

STEBEN COUNTY BOARD OF COMMISSIONERS MEETING
December 20, 2018

The Steuben County Commissioners met at 8:30 a.m. on Thursday, December 20, 2018, 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 Richard Shipe, Steuben County Council President and Kim Meyers, Steuben County Auditor.

James Crowl made a motion to approve the claims submitted for payment this day totaling \$1,075,222.94 except for a claim number 145128 in the amount of \$4,200.00 made out to Meade Septic. 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 3, 2018. James Crowl seconded that motion and the motion carried with three (3) ayes.

The Commissioners signed the minutes from the November 19, 2018 Commissioners' Meeting for the Index Book, which were approved at the prior meeting.

Rae Delaney, Payroll, submitted the December 7, 2018 payroll in the amount of \$395,009.26 for approval. Lynne Liechty made a motion to approve the December 7, 2018 payroll. James Crowl seconded that motion and the motion carried with three (3) ayes.

Ambulance Billing Services submitted Write Offs in the amount of \$2,279.00. Pat Kirkpatrick, EMS Director, submitted November Closeouts in the amount of \$1,026.79 and November Write Offs in the amount of \$76,400.35 for approval. James Crowl made a motion to approve the ABS Write Offs, November Closeouts and Write Offs. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Donald Stuckey, County Attorney, opened the 2019 Print, Maintenance and Gas Bids. James Crowl made the motion to accept all bids for review by the Auditor's Office, Maintenance and Highway Department. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Jeff Bassett, Business Impressions, submitted the 2019 Recommended Replacements and estimated costs of \$69,179.00. Lynne Liechty made a motion to approve the recommended replacements and relocations. James Crowl seconded that motion and the motion carried with three (3) ayes.

Mike Sevits, Annex Maintenance, submitted a proposal from Koorsen to replace duct detectors in the amount of \$2,400.00. James Crowl made a motion to approve the proposal. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Mr. Sevits also informed the Commissioners that the contractor with the approved quote for the Annex Heat Tape has withdrawn his quote. The Commissioners requested Mr. Sevits to get quotes for installing seamless gutters.

Ronald Smith informed Mr. Sevits that an invoice was received from Ross Electrical Contracting for repair to an inoperable ambulance drop cord due to the ambulances pulling away before the cords were disconnected. Mr. Sevits said that when the ambulances are started and put in gear, they are supposed to eject the plug. When that doesn't happen, with the way the wire is hanging down, they are pulled against the sharp rails of the overhead doors and the cords are cut. Erin Schiffli stated that she talked to Pat Kirkpatrick about this and she also reached out to the insurance company because the matter with the pig tails was brought up. There was a liability question surrounding the issue if the pig tails did not disconnect correctly, they were going down the road and the pig tail then happened to disconnect and hit someone or something. Jeff Sine said that the County would be liable if that happened and he asked that since the EMT's walk past the plugs, why can't they unplug them before they get in the ambulance. Ms. Schiffli said that question was sent to Mr. Kirkpatrick and he informed Ms. Schiffli that they are automatic disconnects and unplugging them would damage them. Mike Sevits said that he has watched the EMT's unplug them before. Mr. Sevits said that since he's been at the Annex, they have already replaced five (5) to six (6) cords that were torn. James Crowl made a motion that due to the nature of the non-disconnection and severance of plugs

the EMS Department is directed that all expenses incurred because of that would come from the EMS budget and not the Commissioners' Budget. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Purdue Extension submitted the 2019 Extension Contract for approval. Lynne Liechty made a motion to approve the 2019 Contract. James Crowl seconded that motion and the motion carried with three (3) ayes.

Lynne Liechty made a motion to approve the Annual Uniform Conflict of Interest Disclosure Statements for Richard Shipe, Lynne Liechty, James Crowl and Mike Sevits. James Crowl seconded that motion and the motion carried with three (3) ayes.

James Crowl made a motion to reappoint Sheryl Kelly to the Board of Aviation for another four (4) year term. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Tim Troyer, Sheriff, submitted information to the Commissioners regarding a body and mail scanner. He said that the scanner is not only designed to find contraband but illegal weapons and devices that are not permitted in the Jail. Sheriff Troyer said that incidents have happened here and it isn't just about protecting the inmates, but it about protecting the staff as well. He said that other restrictions have been placed on the mail to try to minimize the problem, but it gets more and more sophisticated. Sheriff Troyer did research, contacted the companies and has come to the conclusion the scanner is adequate and it will work in the book-in area.

Sheriff Troyer said that an incident happened within the last two (2) years where methamphetamine was smuggled in and before they got word of it, some of it had been dispersed. He said that this morning there was an incident where contraband was discovered in the blocks and was about to be hidden in a body cavity. He said that the body cavity scanner would have found this before it got back into the block.

Ronald Smith asked if the radiation feature was an issue. Sheriff Troyer said that the way it is designed, it is done in a way where there is very low radiation exposure. He said that it is a little different than going through the airport, but it is very similar.

Sheriff Troyer said that there is a four (4) year service contract included in the package. Lynne Liechty asked where the funding is coming from. Sheriff Troyer said that he doesn't have the funding for this. He said that he would like to have it implemented as soon as possible. Kim Meyers, Auditor, said that they would have to look at options, but something like this is normally considered a budget item; however, she understands the security/safety issue and trying to get it implemented sooner rather than later. She said that they can look to see what funds are available and ask for an additional appropriation if needed. Ronald Smith said that they will examine the possibilities and follow the proper procedure.

Sheriff Troyer also requested to purchase a Press Tool Kit in the amount of \$3,099.00 from Granger. James Crowl requested that the funds come from the Jail Maintenance Fund and if the funds are not there, it can be paid from building and equipment repairs. Lynne Liechty made a motion to approve the purchase of the Press Tool Kit from the Jail Maintenance Fund. James Crowl seconded that motion and the motion carried with three (3) ayes.

Frank Charlton, County Park Superintendent and Kylee Harris, Event Center Coordinator, submitted information on dehumidifiers for the Lion's Building. Erin Schiffli said that she did research and this one is the cheapest and the County already has a tax-exempt account with the company. James Crowl made a motion to purchase two (2) dehumidifiers. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Ms. Harris stated that Donald Stuckey needs to modify some of the rules on the 2019 Camper Contract so they can print and send them out to the campers. Ms. Harris said that previously they allowed the campers to water their lawns; however, automatic sprinklers are not permitted. Ms. Harris also informed the Commissioners that a rule stating that if a camper sells their camper, they cannot promise the new buyer the lot that the current camper is on. The lot will go into the lottery and the new camper will have to go through the lottery to try to get the lot.

Frank Charlton said that the Agreement is sent to all of the campers and they have to sign and return it. He said that it does state in the Agreement that watering lawns is prohibited, but after a couple campers came in and talked to the Commissioners, they decided that they could water their lots.

Lynne Liechty made a motion to approve the Seasonal Camper Agreement as amended. James Crowl seconded that motion and the motion carried with three (3) ayes.

Kylee Harris also stated that the Craft Fair Contract had changes made that were discussed in the Park Committee Meeting. Erin Schiffli stated that there was a deposit required but there was also a security deposit. The Commissioners wanted a \$500.00 deposit down sixty (60) days prior and the remaining to be paid thirty (30) days prior. Since there was a security deposit also included, she put a \$250.00 security deposit plus a \$250.00 rental deposit due sixty (60) days prior to total that \$500.00. Then thirty (30) days prior the remaining \$825.00 would be due and if there are no damages, they would be refunded the \$250.00 security deposit. James Crowl specified that this contract is just for the Craft Show.

James Crowl made a motion to approve the Craft Show Lease as amended. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Frank Charlton reported that he got a couple quotes for improvements at the Clear Lake Park. Kylee Harris said that they would like to encumber the remaining Clear Lake Park Improvement funds from 2018 and use some of the 2019 funds. Lynne Liechty made a motion to approve the quote from 101 Lakes Landscaping in the amount of \$14,093.56 for the improvements at the Clear Lake Park and to encumber the funds from the 2018 budget. James Crowl seconded that motion and the motion carried with three (3) ayes.

Mr. Charlton also submitted quotes from Sevits Tree Service to remove trees at the Clear Lake Park and at the County Park. Lynne Liechty asked why other companies did not submit quotes. Frank Charlton said that he solicited quotes from other companies; however, he never received them. James Crowl made a motion to approve the quotes from Sevits Tree Service in the amount of \$1,275.00 and \$850.00 and to encumber the funds. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Frank Charlton informed the Commissioners that he set up an account with Northern Tool and gave that information to Erin Schiffli so she could order three (3) bench kits.

Emmett Heller, Highway Superintendent, submitted NIPSCO right of way permit #2826 for approval. James Crowl made a motion to approve the NIPSCO right of way permit #2826. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Mr. Heller also submitted title paperwork for the last truck that they received. The Commissioners signed the paperwork so it could be submitted.

Emmett Heller also submitted reimbursement vouchers for the 200 N/SR 827 Project. Lynne Liechty made a motion to approve the reimbursement vouchers. James Crowl seconded that motion and the motion carried with three (3) ayes.

Mr. Heller also submitted information regarding a dollar amount of damage done to repair the roads due to the US 20 detour. He said that they looked at the roads and how much it would take to repair them. Mr. Heller said that they have reviewed the films from before the closure and after the opening of US 20. Ronald Smith stated that the list includes E 20 N, E 50 N, Bill Deller Road, E 150 S, Hanselman Road, S 100 E and N 100 E with the repairs totaling \$312,570.00 in damages. Commissioner Smith stated that the figure does not include the asphalt, patch material and residual costs included in the US 20 road closure. Emmett Heller said that part of the issue is that the original PACER ratings were rated a 5 to start with.

Emmett Heller stated that they are grading roads when they can and they are also trimming trees in coordination with REMC. Mr. Heller said that he has 400 tons of salt on the ground under a tarp and 200 tons have been ordered, but has not yet been delivered.

Mr. Heller requested permission to obtain quotes for the replacement of the floor in the Highway Department front offices. He said that he would like to go to a ceramic type flooring instead of carpet. The Commissioners gave him permission to start working on obtaining the quotes.

Emmett Heller also asked permission to order a F-550 Chassis. He said that he has funds available in the 2018 budget that could be encumbered. Mr. Heller submitted two (2) quotes for the chassis and the low quote was from Yoder Fuller Ford in the amount of \$45,950.00. James Crowl made a motion to approve the purchase of the F-550 Chassis. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

James Crowl made a motion to reappoint Matthew Zimmer, DVM as the Emergency Animal Disease Control Coordinator. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Lynne Liechty made a motion to reappoint Jim Getz and Anne Turner to the Innkeepers Tax Commission. James Crowl seconded that motion and the motion carried with three (3) ayes.

James Crowl made a motion to reappoint Dan Reinhold to the Plan Commission and Board of Zoning Appeals. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

James Crowl made a motion to reappoint Lynne Liechty to the Steuben Lakes Regional Waste District, District Authority. Ronald Smith seconded that motion and the motion carried with three (3) ayes.

Lynne Liechty made a motion to reappoint James Crowl to the Cemetery Commission. Ronald Smith seconded that motion and the motion carried with three (3) ayes. Donald Stuckey stated that the Cemetery Commission needs to meet annually to appoint the President and Sexton.

James Crowl made a motion to reappoint Ronald Smith to the Steuben County Public Defender Board. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

The Commissioners reviewed the Board Appointments for 2019. It was requested that Lynne Liechty be removed as a Plan Commission Representative and also removed from the Master Plan/Subdivision/Zoning Ordinance Committee. Lynne Liechty made a motion to approve the 2019 Board Appointments with the requested changes. James Crowl seconded that motion and the motion carried with three (3) ayes.

Donald Stuckey submitted a Promissory Note to be executed by the Town of Ashley for the loan from Steuben County of \$1.5 Million Dollars for the RES Polyflow infrastructure. Mr. Stuckey stated that he is legal counsel for the Town of Ashley and there is a conflict of interest that he needed to disclose. James Crowl made a motion to approve the Promissory Note. Lynne Liechty seconded that motion and the motion carried with three (3) ayes. Mr. Stuckey said that the Promissory Note also has to go to County Council for approval as well.

The Commissioners signed Tom Sanborn's Certificate of Appointment to the Local Alcoholic Beverage Board.

Donald Stuckey stated that no dedication has been received for VPW-18-06 for Daniel and Beth Strasser, so the Commissioners can wait to do the second and third readings.

VPW-18-03 Barile Ordinance No. 3143 was submitted for its third reading. James Crowl made a motion to approve Ordinance #3143 on its third reading. Lynne Liechty seconded that motion and the motion carried with three (3) ayes. Ordinance No. 3143 reads as follows:

ORDINANCE NUMBER 3143

**AN ORDINANCE OF THE STEUBEN COUNTY
BOARD OF COMMISSIONERS**

REGARDING THE VACATION OF A PLATTED ROADWAY, SECOND ADDITION TO FOREST PARK

WHEREAS, the Petitioner has filed a Petition for Vacation of a Platted Roadway pursuant to Indiana Code 36-7-3-12/13/;

WHEREAS, the Petitioner owns or has legal interest in certain real estate which is contiguous to the roadway or place which they propose to vacate;

WHEREAS, notice by publication to the population at large and notice by certified mail to abutting property owners has been properly made consistent with Indiana Law;

WHEREAS, the Petitioner has paid the expense of providing legal notice;

WHEREAS, the vacation of the roadway **would not** hinder the growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous;

WHEREAS, the vacation **would not** make access to the lands by means of platted way, difficult or inconvenient;

WHEREAS, the vacation **would not** hinder the public's access to a church, school or other public building or place; and,

WHEREAS, the vacation **would not** hinder the use of a public way by the neighborhood in which it is located or to which it is contiguous,

IT IS HEREBY ORDAINED BY THE STEUBEN COUNTY BOARD OF COMMISSIONERS THAT THE FOLLOWING DESCRIBED ROADWAY IN STEUBEN COUNTY, INDIANA **IS HEREBY VACATED:**

Part of the Second Addition to Forest Park as recorded in Plat Book 2, Page 81 in the Office of the Recorder of Steuben County, Indiana, being more particularly described as follows:

Commencing at the northwest corner of No Lot as platted in the Second Addition to Forest Park; thence north 75 degrees, 28 minutes 45 seconds east, (Indiana State Plane Zone East Basis of Bearings), along the south right-of-way line of Lane 201BB Lake George, a distance of 88.41 feet to the centerline of the platted 20 foot roadway in the Second Addition to Forest Park, also being point of beginning, said point of being referenced by a 5/8" x 24" rebar with "ForeSight Boundary Identification Cap; thence continuing north 75 degrees 28 minutes 45 seconds east, along said south right-of-way line, a distance of 10.04 feet to a point on the west line of lot number 16 in the Second Addition to Forest Park, said point being reference by a 1" pipe 0.5 feet north; thence south 19 degrees 39 minutes 15 seconds east, along said west line, a distance of 51.13 feet to a point on the south line of the Second Addition to Forest Park, said point being reference by a 2' pipe 0.3 feet south and 0.4 feet east; thence south 79 degrees 40 minutes 35 seconds west, along said south line a distance of 10.13 feet to a point on the centerline of the platted 20 foot roadway in the Second Addition to Forest Park, said point being referenced by a 1/2" rebar 0.2 feet north and 0.1 feet east thence north 19 degrees 39 minutes 15 seconds west, along said centerline, a distance of 50.39 feet to the point of beginning. Containing 0.01 acres (5076 square feet), more or less. Subject to easements of record

STEUBEN COUNTY BOARD OF COMMISSIONERS

First Reading: 12/3/18
Second Reading: 12/3/18
Third Reading: 12/20/18

Lynne A. Liechty Northern District
Ronald L. Smith, President Southern District
James A. Crowl, Central District

ATTEST:

Kim Meyers, 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. Vina L. Conti

Ronald Smith said that according to Commissioner Liechty, there are three (3) engineering companies that are interested in the Courthouse Project; however, it needs to be advertised so all of the companies that want to be

considered are aware of the project. James Crowl stated that he spoke to the two (2) Judges and the Magistrate and before the engineering firms are brought in, another meeting needs to be held with the Judges because they have looked at the Masonic Lodge Hall and they are somewhat receptive to that option. Commissioner Crowl said that a two (2) companies need to be hired to give an appraisal, one shall be hired by the Commissioners and one by the Masonic Lodge. He said once appraisals come back, the Commissioners will know what can be done at that point. He said before any more engineering firms are called in, they need to find out if this is feasible and if it is something the Judges are willing to consider. Lynne Liechty said that once they find out if the Masonic Lodge is available, then they can do an RFP. Donald Stuckey said that an RFP would be advertised so the engineering firms came give a proposal with an estimated cost. James Crowl said that in the meantime they need to have another meeting with the Judges. He said that if the Judges agree that they don't want to move in there, then it is a moot point. Ronald Smith said that no assumptions can be made regarding the buildings located to the north and south of the Masonic Lodge.

Ronald Smith requested Erin Schiffli to coordinate another meeting with the Judges after the first of the year. Commissioner Smith requested that the Judges receive an explanation of why another meeting is being held.

James Crowl submitted information on a new and a used van from Dunham's Motor Sales. James Crowl made a motion to purchase the used 2016 Dodge Grand Caravan SXT in the amount of \$15,300.00 from the 2019 Cum. Cap. Funds. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Gary Fair submitted a quote from Homesite Carpet & Wallcovering in the amount of \$200.00 for carpeting the elevator. Lynne Liechty made a motion to approve the quote from Homesite. James Crowl seconded that motion and the motion carried with three (3) ayes.

Brett Hays, NICC, submitted a Memorandum of Understanding between Northeast Indiana Community Corrections and Community Anti-Violence Alliance. Donald Stuckey said that he has read and approved the content of the MOU. James Crowl made a motion to approve the MOU. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

The Commissioners asked when the demolition of the Old County Home was taking place. Erin Schiffli stated that the RFQ specified that the demolition was to take place after January 1, 2019 and be completed by May 1, 2019.

Donald Stuckey submitted Ordinance No. 919 regarding Ambulance Billing Services and the ability to accept the funds and then pay the invoices. James Crowl made a motion to approve Ordinance No. 919. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

**Second and Third Readings
Steuben County, Indiana
Ordinance No. 919**

Thereupon, County Commissioner, James Crowl moved that all rules of procedure of the County Commissioners which might prevent, unless suspended, the second and third readings of Ordinance No 919 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 Lynne Liechty 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, Lynne Liechty, 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 James Crowl 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, James Crowl, 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 Lynne Liechty 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 919 to have been duly passed and adopted. Thereupon, said Ordinance were signed by all members of the County Commissioners present and attested by the County Auditor. Ordinance No. 919 is on file in the Auditor's office. Ordinance No. 919 reads as follows:

ORDINANCE NUMBER 919

AN ORDINANCE TO ESTABLISH A FUND TO DEPOSIT COLLECTIONS FROM AMBULANCE BILLING SERVICES AND TO GRANT THE STEUBEN COUNTY AUDITOR TO MAKE PAYMENTS CONSISTENT WITH THE INVOICES RECEIVED FROM AMBULANCE BILLING SERVICES

WHEREAS, the Steuben County Commissioners and Steuben County EMS having entered into a billing agreement with Ambulance Billing Services.

WHEREAS, the Debt Collection Agreement provides that monies collected will be fully paid to the Steuben County Auditor and then the Steuben County Auditor will have the obligation of paying the invoices received from Ambulance Billing Services their percentage of the collections as provided in the Agreement; and,

WHEREAS, the Steuben County Commissioners wish to authorize a specific fund for the deposit of said funds and from which to pay Ambulance Billing Services, pursuant to the terms of the Billing Services Agreement.

IT IS HEREBY ORDAINED by the Commissioners of Steuben County, Indiana:

1. That the Steuben County Auditor shall deposit the Ambulance Billing Services funds received in a specific fund.
2. That the Steuben County Auditor is granted authority to provide payment to Ambulance Billing Services, without appropriation, consistent with the Billing Services Agreement previously approved by the Steuben County Commissioners.

This Ordinance shall be effective upon passage.

Adopted this 20th day of December, 2018.

Steuben County Commissioners

First Reading: 12/20/2018
Second Reading: 12/20/2018
Third Reading: 12/20/2018

Ronald L. Smith, President
James A. Crowl, Vice President
Lynne A. Liechty, Member

Attest: Kim Meyers, Auditor

The Commissioners received the following correspondence: Janel Meyer, SCSWCD re: Approved Board Meeting Minutes; IACC re: Community Crossings Matching Grant Call for Projects; NEIndiana re: Caucus December Meeting; Janel Meyer, SCSWCD re: Agenda; Rodney Renkenberger, Maumee River Basin re: October

December 20, 2018 Commissioners' Meeting Continued

Minutes; Matt Meersman – MACOG re: December Meeting – Additional Materials; Bill Harter, Coroner re: Month End Report – November.

STEUBEN COUNTY BOARD OF COMMISSIONERS

Ronald L. Smith, President, South District

James A. Cowl, Vice President, Middle District

Lynne Liechty, North District

Attest: _____
Kim Meyers, Steuben County Auditor
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