

STEBEN COUNTY BOARD OF COMMISSIONERS MEETING
May 15, 2017

The Steuben County Commissioners met at 8:30 a.m. on Monday, May 15, 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 and Kim Koomler, Steuben County Auditor.

Lynne Liechty made a motion to approve the claims submitted for payment this day totaling \$520,060.22. 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 May 1, 2017. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

The Commissioners signed the minutes from the April 17, 2017, Commissioners' Meeting for the Index Book, which were approved at the prior meeting.

Jared Levy, American Fidelity Insurance, submitted information to the Commissioners regarding benefit administrative services and cost savings tools for public employers. Mr. Levy said that American Fidelity is not a broker or an agent, they are the actual administrative service provider. He said that they would work in partnership with the current health insurance provider. Mr. Levy said that they work with over 260 employers in Indiana, including the City of Angola, MSD of Steuben County, Fremont Community Schools, Fremont Community Schools and Hamilton Community Schools and would like to work with Steuben County if there is a need.

Jared Levy stated that he introduced himself to Rae Delaney, Payroll and Benefits, a few weeks ago and was directed to contact the Commissioners. Mr. Levy said that he would like to have permission to meet with Ms. Delaney to find out what the County is currently doing and to determine if there is a need for his services.

Mr. Levy said that American Fidelity is unique in that they are both an administrative service provider and a voluntary benefit manager. He said that if the voluntary benefits are managed by American Fidelity then they waive fees for all of the administrative services that are provided.

Kim Koomler, Auditor, stated that she would like to be involved in the process. Ronald Smith said throughout the years he's found American Fidelity to be nonintrusive. Lynne Liechty made a motion to allow Jared Levy, American Fidelity, to contact Rae Delaney and set up a meeting. James Crowl seconded that motion and the motion carried with three (3) ayes.

Mary Allred, EMS Director, submitted April EMS Closeouts in the amount of \$2,090.10 and the April EMS Writeoffs in the amount of \$166,125.08 for approval. James Crowl made a motion to approve the April EMS Closeouts and Writeoffs. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

The Commissioners discussed a letter that was received from a Lake Minifinokee resident regarding the request for a recreational shooting ordinance. Ronald Smith stated that each Commissioner received a copy of this letter and he felt that the letter was written to be up close and personal. James Crowl agreed with Commissioner Smith and said that the Commission Board cannot pass an ordinance for one person. Ronald Smith said that the letter expressed disappointment that the County Commissioners did not move forward with providing some type of protection. Commissioner Smith stated that if the Commission Board did something like that they would open up a landslide of repercussions. Donald Stuckey, County Attorney, stated that he believes that it is a Planning and Zoning issue and it should be addressed by them. Ronald Smith stated that he thinks it is appropriate that the Commission Board send a letter back to the individual and inform them that the Commissioners are not taking the matter lightly, nor slightly and they have given it consideration; however, the Commission Board feels that it is not proper to have this matter addressed by the Commissioners.

Linda Klingbeck, Tri-State Singles Together, sent a request to the Commissioners to reconsider allowing her group to use the Community Center Multi-Purpose Room at a discounted rate. Ronald Smith stated that a letter needs to be sent to Ms. Klingbeck stating that the Commissioners have given consideration to her request; however,

after deliberation, the Commissioners choose to not offer the facility at a discounted fee as they would be creating a precedent for others in the future. Lynne Liechty made a motion to send a letter to Ms. Klingbeck declining their request. James Crowl seconded that motion and the motion carried with three (3) ayes.

Mike Marturello, Herald Republican, requested that the Other Business be listed on the back of the agenda for the meeting audience members. Mr. Marturello said that since the items aren't listed anymore, the audience is not aware of what the Commission Board is talking about. Lynne Liechty made a motion to provide the Other Business List to the audience members. James Crowl seconded that motion and the motion carried with three (3) ayes.

Vina Conti, Plan Commission, submitted the Marbo Acres plat for signature.

Lynne Liechty asked about parameters of a new sign for the businesses at the entrance of 175 off of 200 W. Clint Knauer said that a new sign could be constructed; however, they cannot be directional signs.

Donald Stuckey asked about a digital speed limit sign that was placed by a private party. Clint Knauer said that he will have to do some more research on that issue.

Clint Knauer, Plan Commission, submitted a Petition to Vacate (Petitioner - Walda) to the Commissioners. Mr. Knauer stated that this Petition went to the Plan Commission and it now comes to the Commissioners with a 7-0-1 favorable vote. He said that there were concerns where the lots met up and how they overlapped so the Plan Commission requested that a plan be brought forward to reassure the Plan Commission that it would not keep anyone from getting to their property. Clint Knauer submitted that plan to the Commissioners as it was provided by Todd Bauer with Foresight.

Ronald Smith opened the hearing for public comment. There were no public comments and the public portion was closed.

James Crowl made a motion to approve the Vacation of a Public Way, Ordinance 3137. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

**Second and Third Readings
Steuben County, Indiana
Ordinance No. 3137**

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 Steuben County Ordinance No. 3137, 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:

<u>Ayes</u>	<u>Nays</u>
3	0

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

<u>Ayes</u>	<u>Nays</u>
3	0

The County Auditor then read aloud the title of said Ordinances for the second and third readings. Thereupon, County Commissioner, James Crowl, moved for final passage and adoption of the Ordinances in full applicable regulations to establish such Ordinances. This motion for final passage and adoption was seconded by Lynne Liechty and on the call of the roll adopted by the following vote:

Ayes
3

Nays
0

The President of the Steuben County Commissioners, Ronald L. Smith, declared publicly Ordinance No. 3137, 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. Ordinance No. 3137 is on file in the Auditor's office. Ordinance No. 3137 reads as follows:

ORDINANCE NUMBER 3137

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

REGARDING THE VACATION OF A PUBLIC WAY, VENICE ESTATES

WHEREAS, the Petitioner has filed a Petition for Vacation of a Public Way pursuant to Indiana Code 36-7-3-12/13/16;

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 PUBLIC WAY IN STEUBEN COUNTY, INDIANA **IS HEREBY VACATED:**

Part of the Southwest Quarter of the Northeast Quarter of Section 10, Township 37 North, Range 13 East, Steuben County, Indiana, more particularly described as follows:

Beginning at the Northwest corner of lot number 1 in Venice Estates as recorded in Plat Book 3, Page 22 in the office of the recorder of Steuben County, Indiana, said Northwest corner being marked by a 5/8" rebar with a "Burlage" identification cap, thence North 00 degrees 00 minutes 30 seconds West, on and along the Northerly extension of the West line of said lot number one, a distance of 15.01 feet to the North right of way line of Lane 245 Lake James, thence North 88 degrees 30 minutes 04 seconds East, on and along said North right of way line, a distance of 109.61 feet, thence South 01 degrees 29 minutes 56 seconds East, a distance of 15.00 feet to the Northeast corner of said lot number 1, thence South 88 degrees 30 minutes 04 seconds West on and along said South right of way line, a distance of 110.00 feet to the point of beginning. Containing 0.038 acres (1,647 square feet) more or less.

THENCE, all of said vacated public way, described in the attached description, shall pass in fee title to the owners of Lot 1, Venice Estates (Map# 76-06-10-130-205.000-011)

STEBEN COUNTY BOARD OF COMMISSIONERS

5-15-17
First Reading
5-15-17
Second Reading
5-15-17
Third Reading

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

ATTEST:
Kim Koomler, 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

Tami Sumney, IT Director, submitted quotes from Esco Communications and ENS Group for Video Conferencing System Upgrades at the Courthouse and Sheriff's Department. Tami Sumney recommended Esco Communications since they had installed the current system and because they were the lowest quote. Ms. Sumney said that she would pay for the invoice from her line item in the 2013 Bond. Lynne Liechty made a motion to accept the quote from Esco Communications, in the amount of \$46,859.00, to be paid from the 2013 Bond. James Crowl seconded that motion and the motion carried with three (3) ayes.

Ms. Sumney also submitted a quote from Civitas IT, in the amount of \$22,694.00, for the ongoing replacement of computers. She said that she would pay for a portion of the invoice from her line item in the 2013 Bond which would close out that line item and the remaining would come from her .10 line item in Cum. Cap. James Crowl made a motion to approve the quote from Civitas IT, in the amount of \$22,694.00, to be paid from the 2013 Bond and Cum. Cap. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Tim Troyer, Sheriff, submitted a quote from Spillman Technologies for the installation of the National Incident Based Reporting System (NIBRS), in the amount of \$23,187.00. Sheriff Troyer stated that this has been in the works for about two (2) years now. Currently they are using a different system called Uniform Crime Reporting (UCR) which was voluntary reporting of basic crime statistics to the Federal Government. Sheriff Troyer said that they had to participate in UCR to be eligible for grants.

Sheriff Troyer stated that NIBRS is a State System that would require the Sheriff's Department to input their data and then the State reports to the Federal Government. He said that this makes the Sheriff's Department Compliant with the former UCR; however, UCR will be replaced and in 2018 they will be mandated to use the NIBRS system.

Sheriff Troyer said that Spillman gave Tami Sumney a breakdown of costs for each law enforcement agency. He said that he reached out to all of the agencies regarding this matter and he has heard from every agency except Orland and Hamilton. Spillman informed Sheriff Troyer that the County's Cost is \$8,853.00 for the initial cost and the maintenance for the second year goes down to \$865.00.

Tami Sumney stated that the payment for this system would not be due until 2018, but approval is needed in order to get on the installation schedule. Ms. Sumney stated that it would have to be put in one of their budgets for 2018 during the budget process. She said that the most obvious would be to be put it in her Spillman/Software/Hardware Support line item. Kim Koomler, Auditor, stressed that there is no guarantee that the funds will be approved at budget time. Lynne Liechty made a motion to approve the purchase of the NIBRS system. James Crowl seconded that motion and the motion carried with three (3) ayes.

Randy Brown, EMA, came to the Commissioners regarding repairs to the EMA Tahoe. Mr. Brown said that he got another quote for the A/C from Bill's Towing and it is cheaper than Harold's Chevrolet. He said that with this repair, it will bring the total cost of repairs to approximately \$7,000.00 and there is still work that needs to be done. Mr. Brown asked for guidance from the Commissioner Board. James Crowl said that the money is not in the budget and there aren't any vehicles in reserve. Mr. Brown said that for a new Tahoe it would cost between \$34,000-\$38,000.00 and a Durango or a Truck would be similar in price. He said that without sitting down and building the vehicle, he wouldn't have an exact price. Mr. Brown said that he has to rely on the EMA vehicle to get him to several out of town meetings and he also drives all over the County.

Lynne Liechty asked if there were any funds in place that could be used. Kim Koomler, Auditor, stated that if the Commissioners would look at the Cum. Cap. print out, that account has quite a surplus, but it would require the request of an additional appropriation from County Council.

Mr. Brown stated that he would like to look into purchasing a vehicle if the Commissioners can find the funds for it. Ronald Smith stated that EMA needs to have a quality vehicle. Lynne Liechty made a motion to allow Randy Brown to get pricing for a new vehicle and go to County Council to request an additional appropriation for a new vehicle. James Crowl seconded that motion and the motion carried with three (3) ayes.

James Crowl made a motion to have the air conditioning repairs done by Bill's Towing, to be paid from Cum. Cap. 1138-000-4000.15. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Kris Thomas, Health Department, reported to the Commissioners that their Impala needs a new transmission. Ms. Thomas said that she is seeking guidance on what to do and she submitted two (2) quotes for review.

Kris Thomas said that currently they have three (3) vehicles that are paid through the grant and then this one was received from the Sheriff's Department. Ms. Thomas said that two (2) of the grant vehicles were bought used. She said that they do have grant money; however, it is earmarked to pay for repairs to the vehicles that were purchased with the grant funds. Lynne Liechty requested that Ms. Thomas get quotes from Bill's Towing and Lonsbury's Garage and then come back to the Commission Board with her findings.

Mike Sevits, Annex Maintenance, requested official approval on a roof repair needed at the Annex. Mr. Sevits received verbal approval on May 2, 2017. James Crowl made a motion to officially approve the roof repair. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

The Executive Session Statement from the Executive Session held May 2, 2017, was submitted for approval. Lynne Liechty made a motion to approve the Executive Session Statement. James Crowl seconded that motion and the motion carried with three (3) ayes.

Terry Smith, requested an update on his request to purchase a parcel of land located at the end of Lane 101 Crooked Lake from the Commissioners. James Crowl stated that he spoke to the County Surveyor, Larry Gilbert, and he stated that the lot is needed so the County can perform maintenance on the channel when required. Lynne Liechty made a motion to send a letter to Mr. Smith informing him that the Commissioners are not interested in selling that piece of land at this time. James Crowl seconded that motion and the motion carried with three (3) ayes.

A Letter of Engagement from Page, Wolfberg and Wirth LLC, regarding the EMS Billing Audit was submitted for approval and signature. Donald Stuckey, County Attorney, stated that he reviewed the document and found it acceptable. James Crowl made a motion to approve and sign the Letter of Engagement. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Erin Schiffli, Commissioners' Secretary, stated that the renewal invoice for the Airport Crew Car has been received. Ms. Schiffli stated that the premium has gone up an additional \$291.00 and wanted to know if the Commissioners would like to continue with this insurance. Lynne Liechty made a motion to keep the insurance with Progressive and to renew the policy on the Airport Crew Car. James Crowl seconded that motion and the motion carried with three (3) ayes.

Ms. Schiffler also asked the Commissioners if they wish to attend the IACC Northeast District Meeting on Wednesday, June 28, 2017. Ronald Smith is already registered. Lynne Liechty stated that she would be attending. James Crowl said he was not sure at this time.

Lynne Liechty reported that she and Kylee Harris will be planting the pots on Wednesday, before the Power of the Purse Event that is to be held at the Event Center on Thursday.

Ronald Smith asked about the hillside that is located between the Event Center and the District. James Crowl said that they are still dumping dirt; however, Frank Charlton said that they have slowed down on the dirt recently.

Lynne Liechty asked Mr. Charlton how many part time workers he had at the County Park. Mr. Charlton stated that he currently has two (2). Commissioner Liechty stated that she's aware that Ms. Harris is still helping mow; however, she needs to be kept in house at the Event Center more than outside.

Frank Charlton reported that the main extension at the Event Center does not have a voicemail set up and IT needs to be contacted so it can be fixed.

Kylee Harris reported that even though the wireless internet has been installed in the Conference Rooms, there has not been an increase in rentals.

Kylee Harris, Event Center Coordinator, submitted a Republic Services Contract for the dumpster at the Event Center for approval. Due to confusion, this Contract was signed by Ms. Harris in October, 2016, and now needs official approval. Lynne Liechty made a motion to approve the Contract. James Crowl seconded that motion and the motion carried with three (3) ayes.

Frank Charlton reported that he has upgraded one of the restrooms and he has placed legs on all of the sinks.

Ronald Smith requested that a budget proposal for the County Park be started.

Frank Charlton stated that when he was at the 4-H Fair Board Meeting they brought up the ADA Compliance and how it needed to be completed by 2018. Jennifer Sharkey, County Engineer, stated that every two (2) years a list of ADA repairs needs to be updated and she is in the process of doing that. Ms. Sharkey also stated that there is no specified compliance date. She said that INDOT reviews the progress and ensures that the County is moving forward with a plan to fix deficiencies.

Frank Charlton informed the Commissioners that they may get a phone call regarding the boat slips at the County Park. Mr. Charlton said that the campers want to know what boat slips are available; however, that isn't known because there are campers that have sent the money but not the other paperwork that is needed to assign the slips. Mr. Charlton said that he is working on it but he isn't get a lot of cooperation from the campers.

Kylee Harris reported that the DNR was at the County Park due to a boat being parked in front of the boat ramp for several hours.

Jennifer Sharkey, Highway Engineer, submitted Frontier Utility Permit #2777 for approval. James Crowl made a motion to approve Frontier Utility Permit #2777. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Ms. Sharkey reported that the Maple Street reimbursement was approved by Council and will be used on County road work.

Jennifer Sharkey stated that they are continuing with the right of way phase and there is a little bit of concern with one section. Ms. Sharkey said that she will inform the Commissioners of options once she speaks to the property owner.

Ms. Sharkey said that she had a field check meeting last Thursday for the Bike Trail Phase II. She said that they are in the right of way phase of that project. Ms. Sharkey said that a few adjustments are needed on the alignment; however, they are still planning on bidding out the work at the end of 2017 so construction would commence in Spring 2018.

Jennifer Sharkey stated that she received the invoice for the work that was done due to the storm damage and the insurance company has that information.

Emmett Heller, Highway Superintendent, requested permission to move to four (4) ten (10) hour days for the summer and then switch back on Labor Day. James Crowl made a motion to approve Mr. Heller's request. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Mr. Heller reported that they started paving up on 575 E. He also reported that they started up the total patcher last week as well.

Emmett Heller reported that they are still making gravel until the end of this week. He said that the hours on the machine are up; however, they have permission to keep the machine until Thursday and it will be moved out on Friday. Mr. Heller reported that they've made about 30,000.00 tons for a savings of about \$4.00 a ton.

Mr. Heller stated that they replaced two (2) 12" culverts due to old age.

Erin Schiffli, Commissioners' Secretary, stated that she was notified by Clint Knauer, Plan and Building, that the zoning of the 76 Park does not allow for a boat ramp to be installed and it will have to be rezoned. Ms. Schiffli stated that she received the Rezoning Application from Vina Conti last week and wanted to bring it to the Commissioners for direction. Lynne Liechty made a motion to move forward on the rezoning of the 76 Park. James Crowl seconded that motion and the motion carried with three (3) ayes.

Ruth Beer, County Council, stated that she has a request for the Commissioners regarding use of the parking lots. She said that she will forward a formal request to Erin Schiffli for consideration at the next Commissioners' Meeting.

The Commissioners received the following correspondence: INDOT re: Invitation to Funding Meetings; SCSWD re: Board Meeting Agenda; James Bauerle re: Call to Action Results; INDOT re: Raised Pavement Marker Installation Planned for Various Roadways.

STEUBEN COUNTY BOARD OF COMMISSIONERS

Ronald L. Smith, President, South District

James A. Crowl, Vice President, Middle District

Lynne Liechty, North District

Attest: _____
Kim Koomler, Steuben County Auditor
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