

STEUBEN COUNTY BOARD OF COMMISSIONERS &
STEUBEN COUNTY COUNCIL JOINT MEETING
May 23, 2016

The Steuben County Commissioners and Steuben County Council met at 9:00 a.m. on Monday, May 23, 2016, in the Commissioners' Room of the Steuben County Community Center. Present this day were Commissioners Ronald Smith, James Crowl and Lynne Liechty and Council Members Rick Shipe, Jim Getz, Dan Caruso, Wil Howard, Ruth Beer, Linda Hansen and Ken Shelton. Also present was Kim Koomler, Steuben County Auditor.

Ronald Smith stated that the first item of discussion is the MSD Tower Agreement and Deed. Commissioner Smith stated that the last time it came before Council it was put on hold. A meeting was then held with the Courthouse Study Committee where the matter was discussed and they felt that the MSD Tower was not a proper place to have a judicial center.

Rick Shipe stated that the Commissioners have already signed the document and it is awaiting action of the Council because any sale of county property also has to be approved by the Council.

Ken Shelton stated that he was at the Courthouse Study Committee Meeting and the Judges unanimously said that they had no interest in the MSD Tower or the Community Center. Mr. Shelton said he wondered if there would be any regrets selling it to MSD or if there was any possibility for other usage of that part of the building within the County structure.

James Crowl said that repairs need to be done on the tower and MSD is going to take over that responsibility. Gary Fair said that in the next couple years close to \$200,000.00 could be spent on repairs and possibly \$100,000.00 could be spent this year.

Lynne Liechty asked Gary Fair how many unoccupied offices were in the Community Center. Mr. Fair stated that there are three (3) with the Attorney General and they have been asked that area not be shared with anyone unless a doorway is put up so their area is private. Mr. Fair said that the MSD has rented the facility for the past twenty (20) years and in the beginning they took care of all of the maintenance even though it was not stated in their rental agreement. It was then realized that MSD was under no obligation to take care of maintenance repairs and that is when this idea first came to the table. Dr. Wilson believes that \$500,000.00 worth of upgrades are needed to the MSD Tower.

Jim Getz stated that he was also at the Courthouse Study Committee Meeting and he went and looked at the MSD Tower and the area of the proposed parking lot. Mr. Getz said that he was an advocate, at the last Council Meeting, for tabling this item until he could personally see the area. Now having seen the MSD Tower, he said he is leaning toward the sale and the completion of the new parking lot.

Rick Shipe asked if the MSD Tower was separate electrical. Gary Fair stated that it was and the only thing shared is the security and fire system. He said that it could be separated; however, it is not necessary.

Bill Schmidt asked if the sale of the MSD Tower impacted the Multipurpose Room. James Crowl stated that room would stay with the County. Gary Fair said that the elevator off of 400 Martha Street is the only portion of the first floor that MSD would receive.

Dan Caruso stated that he believes it is very important that the Judges are given some endorsement of what they like, what they don't like and have them weigh in with the Commissioners and the Courthouse Study Committee, especially if engineering work is done.

Jim Getz made a motion to entertain the sale of the MSD Tower as written. Dan Caruso seconded that motion. Rick Shipe called for the final vote and the motion passed with six (6) ayes and one (1) nay.

Ruth Beer stated that it isn't that she disagrees with the sale and she understands that the decision needs to be made for MSD, she just wishes that it could have been taken into consideration during the feasibility study that the Commissioners plan on having done.

Ronald Smith stated that there is no waiting period and with today's action, the tower will be added to the MSD's ownership and maintenance will be their responsibility. Commissioner Smith thanked the Council for passing the Agreement.

Ronald Smith gave the Council an update on the County Park Event Center. He said that the Commissioners are still waiting on the rates and the C&R' along with the various things that go with renting the facility. Lynne Liechty said that information has been sent to the County Attorney and she is not sure when the documents will be completed. Ronald Smith said that those documents need to be done by the end of the month.

Ronald Smith stated that Potawatomi Inn rents for approximately \$2,000.00 on a weekend and at the current time no rate has been set for the County Park Event Center. Other venues have asked if the County was going to undercut the rates and take potential clients. Lynne Liechty said that she would recommend a rental rate of \$1,500.00 on a weekend.

Dan Caruso said that it is very important that the County is fair to private enterprises in town. Mr. Caruso said that at the County Park Improvement Committee discussed putting a certain amount of equipment in that would make the kitchen practical for caterers and the quotes are less than expected. Mr. Caruso said that the appliances will be commercial if the electrical can be modified and the floor space is available. Dan Caruso said that the Committee needs to select what pieces of equipment are needed so it can be installed quickly.

Mr. Caruso said he hopes that there will be a preferred caterers list for renters to choose from. The Commissioners noted they need to work with Donald Stuckey to get a contract around for the caterers as well. Lynne Liechty said that currently they are looking at having a list of high, mid and low price range caterers.

Ronald Smith recommended scheduling another County Park Improvement Committee on May 31, 2016, in the evening. Commissioner Smith stated that he spoke with Leroy Steury and Marcus Miller, Electrician, regarding the three (3) bay sink along with some other issues and everything should be all set.

Ruth Beer clarified that the \$1,500.00 rental rate is for the prime time; however, for the prime time events there's bartenders included and she wondered if the proper facilities were available for bartenders. Dan Caruso said that he has an ice machine quote if the Commissioners decide to go ahead with an ice machine, if not, there is also a quote for a large upright freezer where purchased bags of ice could be placed. Mr. Caruso also said they talked about a keg refrigerator so there aren't ice bins with melted ice. He said that the Commissioners will need to choose which appliances they want installed.

Rick Shipe reported that the proposed well is a 5" plastic well with a 60 gallon a minute, constant pressure, pumping system in it. The depth is to be determined once the well is drilled and horsepower will also be figured out. He said there are two 2" lines that run to the current well and it was decided to run extra conduit overhead through the building to get back out to the well, so the extra 2" line can be saved for future use.

Ronald Smith said that Mr. Steury is waiting until the water is completed before he starts on the concrete parking area. Commissioner Smith said the asphalt still has to be staked out by himself and Commissioner Crowl.

Lynne Liechty stated that the Commissioners are partnering with the Steuben County Community Foundation and iMAN for the fiber connection. Commissioner Liechty said that partnering with them would save approximately \$45,000.00. In order to have security and internet at the County Park, the fiber has to be ran. She said that it also allows for other businesses along 200 W to connect. Rick Shipe asked if the County Highway was going to be connected. Lynne Liechty said that they will not be connected at this time, but it can be done in the future. James Crowl said that the Campground can be added in at a later date as well. Ronald Smith stated that it will cost \$90,000.00 to get the fiber to 175 and then it will cost \$9,000.00 to run it back to the Event Center. Dan Caruso asked if the \$99,000.00 will be coming out of the line item for the Event Center. Lynne Liechty stated that Mr. Caruso was correct.

James Crowl reported that the 4-H Fair is the third week in July and the non-animal exhibits will all be displayed in the new Event Center so people can see the beauty of the building.

Ken Shelton asked if there was a fee associated with the County Fair Board or Purdue Extension to use the Event Center. It was stated that no money is received from the County Fair Board and rent is not received from Purdue Extension. Ronald Smith said that it is beneficial having a five (5) day presence of individuals using the facilities. He stated that Purdue Extension will not be in the Event Center "main room" and there are different heating and cooling zones.

Linda Hansen asked if it was always the intention to move Purdue Extension out to the Event Center. Ronald Smith said that it was always the intention. Ms. Hansen asked if the Commissioners have a vision for the space that Purdue Extension currently occupies in the Community Center. Ronald Smith said that he is not sure what will happen to that area. Lynne Liechty said that Council on Aging has asked to utilize the area that will be vacant. Ms. Hansen said that Council on Aging has been threatening to leave for the last five (5) years, so that may not be a viable solution and it would still leave space open as they are just moving from one office to another. Dan Caruso asked if the Purdue Extension would be paying utilities at the Event Center. Ronald Smith said that they have not scheduled for that to be done. James Crowl said that in other counties, the Extension Office is located in the event centers and they actually handle all of the scheduling of events which may be a possibility in the future. Dan Caruso stated that he hopes that the County is looking for some replacement source for the additional expenditure, both the capital expenditure with providing them with a brand new space and the ongoing operating expenditure of them being out there without contributing. Ronald Smith said that Purdue Extension does not contribute at the Community Center. Ken Shelton said that there is also the added expense of running iMAN to the building as well as the security system costs. He said there seems to be a considerable overhead there for the benefit of the Extension Office. James Crowl said that their presence at the County Park is a benefit for the entire county and they will be using the building a lot for meetings, etc., after hours.

Ronald Smith explained that when this project first began, they were going forward according to the directions from FEMA and when they pulled the plug on the entire State of Indiana they shot us in the foot. He also stated that the Event Center will be used as a PSAP. Linda Hansen said that her concern is public transparency and there hasn't been a lot of notice to the public about what is happening out there. She said that the public needs to know that the County Extension Office is moving from the Community Center to the Event Center and the benefits that go with that process. Ronald Smith said that the Park Board Meetings are advertised and if the public is truly concerned they can come in and speak.

Ronald Smith spoke about the proposed Arena Building. He said that the current structure is undersized and not handicapped accessible. Commissioner Smith said that something is going to have to be done where a new arena is concerned. Lynne Liechty said that she has talked to the Community Foundation and this project will be done by donations and will be built according to what the donations bring in. Currently, the plan is to build a 375' x 340' covered arena with two enclosed sides. She said that it will be ADA accessible and it will be set up with concrete going approximately a little over half way around inside so different types of events can be held there. Commissioner Liechty said that it is an open concept building and even the bleachers can be spun around and be used in different formations. She said that she has been meeting with people to get private interest in it and she has more meetings scheduled. Jennifer Danic, Community Foundation, is willing to set up a pass through fund so that any of the donations can be tax deductible. The County will then need a line item in order to pay for things. Lynne Liechty stated that this fund won't just be for this project, but for all projects related to the Event Center or the Arena. Commissioner Liechty said that she is estimating the proposed building to cost over \$1 Million. She said she believes that the rental rates will be high enough where it would more than cover the maintenance costs.

James Crowl stated that the Arena Building will be used for the 4-H Fair for one week out of the year; however, it will be used by several other groups and will be used for many events. He said that the current buildings have been taken care of by the 4-H kids and families, not by tax dollars. Dan Caruso asked if staffing requirements were known. Lynne Liechty said that Purdue Extension expressed interest and would also do the cleanup of the Arena. Dan Caruso said that he would like to get a more formal conversation going with Purdue Extension. Lynne Liechty said that she won't be taking any donations until the full plan is in place. Dan Caruso said that the County is

not in the strongest position to negotiate responsibilities that Purdue Extension will have because they have received everything they were told they would get.

Wil Howard asked if it was the intention to raze most of the other buildings when the new arena is built. Lynne Liechty said that is her intention and to clear it out for more usable things. Mr. Howard said that all of the upkeep has been done through the 4-H kids and their generosity and now the expense is going to be shifted to the County. James Crowl said that was correct and that every time those buildings are rented the County has gotten the money. Rick Shipe said that was the price for being able to put the buildings on County owned land.

Dan Caruso said that he wants to be careful throwing around terminology saying what a "cash cow" this is going to be. Mr. Caruso said he believes it is important that revenues and expenses are understood. He reported that he has summarized where they are to date with current expenditures, but the new operating costs haven't been calculated. Mr. Caruso said he wants to be clear to the public that the County is not building a "cash cow" but building something that will produce strong revenue streams to offset the expenses. He believes that this has the potential to be revenue neutral or better and if it were to break-even it's a win.

Jim Getz stated that people come up to him and they don't say, "why don't you spend more money at the park" they say, "why don't you spend the money on this, or on the courthouse, etc." Mr. Getz said that if it's such a "cash cow" he's having trouble understanding why somebody doesn't form a not for profit, take the donations and use County land and operate this "cash cow." A lot of money was spent on the Event Center and a lot more is going to be spent, he thinks maybe the process should be slowed down to see how the management and the rental of the Event Center goes before the hat is thrown into another entity. Ronald Smith stated that they are separate issues and they are not piggybacked. The improvements made to the campground have generated additional income and will continue to do so; however, that revenue is designated and it goes to County General. Ronald Smith said that he does not like the term "cash cow" either and that isn't what they are wanting, they are wanting this to be a self-sustaining.

Linda Hansen said there is no question that they need to sit down and take a look at things. She said everybody needs to understand that there is no way to replace the foundation of what is in place in County General; however, she said it can be treated like a TIF District. Ms. Hansen said she believes there is room to negotiate that process as long as it is understood the language to be self-sustaining is going to be difficult to do without taking away our foundation. Ronald Smith said that it is already self-sustaining because a return is being generated and there is going to be additional revenue. Dan Caruso said future revenues should always be open for discussion in regards to future directions and not they should not be isolated to a certain group. Kim Koomler said that it is her understanding that the revenues cannot be put in a separate fund unless the Park Board separates itself and has its own revenue and expense stream. Ronald Smith stated that the County Attorney recommended not going that direction. Linda Hansen said that she thought they were always talking about it being in the General Fund but they can budget based upon the request to County Council through a County Park budget, inside County General. Kim Koomler stated that until the issue is resolved through budget, the bills will have to be paid through additional requests.

Lynne Liechty stated that the Community Foundation will hold any donations and then release that money back to the County in a line item so bills can be paid. Wil Howard asked if they were going to hold that funding to a point where it's enough to put the Arena Building up and then transfer the funds. Lynne Liechty said that she would prefer that. James Crowl said that he believes a line item should be created immediately to show the public that the County is serious about this. Dan Caruso asked if Lynne Liechty would have projected use and revenue projections on the new Arena Building, including how many times it would be rented and at what rate. Commissioner Liechty said that a discussion will be had and the Park Board will discuss those rates, but she will give an estimate with everything broken down.

Linda Hansen asked Kim Koomler what she needs in respect to this matter. Ms. Koomler said that at the last meeting it was said that the fund had to be established on the county side or the Community Foundation wouldn't be able to accept funds, now we are being told that the fund is not needed. Lynne Liechty said that the Community Foundation is willing to hold the money if the County has a line item after the funds are complete so that money can be put into the line item. Linda Hansen asked what Commissioner Liechty meant by "funds complete." Lynne Liechty said that means when the estimated funds needed for the project are in the fund, then it

can be released to the line item. Kim Koomler stated that if the line item has to be established, then the ordinance has to be approved by Council. Kim Koomler said that the line item was just for the Arena Building, but now it needs to be amended to include the Event Center. Linda Hansen asked if the funds were going to be co-mingled or if two (2) separate lines are to be set up. Lynne Liechty said she would like to have two (2) separate. Kim Koomler said that if that's the case, a separate ordinance will be needed for both.

Kim Koomler submitted the April, 2016 Council Meeting Minutes for approval. Linda Hansen made a motion to approve those minutes. Ruth Beer seconded that motion and the motion carried with seven (7) ayes.

At the last meeting, Gary LeTourneau, Communications Director, submitted a request for an additional, upon transfer availability. Kim Koomler stated that they found that there was an additional \$20,000.00 in the regular wage line item, which was transferred. Ms. Koomler also stated that there was \$18,000.00 that was also found and transferred, which would leave approximately \$9,000.00. Kim Koomler reported that it has already been done, she just wanted to keep the Council up to date.

Kim Koomler reported that she and Lori Hickey, First Deputy Auditor, are going to be gone at Auditor's Conference this week, but she will be available if needed.

Ronald Smith gave a status report on the Courthouse Study Committee. He said that a RFP has been drafted to send to consultants for a feasibility/needs study for the Courthouse Improvement Project. Commissioner Smith said that this means that the County is going to have to spend some money to do a study and there is no estimation on how much that study will cost. The Commissioners requested that the RFP's be due at the July 18, 2016, Commissioners' Meeting. Jim Getz stated that he and Mr. Shelton have been to those meetings and they have been meeting regularly with the Committee. Mr. Getz said that he is for the fact that we need to get some help with this, but it is not an open line item and the Commissioners have monies that could be used for this study as well.

Ken Shelton said that Judge Coffey did a lot of work on locating a consulting firm that works on Judicial Centers and there was a possibility of some grant funds that could be used, which would possibly reduce costs. Mr. Shelton said that he would like to explore that option to try to keep expenses down. James Crowl said that the problem with that particular group was that they were out of Maryland and everything was on travel time from Maryland and back and it was open ended. Ken Shelton said that is a good point and he hasn't itemized the costs; however, he thinks that no matter who is hired, there will always be costs for travel time.

Mr. Shelton said that if this specific consultant has the expertise and could possibly save the County a lot of money, he's not sure the travel time would be that significant. Ronald Smith said that if the RFP is sent out, proposals will be received from the different firms, the County is not committed to anyone and the consultants realize that. Ken Shelton said that he believes it is imperative to keep the Judges involved in this process because they have a working knowledge of what their requirements are and their input is needed. Mr. Shelton said that he guarantees that if the Judges input is not received, there will be some pushback. Rick Shipe stated that the County has a duty to supply the Judges with a facility to run their courts, not give them everything they think they want. They have to have a sufficient courtroom to do their duty. Mr. Shipe believes that the Judge's input is needed, but they aren't going to mandate what is going to be done. Ken Shelton agreed that a mandate was not needed; however, it is his understanding that they could mandate something that Council does not like. James Crowl said that the consultant that Judge Coffey reached out to can bid on the project, just like everyone else.

Mr. Shelton said that needs and wants have to be considered and leading that list should be priorities. He said that he hears about this on a semi-daily basis and when millions of dollars are being spent at the County Park and competing with private enterprise. He said he has a problem with talking about making money on the back of private enterprise when they don't have the funds like County Government. Mr. Shelton said he doesn't believe that we need to be extravagant but he thinks that the needs and priorities need to be met. Lynne Liechty stated that six (6) different engineering companies presented to the Courthouse Study Committee, all of them build Courthouses and each should have the opportunity to submit their own input and then the decision be made from there.

Rick Shipe said that this is just a Request for Proposals and if Judge Coffey already has an RFP from this specific company, we can compare them to the others so an informed decision can be made. Ronald Smith said that the Commissioners are not committed to anyone that submits an RFP and they may decline any and all proposals are

received. Linda Hansen asked if the Commissioners know where they intend to take the money from. Kim Koomler said that Rainy Day was mentioned at the last meeting. James Crowl said that Rainy Day would be the best option. Dan Caruso said that the Judge's views are the most relevant on what is being done and he compared them to Purdue Extension and 4-H "driving the bus" to what is being done at the County Park. Ronald Smith said that he doesn't see anyone "driving the bus" other than the Commissioners. He said if the Judicial Branch is given the idea that the can is being kicked down the road again and again it is not going to go over well. Linda Hansen said that they agree with moving things forward, they just need to decide if they are in agreement with the RFP going forward and if Rainy Day is the appropriate place to pay for it.

Lynne Liechty made a motion to send out the RFP's and fund it from the Rainy Day Fund. James Crowl seconded that motion and the motion carried with three (3) ayes.

Linda Hansen made a motion to approve the RFP going forward and that the study be funded out of Rainy Day if an engineering firm is chosen from the proposals submitted. Dan Caruso seconded that motion and the motion carried with six (6) ayes due to Mr. Getz leaving the meeting early.

James Crowl stated that Wednesday, May 25, 2016, someone from Indiana Landmarks wants to take photos of the Old County Home and if it is okay, he would like to turn that over to Gary Fair. Mr. Fair also stated that the Old County Home property has not yet been mowed and it needs cleaned up. James Crowl made a motion to give Gary Fair permission to hire someone to get the property mowed. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Linda Hansen stated that she would like to make a procedural request in the event that the budget chart of accounts are about to be changed, like Probation and Public Defenders had to do, the Council is given two (2) meetings to digest the information and not have a decision rushed. Ms. Hansen said that Council was inundated with so much information, coming out of the blind and it was information overload. She is requesting that the information is submitted in writing first and then have a discussion to make a decision.

STEUBEN COUNTY BOARD OF COMMISSIONERS

Ronald L. Smith, President, South District

James A. Crowl, Vice President, Middle District

Lynne Liechty, North District

STEUBEN COUNTY COUNCIL

Rick Shipe, President

Ruth Beer, Vice President

Dan Caruso

Jim Getz

Linda Hansen

Wil Howard

Ken Shelton

Attest: _____
Kim Koomler, Steuben County Auditor
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