

STEBEN COUNTY BOARD OF COMMISSIONERS MEETING
May 2, 2016

The Steuben County Commissioners met at 1:00 p.m. on Monday, May 2, 2016, 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.

Ronald Smith requested clarification on a claim from the Airport for Liberty Tire Recycling. It was determined that the claim was submitted due to old tires being found in a hangar and the charge was for disposal of those tires. James Crowl made a motion to approve the claims submitted for payment this day totaling \$389,533.39. Lynne Liechty 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 April 18, 2016. James Crowl seconded that motion and the motion carried with three (3) ayes.

The Commissioners signed the minutes from the April 4, 2016, Commissioners' Meeting, which were approved at the previous meeting.

The Commissioners reviewed the insurance limit for rental equipment. It was stated that for an additional \$100,000.00 worth of coverage, it would cost an additional \$100.00. The Commissioners decided to discuss the rental equipment insurance coverage when Highway comes to the meeting.

Vicky Meek, EMS, submitted a request to the Commissioners to replace an overhead door in the wash bay. Ms. Meek submitted a quote from Bradley Overhead Door, Inc. in the amount of \$2,215.00. Ms. Meek said she only obtained one quote because Bradley Overhead Door is who does the maintenance on the doors already. James Crowl made a motion to accept the quote from Bradley Overhead Door, in the amount of \$2,215.00, to be paid from Cum. Cap. 1138-000-4000.15. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Executive Session Statements were submitted for Executive Sessions held on April 11, 2016, April 28, 2016 and May 2, 2016. James Crowl made a motion to approve all three (3) of the Executive Session Statements. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

The Commissioners received a letter from the American Legion, Angola Post No. 31, requesting that Alex Dobson, Veterans' Services Officer, be moved to a full time position. James Crowl stated that it is a budgetary item and must be approved by County Council. James Crowl is to speak to Mr. Dobson to see if he is in favor of being moved to a full time position and he will report his findings at the next meeting.

Lynne Liechty stated that Trine University is requesting that the Steuben County Commissioners support their application to the Regional Development Authority for financial support. Commissioner Liechty stated that she thinks it would be the right time to approve a letter of support for Trine University. Ronald Smith stated that this is the \$42 Million that the State of Indiana put forth to three (3) different communities and there is a process in which you have to come up with local monies. Lynne Liechty made a motion to have a letter of support drafted for Trine University. James Crowl seconded that motion and the motion carried with three (3) ayes.

Lynne Liechty reported that the Personnel Committee met and discussed the probationary periods for Steuben County Communications Employees. Commissioner Liechty stated that typically, the probationary period for a new employee is ninety (90) days; however, for E911 Operators, training continues throughout the first year and that entire first year should be considered probationary.

Ordinance 882 – An Ordinance Amending the County of Steuben, Indiana Personnel Policies Handbook was submitted. Kim Koomler, Auditor said that this was done through Kent Irwin and the Personnel Committee. James Crowl made a motion to adopt Ordinance 882. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Second and Third Readings

**Steuben County, Indiana
Ordinance No. 882**

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. 882, 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
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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
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The President of the Steuben County Commissioners, Ronald L. Smith, declared publicly Ordinance No. 882, 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. 882 is on file in the Auditor's office. Ordinance No. 882 reads as follows:

ORDINANCE NO. 2016-882

STEBEN COUNTY BOARD OF COMMISSIONERS

**AN ORDINANCE AMENDING THE COUNTY OF STEUBEN,
INDIANA PERSONNEL POLICIES HANDBOOK**

WHEREAS the County of Steuben, Indiana is an Equal Opportunity Employer, and

WHEREAS it is the intent of Steuben County, Indiana to comply with applicable

Federal and State of Indiana employment laws and regulations,

WHEREAS the County of Steuben, Indiana provides Steuben County employees with information about established terms and conditions of employment and employee benefits, and

WHEREAS it is necessary to amend the County Personnel Policy from time-to-time.

**NOW, THEREFORE BE IT ORDAINED AND ESTABLISHED BY THE
COUNTY OF STEUBEN, INDIANA BOARD OF COMMISSIONERS THAT:**

The County of Steuben, Indiana **Personnel Policies Handbook** adopted on June 17, 2013 is amended this 2nd day of May, 2016 as specified below. The attached policy statements are hereby adopted and shall be in full force and effect on and after adoption; and shall supersede existing oral or written personnel policies and procedures.

2.13 PROBATIONARY PERIOD

The probationary period is intended to provide new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The County uses this period to evaluate employee capabilities, work habits and overall performance to determine if the employee should be retained.

All new and rehired employees work on a probationary basis for the first ninety (90) calendar days after their date of hire; except Steuben County Communications and Sheriff Department police officers who shall work on a probationary basis for the first (12) months after their date of hire. Any significant absence will automatically extend a probationary period by the length of the absence. If the County determines that the designated probationary period does not allow sufficient time to thoroughly evaluate the employee's performance, the probationary period may be extended for a specified period. A probationary employee may be discharged at any time during his/her probationary period, or extension thereof, with or without cause.

BOARD OF COMMISSIONERS STEBEN COUNTY, INDIANA

James Crowl
Lynne Liechty
Ronald Smith

ATTEST: Kim Koomler, Auditor

Vina Conti, Plan Commission, submitted the following plats for signature:

The Plat of Green Lake Subdivision
BWGS Pep's Family Acres
The Plat of Lamport Backlots
Wilder's Addition
Ridenour Place

Gary Fair, Building Maintenance, reported to the Commissioners on the Rain Garden at the Courthouse. Mr. Fair stated that the original location of the rain garden was going to be just east of the HVAC equipment located at the Courthouse and was to be approximately 27' x 33' x 17.75' x 9'. He said that as they started to locate utilities, it was determined the best case scenario would be to move the rain garden to the east, away from the buried utilities. Mr. Fair said in talking with the Engineer, it was going to cost \$1,200.00-\$1,500.00 to re-engineer the plans for the relocation of the rain garden. Currently the out of pocket cost for the County is \$5,000.00 and the City of Angola does not plan to pay for the re-engineering so it will be charged to the County making the total out of pocket expenses approximately \$6,500.00.

Gary Fair said that he has talked to the Master Gardener and he has been told that there would be plenty of water for the plants to survive in the rain garden; however, the tree canopy and the leaves from the trees would be a maintenance nightmare.

Janel Myer, Steuben County Soil and Water, said that she called IDEM today and she said that because of where they were at in the process, they would approve and pay for 60% of the re-design.

James Crowl said that when this project was started, it was before the Courthouse Study Committee was created. Commissioner Crowl said that they do not know what is going to happen with the Courthouse, but something has to be done and there's a possibility of going to the south and to the east which would put the renovations into the rain garden. James Crowl said that this rain garden is being created to alleviate three (3)

downspouts that are currently hooked into the City sewer and he believes for \$6,500.00 that could be rectified a different way. The total cost for the rain garden will be \$25,000.00 and the grant will absorb 60% of that cost.

Kim Koomler, Auditor, asked if the rain garden becomes an environmentally protected area that cannot be disturbed. Janel Myer said that she is not aware of any protection for rain gardens. James Crowl stated that it happened at the County Park when rain gardens were installed and they can't be touched now because grant money was used. Ms. Myer said that if it is grant money, then the rain garden would have to be left in place for a certain amount of years.

Ronald Smith stated that this matter needs more research at this point in time and believes it would be appropriate to table it at this time. Lynne Liechty said that more research into the grant is needed to see if the rain garden can be moved or changed if needed.

Amanda Cope, City of Angola, said that if the project doesn't go forward, the whole intent was to disconnect the downspouts from the sanitary sewer and that issue will still remain. Ms. Cope said that the City would still expect the County to move forward with an effort to disconnect the downspouts.

Amanda Cope stated that if Brian Julian gets a price, on Section I of this project, to the City that is agreeable, they will proceed with that portion of the project.

James Crowl made a motion to pay for the re-engineering of the rain garden, in the amount of \$1,500.00. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Gary Fair reported that the new proposed parking lot at Martha and Wall Street, with the rain gardens, will cost \$46,150.00. Mr. Fair said that 60% of that will be paid from the grant and the County will be responsible for \$18,335.00 and the MSD will pay that amount as well. Lynne Liechty made a motion to approve moving forward with the parking lot with MSD and pay the County's portion from Cum. Cap 1138-000-4000.15. James Crowl seconded that motion and the motion carried with three (3) ayes.

Mr. Fair stated that he will be working with Delta T to get the maintenance contracts to the Commissioners for the next meeting.

Gary Fair submitted two (2) invoices from Delta T, repairs to the MSD Tower HVAC, in the amount of \$392.88 and another for repairs to the Community Center HVAC, in the amount of \$836.00. James Crowl made a motion to approve and pay the invoice in the amount of \$392.88 from CAGIT 1110-000-3000.39 and to pay the invoice in the amount of \$836.00 from the Repair & Maintenance Community Center 1000-161-3000.53. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Frank Charlton, Plan Commission, came to the Commissioners regarding a vacation of a platted right of way in the plat of Moonlight Bay VPW-16-02. Mr. Charlton said that this matter came to the Plan Commission on April 6, 2016, and it comes to the Commissions with a negative recommendation with five (5) nays and two (2) ayes and one (1) abstention. Mr. Charlton stated that the Petitioners, Mr. and Mrs. McGuire are in attendance as well as some remonstrators. Commissioner Smith stated that there is a three (3) minute limit for people to speak during the public hearing.

Frank Charlton stated that a petition in favor of the vacation, signed by the surrounding landowners, has also been submitted to the Commissioners regarding this matter.

Patricia McGuire thanked the Commissioners for allowing them to speak. Ms. McGuire stated that she and her husband Kenneth McGuire are the original petitioners. Ms. McGuire stated that they obtained a boundary survey and feel strongly that along with the Steuben County Plan Commissioner, they researched the legal descriptions, pulled parcels and plats as well as public deeds to verify that everything was correct. After doing so, Ms. McGuire said that they were secure in their decision to pay the application fee and move forward. She said that they request to vacate the roadway for the following reasons:

1. The platted road is no longer the traveled road.

2. It is surrounded on three (3) sides by private property and has no access to the water or any other public place.
3. Using the road in question to access the lake would involve trespassing on private property at any given point.
4. The Carver Ditch or Creek may also come into play as the platted road ends prior to the Carver Ditch and runs through private property on the Johnson's land; however, the Creek or Ditch can be accessed by the Long Lake Cottage Owners Association Property located to the north of the McGuire's property on Lot 35.
5. Liability: Should anyone cross that road to get to the lake they are crossing private property as agreed by the attorney who was present at the board meeting.
6. This is a non-public access lake.
7. The original platted road is not an easement and it is not lake access, which was also agreed to by the attorney.
8. Actual lake access for the Long Lake Cottage Owners Association is located in the Moonlight Bay Subdivision on Lots 8 and 9 each of which is five (5) feet across totaling ten (10) feet wide and leading directly from Long Lake Road to the lake known as Long Lake. This property is located between 2085 and 2095 W. Long Lake.
9. Vacating this platted road would not deny anyone who lives on W. Long Lake Road access to the lake.
10. The majority, if not all, of the owners on W. Long Lake Road also have their own lake access on their own private property.
11. Vacating the road as previously requested would connect four (4) parcels owned by the McGuire's, makes the property more desirable and increases the property value.
12. The road ends where it does because there used to be a home on lot 18 (2175 W. Long Lake), that house was completely demolished over 30 years ago and the McGuire's now own that property.
13. They cannot obtain the homestead exemption on anything that does not connect and the road hinders that exemption.
14. This portion of the platted road in question has always been taken care of by the current landowners of 2185 and 2165.
15. Neither the County nor the Long Lake Cottage Owners Association maintains the platted road.
16. The previous owners parked in that area and the McGuire's were told they could also park in that area; however, they have been told by one individual that while others can park there, they cannot.
17. The McGuire's have obtained and submitted a petition in favor of vacating the platted road.

Robert Glick, 2035 in Moonlight Bay, stated that his name is on the petition in favor of vacating the platted road. Mr. Glick stated that he believes that this is all because of one family trying to run the whole lake, they are acting like bullies and there are too many people following them.

Jackie Eggington, 2165 in Moonlight Bay and owner of a garage across the street from the McGuire's also addressed the Commissioners. Ms. Eggington stated that the school busses used to turn around there and she had no problem with that. She stated that they inadvertently started parking their camper there and let another neighbor park their pontoon and fishing boat there which took up the entire area where the school bus turned around. Ms. Eggington stated that those items can be moved so the school bus can then again back up and turn around there.

Ronald Smith gave the opposition the opportunity to speak.

Kenny Frye, 2050 W. Long Lake Road, stated that he's the President of the Long Lake Association and is the apparent "bully" in this situation. Mr. Frye stated that people don't have to trespass at all times to get to the water through that easement because the water level fluctuates. He said that other people are not allowed to park there. Mr. Frye said that he received a phone call complaining about the McGuire's parking on the platted road and that is the only reason he went and said anything. The previous owners received letters from the Long Lake Association about parking on the property as well. He said that there is no place on that dead end road for people to turn around and for 100 years that road has been there for people to access the lake without any problems and he said that the McGuire's knew that road was there prior to them purchasing the property. Mr. Frye stated that he does not think the road should be vacated because there is a need for a public turn around.

Mr. Frye stated the Long Lake Association owns and pays taxes on the road that goes to the north. The Association had to purchase that property to give the landowners on the other side of the creek access to the road. Mr. Frye stated that currently the school buses are turning around on property owned by his father due to the school bus hitting the Eggington's garage in the past. Mr. Frye reported that the water level is up to the stakes and you can walk from the roadway to the lake and everyone uses that in the wintertime because that area freezes over faster than anywhere else. He feels that the property should be turned into an actual turn around and make it go back to the stakes so the buses and the garbage trucks can turn around. James Crowl asked if the McGuire's could park there and Mr. Frye stated that not on a permanent basis as they have parking on the other end of their house. Mr. Frye said that the McGuire's were told about the roadway and other people use it at times, but no one permanently blocks it.

Ronald Smith stated that the Board of Commissioners are trying to decide whether or not they are going to allow for the vacation of this piece of property and they understand there are individuals that would be affected. James Crowl stated that this matter came to the Commissioners as a 5-2 and one (1) abstention, against; however, at that time the petition in favor of vacating the right of way was not submitted and the Plan Commission did not see that document. Commissioner Crowl stated that the petition in favor sheds some light on the situation and there's people willing to step up and put their name on the document requesting to vacate the right of way. Commissioner Crowl stated that if the Petition signed by all the landowners came to the Plan Commission, it is his opinion that the vote would have been different.

Lynne Liechty stated that she was at the property last week. She said it looked like the road ended fifteen (15) feet into a property and it was currently being used for parking and she didn't see a problem. She said that both homes adjacent to that property didn't have enough room in other areas for parking. Commissioner Liechty said in her opinion she would side with the McGuire's.

Ronald Smith stated that he believes that the Plan Commission has given the Board of Commissioners a directive.

Lynne Liechty made a motion to vacate the platted right of way and to approve Ordinance 3135. James Crowl seconded that motion and the motion carried with three (3) ayes.

**Second and Third Readings
Steuben County, Indiana
Ordinance No. 3135**

Thereupon, County Commissioner, James Crowl 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. 3135, 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 Lynne Liechty and was on the call of the roll adopted by the following vote:

Ayes
3

Nays
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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:

Ayes
3

Nays
0

The County Auditor then read aloud the title of said Ordinances for the second and third readings. Thereupon, County Commissioner, Lynne Liechty, 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 James Crowl 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. 3135, 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. 3135 is on file in the Auditor's office. Ordinance No. 3135 reads as follows:

ORDINANCE NUMBER 3135

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

REGARDING THE VACATION OF A PLATTED RIGHT-OF-WAY, IN THE PLAT OF MOONLIGHT BAY

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

WHEREAS, the Petitioners own or have legal interest in certain real estate which is contiguous to the platted way or place proposed for vacation;

WHEREAS, notice by publication to the population at large by legal ads placed in the Herald Republican on April 21, 2016 and notice by certified mail to abutting property owners no later than April 22, 2016, has been properly made consistent with Indiana Law;

WHEREAS, the Petitioners have 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 public 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:**

*A portion of the Plat of Moonlight Bay, Steuben County, Indiana, more particularly described as follows: Beginning at the Southeast corner of Lot 35 in the Plat of Moonlight Bay as recorded in the Steuben County Recorder's Office; thence South 01°04', East on the Southerly extension of the East line of said Lot 35 a distance of 25 feet to the North line of Lot 17 in said Plat; thence North 81°03' West on the North line of Lot 17 and Lot 18 in said Plat a distance of 100 feet to the Northwest corner of said Lot 18; thence North 01°04' West on the Northerly extension of the West line of Lot 18, also being the Westerly line of said Plat; a distance of 25 feet to the Westerly extension of the South line of said Lot 35, also being the North line of the Platted Street in said plat; thence South 81°03' East on the North line of said Platted Street a distance of 100 feet to the Point of Beginning. Containing 0.06 acres, more or less
Subject to an electrical easement for overhead power lines and gas line easement*

THENCE, all of said vacated portion of the platted way, described in the attached description, shall pass in fee title to the owners of the adjacent property to the north and south.

Map# 76-11-16-110-113/114-000-017; 76-11-16-110-326.000-017 and 76-11-16-110-324/325.000-017

STEBEN COUNTY BOARD OF COMMISSIONERS

5/2/2016
First Reading

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

5/2/2016
Second Reading

5/2/2016
Third Reading

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

Donald Stuckey, County Attorney, opened the single quote that was received from Steury Builders, in the amount of \$64,500.00, for the concrete parking area at the County Park Event Center. James Crowl made a motion to approve the quote from Steury Builders, in the amount of \$64,500.00. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

David Koenig, EDC, provided an update to the Commissioners and talk about future involvement in advancing the \$250,000.00 grant that was awarded last December for the Workforce Development Program through the Indiana Office of Community and Rural Affairs. Mr. Koenig also submitted an amended budget to the Commissioners.

David Koenig stated that the grant amount of \$250,000.00 was reserved specifically for acquisition of equipment (welding stations, CNC lathes and CNC mills and computers) the other intent of the grant was to go toward tuition programs for state residents that meet income eligibility guidelines. Mr. Koenig stated that one of the things required for Community Development Block Grant Funds is to have a certified grant administrator. Jessica Grossman, Region IIIA, submitted a contract to Donald Stuckey for review and to have the Commissioners approve at their next meeting.

Mr. Koenig stated that the first step would be equipment acquisition and that deadline is June 20, 2016.

David Koenig reported that the EDC acquired the Enterprise Center Facility in May, 2015 and relocated their offices. Mr. Koenig said that they found some revenue to help them through the winter and things are going well. He said that the past six (6) to nine (9) months they have been raising money through businesses, individuals, industrial guild and charitable organizations.

Mr. Koenig said that the County sets funds aside every year for shovel ready sites and the work has been completed for Fremont, Orland and Angola. Mr. Koenig said that he had talked to the Commissioners awhile back and the funds in that line item total \$50,000.00 and he would like to request to put \$5,000.00 of that into driveway improvements for Lurecraft after Maple Street is constructed. Mr. Koenig also requested \$5,000.00 to help pay for the extension of iMAN into the Amcast Building where Carver Non-Woven Technologies just announced plans to invest about \$15 Million into the facility to create over 100 excellent paying jobs. He further requested that the remaining \$40,000.00 be put into the Enterprise Center so they can further strengthen the application to the Regional Cities.

Ronald Smith stated that Mr. Koenig is wanting to know if the Commission Board is willing to allow him to use the money that has been set aside for shovel ready to be used in this project, some \$40,000.00. James Crowl asked if County Council's opinion should be obtained. Ronald Smith stated that the funds are already in the budget. Lynne Liechty asked how much money was in the line item. Kim Koomler, Auditor, stated that there is \$50,000.00 in that line item that has not yet been spent this year. Lynne Liechty made a motion to permit the Economic

Development Commission to use those funds in the Shovel Ready Site line item. James Crowl seconded that motion and the motion carried with three (3) ayes.

David Koenig asked Donald Stuckey, County Attorney, if it was possible to speak to him about the procurement process. Donald Stuckey said that could be done.

Dane Goshorn, County Park Superintendent, reported to the Commissioners on his findings regarding the prices of boat mooring slips. Mr. Goshorn stated that Casey's Cove on Crooked Lake charges \$1,200.00 with a \$200.00 in store credit, Dry Dock on Lake James charges \$1,000.00 and Hamilton Lake charges \$600.00. Lynne Liechty made a motion that the seasonal campers will receive one (1) boat mooring slip with their campsite; however, if they wish to have an additional boat mooring slip, they will have to pay \$600.00. If there are boat mooring slips available, the public may rent them for the season for \$600.00. Commissioner Liechty further stated that the charges will be effective as soon as they are posted on the website for the public to see. James Crowl seconded that motion and the motion carried with three (3) ayes.

Dane Goshorn also discussed the contract with the mowing service at the Clear Lake Beach. Mr. Goshorn stated that he can keep up on the mowing and trash pickup and he does not see a need for a contract. James Crowl made a motion to accept Mr. Goshorn's recommendation to not extend the mowing and trash pick-up contract. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Robert Hardy, Public Defender, came to the Commissioners to discuss and answer any questions regarding the action taken by the Public Defender Board in consolidating Robert Hardy's part-time public defender position and Hugh Taylor's part-time public defender and managing public defender position to create a full-time managing public defender position.

Mr. Hardy stated that Hugh Taylor had come up with this plan before he had become ill. He said that right now the public defenders are divided by the Courts so if the managing public defender was in two (2) slots, then he/she would be in both courts making it easier to oversee what is going on. Mr. Hardy said that if Mr. Taylor had not become ill, he would be making the same proposal but Mr. Taylor would be in the position, not himself. Donald Stuckey said that he has no problem with this situation. Ronald Smith said that a recommendation is needed to go to Council and then they will decide what to do on the fiduciary side. James Crowl made a motion to approve the request to combine Mr. Hardy's current public defender position with Hugh Taylor's managing public defender position to create one full-time position. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Jennifer Sharkey, County Engineer, submitted NIPSCO utility permit #2731RC and #2732RC and Granite Ridge Builders utility permit #2762. Lynne Liechty made a motion to approve the utility permits for NIPSCO and for Granite Ridge Builders. James Crowl seconded that motion and the motion carried with three (3) ayes.

Ms. Sharkey reported that the guardrail located at 200 N/200 W was fixed on Friday.

Jennifer Sharkey said that the limestone cap was placed on the Bike Trail at the roundabout and final activities are being scheduled.

Ms. Sharkey stated that API has set up the maintenance of traffic for Maple Street and they have also completed saw cutting of the pavement.

Ms. Sharkey said that the consultant on the 200 N/SR 827 project had several questions before they get the right of way process in place. Jennifer Sharkey asked to confirm the official title of the Board of Commissioners. Donald Stuckey stated that he always preferred Steuben County Board of Commissioners, with the identify factor first. Ms. Sharkey asked if the County waives partial mortgage releases and at what threshold. Donald Stuckey stated that he would not waive the partial mortgage releases; however, it depends on what the mortgage says. Mr. Stuckey stated that potentially, you could waive it on the right mortgage, but he wouldn't waive the mortgage release. Jennifer Sharkey submitted a reimbursement voucher for the design services in the amount of \$18,180.05. James Crowl made a motion to approve that reimbursement voucher. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Jennifer Sharkey stated that the application for Phase II of 200 N has been assembled and needs approval by the Council. Once that is completed she will submit it to the state for the call for projects.

Ms. Sharkey stated that at the last Angola City Council meeting they approved to partner with Steuben County for the design of phase II of the Bike Trail and the amount set during that conversation was \$78,000.00. Ms. Sharkey submitted the Interlocal Agreement for approval and signatures. She said that the agreement outlines the amount and gives some flexibility where future partnerships could commence if both parties agree. Lynne Liechty made a motion to approve the Interlocal Agreement with the City of Angola for the design of phase II of the Bike Trail. James Crowl seconded that motion and the motion carried with three (3) ayes.

Jennifer Sharkey stated that there is another meeting for the proposed toll road interchange on May 12, 2016.

Ms. Sharkey reported that the 200 W Beautification Committee has another meeting scheduled for later this month. She said that she has been coordinating with INDOT regarding the "Welcome to Steuben County" sign placement. Ms. Sharkey also stated that she has a landscape plan and estimated cost being drafted. Jennifer Sharkey stated that the Highway Department is paving from CR 100 N to CR 200 N on 200 W. She also reported that the Tourism Bureau is putting estimates together for the welcome signs.

Jennifer Sharkey said that they are crack sealing Old 27 and then doing a double chip and seal this summer.

Ms. Sharkey submitted the proposed 2016 road work to utilize the funds from SB 67. She asked for permission to approach the Council to request them to set aside \$500,000.00 of those funds into the Rainy Day Fund to provide matching funds for the Local Road and Bridge Matching Grant Fund that was established under HB 1001.

Emmett Heller, Highway Superintendent, stated that they secured part of the material needed for the chip and seal this year.

Mr. Heller stated that last week they received the retriever so they can start working on the berms and they think that it will be a good piece of equipment to have.

He reported that the chassis that was purchased with the Riverboat funds is now in New Haven and is being prepped and hopes to see it this week. Mr. Heller also reported that the truck that is in the shop should be finished by the end of the week and hopefully the #44 truck will be repaired soon as well.

Emmett Heller said that they have installed eight (8) new culverts in the last week.

He reported that crack sealing on Old 27 is progressing; however, the weather is not helping with the process.

Ronald Smith discussed the rental equipment insurance coverage. Emmett Heller stated that, at first, they were not aware that there was a rental cap. He said that the first concern that he has is that if the Highway Department does their own full depth reclamation, the coverage needed for that machine is about \$500,000.00. Mr. Heller said that currently, they can stay under that \$250,000.00 rental equipment insurance coverage cap so an increase is not needed at this time.

Toby Steffen, Butler, Fairman & Seufert, came to the Commissioners regarding the contract they requested for review of the proposals to make sure all criteria is met for the design build portion of the Radio Project. Mr. Steffen stated that the contract is for \$1,500.00 per proposal to review, with a maximum of \$4,500.00. Lynne Liechty made a motion to approve the contract for \$1,500.00 per proposal with a maximum of \$4,500.00. James Crowl seconded that motion and the motion carried with three (3) ayes.

Marty McNeal, Investigator, came to the Commissioners regarding repairs that are needed to his vehicle. Mr. McNeal said that it will take approximately \$1,100.00 to repair his vehicle. It needs a wheel bearing, a sensor cable, four (4) new tires and routine maintenance. Mr. McNeal said that the Sheriff's Department is getting ready to

decommission three (3) vehicles and would take one of those if one was available as this vehicle is a 2005 and has over 135,000 miles on it. James Crowl made a motion to allow Mr. McNeal to fix what is needed on his current vehicle. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Donald Stuckey submitted a Tax Deed for the Wildwood Addition property. Lynne Liechty made a motion to approve the tax deed. James Crowl seconded that motion and the motion carried with three (3) ayes.

Donald Stuckey, submitted a Corporate Warranty Deed and Sales Disclosure Form for the Prairie Heights School property that the school is donating to the County. Lynne Liechty made a motion to approve and sign the Corporate Warranty Deed and Sales Disclosure. James Crowl seconded that motion and the motion carried with three (3) ayes.

Erin Wray, Commissioners' Secretary, asked the Commissioners if they were planning on attending the IACC District Conference. Ronald Smith and Lynne Liechty said that they plan on attending. James Crowl and Kim Koomler said that they are undecided.

The Commissioners conducted interviews for the Courthouse Maintenance Position. James Crowl made the motion to formally offer the Courthouse Maintenance Supervisor position to Rick Meyers. The Commissioners directed Erin Wray to post the job for the Annex Maintenance position.

Donald Stuckey reported that the State is requiring that a materiality ordinance or resolution be passed by the County Commissioners before June 30, 2016. Mr. Stuckey stated that the ordinance states that people who work for the County or Public Officials that handle money, have to report to the Board of Commissioners if they are out of trust by "X" amount of dollars. Mr. Stuckey stated that the Commissioners have to select the "X" amount of dollars. The Commissioners then will have to report the discrepancy to the State Board of Accounts. Mr. Stuckey said that in a large county the amount may be a larger than in a smaller county and that this is assuming there has been no illegal activity because if there has been, then it has to be reported to the State Board of Accounts no matter what the dollar amount is. Donald Stuckey stated that he has the ordinance drafted, he just needs the number. Kim Koomler, Auditor, stated that it is mandatory and a lot of the surrounding counties are doing a \$500.00 limit on the lowest amount before you have to report to State Board of Accounts. Ms. Koomler said that LaGrange County is doing \$1,000.00 on property and \$500.00 on cash and that seems to be the standard in the area. Kim Koomler also told the Commissioners that an internal control policy has to be put in place as well.

The Commissioners received the following correspondence: Administrator@co.steuben.in.us re: Website Contact Request; Indiana State Department of Agriculture re: Meeting Notice; State of Indiana re: One Time Special Distribution per SEA 67; DLGF re: April 25 email from Commissioners Schaafsma; Wesley Stewart, Granicus re: Public Record; IDEM re: 2016 Indiana Governor's Award for Environmental Excellence; Indiana State Department of Agriculture re: Meeting Notice; YMCA of Steuben County re: 2016 Golf Outing; Indiana State Department of Agriculture re: 2015 Survey Results; DHS re: Crit-Ex Cyber Exercise; Karole Tao Interactive re: Followup; NEIndiana re: News Release; IN.gov re: OCRA & IHCDA Webinar; NEIndiana re: RTOM.

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
elw