

STEBEN COUNTY BOARD OF COMMISSIONERS MEETING  
March 20, 2017

The Steuben County Commissioners met at 8:30 a.m. on Monday, March 20, 2017, 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, Richard Shipe, Steuben County Councilman, Dan Caruso, Steuben County Councilman, Ken Shelton, Steuben County Councilman and Kim Koomler, Steuben County Auditor.

Lynne Liechty made a motion to approve the claims submitted for payment this day totaling \$367,983.69. 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 March 6, 2017. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

The Commissioners signed the minutes from the February 21, 2017, Commissioners' Meeting for the Index Book, which were approved at the prior meeting.

Vicki Ship, Legal Shield, came to the Commissioners with information on Identity Theft Protection for County Employees. Ms. Ship said that identify theft is the fastest growing crime in America and has been the number one complaint to the Federal Trade Commission the last sixteen (16) years in a row. She said that her company offers a voluntary benefit to help combat this problem and she came to the meeting to see if there was an interest in a follow-up meeting to learn about their services.

Ms. Ship said that they work with [www.kroll.com](http://www.kroll.com) and they are the company that provides the service. She said that Legal Shield does the marketing for Kroll. Vicki Ship said that this benefit is offered at no cost to the County as it is 100% employee paid and is a payroll deductible, employee benefit with no long term contracts. She said that all of the monitoring is provided; however, they are a complete and total restoration company as well. Ms. Ship said in order to get the company involved, they need a minimum of five (5) employees to enroll. She also stated that social networking is also included in the monitoring.

Kim Johnson, Assessor, submitted a write off request for a \$50.00 PTABOA Failure to Appear Penalty. Donald Stuckey, County Attorney, stated that he filed suit against the gentleman; however, he did not appear to the hearing. Mr. Stuckey stated that they do not know the location of the Respondent and he recommends writing off the \$50.00 penalty. Lynne Liechty made a motion to write off the \$50.00 PTABOA Failure to Appear Penalty. James Crowl seconded that motion and the motion carried with three (3) ayes.

Magistrate Randy Coffey submitted a Wi-Fi End User Acceptance Agreement for the Wireless Internet at the Steuben County Courthouse. Donald Stuckey stated that the Agreement is straight forward and acceptable. Lynne Liechty made a motion to approve and accept the Wi-Fi End User Acceptance Agreement for the Courthouse. James Crowl seconded that motion and the motion carried with three (3) ayes.

Randy Strebis, Board of Aviation, came to the Commissioners with a 2016 recap and a 2017 update. Mr. Strebis said that the total receipts were \$139,304.19, the total disbursements from the Board of Aviation Fund were \$75,816.15 and the total county dispersed funds on three (3) federal grants were \$34,725.51, \$68,817.89 and \$13,266.75. Mr. Strebis reported that they still have three (3) federal grants in process, with the most important being the PAPI installation.

Randy Strebis said that this year they are supposed to start designing the perimeter wildlife fence. Mr. Strebis gave a summary of activity in 2016 regarding the fuel sales. He said that gross revenue was \$97,987.75 with expenditures of \$75,315.41 leaving a net income to the County of \$18,132.67. Mr. Strebis reported that for 2017 the net revenue to date was \$2,360.57.

Mr. Strebis also discussed the airport improvements for 2016 and what is planned for 2017.

Mr. Strebis said that they are looking forward to events at the Airport that will involve the Community.

Paul Marks, Hobart, Indiana, came to the Commissioners regarding the new Steuben County Campground Camper Agreement and Rules. Mr. Marks thanked the Commissioners for allowing him to come and speak. He said that he sent the Commissioners a letter out of frustration. He said that he is starting his seventh season camping at the Steuben County Park Campground.

Mr. Marks said that one of his biggest concerns is the amount of work that the campers themselves have put into the Park to beautify it and make the Park a lot more presentable than it was when they first started camping there. He said that since the remodeling of the Park there have been a lot of new campers that have come in and the people care for each of their sites as if it were their home. Mr. Marks said that he personally put in \$400.00 worth of dirt to help level out his campground site and never asked for reimbursement, he also put a lot of seed and time into his campsite. He said that other people installed sod on their campsites and if the grass isn't watered, the dirt in that area is very sandy and the water quickly drains away leaving the grass trampled and dried out. Mr. Marks said that mud holes are then formed when it rains. He said he doesn't understand the usage of the water as the Campers pay the electricity and he figured if there was any maintenance to be performed on the watering system, it would come from the revenues the Campground generates. He guessed that the Campground was grossing \$250,000.00 a year. Lynne Liechty stated that the revenues from the Campground do not go back into the Campground, it goes into the General Fund. She said that the big problem with the water is the softener and the softener salt. Frank Charlton said that all of the water that goes through the Campground is soft water and last year close to 315 bags of salt were put into the softener which costs approximately \$2,000.00. Mr. Marks said that he requests that the water usage be reconsidered because it is the aesthetics of the Campground.

Ronald Smith asked Mr. Marks how many people he estimated watered their campsites. Mr. Marks said that he has a sprinkler on a timer that waters his site twice a week for 30 minutes. He said that the people that have sod on their campsites, they have sprinklers; however, he's not sure how long they water and some others hand water. Mr. Marks said that it only a handful of the campers that water their campsites.

Paul Marks stated that when he first started camping at the County Park, the boat trailers were parked along the lake shore and it was quite unsightly. He said that Eric and Mary Ditmars started using the primitive part of the Campground to store boat trailers. Mr. Marks said that in either case, the campers were supposed to maintain the grass growing up around the trailers. He also stated that the campers were given stickers for their boat trailers which had their names tied to the numbers and trailers. Mr. Marks said that last year someone started to rebuild a pontoon back in the trailer storage, it became quite unsightly and nothing was done about it. He said that if they can't store the boats back in that area, he suggested the 76 Park which is where they were allowed to park their campers during the remodel of the Campground. Mr. Marks said that the locations are not secured and everyone knows that. He said that if someone has a boat in the water and something happens to the boat, you need to have your trailer available. Lynne Liechty said that Steuben County Campground is the only Campground that gives the boat slips for free under the campsite rental. Commissioner Liechty said that the County cannot be responsible for the boat trailers on the Park property. Mr. Marks said that the County is not responsible for anything there, as far as personal property as it all should be insured by the owners. He said that the agreement says that the campers must park their boat and/or trailers on the campsite and the campsites aren't big enough to camp and have a boat/trailer parked on your site.

Mr. Marks said that his third concern was having to disconnect the camper at the end of the season. He said that they are thankful for the sewer. He said that many campers are hard piped from their camper into the sewer connection and he doesn't see where that affects the sewer system in the off season as it is allowing the system to vent. He said that many people don't even have the cap to the system because as they hooked up, Eric Ditmars took the caps. Mr. Marks said that some people had to pay to have their connections made for them and other people made their own connections. Paul Marks also said that he has an alarm system and he doesn't think it is necessary for a total disconnection.

Ronald Smith said that Mr. Marks has legitimate concerns. Commissioner Smith stated that the County Park is under the Commissioners jurisdiction and they are aided by the County Park Board. Commissioner Smith further stated that the County Park Board would take these concerns under consideration at the next Board Meeting. It was requested that Erin Schiffler, Commissioners' Secretary, notify Mr. Marks of the next County Park Board Meeting.

Ronald Smith informed Mr. Marks that a meeting with the DNR is scheduled for Wednesday, March 29, regarding the relocation of the boat ramp to the 76 Park. Commissioner Smith said that if that happens, that may change a few things about the usage of the 76 Park.

James Crowl stated that in Mr. Marks' letter he mentioned the closing time of the playground at 8:00 p.m. Mr. Marks said that the campers have to be out of the playground at 8:00 p.m. He also submitted photos of signage throughout the park that conflict with themselves. The Commissioners stated that the signage needed to be updated. Mr. Marks said that the playground is near the beach and when they come to the Campground they bring their grandchildren. After two (2) hours of having them in the car, they like to run the energy off. He said that they typically arrive around 8:00 p.m. and in order for them to run their energy off it's nice to be able to turn them loose and they head down to the playground with the strict understanding that they do not go near the water. Frank Charlton stated that last year the 8:00 p.m. closing time for the playground was enforced mainly because they were having a lot of alcohol out there, fights on the beach area, drug dealing going on and he received several phone calls regarding those issues. Mr. Charlton said that three (3) times the Sheriff's Department arrested people down there as well. He said if those concerns go away, possibly the 8:00 p.m. closing time will go away too; however, as long as there are problems down there, he anticipated continuing with the 8:00 p.m. closing time.

Frank Charlton stated that the total disconnection of the campers was not enforced last year. Mr. Charlton said that the only thing that he asks is that the water line be disconnected, the sewer and electric disconnection wasn't enforced. Mr. Marks said that everyone blows out their water lines, runs antifreeze through them and generally after that, they don't hook back up. Frank Charlton said that there was a minimum of two (2) dozen water line hoses still hooked to the Campground water and when that is shut off and blown out, it can't be done when other hoses are hooked up.

Frank Charlton, County Park Superintendent, reported that they are still working on getting the parking lot light installed on the NIPSCO pole and the Engineer has not yet come to the Event Center.

Mr. Charlton also indicated that a quote for the generator was received; however, it came in way over budget and he is checking on other options.

Mr. Charlton said that he has been requested by campers to check into the addition of more boat slips; however, he doesn't think the DNR would allow it. He also reported that the Event Center locking system is not currently working and there are technicians addressing the issue. Mr. Charlton informed the Commissioners that rentals for the Event Center are going well.

Frank Charlton stated that they have not yet purchased the rental software. The Commissioners requested that Mr. Charlton and Ms. Harris check into other options that are available.

Mr. Charlton stated that the Event Center Rental Contract has been changed to include an indemnification clause. Lynne Liechty requested that the final contract be sent to her.

George Pifer stated that there's a sign on the west side on the path from the Crooked Lake residents about four wheeled vehicles. Mr. Pifer said that the sign is very small and people take golf carts and ATV's down there. Mr. Pifer asked if the signage is not clear, saying Steuben County is not responsible and if someone goes down the hill, etc., is the County liable? Ronald Smith said that can be addressed at the Park Board Meeting. Frank Charlton informed the Commissioners that last year he installed signs that said, "No Motorized Vehicles" and two (2) were stolen and one (1) of them was ran over.

Isaac Lee, Steuben County Economic Development Executive Director, introduced Craig Ralston, Board Chair, Dan Caruso, Vice Chair, Mayor Dick Hickman and John Sampson, Northeast Indiana Partnership Director. Mr. Lee thanked the Commissioners for allowing him to come and present this issue to them.

Mr. Lee said that he has two (2) issues to discuss today and he feels it is important for the Commissioners to understand why he's here as he goes through the historical issues with the EDC as well as current issues that have ramifications and ripple effects across the Northeast Indiana Partnership.

Isaac Lee said the first issue at hand is about reporting and making sure all entities reporting on the EDC Fee for Services Contracts are in alignment. Mr. Lee said that currently they have in calendar years 2015 and 2016 Fee for Services Contracts signed by Commissioner Smith and approved by all three (3) County Commissioners, at least in 2015; however, he could not find the 2016 minutes. In the minutes from 2015 it does refer to a Fee for Service Contract, so on his side and when he reports this to State Board of Accounts, he's reporting those government dollars as Fee for Service as they should be since he has a signed Contract along with the minutes to match.

Mr. Lee said unfortunately, what happened in 2015 and probably what will happen in 2016, is when the State Board of Accounts looks at the articles from the EDC versus the County Auditor and County Commissioners reporting mechanisms, there's a discrepancy. He said right now it is listed as an Allocation and therefore, the State Board of Accounts is going to err on the side of the public entities rather than the private entities. Mr. Lee said that per the Indiana Code, the EDC is doing exactly what the legislator wants them to do in terms of Fee for Service Contracts, not tied to tax dollars, negotiated annually, done in a public fashion just like this, but when it comes to reporting there is a discrepancy and it is not on the EDC's side. Isaac Lee said that he would ask that the County consider making a recommendation to the Auditor to change the Allocation to match the Fee for Service Contract that is in place.

Lynne Liechty said that when there is an Allocation that money is considered public funding and if that public funding is 50% or greater, the EDC is exposed to the Open Door Law. She said the EDC is requesting to do a Fee for Service where the public fund is not counted the same way. The difficulty for the Commissioners is that they represent the taxpayers and the taxpayers want the Commissioners to be accountable. Commissioner Liechty said that she understands where the EDC is coming from, but her issue is that she has been elected to take care of the taxpayer money and she does want that counted as such. James Crowl said that he agrees with that.

Isaac Lee requested to add clarification to that. Mr. Lee said that the reference of the 50% threshold actually has a modifier in there that talks about not for profit corporations, like the EDC and it is based on disbursements. Mr. Lee said that the negotiations on the Fee for Services Contracts are done in public form and along with that, they also file their 990's, E-1's and those are also public documents all done in the public light. Mr. Lee said that the EDC also has appointees by County Council and County Commissioners which is done through an interpretation of the Fee for Service Contracts. He said that under an MOU, as Director, because it is a Board decision, he cannot guarantee those appointments would stay. Mr. Lee said as far as transparency goes, at least under his direction, he doesn't think they've ever been more transparent than they are now.

John Sampson, Northeast Indiana Partnership Director, said that the Fee for Service Agreements are important, to Northeast Indiana and as a State overall, for a couple of reasons. He said that he couldn't agree more with Commissioner Liechty and her comment about accountability because the EDC thinks that the Fee for Service Agreement is a way by which the County designates what they expect from a private provider, although it be not for profit. Mr. Sampson said that the fee for services agreement allows the County to outline specifically what their expectations are of that organization and allows them to deliver, on an annual basis, accountability to those points. Mr. Sampson said that they've always felt like the Fee for Service Agreements were very important for both the public entities as well as the private entity.

John Sampson said that the other thing that lurks behind this issue is that the County has a private entity doing negotiations with private companies that would like to expand in the community or new companies that would like to come to the community, the negotiations with the private organization allows them to assure that identities during the negotiations remain confidential. Mr. Sampson said a lot of the private companies would not do work with an entity that would allow access to the negotiation process. He said that the EDC argues in favor of the public interest, which is expansion of employment, increased wealth and prosperity in a community by assuring that when negotiations are going on, that private entity's privacy can be protected during that process.

Lynne Liechty stated that even under the Open Door Law, those private conversations are private and they are kept private. John Sampson said that was correct and they would agree that there is always executive sessions that can be assured, but what the EDC is trying to assure is that the information on that private entity can be protected from public access so the private conversation between the EDC and the private company can be protected

during that process. Mr. Sampson said any perception by private companies wanting to do work in Angola and Steuben County, that their information won't be protected would prevent them from doing business with us and the EDC thinks that weakens the interest of the County and the City in terms of their ability to do economic development work.

Donald Stuckey, County Attorney, said that after meeting with Isaac Lee, Dan Caruso and Lynne Liechty, he read the Indiana Convention Center Case and in his opinion, what they already have would be construed under that case to be a Fee for Services Agreement; however, Isaac Lee says that the State Board of Accounts says, "Maybe not." They are requesting that the words "Fee for Services Agreement," even though it wasn't in the Agreement before the Indiana Convention Center Case, they say you are paying a fee, you are getting services, it is a Fee for Services Agreement, no matter what the language says. Mr. Stuckey said he thinks that the State Board of Accounts may take a different position and therefore, if you have something that says Fee for Services you don't have to go to Court to interpret it or sue the State Board of Accounts in order to deal with it. He said it seems to be prudent from a practical sense, to put fee for services in the Agreement so that when the State Board of Accounts scans the Agreement, they will view it as a Fee for Services Agreement. Mr. Stuckey said so much of what we do is to satisfy the State Board of Accounts, not as they construe Indiana Law against public entities. He said he looked at the Agreement for Services as Isaac Lee provided and subject to a couple changes regarding the payment schedule, a syntax on paragraph 4 and a paragraph that didn't make sense, he would suggest that the Commissioners sign the Agreement for Services so the State Board of Accounts don't have to be sued and Isaac doesn't have to be worried about it.

Issac Lee stated that under the Fee for Service Agreement, in his opinion, it holds the EDC more accountable than an MOU. Right now under an MOU there is no language that requires the EDC to spend those monies any certain way and no requirement to come before the Commissioners. He said that the only drawback is that the EDC would not get the Allocation every year. Mr. Lee said that under a Fee for Service Contract there are things that he would do in the public form that holds the EDC accountable. He said that they've talked about coming to Commissioners' Meetings regularly, about the appointees that are given to the EDC by the eight (8) other municipalities to be liaisons back and forth. He also said that periodically there's been talk throughout the minutes about the EDC being open. Mr. Lee said that he doesn't think, without further Board approval, that the EDC would not shy away from having at least quarterly meetings including a budgetary process and in his opinion that is already during open forum.

Mr. Lee said that Fee for Service Agreements are important for an organization to hold the EDC and be transparent to the public, MOU's don't do that. Mr. Lee said that he would like the Commissioners to consider what has happened in the history but understand that there is a different Executive Director in place.

James Crowl stated that basically, going to a Fee for Services Agreement, all meetings are closed, except the quarterly meetings. Mr. Lee said that he proposed that; however, they are talking about two (2) different things. He said that being open to the public and being open door by statute are two (2) different things in his opinion. Mr. Lee said that being open by this statute, because of the Allocation putting the EDC over the 50% threshold requires that the EDC follow the Open Door Law requirements. Isaac Lee said that if the Commissioners are asking periodically through the minutes that the EDC be open and transparent, that's different, that's allowing the public in and allowing individuals to come in and have questions. He said that it is important that the EDC have transparency. Mr. Lee said that he's had better dialogue with Mike Marturello since October, 2016. He said that the general public should know that his doors are open, ask a question any time and he knows that transparency hasn't been there in the past.

Donald Stuckey said that at a prior meeting the Commissioners requested that when the EDC has their budgetary meeting and when they determine how to spend the money that the Commissioners and other entities give, that meeting be open to the public. Mr. Stuckey asked if that would be something the EDC would be willing to do. Mr. Lee said that is a Board decision but it is definitely something that can be discussed. Mr. Stuckey said that the Board has said no in the past and they don't want to have the press and the public present when they are discussing how they are going to spend the money. Isaac Lee said that a form of that is done during this public negotiation of the EDC's Fee for Service Contract. He said that the total allocation of the dollars that come in is done in an open forum. Mr. Lee said that Mr. Stuckey is asking that during the months of September, October and November when the EDC goes through their budgetary process that one of those meetings be open. Donald Stuckey

said that was correct and obviously there's typically a committee that gets together that goes over the budget. Mr. Lee said that hypothetically in either September, October or November, the EDC would have a quarterly meeting where that's discussed in the public.

Dan Caruso, County Council, stated that the reason the municipalities have the seats that they do on the EDC Board is to be that conduit to the public. The EDC has a very serious intent to be open to sharing what is going on in the budgetary process but it is a redundant statement because the liaisons to the municipalities and governmental entities are there to be that public conduit of information. Dan Caruso said that there is historical contradiction on how things are recorded and that needs to be addressed. Mr. Caruso said that the matter of going forward also has to be addressed. He said that he is concerned that from a more global perspective that if the Commissioners decide that the Fee for Services Agreement is not the way to go, Steuben County would be setting a precedent that would be observed and noticed all over the State of Indiana with other LEDOS with the Regional Partnership and so forth. Mr. Caruso said if that happens, Steuben County could be challenged.

Donald Stuckey stated that Dan Caruso and Lynne Liechty, as public officials, are on that Board; however, it does not guarantee that the public, through the press, has access to discussions of the spending of taxpayer funds. Lynne Liechty said that is true, when they are in private meetings, they do not speak about those issues. Dan Caruso said that he would welcome public observance at the budgetary process. Donald Stuckey said that he's not aware of anyone that has any questions as to how the money is being spent and budgeted, it's just that the perception to the public is maybe different than that. Dan Caruso said that is a healthy practice, but his perception of this situation possibly comes from attitudes of the former EDC Director to the Commission Board.

Dan Caruso said that if this became an Allocation going forward, the EDC Board would be faced with having to raise money privately. Mr. Caruso said that he fears the minimal amount of money would be raised privately and all of the municipality representation would go away. He said that the County and other municipalities would be allocating funds and have no representation on the Board.

Lynne Liechty stated that there must be transparency, the County must have the annual budget and be clear on where that money is being spent or the second option is for the Commissioners to liaison with the EDC on special projects. Commissioner Liechty said that if the County does not have the clarity of where the County money is being spent, the County will go on a basic fee for service payment on things that the County will directly liaison with the EDC on, like projects. Ronald Smith asked Commissioner Liechty if she wanted to take on the responsibility of being a portion of what they decide. Commissioner Liechty said yes, absolutely, as the EDC Board is new, she supports the EDC, but she wants to have clarity on where the funds are going for in the Community and for the taxpayers. She said if the County has to do a Fee for Service Agreement in order to do that and be very accountable, she's all for it as long as it is in the annual budget of where those funds went. Quarterly meetings are also included in that request.

Isaac Lee said that there are still two (2) separate issues. Mr. Lee said that there was the 2015 and 2016 reporting as well as the 2017 Fee for Service Contract and he wants to make sure there is a decision on both issues. Lynne Liechty said that she is going with the 2017 Fee for Service Contract because as far as the 2015 and 2016 information, that was already signed as a Fee for Service. Mr. Lee said it is about how it is recorded and that's the problem. James Crowl said that's behind us. Ronald Smith said it's not for them to go back and amend those minutes because that isn't what they're there for, it's the concept right now that the County goes with the open budgetary hearing and quarterly sessions and that would meet the parameters of the open to the public.

Lynne Liechty made a motion that in 2017 the County will sign a Fee for Service Agreement with the EDC with quarterly appointments as to progress and an annual budget report. She further stated that in the month of November, clear accountability of where County funds are spent. James Crowl seconded that motion and the motion carried with three (3) ayes.

Ronald Smith asked Mr. Sampson if that motion clears the air or puts the EDC in jeopardy. Mr. Sampson stated that an appropriate Fee for Service Agreement signed by the Commissioners to hold the EDC accountable and provide openness and transparency is a good thing, it also provides protection from undesired access to individuals during those confidential negotiations, which is also a good. Mr. Sampson further stated that he would agree that the openness and the transparency is more about trust and relationships and how you conduct business and less

about whether you have a Fee for Service Agreement as long as reporting is consistent between the EDC and the County, there should be no issue on the state level and that's exactly why it is spelled out in the statute guiding you in terms of how to protect a private entity from public access.

James Crowl made a motion to give authority to Ronald Smith to sign the revised Fee for Services Agreement with the Steuben County EDC for 2017. Lynne Liechty seconded that motion and the motion carried with three (3) ayes. Donald Stuckey stated that this is an annual contract and the EDC will have to submit another Agreement for 2018

Isaac Lee asked about the historical piece of his request. Donald Stuckey stated that the EDC already had a document that said Fee for Services and he doesn't think the minutes control anything, what the Commissioners signed is the document to go by. Mr. Lee said that he was told by the State Board of Accounts that in order for it to change on the State Board of Accounts level and be reclassified as a Fee for Service, it has to be directed by the County Commissioners and the County Auditor. James Crowl said that he is not comfortable down there. Donald Stuckey said it makes no sense what so ever that the minutes control over something that has a signature and is a separate free standing document. Mr. Stuckey said that he will put something together and take care of it.

Craig Ralston stated that there have been a lot of changes at the EDC in the last six (6) months and their hands have been tied with all of the grants and things that they are in the process of correcting. Mr. Ralston said that the EDC wants to be more transparent and Isaac Lee will be going around to each representatives on the Board in open meetings to discuss updates. Mr. Ralston said that the Commissioners are welcome to come to the meetings or come down to see what they are doing. He said that they are in the process of having classes start the 1<sup>st</sup> of April. Mr. Ralston said that they will be out more in the public as their marching orders are to get out in front of everyone and let the public know what the EDC is doing for the County. If there are any concerns Mr. Lee has an open door, please stop in.

Mike Sevits, Annex Maintenance, requested official approval to hire movers to move the cabinets during the carpet installation at the Annex, in the amount of \$800.00. Lynne Liechty made the motion to official approve the request. James Crowl seconded that motion and the motion carried with three (3) ayes.

Brett Hays, Community Corrections, submitted the TANF Grant paperwork for signature. The Grant Application was already approved at the previous Commissioners' Meeting. Kim Koomler, Auditor, signed the TANF Grant paperwork.

Rick Meyers, Courthouse Maintenance, submitted two (2) quotes to the Commissioners to remove a tree in the Courtyard. James Crowl made a motion to approve the low quote from Sevits Tree Service in the amount of \$1,100.00. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Mr. Meyers reported that there is a lot of work that is needed at the Courthouse and he has quotes coming in for those items.

Ronald Smith said that there were two (2) companies that were selected from the numerous companies that originally submitted proposals for the Courthouse Feasibility Study. The Commissioners feel that at this time they need to move forward and select a company to do the Feasibility Study. Ruth Beer, County Council, asked that when the companies were taken around to take a look at the different options, was the option of an extra floor on the jail also presented to them. Ms. Beer said that she just wants to make sure that everything is open. James Crowl said that was not presented to them at the time because it wasn't brought to the Study Committee, but it could be opened up. Lynne Liechty said that there are several options, the Commissioners are just selecting a company to move forward with the proposal. Ronald Smith said that one of the Judges felt that it was based on the renovation of the buildings that are already established and that is not the focus, it is just one of the considerations. Commissioner Smith said had they not done that investigation, the Board would have been second guessed. He said that options available include the block north of the Community Center, the Jail and everything else. Lynne Liechty made a motion to select Martin Riley for the Courthouse Feasibility Study. James Crowl said that both are excellent companies but Martin Riley was a little cheaper. James Crowl seconded that motion and the motion carried with three (3) ayes.

Mike Sevits, Annex Maintenance, submitted quotes for the LED retrofitting of the interior lights in the ambulance bays. Mr. Sevits said that this is being done to replace the fluorescent lighting that is in there currently. James Crowl made a motion to approve the quote from Ross Electrical Contracting in the amount of \$2,685.00, to be paid from Cum. Cap. 1138-000-4000.15. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Mr. Sevits also submitted quotes for the installation of access controls on the back door of the Annex. He said that the door needs to be replaced anyway and the doors currently are not secure. Gary LeTourneau, Communications Director, stated that he was in favor of having the access controls installed as it would keep the Annex more secure. Lynne Liechty made a motion to approve the low quote from Williams Electronics, in the amount of \$4,227.99, to be paid from Cum. Cap. 1138-000-4000.15. James Crowl seconded that motion and the motion carried with three (3) ayes.

Mike Sevits said that the doors will be done by Central Indiana Hardware, they have the lowest price on those as well.

Jennifer Sharkey stated that Phase I of the Bike Trail has been officially closed out and it is now officially off the books.

Ms. Sharkey said that she reached out to INDOT regarding the Maple Street compliance for the permit will be received. She said once that is received, she can move forward with the reimbursement process with the State.

Jennifer Sharkey said that the appraisals have been completed for the 200 N/SR 827 Project. Ms. Sharkey said that they are going to start with the property to the east so they can get the wetland property cleared.

Ms. Sharkey submitted the Contract with Clark Dietz for the Bridge Inspections, in the amount of \$145,204.08, for approval. She said that Contract is for both Phase I and II. Ms. Sharkey noted that the amount is higher than it has been in the past due to deficiencies that were identified in the State's inspection process. For this round of inspections, there are new scour analysis regulations and requirements as well as load ratings for each bridge structure. Ms. Sharkey said that there are fifteen (15) bridges that are in Pigeon Creek which is moderately high risk for scour so those will have to be analyzed with a full modeling analysis which is why the Phase I inspections have increased significantly. Ms. Sharkey submitted the boiler plate that has been used on previous contracts. Donald Stuckey stated there is nothing you can do to change them and he recommended that the Commissioners sign the document. James Crowl made a motion to sign the document. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Jennifer Sharkey stated that American Structurepoint was selected for the 200 N Phase II Project. She said that they won't enter into an actual agreement until the legislative session is completed and she knows the procedures for the Federal Fund Program.

Ms. Sharkey stated that they are moving forward with the right of way phase for the Bike Trail Phase II. She said that the geotechnical soil borings have been completed so that work should be compiled and analyzed in the near future.

Jennifer Sharkey stated that NIPSCO was sent a letter regarding the bridge lighting installation at the Lake James Four Corners Bridge. Ronald Smith stated that there is some consternation on the part of the Mayors of Lake James that perhaps they were not in agreement with the type of lighting that is being installed. Commissioner Smith recommended revisiting the issue in the future.

Bill Schmidt stated that a lot of people spent a lot of time and effort on this project and they basically feel blindsided. Mr. Schmidt said that he feels that they should have been told what was going on. He said that a lot of people that he has talked to are fine with the decision and are willing to accept it; however, there are some people that feel the decision was wrong and should have been handled differently. Mr. Schmidt said that they had \$21,000.00 raised for the project and having to return some of the money is an issue. He said that they tried to do something good and the way it was handled left a bad taste in a lot of people's mouths.



Bill Schmidt stated that there was a telephone pole that was installed on Thursday that he assumed was for the lights. Ms. Sharkey said that she has to follow-up with NIPSCO on that. Mr. Schmidt said that when he went by on Thursday morning, NIPSCO was cutting the walk way up to the bridge and they dug a hole. He said that the markings on the road were there four (4) weeks ago, prior to Commissioner approval. Ms. Sharkey said that she would have to follow up with NIPSCO. Ms. Sharkey said that she met with NIPSCO on February 23 and that's when she learned that there were alternative options available, the Commissioners then made the decision at their next meeting on March 6, 2017.

James Crowl stated when this first started, NIPSCO was contacted immediately and they did not offer to install lights. That is when Mr. Schmidt's group started raising money. Commissioner Crowl said then NIPSCO came back to the County and said that for a few dollars a year, two (2) lights could be installed. Ronald Smith said that it can be revisited after a year to see if the safety issue has been met and if it is worth revisiting at a later date.

Judy Zinn, Lake James, stated that if it is revisited in a year, she hopes the County plans on paying for it because she doubts that they would be able to raise the money again. Ms. Zinn said that they offered the County a "tax free steak dinner" and they are serving "hamburgers" instead. She said that both lights serve the purpose, but one is better than the other. Ronald Smith asked Bill Schmidt if the Engineers concerns with installing lights and compromising the integrity of the bridge were expressed to the group. Mr. Schmidt said that they did not discuss in great depth why the decision was made, but he understands the reason. Jennifer Sharkey said that she reached out to other bridge inspectors for advice, so this was not her sole decision. James Crowl stated that ultimately it was a decision of the Commission Board, not of the Engineer.

Jennifer Sharkey stated that she and the City of Angola are looking at different draft Maintenance Agreement Contracts that would include the 200 N/200 W traffic signal. Ms. Sharkey said that they've had some discussion of having one Maintenance Agreement for the inspections and repairs for both of the traffic signals. She said that she thinks it is important to identify a company that the County would be comfortable with for on call emergencies or quick repairs. Ms. Sharkey said that she's still working through the insurance items for the repairs of the signal as well.

Ms. Sharkey thanked the Commissioners for allowing her to attend the Legislative Fly-In in Washington D.C. last week.

Emmett Heller, Highway Superintendent, thanked the Commissioners for allowing him to attend the Purdue Road School.

Mr. Heller said that he is going to have a meeting regarding a product that can be sprayed on the bottom side of the trucks to help reduce the damage done by salt.

Mr. Heller requested permission to use the Commissioners' Credit Card to buy Poison Ivy pre-treat and after treat. He said that they can be purchased directly from the company online. James Crowl made a motion to approve the request to use the Commissioners Credit Card. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Emmett Heller said that he would like to work on several miles of gravel roads this year. He said that he would like permission to rent a crusher, screen plant and stacker at a cost of \$45,000.00 a month. Mr. Heller said that the cost of 53 crushed gravel at Hanson's Pit is \$7.75 a ton and they should be able to produce it for \$3.60 a ton. Mr. Heller said that if the tonnage goes up as time goes by, the cost could go down from there. He said it would take about 22,000 ton to work on fifteen (15) miles of gravel road and put three (3) inches of gravel on it and roll it in. Emmett Heller said that he has the funds in LRS and MVH and some money may have to be moved from Salt in order to pay for the \$45,000.00 rental. Ronald Smith made a motion to approve the rental of the equipment. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Lynne Liechty asked the Highway Department if they have looked at the Clear Lake Park. Emmett Heller said that they will have that information at the next meeting.

Mr. Heller said that he would like to bring up the rental full depth reclamation machine at the next meeting as well.

James Crowl asked where Mr. Heller was with the trucks. Mr. Heller said that Truck 47 went on the road and Truck 48 should be out around April 15. He said that the bed was back and they are welding on it today. Mr. Heller said that employees went to the Truck Show, he was not able to attend, and they attended a Western Star meeting. They found out there are a few items that Western Star can help with if things are ordered correctly. He said that there is now a process where they fill the gap between the two (2) frames so the salt can't get in there. Mr. Heller said that they will be ordering the next batch of trucks a little bit different than before and that will be coming shortly also.

Mary Allred, EMS Director, came to the Commissioners regarding a request to send Teresa Ulmer to a billing training seminar. Ms. Allred said that other medical providers in the area send their Office Managers/Secretaries to a conference that is held in three (3) to four (4) different locations in the United States every year. She said that Ms. Ulmer has never been sent to this conference. Ms. Allred said that she wants to make sure that Steuben County EMS is billing the mileage, ALS fees and BLS fees correctly because they do go up frequently. She said that it is very highly suggested that Ms. Ulmer is sent to the conference so she is up to date and she can also become a certified coder in ambulance billing. She said that the kickback from Medicaid was dropped to \$35,000.00, which is pretty significant so she wants to make sure that they are not missing out on billing potentials.

Mary Allred said that the total cost to send Ms. Ulmer to the conference would cost approximately \$2,200.00, depending on airline tickets. Ronald Smith said that she will have to transfer funds eventually if Ms. Ulmer attends this conference. Ms. Allred said that she's aware that a check was received for the EPA Drill, in the amount of \$1,900.00 as reimbursement. Kim Koomler said that there are funds in her budget that can be transferred as long as the Commissioners give her permission to do that. Ms. Koomler said that at a later date, Ms. Allred will probably have to come back for additional funding to replace that money from whatever source, whether it be reimbursements or other sources; however, Ms. Koomler reiterated that there is no guarantee that an additional would be approved by County Council. Lynne Liechty made a motion to allow Ms. Allred to send Teresa Ulmer to the conference. James Crowl seconded that motion and the motion carried with three (3) ayes.

Donald Stuckey, County Attorney, submitted the updated Memorandum of Understanding, between the 4-H Fair Association and the County Park, for approval. Lynne Liechty made a motion to approve the amended MOU. James Crowl seconded that motion and the motion carried with three (3) ayes.

Erin Schiffli, Commissioners' Secretary, submitted information regarding an accident involving a Sheriff's vehicle. The amount of the damages were under the deductible so the County had to pay for the repairs out of pocket. Correspondence from the insurance company stated that they completed their investigation and found that the other party was at fault. James Crowl made a motion to have Donald Stuckey seek reimbursement from the other party. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Kris Thomas, Health Department, submitted a letter informing the Commissioners that Ms. Kathleen Lantz has tendered her resignation from the Health Board, leaving a vacancy that must be filled. Ms. Thomas also submitted a letter with possible replacements and her recommendation for that vacancy. Lynne Liechty made a motion to appoint Amanda Cope to fill the vacancy on the Health Board. James Crowl seconded that motion and the motion carried with three (3) ayes.

The Commissioners received the following correspondence: SC Soil & Water re: Approved Minutes; St. Joe River Basin re: Meeting Reminder; Indiana Department of Transportation re: Transportation Restrictions to aid Wildfire Efforts in Western States; State of Indiana re: Public Hearings for 2017 Annual Action Plan; State of Indiana re: Destination Development Grants; Indiana State Department of Agriculture re: Meeting Notice; INDOT re: I-69 project scheduled to begin March 20; NEIndiana re: Caucus Advance Materials; SC Soil & Water re: Preliminary Agenda; St. Joseph River Basin re: Cobus Creek Watershed Study Released for Public Comment; IDEM re: Recycling Market Development Program Announces 2017 Grant Funding; NICC – Stacey Meek re: Advisory Board Agenda; Indiana State Department of Agriculture re: Meeting Notice.

STEUBEN COUNTY BOARD OF COMMISSIONERS

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Ronald L. Smith, President, South District

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James A. Cowl, Vice President, Middle District

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Lynne Liechty, North District

Attest: \_\_\_\_\_  
Kim Koomler, Steuben County Auditor  
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