community Partners and the Tax/Tourism Board be added to his assignments. James Crowl requested that Drug Free Steuben be added to his appointments. Lynne Liechty requested that the Aviation Board and the Motorola Radio Project be added to her appointments.

Michelle Herbert, Clerk, submitted a request to close the Clerk's Office on December 16, 2016, from 12:00 p.m. to 1:00 p.m. for their annual Christmas Lunch-In. James Crowl made the motion to approve Clerk Herbert's request. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Lynne Liechty reported that the Rotary Club would like to decorate the Steuben County Courthouse for the Christmas Holiday. Lynne Liechty made a motion to approve the Rotary Club's request to decorate the Courthouse and she also stated that she would discuss the decoration with the Rotary. James Crowl seconded that motion and the motion carried with three (3) ayes.

Council on Aging asked the Commissioners if they could opt out of the fuel bidding process for 2017. The Commissioners stated that Council on Aging could opt out if that is what they decided was best for them.

Expiring Board Appointments were submitted to the Commissioners for review. Since there were some boards that have not responded and there are others that do not want to be reappointed, the Commissioners requested that the matter be brought back to the next meeting for review.

Donald Stuckey, County Attorney, opened the Annual Bids. Bids were received from the following: Albright Contractor's, Inc., C.A. Nedele & Sons., Pulver Asphalt, Asphalt Materials, Inc., Roadway Bioseal, LLC, Old Prairie Products, Inc., E&B Paving, Inc., Trevor Smith – R. Smith & Son, Inc., Boyce Systems, G&G Oil Company, Bill Stevens Books, Instructions Inc., Irving Gravel Company, Inc., API Construction Corp., Brooks Construction, Inc., Klink Trucking, Inc., Apex Specialty Coatings, Pierceton Trucking Company, Inc., Hanson Aggregates, Michael McHenney, Bailey Aggregates, LLC, KSS Enterprises, Primco, Inc., Airmarking Company, Inc., Winter, McAllister, Three Rivers Barricade and Striping, Crowl Earthwork and Construction, American Wire Rope and Sling, American Timber Bridge, Levy Group, St. Regis Culvert, Inc., Janitor Supply Company, Inc., HP Products, Interboro Packaging Corporation, Waddell Printing, and CivilCon.

Mr. Stuckey stated that any of the bids can be reviewed upon request. The Commissioners submitted the received bids to the departments for consideration and recommendation.

Vina Conti, Plan Commission, submitted the following plats for signature:

Kimberly Acres
Barbara Taylor Knox Plat
Spurgeon's Minor Plat

Donald Stuckey opened up the Lew Vacation request for public hearing. Vina Conti stated that it was a positive recommendation from the Plan Commission by 8-0 with one (1) abstention.

Attorney Eberhard submitted a handout to the Commissioners so they could understand where the lot was located. He stated that on the handout, it shows a yellow area and that is the area where the engineer, Mr. Burlage, went out and put blue stakes. He further stated that there were other stakes that were placed out there as well because attorneys got involved. Attorney Eberhard stated that when they began the process, they were originally informed that Lots 65 and 67 had vacations that took place in front of their lots already, on the road side. As they moved forward, it was found out that there had been no vacation on Lot 67.

Attorney Eberhard submitted a legal description and he stated that the legal description has changed a little bit because a part of what they thought had been vacated, had not been vacated. He said that they still have the areas that are to be traded to make this real estate transaction.

Attorney Eberhard stated that Lots 63, 64 and 65 were the last lots to get developed. On this particular property, there was a property line dispute. All of the lots to the north and the east, having been already there, have established what their lake frontage was going to be without respect where the property lines were. When the new owners to the south and the west started developing, the owner of lot 65 found out that he can't get his house on his lot because the next door neighbors have developed a lot that inconsistent with the property lines and that is why the attorneys came in to help. It has been agreed by all of the attorneys that Lots 63 and 64 will remain untouched, Lots 65 and 66 are going to make real estate trades which will change the shape of Lots 66 and 65. Lot 67 is also going to make a trade which will change the shape of Lot 67. All of those changes will be recorded, they will do deeds back and forth, etc.

Attorney Eberhard said that the vacation is strictly what is happening up front.

Donald Stuckey stated that there isn't anything that would need additional Plan Commission approval.

Ronald Smith asked if there was anyone present that would like to speak in respect to the Vacation. No one in the audience spoke. James Crowl made a motion to accept the Vacation and Ordinance 3136. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

**Second and Third Readings
Steuben County, Indiana
Vacation Ordinance No. 3136**

Thereupon, County Commissioner, Lynne Liechty moved that all rules of procedure of the County Commissioners which might prevent, unless suspended, the second and third readings of Steuben County Ordinance No. 3136, for final passage and adoption of said Ordinances at this meeting without reading the said Ordinances in full but reading the title only. This motion was seconded by James Crowl and was on the call of the roll adopted by the following vote:

Ayes
3

Nays
0

Under the suspension of the regular rules, County Commissioner, James Crowl, then moved that the Ordinances be read for the second and third readings by title only and thereby be ready for passage and final adoption in this meeting. This motion for the second and third readings for final passage and adoption of said Ordinances was seconded by Lynne Liechty and on the call of the roll was adopted by the following vote:

Ayes
3

Nays
0

The County Auditor then read aloud the title of said Ordinances for the second and third readings. Thereupon, County Commissioner, Lynne Liechty, moved for final passage and adoption of the Ordinances in full applicable regulations to establish such Ordinances. This motion for final passage and adoption was seconded by James Crowl and on the call of the roll adopted by the following vote:

Ayes
3

Nays
0

The President of the Steuben County Commissioners, Ronald L. Smith, declared publicly Ordinance No. 3136, to have been duly passed and adopted. Thereupon, said Ordinance was signed by all members of the County Commissioners present and attested by the County Auditor. *Upon review of the above vacation, unintentional errors were discovered and was returned to the Plan Commission for correction.*

Clint Knauer, Plan Commission, submitted Resolution No. 11-2016-01 approving the Steuben County Comprehensive Plan. Mr. Knauer stated that it comes to the Commissioners with an 8-0 positive recommendation and one (1) abstention. He reported that the full document is on file if anyone would like to review it. Donald Stuckey stated that the Plan Commission approved the Comprehensive Plan and the modifications to the Plan were minor. Mr. Stuckey said that the Comprehensive Plan is a general overview and not law. James Crowl made a motion to approve Resolution No. 11-2016-01 approving the Steuben County Comprehensive Plan. Lynne Liechty seconded that motion and the motion carried with three (3) ayes. Resolution No. 11-2016-01 reads as follows:

RESOLUTION NO. 11-2016-01

**A Resolution of the Board of Commissioners for Steuben County,
Indiana, Approving the Steuben County Comprehensive Plan**

WHEREAS, Steuben County had identified adequate reason to review and revised the 2006 Steuben County Comprehensive Plan; and

WHEREAS, the Steuben County Plan Commission worked with Ground Rules, Inc. to review, revise and otherwise address known issues with the existing Comprehensive Plan; and

WHEREAS, the Steuben County Plan Commission held a legally noticed; and held the required public hearing per Indiana State Code.

BE IT HEREBY RESOLVED this 21st day of November, 2016

ADOPTED: STEUBEN COUNTY BOARD OF COMMISSIONERS

Ronald L. Smith, Chairman, South District
James A. Crowl, Middle District
Lynne A. Liechty, North District

ATTEST:
Kim Koomler, Steuben County Auditor

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law: Erin L. Schiffli

Randy Strebig, Board of Aviation, came to the Commissioners with a recommendation of appointing Steve Campo to the Board of Aviation Commissioners due to Chuck Walker's appointment expiring the end of this year. Mr. Strebig stated that Mr. Campo is a pilot, T Hanger occupant, has been interested in Board activities, has attended every Board of Aviation meeting and believes that he would be a good addition to the Board. Lynne Liechty made a motion to approve the recommendation to appoint Steve Campo to the Board of Aviation Commissioners. James Crowl seconded that motion and the motion carried with three (3) ayes.

Mike Sevits, Annex Maintenance, submitted quotes to replace the carpet in the Prosecutor's Office. Lynne Liechty made a motion to accept the low quote from Sanborn's, in the amount of \$16,570.00. She further specified that the repairs shall wait until 2017. James Crowl seconded that motion and the motion carried with three (3) ayes.

Mr. Sevits also submitted quotes to repair the EMS Air Conditioning. The Commissioners requested that Mr. Sevits obtain quotes from the two (2) companies and present those at a future meeting.

Mike Sevits submitted quotes to repair the hallway and restrooms in the Prosecutor's Hallway. Lynne Liechty made a motion to accept the low quote from Epoxy Floor Store, in the amount of \$10,628.50. She further specified that the repairs shall wait until 2017. James Crowl seconded that motion and the motion carried with three (3) ayes.

Phil Pieri, Nordic, came back to the Commissioners with an updated Contract including all County Building gas meters. Mr. Pieri stated that prices have gone down since the last meeting and he can now offer a price of .3950 per therm to the County until November, 2017. James Crowl made a motion to approve the annual Contract with Nordic. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Frank Charlton, County Park Superintendent, reported to the Commissioners that all the locks have been changed at the Event Center and each Commissioner has a master key. Mr. Charlton also stated that locks at the home have been changed and Lori Hickey has the extra keys.

Mr. Charlton discussed a tractor purchase with the Commissioners. He said that he is looking at a Kubota Tractor and it will cost approximately \$25,000.00. Frank Charlton said that he has a backhoe that can be used for a trade; however, no one wants it. It was discussed to put it in the online auction. Erin Schiffli said that in order to put it in the online auction, she would have to do a public notice and get information from Mr. Charlton.

Frank Charlton stated that they have had a total of three (3) events at the Event Center and they have another two (2) scheduled before the end of the year. Mr. Charlton said that there currently there are eight (8) events scheduled for 2017.

Mr. Charlton said that the flagpole has been installed as well; however, there is no electrical installed. He said that they are looking at installing solar lights.

Mr. Charlton further stated that Steury's is working on a dumpster pad quote.

Jennifer Sharkey stated that INDOT will be sending out their inspector to Maple Street to do a final inspection to hopefully get it completed by the end of the year.

Ms. Sharkey stated that she had a quarterly report meeting with INDOT on the 200 N. Project. She said that once the environmental documents are approved, they will move to the right of way acquisition stage.

Jennifer Sharkey reported that she had a quarterly meeting with INDOT regarding the Bridge Inspections and she is working with Clark Dietz to get the proposals finalized.

Ms. Sharkey stated that the County has done everything needed to transfer the lights on Old 127. She said that currently they are just waiting for INDOT to get their new service set up. Ms. Sharkey said that she has talked to the Outlet Mall and they are requesting that the work be done by Thanksgiving. Jennifer Sharkey said that she reminded them that there are three (3) entities with different contractors working on this project and a completion date of Thanksgiving may not be feasible.

Jennifer Sharkey said that there is an early coordination meeting scheduled with INDOT on December 6 for the 200 N Phase II Project. She said that after that meeting she will get the RFP's around.

Ms. Sharkey reported that they had a preliminary field check meeting on Phase II of the Bike Trail. She said that the site was walked with the Ramada Inn property owner and the DNR to make sure the alignment was satisfactory. She said that there is a little bit more coordination to do on some of the tree clearing that would happen on the DNR property. Ronald Smith said that he went with the EDC to Geneva, Indiana and there were three (3) presentations. He said that Wells County is applying for monies for their Bike Trail in the amount of \$1.6 Million to get across the river. Commissioner Smith said that the new name of the trail is now Pokabachi.

Jennifer Sharkey reported that she has a meeting with the City of Angola tomorrow at 10:30 a.m. and wanted to know if the Commissioners were available for that meeting. Ms. Sharkey said that the City committed funds for the design portion of the Bike Trail. Lynne Liechty stated that she would attend that meeting.

Ms. Sharkey stated that one (1) of the entrance signs for the Event Center is installed on 200 W. She said that there are two (2) other locations and they do have the utilities located so those will be installed soon too. She also reported that there are two (2) turn arrows painted on 200 W for the turn lane into the County Park. Ms. Sharkey submitted the proposed lighting costs for the light to be installed at the County Park Entrance off of 200 W.

Ms. Sharkey also submitted proposed costs for lighting on the Four Corners Bridge. She said that there were a couple different options available. Bill Schmidt said that he isn't sure what the cost would be to hook up the meters, but the Lake James Association would try to fund that and turn it over to the County.

Jennifer Sharkey said that the Community Crossings Grant Contract has been fully executed and a purchase order has been submitted as well.

Emmett Heller, Highway Superintendent, reported that last week they installed new culverts on 725 north of 700 and on 500 S just west of 600 and put in a 15' tile under 500 S in cooperation with Larry Gilbert.

Mr. Heller stated that they are continuing to patch and add gravel where needed. He said they are also prepping for winter.

Bill Harter, Coroner, submitted a Fee-For-Services Agreement with St. Joseph Hospital for autopsy fees. Mr. Harter stated that there were no changes in the fees. The Commissioners gave the approval for the Coroner to sign the Agreement with St. Joseph Hospital.

Tony Culver, Croxton & Roe Insurance, submitted a quote in the amount of \$225.00 per year, for Renter's Insurance for the Health Department items that are being stored at the Enterprise Center. The Commissioners felt that the Health Department should pay for the insurance on their items and directed Erin Schiffli to see if the Health Department had funds available. The Commissioners took no action on the quote for the Renter's Insurance.

The Commissioners received the following correspondence: NEIndiana re: Per Capita Personal Income Chart; Indiana State Department of Agriculture re: Meeting notice; Randy Brown, EMA re: Rapidly Changing Weather Conditions; Randy Brown, EMA re: Today's Weather; Accent Consulting re: County Network and Data Concerns; IACC re: Conflict of Interest Rule – Federal Funds and County Officials; Indiana State Department of Agriculture re: ISDA hosts trainings for livestock producers; Indiana State Department of Agriculture re: Meeting Notice; NEIndiana re: News Release; Citizen Serve re: E-Government Software; St. Joe River Basin re: Meeting Canceled; IACC re: Urban or Rural Caucus at 2016 Annual Conference; Stacey Meek re: Meeting Agenda; Stacey Meek re: The Farm Project; SC Soil and Water re: Approved Minutes.

STEUBEN COUNTY BOARD OF COMMISSIONERS

Ronald L. Smith, President, South District

James A. Cowl, Vice President, Middle District

Lynne Liechty, North District

Attest: _____
Kim Koomler, Steuben County Auditor
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