

STEBEN COUNTY BOARD OF COMMISSIONERS MEETING
March 16, 2015

The Steuben County Commissioners met at 8:30 a.m. on Monday, March 16, 2015, in the Commissioners Room of the Steuben Community Center. Present this day were Commissioners Ronald L. Smith, James Crowl and Lynne Liechty. Also present were Rick Shipe, County Council President, Ruth Beer, County Council Vice President, Ken Shelton, County Councilman, Donald Stuckey, County Attorney and Kim Koomler, Steuben County Auditor.

Lynne Liechty made a motion to approve the claims submitted for payment this day totaling \$205,110.30. James Crowl seconded that motion and the motion carried with three (3) ayes.

Lynne Liechty made a motion to approve the Commissioners Meeting minutes from the meeting held March 5, 2015. James Crowl seconded that motion and the motion carried with three (3) ayes.

The Commissioners signed the minutes from the February 17, 2015, Commissioners Meeting, which were approved at the previous meeting.

Tami Sumney, IT Director, submitted an email and a Data Network Services Agreement that was executed February 5, 2001. This agreement was between Steuben County Government and Purdue Cooperative Extension Service for use of Ethernet connectivity. In Ms. Sumney's email she stated that Steuben County Government obtained their own internet connection in 2009 and this agreement is no longer needed. James Crowl made a motion to void and/or terminate the agreement. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Donald Stuckey, County Attorney, spoke to the Commissioners about terminating the Herceg agreement based upon the lack of a FEMA Grant. Mr. Stuckey submitted a letter to Ken Herceg regarding the County Park Community Building Architecture and Engineering Services Agreement. Donald Stuckey stated that there is a notice requirement in the contract and this letter will serve as that notice. After reviewing the letter, James Crowl made a motion to enable Ronald Smith to sign the letter and send it to Ken Herceg. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Donald Stuckey informed Erin Wray, Commissioners Secretary, that his secretary emailed the Purchase Agreement regarding the CR 200 N/SR 827 property. Ronald Smith stated that at Road School last week Joe Fragomeni, American Structurepoint, raised the issue that the property could be used as mitigation. Mr. Fragomeni stated to make sure it is not done at an inappropriate time to where it would jeopardize the project. James Crowl stated that regardless, he cannot see the Purchase Agreement jeopardizing the project. Donald Stuckey stated that the Commissioners signed a Purchase Agreement; however, there were no terms regarding property taxes, title insurance, zoning, etc, so a new Purchase Agreement was drafted.

The Commissioners discussed the Purdue Road School that they attended last week and they agreed that more classes are needed to draw the Commissioners in. Ronald Smith said that a good variety of classes were offered at Road School; however, INDOT employees and Engineers get credit on their credentials for attending Road School, Commissioners do not but are required to attend.

Ronald Smith reported that tomorrow is a day of invitation for Commissioners, Council Members and any other County Government Officials to gather at Indianapolis for the purpose of letting the Legislature know that the shortfall in road funding is significant and continues to dry up. He stated that our Representatives have been well informed about this issue. Ronald Smith also stated that it is an issue in Steuben County as well, which is why the LOHUT Tax has been discussed. Lynne Liechty stated that it is important to know, when it comes to LOHUT, the County cannot maximize our levy and/or tax dollars without both avenues of funding. She stated that until all taxing options are exhausted, the County will not be getting any additional help from the State when it comes to roads.

Kristy Clawson, EMA, came to the Commissioners with a Proclamation from Maumee River Basin Commission for the Flood Safety Awareness Week. Ms. Clawson stated that the Maumee River Basin Commission is requesting the Commissioners participation and to sign this Proclamation to put on their records. James Crowl

made a motion to sign the Proclamation. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Ms. Clawson also informed the Commissioners that this week is Severe Weather Preparedness Week and the tornado sirens will be tested this week on Thursday at 10:15 a.m. and 7:35 p.m.

Al Knisely, Courthouse Maintenance, came to the Commissioners regarding a repair that is needed to the Courthouse elevator because the door has a tendency to close and hit people. Mr. Knisely submitted a proposal from Kone in the amount of \$2,854.56. James Crowl made a motion to accept the proposal from Kone for the elevator repair and to pay the invoice from Cum Cap 1138-000-4000.15. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Gary Fair, Community Center Maintenance, came to the Commissioners and stated that Gerry Ferrell, with the theatre group, received the Commissioners letter and has been in contact with him. Mr. Fair stated that Mr. Ferrell informed him that the theatre group is not disbanded, just on hold. Mr. Ferrell also informed Mr. Fair that the sound board and the spot light are owned by the theatre group, not the county and Mr. Fair did not realize that. Mr. Ferrell gave Mr. Fair permission to dispose of some of the backdrops that were used by the theatre group. Gary Fair suggested that this issue be put on hold and the Commissioners take another look at it the first meeting in April.

Gary Fair also reported to the Commissioners that the walls in the Purdue Extension Office are leaking again. Mr. Fair stated that one day he removed two (2) gallons of water and another day he removed one and a half (1 ½) gallons of water from the carpet. He is going to speak with Luther Mock, Foursquare Solutions, regarding this issue and possible foundation repairs. Mr. Fair stated that they are going to start the water testing on the walls on March 17, 2015.

Mr. Fair asked the Commissioners if they would like to move forward with the installation of the new parking lot located at the corner of Martha Street and Wall Street. He stated that it would cost approximately \$46,000.00 to complete the project and that would cover everything, lines, signs, drainage, etc. Gary Fair stated that the parking lot is a MS4 designed lot. James Crowl said that exact figures are needed before moving forward.

Ronald Smith thanked Gary Fair for the display of flags in the Commissioners Room. The Indiana flag and a flag with the County Seal are now properly displayed.

The Board of Aviation came to the Commissioners regarding their budget along with new FAA regulations. Dr. Weaver stated that two (2) years ago the Aviation budget was \$120,000.00 and no additional funds were requested. Last year the budget was dropped to \$98,000.00 and an additional request was made for \$20,000.00. Dr. Weaver stated that this year their budget is down to \$85,000.00 and they are moving in the direction that the budget was when he came on the board which was only \$66,000.00. He stated that if they couldn't run the airport on \$98,000.00 they can't run it on \$85,000.00. Dr. Weaver stated that they have spent a total of \$26,744.63 so far this year, which leaves \$58,795.37 left in the budget for the rest of the year. Dr. Weaver said that in some categories they are having to transfer money from one line item to another in order to be able to pay the bills.

Dr. Weaver stated that two (2) other issues have also been brought to their attention that are going to be expensive. Due to new technology, the FAA has found trees that they deem potential obstructions and there are many of them north of the airport. A couple years ago the FAA notified the board of trees located just south of the airport, those were all taken down and at that time the FAA said nothing about the trees located north of the airport. Now, the FAA says that the trees located north of the airport must be removed by next year; however, because of the bats, the window for taking the trees down is October 1-March 31.

Lynne Liechty asked Dr. Weaver if they've considered turning the airport into a multipurpose airport, bringing other things, like non-profit agencies, the Tourism Bureau, etc., in to generate revenue. Dr. Weaver stated that they have not considered doing that because airports are limited to what they can do. He stated that they have an inspection every year and it is called a Land Use Inspection and everything has to be aviation related or the FAA will threaten the funding.

Lynne Liechty also asked Dr. Weaver if the gas pumps can be used by anyone at any time or if they are limited. Dr. Weaver stated that the pumps are self-serve. Lynne Liechty asked Dr. Weaver if the gas rates are equal to other airports, John Kline said that they are within the range of what they should be.

Dr. Weaver stated that the County missed the best opportunity they had to have the airport produce their own budget. He stated that the manager of the DeKalb Airport told him that their main income as an airport is from renting hangar space. Parkview rents one of the big hangars to store their helicopters. Dr. Weaver stated that in the early 1980s, when Bill Eyster decided to build T-Hangars, he went to the County Commissioners and they decided they did not want to be landlords and rent the hangars. Dr. Weaver said that the hangars would rent for about \$150.00 a month, there are a total of forty-two (42) of them and the County Commissioners chose not to rent those. Dr. Weaver stated that money can be made out there, but the golden opportunity was lost some time ago.

James Crowl said that is past history and the future needs to be dealt with. He stated that the issue now is to figure out how to get the airport out of the position that they are in financially without coming to the Commissioners and asking for more money. Dr. Weaver asked for James Crowl to show him an airport that is totally self-funding. James Crowl asked for Dr. Weaver to show him a Steuben County Airport that is friendly to people. Dr. Weaver stated that the Commissioners are asking for the airport to be self-funded and that cannot happen. James Crowl said that was what was promised when the Aviation Board came to the Commissioners and asked for money to put into the airport. The Aviation Board said that it was going to pay for itself and it was going to be a success. Dr. Weaver stated that he never stated that the airport would produce their own operating costs. Lynne Liechty stated that it was done for economic development.

Dr. Weaver stated that Steuben County needs the airport. Cardinal Glass sent a letter to the Commissioners six (6) or seven (7) years ago that said that they wouldn't be here if the airport couldn't handle their jets. Love's Truck Stop also flies in regularly. John Cline said that Univertical and Jack Henry also fly in to the airport.

Dr. Weaver said that another issue they are dealing with are the tanks. He stated that there were test wells on either side of Hwy 20 and the testing had to be done regularly. In 2001, part of the test wells were destroyed when they widened Hwy 20. Dr. Weaver stated that IDEM sent a letter, that currently cannot be located, that stated no further testing needed to be done since it had been ten (10) years. Ronald Smith stated that there are grants available through Region IIIA for brownfield studies.

Dr. Weaver stated that new test wells may have to be drilled if they decide that is what they want to do; however, there is still at least one well that is available for testing if need be. Dr. Weaver said that they have an estimate of about \$9,000.00 to fix the problem with IDEM or drilling new test wells.

John Kline said that he went back into the minutes of the Aviation Board and he can see in June 2001 the ten (10) year period had lapsed and the testing was acceptable to IDEM. IDEM then contacted the Aviation Board and informed them that they wanted to close the issue out but they wanted another set of samples. In December, 2001, the Aviation Board tried to commission a company to do sampling and they couldn't do it because the wells had been destroyed. He stated that it appears that the ball got dropped and everyone forgot about this whole thing until IDEM came up with a new registration program for all underground wells. Mr. Kline stated that he needs a no further action letter and there just isn't one to be found.

Dr. Weaver stated that the Aviation Board pays into a fund that covers one million dollars if the tank is leaking. Those payments have been kept up; however, there is a deductible of \$30,000.00. He said that he wants to ensure those funds so the Aviation Board doesn't have to come back to the Commissioners for an additional request for more funding.

Donald Stuckey, County Attorney, stated that if IDEM takes enforcement action, the Commissioners will be the named party.

Dr. Weaver said that the first step for clearing the trees is to have a survey done on the hill to determine the elevation of the trees and pick out which trees need to be removed. He said that almost all of the trees are on Chuck Walker's property and he doesn't want the trees clear cut.

Mike Evans, Woolpert, addressed the Commissioners. Mr. Evans said that he would be happy to answer any questions or provide any information from an engineering or from the FAA's perspective. He said that he would like to help the Commissioners understand where the airport is coming from on these issues. The airport is an obligated airport which means they take in grants, which means they are bound by terms and conditions to the Federal Government to adhere to the regulations, so these issues must be addressed. If these issues are not addressed, then they would be in violation and they could have their funding restricted. A plan has to be provided on fixing these issues and the airport must commit to fixing the issues within a reasonable time frame.

Dr. Weaver stated that the immediate request to the Commissioners is that the Aviation Board needs them to decide how the airport will be funded as they go through the lower budget in 2015. He also said that he wanted the Commissioners to understand what was going on with the other two issues because a time will come when bills concerning these issues will need to be paid.

Dr. Weaver stated that he estimates that they will need an extra \$25,000.00 for property budget to get through the year and that is less money than spent last year, but they are doing better with propane this year. He stated that this year they have a contract that is not to exceed \$1.89 a gallon. Ronald Smith stated that it would be advantageous to the development of that area if natural gas was ran out there. Dr. Weaver stated that a representative from NiSource said it wouldn't be long and that natural gas would be available through most of the rural part of the county.

Dr. Weaver informed the Commissioners that the new Board of Aviation Attorney is now James Burns.

A pilot spoke to the Commissioners and informed them that pilots that use the airport have many ideas to generate revenue and save costs. He said at some point it may be advisable for the Commissioners to have a meeting with the group of pilots to go over their ideas. Ronald Smith requested that the pilots put together a package, get ahold of the Commissioners' Secretary and the Commissioners will meet with them.

Emmett Heller, Highway Superintendent, submitted a list of quotes on new loaders. He stated that he would like to trade in the 1990 John Deere grader in to help with the purchase on a loader. After review of those quotes, Lynne Liechty made the motion to empower the Highway Department to purchase a new loader. James Crowl seconded that motion and the motion carried with three (3) ayes.

Jennifer Sharkey, Engineer, submitted Frontier utility permit #2727 for approval. James Crowl made a motion to approve that utility permit. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Ms. Sharkey updated the Commissioners on the 200 N/200 W intersection project. She stated that she is still looking to schedule a pre-construction meeting so the construction can begin on the new signal this summer.

Jennifer Sharkey stated that the Bike Trail is still on hold, but a meeting is scheduled for Thursday, March 19, 2015, to figure out the steps required to move forward once Frontier is relocated.

Ms. Sharkey spoke with the utility companies on the Maple Street Project. She stated that they had some concerns about relocating one of their major transition lines. Ms. Sharkey has spoken to INDOT and the consultant and a conference call will be scheduled in the near future to see if the intersection design can be adjusted to remove the need for them to relocate that pole. She stated that if that pole needs to be relocated it would have to go to a 90° steel pole which would cost about \$100,000.00.

Jennifer Sharkey spoke to the County Surveyor and the consultant on the 200 N/SR 827 Project. She stated that they are anticipating a meeting with INDOT this week regarding the parcel the County wants to obtain. Ms. Sharkey stated that she would like to request that the Commissioners hold off on finalizing the purchase agreement for that parcel until further direction is received. Donald Stuckey stated that he can hold off on delivering the purchase agreement. James Crowl wanted to know why it would be a problem. Jennifer Sharkey stated that the property could be acquired as part of the project that way federal funds would contribute to the purchase of that property. She also stated that the County has to go through the Uniform Act and pre-qualified firms or appraisers would have to do the work to acquire that parcel and at this time, that has not yet been completed.

Ms. Sharkey stated that she spoke with Three Rivers Barricade and they were marking the streets for the template and they will be painting them as soon as the weather permits. She stated that it will take three (3) or four (4) days to complete what was requested.

Jennifer Sharkey stated that she spoke with Mr. Schmidt about moving forward with the bridge lighting at Four Corners, Lake James. She stated the group that Mr. Schmidt is working with has an option to put the lighting closer to the bridge structure using some different type of foundations. Ms. Sharkey said if that is the case, it would be within the County right of way and asked if it would be determined as a County owned facility, which means the County would be responsible for the maintenance and upkeep. Ronald Smith asked where else the County provides lighting and pays for maintenance and upkeep for auxiliary lighting and Jennifer Sharkey told him there weren't any. Bill Schmidt stated that the lights are going to be solar powered and there is a five (5) year guarantee on the lights. Mr. Schmidt also stated that this is a safety issue and needs to be addressed. He stated that the installation of the lights will be paid for by the group he is working with; however it will be the County's responsibility to take care of the lights. Mr. Schmidt stated that there is a significant amount of savings being provided and the fact that the lights are solar powered, virtually eliminates the ongoing costs of electricity. He's hoping this approach eliminates that cost and can be an offset for the County. Bill Schmidt asked if the group he's working for can continue to move forward, the Commissioners stated that they had no objection to the group proceeding with the installation of the solar lighting for the bridge.

The Commissioners received the following correspondence: NACo re: Washington Watch; IACC re: Legislative update; API re: Ethanol Mandate; NACo re: Arts & Culture Award; ENR Equipment Trends re: Special Report; NACo County News re: County News Alerts.

STEBEN COUNTY BOARD OF COMMISSIONERS

Ronald L. Smith, President, South District

James A. Crawl, Vice President, Middle District

Lynne A. Liechty, North District

Attest: _____
Kim Koomler, Steuben County Auditor

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