

STEUBEN COUNTY BOARD OF COMMISSIONERS MEETING
April 2, 2018

The Steuben County Commissioners met at 1:00 p.m. on Monday, April 2, 2018, in the Commissioners' Room of the Steuben County Community Center. Present this day were Commissioners Ronald Smith, James Crowl and Lynne Liechty. Also present were Donald Stuckey, County Attorney, Ruth Beer, Steuben County Councilwoman, Jim Getz, Steuben County Councilman, Dan Caruso, Steuben County Councilman and Kim Meyers, Steuben County Auditor.

Donald Stuckey, County Attorney, opened the bids for the Bike Trail Phase II Construction. Bids were received from E&B Paving in the amount of \$1,556,088.29, Brooks Construction in the amount of \$1,539,211.00 and API Construction in the amount of \$1,649,787.00. James Crowl made the motion to accept the bids for review and recommendation by the Highway Department. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Jennifer Sharkey, Highway Engineer, submitted NIPSCO utility permit #2810 and iMAN utility permit #2811 for approval. Lynne Liechty made a motion to approve the utility permits. James Crowl seconded that motion and the motion carried with three (3) ayes.

Ms. Sharkey reported that clearing has been done on 200 N and the relocation of utilities have begun for the 200 N/SR 827 Project.

Jennifer Sharkey said that Bridge #17 on Hanselman Road will need to have a load posting sign on the bridge of nine (9) tons due to design policies and the structure doesn't meet the current design policies for an unrated bridge. Bridge #51 on Old St Route 1 is now on a twelve (12) month inspection frequency and that is due to the substructure condition. Ms. Sharkey said Bridge #51 is a timber bridge that is well past its life span and they are looking at how to address the situation. She said that maintenance is scheduled for this summer and they will look to replace the bridge in the next three (3) to five (5) years.

Ms. Sharkey reported that the Purchase Order was issued on March 29 for the CR 200 N Phase II and the Notice to Proceed was issued the same day to the consultant.

The Bike Trail Phase II Funding Resolution 04-2018-01 was also submitted for review and approval. Ms. Sharkey stated that the Resolution outlines the funding proposal for the Bike Trail using CEDIT, Rainy Day and the Bike Trail Grant Funds. She said that it is requested that the County have their financial plan in place before other partners contribute their funds towards this project.

James Crowl asked if the State has contributed any funding to the trail since the trail is going to Pokagon State Park. Ms. Sharkey said that the State has donated the DNR property and tree clearing for that portion of the trail. She said that they may also be partnering with the maintenance for that end of the trail.

Lynne Liechty made a motion to approve Funding Resolution 04-2018-01 and forward it to County Council for approval. Ronald Smith seconded that motion and the motion carried with three (3) ayes. Resolution 04-2018-01 reads as follows:

RESOLUTION NO. 04-2018-01

**A RESOLUTION OF THE STEUBEN COUNTY BOARD OF COMMISSIONERS
AND THE STEUBEN COUNTY COUNCIL, COMMITTING TO THE
STEUBEN COUNTY BIKE TRAIL PHASE II PROJECT**

WHEREAS, Steuben County has completed the Steuben County Bike Trail, Phase I.

WHEREAS, the Steuben County Board of Commissioners and the Steuben County Council hereby resolve that they are committed to moving forward with the Steuben County Bike Trail, Phase II.

WHEREAS, the funding shall be local funds and those funds shall come from Rainy Day, CEDIT, the Bike Trail Grant Fund and from local entity contributions as specified by the chart attached and incorporated as **Exhibit A**.

PASSED, APPROVED AND ADOPTED by the Steuben County Board of Commissioners this 2nd day of April, 2018.

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

Attest: Kim Meyers, Auditor

Steuben County Bike Trail Funding Summary
April 2, 2018

Construction Estimate (CN)	\$ 1,540,000.00
Construction Inspection (CE)	\$ 136,000.00
Contingency for Change Orders	\$ 12,000.00
Total Project Costs	\$ 1,688,000.00

City of Angola	\$ 250,000.00
SCCF	\$ 52,000.00
Tourism Bureau	\$ 100,000.00
Total Contributions	\$ 402,000.00

Total Project Costs	\$ 1,688,000.00
Total Contributions	\$ 402,000.00
Total County Share	\$ 1,286,000.00

CEDIT	\$ 136,000.00	CE
	\$ 493,000.00	CN
	\$ 629,000.00	
Rainy Day	\$ 629,000.00	CN
Bike Trail Grant Fund	\$ 28,191.70	CN

Total Project Funds: \$1,688,191.70 includes contributions (Angola, SCCF, Tourism) + CEDIT + Rainy Day + Grant Fund

Jennifer Sharkey submitted the Contract from Brooks Construction for the Old 27 Paving Project in the amount of \$229,402.35. James Crawl made a motion to approve the Contract with Brooks Construction. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Ms. Sharkey said that she met with Region 3a and the Sheriff to review the crash data statistics and they decided to do a hazard elimination study on 200 W from Orland Road to Buck Lake Road. LTAP Helpers Program has also been contacted and they are going to update the heat map so there is a visual identification of that data. Jennifer Sharkey also reported that she is coordinating with Region 3a and LTAP for a road safety audit on CR 100 N from Angola to CR 200 W. Doing so would qualify 100 N for a federal grant application for highway safety improvement funds which is a 90/10 match.

Ms. Sharkey reported that she is going to County Council next week for an additional request of \$850,000.00 for road work. She said that the Auditor's Office was contacted prior to this request to review available funding sources and to make sure it was appropriate to move forward. Ms. Sharkey also said that they are asking to have \$1,200.00 appropriated from guardrail damage that was paid for by a private individual.

Jennifer Sharkey requested that the Commissioners look at the planning guide and reference document when it comes to budget time.

Ms. Sharkey said that NIPSCO has contracted Arbor Metrics to do tree trimming and clearing around power lines. They have identified two (2) trees near the old Humane Shelter that they would like to remove. James Crowl made a motion to allow Arbor Metrics to cut the trees down. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Ms. Sharkey also reported that NIPSCO has identified some trees within the County Park that need trimmed as well and Frank Charlton has the contact information.

Emmett Heller, Highway Superintendent, updated the Commissioners regarding ongoing projects at the Highway Department. Mr. Heller said that they are gearing up for the FDR work and he is sending out letters to the property owners so they are aware of the process and what is going on. He said that they graded gravel roads on March 28. Emmett Heller reported that a citizen gathered up several piles of trash along 100 N. He said that the Highway Department removed the trash because it was blowing around.

Isaac Lee, Steuben County EDC, provided the Commissioners with a quarterly update and reported on programs at the EDC.

Frank Charlton, County Park Superintendent, reported that there was a camper that was adamant that the electric meter at his camp site was wrong and reading too high. Mr. Charlton said that he had the meter recalibrated and it was actually reading too low. Frank Charlton said that he would like to purchase six (6) electric meters in the amount of \$137.70. James Crowl made a motion to approve the purchase of six (6) electric meters with the Commissioners' Credit Card. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Frank Charlton submitted change order #1 in the amount of \$22,289.00 for the County Park Road Project. He said that the speed bumps and the scratch course over the existing asphalt areas were inadvertently left off of the bid documents that the bidders based their bid on. James Crowl made a motion to accept change order #1 for the County Park Road Project. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Mr. Charlton requested permission to obtain quotes on straightening the road by the horse barn on the top of the hill. He said that top soil will have to be removed, compacted with limestone and then it could be paved over. Mr. Charlton said that REMC will move the poles free of charge which is very nice of them because it is NIPSCO service. The Commissioners gave the consent for Mr. Charlton to receive quotes.

Kylee Harris said that things are picking up at the Event Center and a person that had rented the Lion's Building decided they wanted to rent the Event Center instead.

Ms. Harris said that they are looking for ideas for the Clear Lake Improvement funds that are in this year's budget. The Commissioners asked Ms. Harris to discuss that at the County Park Committee Meeting on Thursday, April 5.

It was reported that a letter was sent to the camper that refuses to move his camper that he purchased. Frank Charlton said the letter stated that the lot that the camper is sitting on is being entered into the lottery.

Mary Allred, EMS Director, stated that there is annual training that is needed for the EMS Billing Department. Ms. Allred said that funds were placed in the 2018 budget for the training; however, due to the cost of the training, she wants to know if the Commissioners want to spend that money on training or go another route where billing is concerned. Lynne Liechty stated that the other Commissioners need to go through the information that was provided by Ms. Allred before a decision is made. Mary Allred said that there are four (4) training sessions

throughout the year that can be attended. Mary Allred said that with the compliancy and the liability of the billing, it is going to be a lot of upkeep and will cost the County a lot of money overall. Ms. Allred said she's not sure if the billing is something that the Commissioners want to keep doing in house.

Jim Getz asked about the cost to pay an outside company to take over the billing and if companies would be willing to take a percentage of the collected amount. Mary Allred said that she has contacted a couple companies and the charge for the service is normally between three percent (3%) and seven percent (7%) of the collected amount. Ms. Allred said that outsourcing the billing would take the liability away from Steuben County. Jim Getz also asked if there would be a need for Steuben County EMS to still attend training to make sure that Steuben County compiles the necessary information for the billing company if it gets outsourced. Lynne Liechty said that the contracts include the training of Steuben County Employees. Jim Getz asked if this was a long term contract, Lynne Liechty said that it could be. Mary Allred said that it could be as short as (2) years all the way to an indefinite contract. Commissioner Liechty said that she believes this is something that she would like to pursue. Kim Meyers asked if bids or quotes were requested. Lynne Liechty stated that Mary Allred was just exploring options. James Crowl requested to do research before a decision is made.

Gary Fair, Community Center Building Manager, discussed the removal of thirteen (13) trees, four (4) of which are dead along South Wayne Street. He said that several trees are growing up into the phone lines and it would be more economical to cut them down. Mr. Fair said that he would propose taking the trees down himself.

Ronald Smith said that he doesn't have a problem with removing trees as long as it is copasetic with the City of Angola's philosophy. Gary Fair said that he spoke to Craig Williams at the City and Mr. Williams said that he would make arrangements to haul the trees away once they were cut down. James Crowl made a motion to allow Gary Fair to cut down the thirteen (13) trees. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Gary Fair submitted a quote from Warren Fence for fencing to be placed around the backup generator in the amount of \$2,340.00. James Crowl said that the fence is to prevent anyone from doing damage to a very expensive generator. Gary Fair said that it would be an 8' chain link fence with three (3) rows of barbed wire. James Crowl made a motion to approve the installation of the fence around the backup generator. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Mr. Fair stated that since new carpeting has been installed on the third floor and he would like to rent mats to replace the old ones. Gary Fair said that he will be short approximately \$240.00. He said that he could take it from his 1000-161-3000.53 line item or the Commissioners can pay for it from their funds. Lynne Liechty made a motion that the shortfall in the funds shall be transferred from Gary Fair's 1000-161-3000.53 line item. James Crowl seconded that motion and the motion carried with three (3) ayes.

The Plan Commission submitted the Bidlack Heights Plat for signature.

Lynne Liechty made a motion to approve the claims submitted for payment this day totaling \$530,563.51. James Crowl seconded that motion and the motion carried with three (3) ayes.

Kim Meyers, Auditor and Melissa Bixler, Treasurer, submitted the Monthly Comparison Report for review and approval. Lynne Liechty made a motion to approve the Monthly Comparison Report. James Crowl seconded that motion and the motion carried with three (3) ayes.

James Crowl made a motion to approve the minutes from the Commissioners' Meeting on March 19, 2018. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

The Commissioners signed the minutes from the March 5, 2018, Commissioners' Meeting for the Index Book, which were approved at the prior meeting.

Rae Delaney, Payroll, submitted the March 30, 2018 payroll in the amount of \$396,549.19 for approval. Lynne Liechty made a motion to approve the March 30, 2018 payroll. James Crowl seconded that motion and the motion carried with three (3) ayes.

Kim Meyers, Auditor, submitted information on a Waiver of Second Reading wording that could be used in the minutes instead of the long three readings text. Ms. Meyers stated that this is wording that she received from the LaGrange County Auditor that saves a lot of space and time in the minutes. Kim Meyers said that she is proposing to use this wording in the Commissioners' Minutes. Donald Stuckey said that he has no problem with it being and the Commissioners can make it a part of their rules and regulations. James Crowl made a motion to add the Waiver of Second Reading text as part of the Rules and Regulations of the Commissioners. Lynne Liechty seconded that motion and the motion carried with three (3) ayes. The Waiver of Second Reading Text reads as follows:

WAIVER OF SECOND READING

On motion duly made and seconded, the second reading of the foregoing Resolution was unanimously waived and the Resolution was deemed effective as the date of passage.

Jason Hufnagle, Jail Commander, submitted a Koorsen Deficiency Proposal in the amount of \$1,148.00 to repair the kitchen hood suppression system. James Crowl made a motion to approve the Proposal in the amount of \$1,148.00 to be paid from LOIT 1170-000-3000.41 Jail/Building Maintenance. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Rick Meyers, Courthouse Maintenance, submitted his resignation effective Friday, April 6, 2018. Lynne Liechty made a motion to accept Mr. Meyers' resignation. James Crowl seconded that motion and the motion carried with three (3) ayes.

Lori Hickey, Chief Deputy Auditor, submitted Miscellaneous Claims for the first quarter of 2018 in the amount of \$472,925.73 for approval. James Crowl made a motion to approve the Miscellaneous Claims. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Ordinance Number 3142 regarding the Vacation of a Platted Easement, First Addition to Forest Park was resubmitted to the Commission Board because the second and third readings were not done at the previous meeting.

**Second and Third
Readings Steuben
County, Indiana
Ordinance No. 3142
Vacation of a Platted Easement**

Thereupon, County Commissioner, Lynne Liechty moved that all rules of procedure of the County Commissioners which might prevent, unless suspended, the second and third readings of the Steuben County Ordinance No. 3142 of Steuben County, Indiana, for final passage and adoption of said Ordinances at this meeting without reading the said Ordinances in full but reading the title only. This motion was seconded by James Crowl and was on the call of the roll adopted by the following vote:

Ayes
3

Nays
0

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

Ayes
3

Nays
0

The County Auditor then read aloud the title of said Ordinances for the second and third readings.

Thereupon, County Commissioner, James Crowl, moved for final passage and adoption of the Ordinances in full applicable regulations to establish such Ordinances. This motion for final passage and adoption was seconded by Lynne Liechty and on the call of the roll adopted by the following vote:

Ayes
3

Nays
0

The President of the Steuben County Commissioners, Ronald L. Smith, declared publicly the Ordinance No. 3142 of Steuben County, to have been duly passed and adopted. Thereupon, said Ordinances were signed by all members of the County Commissioners present and attested by the County Auditor. The Ordinance No. 3142 of Steuben County is on file in the Auditor's office. Ordinance No. 3142 of Steuben County reads as follows:

ORDINANCE NUMBER 3142

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

REGARDING THE VACATION OF A PLATTED EASEMENT, FIRST ADDITION TO FOREST PARK

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

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

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

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

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

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

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

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

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

An Ingress-Egress Easement to Lake George over the west 10 feet of Lot numbered 15 in the First Addition to Forest Park as shown in Plat Record No. 2, Page 59 of Steuben County, Indiana.

THENCE, all of said vacated public easement, described in the attached description, shall pass in fee title to the owners of Lot 15 (Map# 76-03-15-410-210.000-006)

STEUBEN COUNTY BOARD OF COMMISSIONERS

3/19/18
First Reading
4/6/18

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

Second Reading
4/6/18
Third Reading

ATTEST:

Kim Meyers, Steuben County Auditor

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

Donald Stuckey informed the Commissioners that he needed to discuss the old Weatherhead property owned by David Knepper, WeKon & Scott. Kelli Johnson, Auditor's Office, said she took the time to break out what the County, City and Surveyor's Office are owed instead of having the total amount owed on the property. Ms. Johnson said that everyone pays drains so she's not sure why those are being written off and the County cannot write off the City liens. Kelli Johnson said that in order for her to release the liens she needs the City of Angola to send something through and record it with the County Recorder directing her to release the liens. Donald Stuckey said that the City liens were going to be paid from the closing; however, he was under the impression that the City liens were only around \$500.00, not \$2,830.00. Mr. Stuckey said that if the number is incorrect, he needs to go back to the title company. He said that if the Commissioners want it back on the tax rolls they are going to have to discharge almost everything. Kelli Johnson said that based on the documentation that Mr. Stuckey's office prepared it is asking her to discharge the whole dollar amount, and the information has to be given to her on the proper paperwork for her to take the taxes off. Ms. Johnson said that she can type up and prepare the documentation but she needs to know exactly what is going to be discharged. Mr. Stuckey said that they can't close on the property until they receive something from the County saying that the taxes are going to be discharged. Donald Stuckey said that the Commissioners may receive approximately \$10,000.00 from the sale of the property and they are going to have to approve the discharge before they receive the money so the title company can close.

Mr. Stuckey informed the Commissioners that Mr. Knepper had an offer of \$14,000.00 from an LLC. Mr. Stuckey said that Janet Tidd from the title company told him that the LLC has been suspended because they have not sent in their bi-annual paperwork, so the purchase agreement is not valid. Donald Stuckey said that he spoke to David Knepper and Mr. Knepper said that they were going to create a new company and that company is going to buy the Weatherhead property. Mr. Stuckey said that raised a red flag so he spoke to Craig Benson and Mr. Benson has a client that is willing to purchase the property for more than the other offer.

Mr. Stuckey said that he now wonders who owns the purchasing LLC and he wonders if Mr. Knepper should come back to the Commissioners to explain or the Commissioners can just forget about it. Donald Stuckey said that he's very concerned that they had an offer \$6,000.00 higher than the other offer and Mr. Knepper refused to accept the higher offer. Mr. Stuckey wondered if the motivation to not accept the higher offer was because Mr. Knepper is selling the property to an LLC that he owns for \$14,000.00 so he can turn around and sell it to someone else for more.

Lynne Liechty said that the simple thing is to go forward with it and talk to the title company about the discrepancy of the City liens. Donald Stuckey said that he will work on it.

Jennifer Sharkey submitted information on the Bike Trail Phase II Construction Bids that were received and stated that the bids came in higher than anticipated leaving a \$40,000.00 shortfall. Ms. Sharkey submitted an amended attachment to Resolution 04-2018-01. James Crowl made a motion to accept the amended attachment to Resolution 04-2018-01. Ronald Smith seconded that motion and the motion carried with two (2) ayes.

The Commissioners received the following correspondence: Michael Galbraith, NEIndiana re: 2017 NEIndiana Regional Development Authority Annual Report; Jake Harris, Pedestrian Protection Product Manager re: Pedestrian Safety; Kate Virag NEIndiana re: News Release; Amy Hesting NEIndiana re: Permitting Recognition Event; Rodney Renkenberger Maumee River Basin re: Flood Insurance, Elevation Certificates & FEMA Flood Vent Compliance Seminar for Local Officials; John Patterson re: limbs and debris clogging Pigeon Creek; Terri

April 2, 2018 Commissioners' Meeting Continued

Shoufler re: Telecom Audit & Analysis Cost Savings Initiatives; INDOT re: Trash Bash; Steuben County
Historical Society re: Newsletter; BoAC re: March Memo.

STEUBEN COUNTY BOARD OF COMMISSIONERS

Ronald L. Smith, President, South District

James A. Cowl, Vice President, Middle District

Lynne Liechty, North District

Attest: _____
Kim Meyers, Steuben County Auditor
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