

STEUBEN COUNTY BOARD OF COMMISSIONERS MEETING
May 18, 2015

The Steuben County Commissioners met at 8:30 a.m. on Monday, May 18, 2015, in the Commissioners' Room of the Steuben Community Center. Present this day were Commissioners Ronald L. Smith, James Crowl and Lynne Liechty. Also present were Ruth Beer, County Council Vice President, Donald Stuckey, County Attorney and Kim Koomler, Steuben County Auditor.

James Crowl made a motion to approve the claims submitted for payment this day totaling \$242,889.46. 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 May 4, 2015. James Crowl seconded that motion and the motion carried with three (3) ayes.

The Commissioners signed the minutes from the April 20, 2015, Commissioners' Meeting, which were approved at the previous meeting.

Kris Treadwell, Steuben County Council on Aging Executive Director, came to the Commissioners for approval of the 2016 INDOT Section 5311 Grant and Authorizing Resolution. James Crowl made a motion to approve the 2016 INDOT Section 5311 Grant and Authorizing Resolution. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

RESOLUTION 05-2015-02

AUTHORIZING RESOLUTION

Resolution authorizing the filing of an application for a grant under Section 5311 of the Federal Transit Act, as amended.

WHEREAS, the U.S. Department of Transportation is authorized to make grants to states through the Federal Transit Administration (FTA) to support capital, operating and feasibility study assistance projects for nonurbanized public transportation systems under Section 5311 of the FTA Act of 1964, as amended;

WHEREAS, the Office of Transit, Indiana Department of Transportation (INDOT) has been designated by the Governor to make Section 5311 grants for public transportation projects;

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of project costs;

NOW, THEREFORE, BE IT RESOLVED BY THE STEUBEN COUNTY COMMISSIONERS:

1. That Ron Smith, President on behalf of Steuben County Commissioners is authorized to make the necessary assurances and certifications and be empowered to enter into an agreement with INDOT for the provision of rural public transportation services.
2. That Kris Treadwell, Ex. Director, Steuben County Council on Aging, Inc. is authorized to execute and file an application on behalf of Steuben County Commissioners with the INDOT to aid in the financing of transit assistance projects pursuant to Section 5311 of the Federal Transit Act, as amended.
3. That Kris Treadwell, Ex. Director, Steuben County Council on Aging, Inc. is authorized to furnish such additional information as INDOT may require in connection with the application.
4. That Kris Treadwell, Ex. Director, Steuben County Council on Aging, Inc. is authorized to execute grant contract agreements on behalf of Steuben County Commissioners.

CERTIFICATE

The undersigned duly qualified and acting Steuben County Auditor, of Steuben County, IN certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Steuben County Commissioners held on May 18, 2015.

If Applicant has an official seal, impress here.

Kim Koomler

Signature of Recording Officer

Kim Koomler, Steuben County Auditor

Title of Recording Officer

5-18-2015

Date

The Commissioners discussed the painting in the Community Center Exercise Room which is rented by Council on Aging. Kris Treadwell stated that they have had a tremendous increase in the Exercise Room and she felt repainting the room bold vibrant colors would be a good idea. Ms. Treadwell stated that they got rid of the murals and they hope to place a chalkboard on one wall so Council on Aging information can be written for the public to see. Lynne Liechty asked if Ms. Treadwell forgot that she needed written approval to paint and/or make alterations to the rental space. Ms. Treadwell stated that she did forget that provision in the Lease. James Crowl stated that he has no problem with the painting. Lynne Liechty stated that she will let it go but the mural has got to be covered completely. Ronald Smith requested that a reminder be sent out to all rental clients reminding them that before alterations are made, they must have written approval from the Commissioners.

Pam Feller, Probation, submitted a renewal for the Bowen Center Contract which was part of the Mental Health Grant that was received from the Judicial Center. Lynne Liechty made a motion to approve the Bowen Center Contract renewal. James Crowl seconded that motion and the motion carried with three (3) ayes.

Pam Feller advised the Commissioners that she had mechanical issues with the Ford Explorer a few weeks back and she had called the Auditor's Office to find out if the County had any roadside coverage. She was told that the County does not have roadside service coverage on their vehicles. Ms. Feller also advised the Commissioners that two (2) Probation Officers were at the Annual Conference in Indianapolis and when the officers went to leave the hotel, they found that all four (4) tires had been slit. Ms. Feller stated that the tow truck was too big to go into the parking garage to get the car so someone from Brown County with a smaller truck had to come and assist. She asked the Commissioners to consider some sort of credit card for the vehicles like the Sheriff's Department has. The Commissioners directed the Auditor's Office to do research on a credit card to be used for roadside repair purposes. Lynne Liechty recommended checking into AAA as well.

EMC Insurance submitted an insurance settlement in the amount of \$285.00 for the four (4) slashed tires. James Crowl made a motion to accept that settlement. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Ronald Smith also clarified that each department is responsible for their own fleet. He stated that Gary Fair, Community Center Building Manager, takes care of the Commissioners vehicles. Pam Feller stated that Chris Sallows is responsible for the maintenance at the Probation Department. Ronald Smith requested that a reminder be sent to departments with vehicles informing them that they are in charge of their own maintenance and upkeep

Corey Kain addressed the Commissioners regarding a charge from the Humane Shelter to come and pick up two (2) stray dogs that were on his property. Mr. Kain stated that he made a few phone calls that day and the next day trying to get someone to pick the dogs up. He stated that he called the Shelter and they wouldn't do anything, he was advised to call the Sheriff and they said they couldn't do anything because they were not trained nor do they have the equipment. He then called the Commissioners Secretary and Lynne Liechty returned his call. Mr. Kain said that Commissioner Liechty was as helpful as she could be in the situation with her hands tied.

Mr. Kain also said that he spoke to Council Members and one told him that they had made other arrangements with other counties while this was going on. Mr. Kain said he called the other counties and there are no other arrangements with other counties like he was told. He also said that a Council Member told him to shoot the dogs.

Mr. Kain then called the Shelter again and was told that it would cost \$150.00 per dog to have the Humane Shelter pick them up. Mr. Kain stated that he's seeking reimbursement of the \$300.00 charge he had to pay to the Humane Shelter. James Crowl asked if the Humane Shelter actually billed Mr. Kain for the dogs. Mr. Kain said that was correct; however, it was noted that on the receipt from the Humane Shelter, they marked the charge as a "donation." James Crowl suggested that Mr. Kain be reimbursed out of the allocation funds that have already been appropriated to the Humane Shelter. Ronald Smith stated that since the Humane Shelter told Mr. Kain they had no jurisdiction, they also had no right to charge him as they are not for profit. Ronald Smith stated that the Commissioners do not agree with the Shelter charging Mr. Kain for the pickup of the dogs.

Ronald Smith asked if the dogs just showed up at Mr. Kain's home. Mr. Kain advised that they did and he even tried chasing them away with a four-wheeler and the dogs came back. Mr. Kain stated that the dogs were not collared and had no form of identification. Ronald Smith stated that issue needs to be taken into consideration as well and that all animals need identification and someone should take responsibility for these animals. James Crowl made a motion to reimburse Mr. Kain \$300.00 from the already allocated funds for the Humane Shelter. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Jeremy Musser, Prosecuting Attorney and Tim Troyer, Sheriff, came to the Commissioners regarding the removal of information from the GIS System. Mr. Musser stated that a judge submitted a request to remove his information from GIS and that request was granted. Six (6) officers then submitted a request to remove their information from the GIS System and their request was denied. Ordinance 860 was then created and put a \$75.00 per parcel fee in place. He stated that the fee for removing the information is legal; however, retroactive application of the ordinance to the six (6) officers is not. Ronald Smith stated that the officers that made the request before the ordinance was in place will have their request granted.

Ronald Smith addressed Donald Stuckey, County Attorney, and stated that he was informed, after the last meeting, according to Robert's Rule of Order, the Commission Board Chair does not have to step down and may make a motion. Donald Stuckey stated that Ronald Smith may make a motion.

Ronald Smith made a motion to remove the information of the six (6) officers that submitted their request before the Ordinance was in place, at no charge. Lynne Liechty seconded that motion and the motion carried with three (3) ayes. James Crowl stated that there is a lot of work involved in removing information from the GIS website and the information will be removed, but not immediately. Donald Stuckey addressed the Commissioners and informed them that they did not establish a de facto procedure when the request from the Judge was granted. Mr. Stuckey also stated that Judges have the right to mandate, Prosecutor's and Sheriff's do not. He said that the Judge can order you to do something; however, the Sheriff and Prosecutor cannot.

Tim Troyer, Sheriff, submitted a request to the Commissioners for official approval to fix the locking device for central control at the jail. Sheriff Troyer stated that the parts are \$1,200.00 from Corrections Products Company and Jason Ireland can install the parts. Lynne Liechty made a motion to approve the repair. James Crowl seconded that motion and the motion carried with three (3) ayes.

The Commissioners requested that a form be drafted so a paper trail can be created for emergency repair requests exceeding \$1,000.00. The verbal approval form requires the name of the requesting department, the names of the two (2) Commissioners that approved the verbal request, the item to be repaired, the building the repair is needed in and the price of the repair. The form also states that upon completion of the form, it must be returned to the Commissioners' Secretary. Lynne Liechty made a motion to approve the verbal approval form for emergency repairs exceeding \$1,000.00 and requested that it be sent to all departments. James Crowl seconded that motion and the motion carried with three (3) ayes.

Vina Conti, Plan Commission, submitted plats to the Commissioners for signature.

Brett Hays, Community Corrections, came to the Commissioners with a request to create a full time receptionist position, to be paid by Community Corrections. Mr. Hays advised that County Council approved the full time position at their last meeting and now he needs permission from the Commissioners. James Crowl made a motion to allow Mr. Hays to create a full time receptionist position. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Brett Hays reported that Community Corrections is currently trying to hire another Supervisor for the work crews and help is also needed for surveillance. Mr. Hays stated that currently there are twenty (20) people on Work Release and fifty (50) on Home Detention.

Jennifer Sharkey, County Engineer, submitted Frontier Utility Permit #2729 and Earthcom Utility Permit #2730 for approval. James Crowl made a motion to approve Frontier Utility Permit #2729 and Earthcom Utility Permit #2730. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Ms. Sharkey updated the Commissioners on the 200 N/200W Intersection Project. She stated that the construction begin date is scheduled for the beginning of June. She said that the five (5) signal head is now going to be a three (3) signal head and it won't have any counting loops. Ms. Sharkey submitted a change order from the contractor, Brooks Construction, to combine Phases 3, 4 and 5 into one single 30 day closure. She stated that the closure would happen after the 4th of July so it would not disrupt traffic during the holiday. She said that the change order would result in a deduction in construction cost of \$70,562.00. Lynne Liechty made a motion to approve the change order requested by the contractor. James Crowl seconded that motion and the motion carried with three (3) ayes.

Jennifer Sharkey updated the Commissioners on the Bike Trail. Ms. Sharkey said that she outlined the dates she got from the inspector; however, after driving out there, it appears that they have not yet started on the Bike Trail. She said that weekly progress meetings will start this Thursday so the project stays on schedule.

Ms. Sharkey stated that she met with the property owner of LureCraft regarding the Maple Street Project. She stated that additional discussion and meetings with INDOT are needed. Ms. Sharkey said that it does not appear that they can accommodate the semi-truck traffic at the front of the building and that would require modification to the existing facility at the business owner's own cost.

Ms. Sharkey also stated that the ownership of the right of way along the corridor of Maple Street currently is in the Chamber's name. She stated that she spoke with Mr. German and they would like to transition and/or donate that right of way from the Chamber to the County since it would be a county road. She stated if it would stay in the Chamber's name it would become a private road. Since the right of way is currently in the Chamber's name, they would also be the applicant for the permit from INDOT, not the County. Donald Stuckey stated that in his opinion, ideally it should be the town's street unless they will deed the right of way to the County. James Crowl stated that he agreed with Donald Stuckey and believes that it should be the town's property. Ronald Smith directed Jennifer Sharkey to meet with them and make recommendations. Ms. Sharkey stated that it may take some time for the meetings, get the issues resolved, get the plans finalized, the permit approved and get it out for bids. She said that it will be well into the construction season by the time those steps are finished and she's afraid that would cause non-competitive bids. Ms. Sharkey stated that she will keep the Commissioners informed about the meeting.

Jennifer Sharkey stated that she sent the Commissioners an email about the 200 N/SR 827 Project. She reported that INDOT has approached the County regarding a flexible construction schedule. Ms. Sharkey stated it is just a preliminary idea at this time and the framework is not in place on INDOT's end but they are just seeing if the County would be interested. Ronald Smith stated that the County is interested in learning more and Jennifer Sharkey can report that to INDOT.

Ms. Sharkey updated the Commissioners on bridge maintenance. She stated that they are working on 24 bridges and two (2) small structures this year. She said that all of the work is basically routine and preventative maintenance. Ms. Sharkey also reported that a separate contractor is doing milling and asphalt overlays of nine (9) bridge approaches throughout the County and the bridge on Old 27 has been done by a third contractor.

Jennifer Sharkey stated that the Annual Report has been finalized and submitted it for signatures.

Bill Schmidt reported to the Commissioners about the Lake James bridge lights. Mr. Schmidt stated that the Mayors of Lake James Caucus was a week ago last Saturday and they are going to try to raise the money to get the lights installed. Mr. Schmidt stated that he believes the timeline has slipped slightly in which they had intended to be done by Labor Day; however, now they hope to be done by the time the snow flies. He said that they know the amount of money that they need to raise and if they don't reach that then they will start soliciting businesses and plethora of people in order to raise the necessary amount of money.

Emmett Heller, Highway Superintendent, updated the Commissioners on the projects that the Highway Department has been working on.

Mr. Heller stated that the striping is all done on Baker Road. The road will be complete once the birming is finished.

Mr. Heller reported that there has been a lot of vandalism to signs in the southwest corner of the County. He stated that the Sheriff was contacted on that issue and the vandalism has slowed down. Mr. Heller said that there were about 15 signs that needed to be replaced.

Emmett Heller asked the Commissioners for a decision on the new dump truck. Emmett Heller stated that if a dump truck was ordered now, it would be on the road by the 1st of October. He said that once the truck is ordered, it takes 90 days to get the chassis and if the Highway Department is granted permission to do the build-up, it would take another 60 days. Mr. Heller stated that the money is in the Highway Department's budget. Lynne Liechty made a motion to give permission to the Highway Department to order the new dump truck chassis and do the build-up in house. James Crowl seconded that motion and the motion carried with three (3) ayes.

Bill Schmidt asked a question about the paving of Lake Gage Drive and rocks that are placed right along the road in the County right of way. Mr. Schmidt wondered if those rocks would be removed. James Crowl stated that the right of way needs to be established and the rocks removed off the right of way. Mr. Heller reported that the curve of that road keeps moving further onto a property. He stated that 190 feet of curb is needed to stop that progression and he received two (2) quotes on that this week. Mr. Heller stated the curb may be done in house due to the high quotes that were received. James Crowl said that, for safety, once those rocks are removed and the property line is established, a two (2) foot asphalt birm should be placed on one side to widen that road up. He stated that two (2) fire trucks would plug that road and there's barely room for two (2) pickup trucks to go down that road at the same time.

Gary LeTourneau, Communications Director, came to the Commissioners regarding the Radio Project. Mr. LeTourneau stated that when he was hired one of his biggest priorities was to solve issues that were facing the Open Sky Radio System and since then, there has been a lot of leg work done identifying the issues that need to be solved and the options that are available. Mr. LeTourneau stated that he's looking for direction on how to proceed with this project and to begin moving forward.

He stated that he has contacted three (3) different vendors to look at the State of Indiana's Statewide Safety System, Motorola, Harris and J&K Communications. He stated that all three (3) vendors have been told the following criteria that Steuben County is looking for: the new system must solve the coverage issues and how far out the radio waves go, in-building coverage must be improved, has to include inter-operability, must include fixes to the fire system to the VHF side, has to solve the paging problems, the 800 component and the fire component must be simu-cast, the issues that the jail faces such as old equipment and the in-building coverage must be addressed as well.

In addition to telling the vendors all of the criteria, they have also been told the price is to include 20 years maintenance/support for those systems and 10 years of support on the hardware. Mr. LeTourneau wants those items included in the upfront costs so figuring out the annual budget won't be so difficult.

Mr. LeTourneau reported that he received a quote from Motorola regarding the State of Indiana's System. He stated that Harris/OpenSky has also met with him and they are nearing a proposal and he is still waiting for a proposal from J&K Communications.

Gary LeTourneau stated that he needs direction from the Commissioners on moving this project forward. He wants to know if they wish to have him come to them with his recommendation, do the Commissioners want to see presentations from the three (3) vendors, do they want this project to be bid out or are RFP's wanted. Ronald Smith stated that he and Lynne Liechty have sat through the presentations and there is no need to repeat those. Ronald Smith stated that the Commissioners feel that Mr. LeTourneau has done a very good job in working with the companies, getting information and they are in agreement to have him come to the Commission Board with a recommendation and the reasons why he wants to go with a particular company.

Resolution 05-2015-01 was submitted to the Commissioners for approval. Resolution 05-2015-01 is an amendment to Resolution 11-2012-02 in which Chad Hoover, GIS Coordinator, was named the ADA Coordinator. Since Mr. Kunde has taken over as the GIS Coordinator, he must now be named as the ADA Coordinator. James Crowl made a motion to approve Resolution 05-2015-01. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

RESOLUTION 05-2015-01

Amendment to Resolution 11-2012-02
A Resolution of the Steuben County Board of Commissioners
of the County of Steuben, Indiana
Adopting the Americans with Disabilities Act (ADA)
ADA Coordinator and Procedures

WHEREAS, the Federal government enacted the Americans with Disabilities Act of 1990 (ADA) to prevent discrimination of the physically and mentally disabled relating to employment and access to public facilities; and

WHEREAS, in compliance with Title II of the ADA the County of Steuben shall name an ADA Coordinator; and

WHEREAS, in compliance with Title II of the ADA the County of Steuben shall adopt a grievance procedure for resolving complaints alleging violation of Title II of the ADA; and

WHEREAS, in compliance with Title II of the ADA the County of Steuben shall publish notice to the public regarding the ADA;

WHEREAS, in compliance with Title II of the ADA the County of Steuben shall post the ADA coordinator's name, office address, and telephone number along with the ADA Notice and ADA grievance process on its website.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the County of Steuben, Indiana:

The Steuben County GIS Coordinator, Timothy Kunde, is designated as the ADA Coordinator for the County.

The Notice under the Americans with Disabilities Act, a copy of which is posted to the County's website, is adopted as the County of Steuben Notice under the Americans with Disabilities Act.

The County of Steuben ADA Grievance Procedure under the Americans with Disabilities Act, a copy of which is attached hereto, is adopted as the grievance procedure for addressing complaints alleging discrimination on the basis of disability in the provision of services, activities, programs or benefits by the County of Steuben.

In compliance with Federal and State laws as set forth above, the Steuben County Board of Commissioners resolves to post the required information regarding the ADA coordinator, Notice under the Americans with Disabilities Act, and County of Steuben Grievance

Procedure under the Americans with Disabilities Act on its website and at such other locations as may be determined from time to time.

PASSED, APPROVED AND ADOPTED this 18th day of May, 2015.

Ronald L. Smith, President
James A. Crowl, Vice President
Lynne Liechty, North District

Attest:
Kim Koomler, Auditor

Erin Wray, Commissioners' Secretary, informed the Commissioners that registration is now open for the IACC District Meeting in Plymouth, Indiana on Wednesday, June 10, 2015. Ronald Smith stated that he plans on attending. James Crowl, Lynne Liechty and Kim Koomler stated that they were undecided at this time.

Jeremy Musser, Prosecuting Attorney, submitted a request to apply for the Indiana Criminal Justice Institute 2015/2016 STOP Grant. Lynne Liechty made a motion to accept the request for grant application. James Crowl seconded that motion and the motion carried with three (3) ayes.

Treg Freeman, Koorsen, submitted a proposal in the amount of \$384.00 to repair deficiencies found during a regularly scheduled inspection at the Annex. James Crowl made a motion to accept the proposal in the amount of \$384.00. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

The Commissioners discussed the bone density and health insurance matter. The Commissioners requested that quotes be received from the insurance company before anything is decided.

The Commissioners received the following correspondence: DLGF re: 2015-2016 Budget Calendar; Indiana State Department of Health re: Addiction Treatment a Critical Component of HIV Outbreak Response; Indiana County Commissioners re: Action Needed on Waters of the US; Indiana County Commissioners re: Indiana Repeals Common Construction Wage Act; DLGF re: Budget Calendar; Indiana State Department of Health re: Indiana HIV Outbreak Response Update – May 14, 2015; Indiana State Department of Health re: Indiana HIV Outbreak Response Update – May 12, 2015; NACo re: Annual Conference; DHS re: FEMA Grant's Indiana's Appeal – Reinstates Indiana Hazard Mitigation Grant Program Except Kokomo; Indiana State Department of Health re: Indiana HIV Outbreak Response Update – May 7, 2015; NACo County News re: County News Alerts; Indiana State Department of Health re: Indiana HIV Outbreak Response Update – May 5, 2015; NEI Partnership re: Partnership News; Mediacom re: Mediacom Business May Blog Alert.

STEBEN COUNTY BOARD OF COMMISSIONERS

Ronald L. Smith, President, South District

James A. Crowl, Vice President, Middle District

Lynne A. Liechty, North District

Attest: _____
Kim Koomler, Steuben County Auditor
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