

STEBEN COUNTY BOARD OF COMMISSIONERS MEETING
December 1, 2014

The Steuben County Commissioners met at 1:00 p.m. on Monday, December 1, 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, Ruth Beer, Steuben County Councilwoman, Lynne Liechty, Commissioner Elect, Jim Getz, Steuben County Councilman and Kim Koomler, Steuben County Auditor.

Vina Conti, Plan Commission, submitted a Comprehensive Plan Contract with Ground Rules Consultants to the Commissioners for signature. Ronald Smith stated that this is in preparation for revision of the County's existing Comprehensive Plan. James Crowl made a motion to approve the signing of the Comprehensive Plan Contract. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

Loretta Smart made a motion to approve the claims submitted for payment this day totaling \$455,118.88. 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 the Meeting held November 17, 2014. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

The Commissioners signed the minutes from the November 3, 2014, Commissioners Meeting and the October 31, 2014, Special Meeting for the Index Book, which were approved at the previous meeting.

Annual Allocation Contracts from Steuben County Soil & Water, Steuben County 4-H Association, S.C.U.R.R.T., Steuben County Historical Society and the Maumee River Basin Commission were submitted for signature. Loretta Smart made a motion to sign the Annual Allocation Contracts. James Crowl seconded that motion and the motion carried with three (3) ayes.

Ronald Smith advised the Commissioners and Donald Stuckey, County Attorney, that Paul Headley stopped in today with a copy of a notice. Ronald Smith reported that the Commissioners gave consideration in drainage sometime back and nothing was resolved, but Mr. Headley is somehow wanting to lose ownership to the water holding area, connection to it and the small assessment it has. James Crowl stated that the County Attorney at that time and Larry Gilbert stated the fact that it was not beneficial to the county or the taxpayers whatsoever to take it over because it is a retention pond that runs into another retention pond for Herrington Heights. Ronald Smith said that the pond mitigates the water from The Fountains subdivision and is a storage holding unit. James Crowl stated that Larry Gilbert said it was never built right and it was not something that the County wants responsibility for. Donald Stuckey asked for clarification and James Crowl said that Mr. Headley wants to give the County the holding area for The Fountains subdivision because he doesn't want to pay taxes on it or own it anymore. Ronald Smith stated that Mr. Headley sold The Fountains. James Crowl stated that piece of real estate didn't get transferred over into the new owner's names. Donald Stuckey said that typically retention ponds are maintained by either the original developer or they are deeded to the Association and not to the County because those are only put in because they developed the property. Donald Stuckey believes that the response would be that normally the County does not take title to drainage improvements in subdivisions and that it should either be transferred to the Homeowners Association or would remain in the name of the developer. Ronald Smith requested that Mr. Headley receive a letter stating that the Steuben County Board of Commissioners have given consideration and on the advice of the County Attorney, this is not something the Commissioners handle and it is up to Mr. Headley to resolve.

Frank Charlton submitted a letter to the Commissioners requesting to trade in two (2) of the Building/Plan Commission vehicles for two (2) from the Sheriff's Department. Ronald Smith stated that this request is on hold until vehicles become available. James Crowl stated that this is the first request for available vehicles.

Ronald Smith read the bid recommendation for the Print and Maintenance Bids. James Crowl asked that since KSS filed their bid late, if the maintenance departments still use them. Donald Stuckey stated that the bid was late enough that it cannot be accepted; however, that does not mean that the departments cannot buy from them if their price is lower. James Crowl made a motion to accept the annual Print and Maintenance Bids with the

exception of KSS. Loretta Smart seconded that motion and the motion carried with three (3) ayes. The annual Print and Maintenance Bid recommendation letter reads as follows:

PRINT BIDS

A. E. Boyce ó Print Bids, Classes 1, 2, and 2A
Waddell Printing ó Print Bids, Classes 4 and 5

Recommend accepting both bids.

MAINTENANCE

C. A. Nedele & Sons
HP Products
The Janitors Supply Co. Inc.
LBH Chemical & Industrial Supply, Inc.
~~KSS Enterprises (bid received late)~~

In the past you have always accepted all maintenance supply bids with the condition that the purchaser will check for the best price on an item at the time of purchase.

Ronald Smith stated that the Veterans Assistance Officer Position will need to be posted. Donald Stuckey stated that since it's been less than a year since Ms. Ebel took the position, the prior applicants can be notified to see if they are still interested. Ronald Smith directed Erin Wray, Commissioners Assistant, to post the job position and to contact the prior applicants to see if they would still like to be considered for the position. James Crowl suggested asking the old Veterans Service Officer to come back in the meantime until someone is hired. Ronald Smith directed Erin Wray, Commissioners Assistant, to contact Larry Harasim and see if he can fill the position until someone is hired. James Crowl also requested that a sign, giving the DeKalb County Veterans Service Office information, be posted on the office door and on the front door of the Community Center.

Jeff Bassett, Business Impressions, submitted a listing of 2015 Recommended Replacements to the Commissioners. Mr. Bassett stated that the 2015 Estimated Operation Costs are \$63,762.00 and the quote he has today is \$2,600.00 less than what he submitted in June for the budget. He stated that they are looking at leasing everything instead of buying any of the machines. Mr. Bassett stated that the smaller machines were usually purchased; however, it is proving cheaper to lease than to buy them.

Mr. Bassett stated that the machines that are up for replacement are the Clerk's machine, Sheriff Intake machine, Sheriff Squad Room machine and the Steuben County Park machine.

Jeff Bassett also reported that there is an incorrect invoice for the Probation Department due to an estimated meter read. He stated that all the machines in the county are on a software that reads the machines every month. For some reason that machine came off the system and was estimated which caused the incorrect invoice. Mr. Bassett stated that money will be credited back to the county. Lori Hickey, Deputy Auditor, asked if it would come as a credit or a check. Mr. Bassett said it could probably be done either way, the credit has to be received first and then the check will be requested.

Jeff Bassett said that he needs direction from the Commissioners and to know if they would like to move forward with this recommendation. Tami Sumney, IT Director, stated that it all looks good to her and they've been going over this the last few months. Loretta Smart made the motion to accept the recommendation from Jeff Bassett. James Crowl seconded that motion and the motion carried with three (3) ayes. Jeff Bassett stated that he would get contracts back to the Commissioners.

Kris Thomas, Health Department, introduced a field rep from the Indiana State Department of Health, Alice Quinn. Ms. Thomas stated that Ms. Quinn has helped her write this ordinance. She also stated that this draft ordinance has been submitted to the Indiana State Department of Health and they believe it is a good ordinance and will hold up.

Kris Thomas stated that the current ordinance has been amended several times and is hard to follow, which is why they believed it needed to be updated. She also said that there are conflicts between the current Septic Ordinance and the Licensing Schedule. Ms. Thomas stated that specifically some things that are in the current ordinance that have not been enforced.

Kris Thomas reported that they had an Installer's Workshop and had a good turnout of about nineteen (19) people total. Ms. Thomas said that they did a survey at the end and twelve (12) of the nineteen (19) were handed in and seven (7) were in favor of an Installer Certification which is one of the main changes in the new ordinance. The main reason they were in favor of it was because they stated that it would weed out the "fly by night" people that come in, install things wrong, the Health Department then has to fail the system and have to find a location for another system.

Ms. Thomas stated that registration is also in the new ordinance and that is simply for the purpose of making sure the Health Department can provide a comprehensive list to the public so they know who is operating in the county. Companies would have to register and there would be no fee, it is just a step in the Health Department to get information that has to do with installing septic systems. She stated that currently, their list is outdated and they would like to have it up to date so everyone can choose from the same companies all the time. Kris Thomas stated that certification is through IOWPA (Indiana Onsite Wastewater Professional Association) and that is the certification that is recognized for installers. She stated that different counties do their own certification but the IOWPA certification is recognized and is a certification on the rules of the State of Indiana.

Alice Quinn stated that it is a third party certification process so no one can claim a bias, etc., to the local Health Department. Ms. Quinn stated that Allen County does accept IOWPA Certification but they also have their own. She said that she does not recommend going with the county certification process as it takes a lot of man hours, time and writing a comprehensive exam that is fair and complete is very difficult. Ms. Quinn stated that IOWPA is a three (3) year certification, they test the first year and that certification lasts for three (3) years and there are a couple different options for renewing that certification.

Kris Thomas stated the new ordinance is all in one spot, is clear and concise and does reference current codes and rules when the ordinance currently in effect is referencing things that are no longer in effect. The enforcement and appeal procedure is more clarified in the new ordinance. She also stated that the current ordinance refers to the Indiana State Board of Health and that is no longer correct terminology. The new ordinance will bring everything up to date.

Donald Stuckey, County Attorney, stated that he reviewed the new ordinance; however, he does not recall seeing anything that repealed the previous ordinance. Kris Thomas stated that does need to be added. Ronald Smith stated that the Health Department can make the necessary changes, get the ordinance number and bring it back to the next Commissioners Meeting.

Emmett Heller, Highway Superintendent, reported that on November 22, they worked due to the freezing rain and they are currently looking into a beet juice mixture or some sort of pre-treat mixture that would be used before an event to help with the roads. Mr. Heller stated that he is looking into equipment for that.

Emmett Heller updated the Commissioners on fuel prices. Mr. Heller stated that he could lock in prices today if the Commissioners wished. He stated last year the gasoline was at \$3.05, today it is at \$2.21, 91 Plus was \$3.35, today it is \$2.47, Diesel was \$3.22, today it is \$2.92. The Commissioners directed Mr. Heller to wait a little longer to lock in the fuel price.

Jennifer Sharkey submitted three (3) utility permits for Frontier #2719, #2720 and #2721. Loretta Smart made the motion to approve the Frontier utility permits. James Crowl seconded that motion and the motion carried with three (3) ayes.

Ms. Sharkey reported that there was a request for a speed reduction on Division Road from 600 E west to the dead end. She stated that she did the traffic study at the end of October and based on the information collected it is not recommended to post a reduced speed limit. Ms. Sharkey stated that the complaint was that it was an unposted gravel road and a county ordinance states that all unposted roads are 50 mph. She said that based on the 85

percentile speed the east bound speed was 42 mph and west bound was 29 mph. Jennifer Sharkey stated that she has already contacted the person that requested the speed reduction and reported her findings.

Jennifer Sharkey reported on the 200 N/SR 827 project and said that right now NIPSCO is wrapping up their gas relocation. She also reported that the matching credit documentation has been submitted to INDOT on November 17, 2014, and is still on a letting date of February, 2015.

Ms. Sharkey stated that the Bike Trail Frontier relocation work is about 80% complete and they should be done within the next few weeks. She stated that she did talk to E&B Paving and they are anxious to get started in the spring.

Jennifer Sharkey submitted an invoice for construction inspection in the amount of \$7,821.33. James Crowl asked how much of the invoice is for relocation of the fiber optic line. Ms. Sharkey stated that the entire invoice is for that. She also said that all of these costs are being tracked and once she has an idea of what the total cost is, the County can pursue avenues of compensation. James Crowl made a motion to pay the invoice in the amount of \$7,821.33; however, when this project is over, reimbursement shall be sought. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

Ms. Sharkey stated that she met with GAI on November 17 to discuss the Maple Street Project since the initial project manager is no longer with GAI. She stated that the Commissioners need to decide if they wish to have a dedicated right turn lane of SR 120 and the best way to terminate CR 1025 W needs to be determined as well. Ms. Sharkey said that the State did not require a dedicated right turn lane from SR 120 and that work was not included in the original estimate. Ms. Sharkey stated that in her opinion, it is not necessary. She also recommended for the termination of CR 1025 W, that it be barricaded and the pavement removed. Emmett Heller stated that he concurs with Ms. Sharkey's opinion. James Crowl asked if the County Trucks would have enough room to turn around. Ms. Sharkey stated that they would have to do a star turn in order to turn around. Loretta Smart made a motion to accept Jennifer Sharkey's recommendation on these two issues. James Crowl seconded that motion and the motion carried with three (3) ayes.

Jennifer Sharkey also submitted an invoice from GAI for the design in the amount of \$1,440.00. She indicated that they are 45% complete with the design. James Crowl made a motion to approve the invoice from GAI. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

Ms. Sharkey advised the Commissioners that she attended the Title VI training on November 18 to fulfill the requirements to be in compliance. She also stated that she is proposing to do some brief training with the department heads but she will bring that up at the department head meeting.

Ms. Sharkey also reported to the Commissioners that it has been rumored that there may be a call for projects in January or February.

Jennifer Sharkey submitted an annual report to the Commissioners outlining the Highway Department's activities throughout the year.

Jennifer Sharkey, County Engineer, told the Commissioners she recommended accepting all annual bids except for gasoline and fuel. Loretta Smart made a motion to accept the bids as delivered. James Crowl seconded that motion and the motion carried with three (3) ayes. The annual bid recommendation letter from the Highway Department reads as follows:

**Steuben County Highway Department
1 9 0 0 N 2 0 0 W
Angola, Indiana 46703
Phone: (260) 668-1000 ext 3600
Fax: (260) 833-1564**

November 18, 2014

Steuben County Board of Commissioners
317 S. Wayne Street, Suite 2-H
Angola IN 46703

Dear Ron, Loretta, and Jim,

Enclosed are the COUNTY HIGHWAY DEPARTMENT bid results for 2015 with our recommendations.

Pavement Marking or Striping

AIRMARKING CO., INC.
Centerline or edgeline \$.10 / 500,000ft. (includes one mobilization, \$1200.00/ each additional mobilization)
THREE RIVERS BARRICADE
Centerline or edgeline \$.066/ft.

Recommend accepting all quotes from vendors. When ready for striping, we can check with all suppliers to see who can schedule us first.

Grader & Maintainer Blades

AMERICAN WIRE ROPE AND SLING MACALLISTER
MACHINERY ST. ST. REGIS CULVERT, INC.
WINTER EQUIPMENT COMPANY (NO BID)

There are too many sizes, materials, shapes, etc. to easily list. Recommend accepting all quotes and performing price comparisons for required type and size when purchasing.

Culverts

DEBCO CULVERTS
ST. REGIS CULVERT, INC.

There are too many sizes, shapes, materials, etc. to easily list. Recommend accepting all quotes and performing price comparisons for required type and size when purchasing.

Item IA & 1B (Gas and Diesel Fuel for all county departments)

NORTH CENTRAL CO-OP submitted bids for an automated 24 hour, card operated, gas and diesel fuel service for all county department vehicles. Recommend to accept NORTH CENTRAL CO-OP bid later in December, 2014.

Item 1C (Motor Oil & Grease)

G & G OIL COMPANY OF INDIANA (NO BID)
NORTH CENTRAL CO-OP
SHRADER TIRE & OIL (NO BID)
WARNER OIL (NO BID)

There are too many types and grades of products to easily list. Recommend accepting bid . (Note: No Bid Bond required for this item)

Item 2 (Paving Material for Maintenance Use)

API CONSTRUCTION CORP-(Auburn Plant)

No. 11 HMA surface í í í í í í í í í í í í í . \$54.00/ton

No. 8 or 9 or 12 HMA binder í í í í í í í í í í í \$44.00/ton

No. 5 HMA Base í í í í í í í í í í í í í . \$44.00/ton

BROOKS CONSTRUCTION-(Auburn Plant)

No. 11 HMA surface í í í í í í í í í í í í í .. \$54.00/ton

No. 8 or 9 or 12 HMA binder í í í í í í í í í í í .. \$43.00/ton

No. 5 HMA Base í í í í í í í í í í í í í í í \$43.00/ton

E & B PAVING, INC.(Angola Plant)

No. 11 HMA surface í í í í í í í í í í í í í \$57.00/ton

No. 8 or 9 or 12 HMA binder í í í í í í í í í í í \$48.00/ton

Alt #11 Binder í í í í í í í í í í í í í ... \$57.00/ton

No. 5 HMA Base í í í í í í í í í í í í í í í . \$48.00/ton

Recommend accepting all bids.

Item 3 (Bituminous Patching Material)

API CONSTRUCTION CORP.-(MC 250 Mix)

Bit. Patch Mat'l. F.O.B (plant 1 Huntertown) í . í í í . \$63.00/ton

Bit. Patch Mat'l. delivered í í í í í í (21T Load) í . \$68.50/ton

API CONSTRUCTION CORP.-(HPCM Mix)

Bit. Patch Mat'l. F.O.B (plant 1 Huntertown) í . í í í . \$91.00/ton

Bit. Patch Mat'l. delivered í í í í í í (21T Load) í . \$96.50/ton

BROOKS CONSTRUCTION-(Fort Wayne)

Bit. Patch Mat'l. F.O.B (Auburn) í í í í í . í í .. \$70.00/ton

Bit. Patch Mat'l. delivered . í í í í í í í . í . í í í . \$75.00/ton

E & B PAVING, INC.-(LHR PLANT)

Bit. Patch Mat'l. F.O.B í í í í í í í í í í í í í . \$95.00/ton

Bit. Patch Mat'l. Delivered í í í í í í í í í í í \$110.00/ton

KLINK TRUCKING (PUG MIX)

Bit Patch Matd F.O.Bí í í í í í í í í í í í í \$55.00/ton

Bit Patch Matd Deliveredí í í í í í í í í í í í í . \$58.50/ton

PULVER ASPHALT

Bit. Patch Mat'l. F.O.B í í í í í í í í í í í í ..\$66.00/ton

Bit. Patch Mat'l. Delivered í í í í í í í í í í í í \$69.00 /ton

Recommend accepting all bids.

Item 4 (Liquid Cutback and/or Emulsified Asphalts)

- ASPHALT MATERIALS, INC.
- K-TECH SPECIALTY COATINGS, INC.
- PIERCETON TRUCKING CO., INC.

Numerous material types were bid by each supplier. Bid is subject to escalator/de-escalator clause. Recommend accepting all bids and comparing prices and availability when materials are required.

Item 5 (Bank Run Gravel)

MICHAEL MCHENNEY í í í í í í í í í í í í í ..\$ 1.50/CU.YD (Pit Run gravel
Mine by County Force)

Item 6 (Processed Gravel, Sand, & Stone & Limestone)

- BALEY AGGREGATES,LLC
- HANSON AGGREGATES MIDWEST, INC.
- IRVING GRAVEL COMPANY, INC
- KLINK TRUCKING, INC.
- OLD PRAIRIE PRODUCTS
- R SMITH & SONS
- STONE STREET

Numerous types of materials were bid by each supplier. Recommend accepting all bids and comparing prices, availability, and proximity to work location when aggregate materials are required.

Item 8 (Hourly Equipment Rental)

- API CONSTRUCTION CORP. (No Bid)
- ALBRIGHT CONTRACTORS
- CROWL EARTHWORK AND CONSTRUCTION, INC. (No Bid)

Numerous types of equipment and various hourly rates were submitted by the above bidder. Recommend accepting bid and , availability, and proximity to work location when additional equipment is needed.

Item 9 (Bituminous Plant Mixing)

- KLINK TRUCKING, INC.
- Recommend accepting bid.

Item 10 (BRIDGE MATERIAL)

AMERICAN TIMBER BRIDGE
JAMES DREW CORPORATION

There are too many sizes, shapes, materials, etc. to easily list. Recommend accepting all quotes and performing price comparisons for required type and size when purchasing.

If you have questions or need information, contact Emmett Heller or Jennifer Sharkey at the Steuben County Highway Department.

Thank you,

Emmett Heller
Superintendent

Jennifer Sharkey
Engineer

Jennifer Sharkey also submitted the Title VI Assurances to the Commissioners for signature. She stated that it says that the County will comply with the Title VI regulations. James Crowl made a motion to approve and sign the Title VI Assurances. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

Vicky Meek, EMS, came to the Commissioners with a request to purchase a stair chair. Ms. Meek stated that they are used to get people down and upstairs. She said that she has money in her budget for the purchase and if she has enough money at the end of the year, she may purchase a second one as well. Loretta Smart made a motion to approve the request to purchase a stair chair. James Crowl seconded that motion and the motion carried with three (3) ayes.

Kristy Clawson, EMA, submitted an Indiana Department of Homeland Security IMPG Grant Proposal to the Commissioners. Ms. Clawson stated that the IDHS funds half of her wages and they do an assessment on her in several different areas. If she reaches 232 points on the assessment they reimburse the County 50% of her wages. If she scores above that, they also give the County extra grant money. She stated that this year she received \$8,485.00 in extra grant money. James Crowl made a motion to approve and sign the Grant Proposal. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

The Board of Commissioners received a letter from the Steuben County Humane Society. Donald Stuckey said that he reviewed the letter. The Humane Shelter is soliciting the County's greater input and the first payment is due at the start of the 2015 Fiscal Year. James Crowl stated that the budget for 2015 has already been accepted and approved and this invoice cannot be paid due to that. Ronald Smith stated that he wanted to show the Humane Shelter that they have given consideration to the letter but at this point in time they are committed via the process. If there is going to be further consideration it would have to come outside of the process. Donald Stuckey stated that an additional appropriation will have to be requested from the Council.

The Commissioners discussed Resolution 11-2012-02 Adopting the Americans with Disabilities Act (ADA) ADA Coordinator and Procedures. Loretta Smart made the motion to adopt the Resolution. James Crowl seconded that motion. Donald Stuckey stated that a designee will have to be named.

The Commissioners discussed the County Seal and the copyright to the Seal. Ronald Smith stated that there is no copyright to the County Seal therefore it is discretionary to the Commissioners as to the use of that seal and this should be done on an arbitrary basis meaning that each time it is used it should be brought to the Board of Commissioners. It would then be determined if the County Seal can be used. James Crowl stated that several years ago there was a contest for designing a new County Seal and this was the one that was chosen. James Crowl made a motion to send an approval letter to the person that is requesting use of the seal. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

EMS submitted a request to close out/write off accounts in the amount of \$4,046.20. Loretta Smart made a motion to approve that request. James Crowl seconded that motion and the motion carried with three (3) ayes.

Gary LeTourneau, Communications Director, submitted information to the Commissioners regarding the need to replace batteries at the radio sites and the options of doing it all at once or spreading it out over three (3)

years. Mr. LeTourneau stated that he does not have money in his budget to replace the batteries. Loretta Smart made a motion to approve Gary LeTourneau to replace all of the tower batteries to be paid from either CAGIT 1110-000-3000.39 or Cum Cap 1138-000-4000.15. James Crawl seconded that motion and the motion carried with three (3) ayes.

The Commissioners received the following correspondence: Maria Macown re: Connection Issue 5; API re: America's untapped potential for offshore energy; NACo re: County News Alerts; IEDC re: IEDC pipeline; NEIndiana re: Regional Chamber Policy Priority Papers; Indiana County Commissioners re: Economic Development Course; Northeast Indiana Regional Partnership re: Our Story Project;

STEUBEN COUNTY BOARD OF COMMISSIONERS

Ronald L. Smith, President, South District

James A. Crawl, Vice President, Middle District

Loretta S. Smart, North District

Attest: _____
Kim Koomler, Steuben County Auditor

elw