

**Steuben County Council**  
**August 12, 2014**

The Steuben County Council met in special session on Tuesday, August 12<sup>th</sup>, 2014 at 9:00 AM in the Steuben County Community Center Suite 2H, Angola, Indiana. Present were Richard Shipe, Dan Caruso, Ruth Beer, Sara Tubergen, Wil Howard and Linda Hansen. Mayo Sanders was absent. Kim Koomler, County Auditor and secretary to the County Council was also present.

President, Richard Shipe, introduced Anna Wilson who is a 10 year member and the 2014 4-H Fair Queen. Ruth Beer lead the County Council in the Pledge of Allegiance and Ms. Wilson lead the Council in the 4-H Pledge.

President Shipe asked for a moment of silence to remember the former Vice President of the County Council, John Ingledue.

President Shipe welcomed the new Steuben County Council member, Wil Howard who was caucused into office to replace Council Vice President, John Ingledue.

President Shipe wished Sara Tubergen well in her retirement from the Steuben County Council and introduced Ken Shelton as the newly caucused member of the Steuben County Council to replace Councilwoman Sara Tubergen.

Richard Shipe called for the first order of business to fill the office of Vice President left vacant with John's recent passing. Shipe opened the floor for nominations. Linda Hansen nominated Member, Ruth Beer. Dan Caruso moved to close nominations. Members elected Ruth Beer as Council Vice President by a vote of six (6) ayes and zero (0) nays, Mayo Sanders was absent.

President Shipe presented Ordinance No. 857, an Ordinance Amending 2014 Salary Ordinance by title only. After reading said ordinance, President Shipe called for discussion. There being no further discussion, Linda Hansen made motion to suspend the rules Sara Tubergen seconded the motion. Motion was carried with six (6) ayes and zero (0) nays.

**Second and Third Readings**  
**Steuben County, Indiana**  
**Ordinance Number 857**

Thereupon, County Council member, Linda Hansen, moved that all rules of procedure of the County Council which might prevent, unless suspended, that the second and third readings of **Steuben County Ordinance #857 An Ordinance Amending the 2014 Salary Ordinance** for final passage and adoption of said Ordinance at this meeting without reading the said Ordinance in full but reading the title only. The motion was seconded by Sara Tubergen and was on the call of the roll adopted by the following vote:

<u>Ayes</u>	<u>Nays</u>
6	0

Under the suspension of the regular rules, County Council member, Dan Caruso, then moved the Ordinance be read for the second and third readings by title only and thereby ready for passage and final adoption in this meeting. This motion for the second and third readings for final passage and adoption of said Ordinance was seconded by Ruth Beer and on the call of the roll was adopted by the following vote:

<u>Ayes</u>	<u>Nays</u>
6	0

The County Auditor then read aloud the title of said Ordinance for the second and third readings. Thereupon, County Council member, Ruth Beer, moved for final passage and adoption of the Ordinance in full applicable regulations to establish such Ordinance. This motion for final passage and adoption was seconded by Wil Howard and on the call of the roll adopted by the following vote:

<u>Ayes</u>	<u>Nays</u>
6	0

The President of the Steuben County Council, Richard Shipe, Ordinance #857, An Ordinance Amending the 2014 Salary Ordinance to have been duly passed and adopted. Thereupon, said Ordinance was signed by all members present of the County Council and attested by the County Auditor. Ordinance Number 857 was adopted in the following words and figures:

**Steuben County Indiana**  
**Ordinance # 857**  
**An Ordinance Amending 2014 Salary Ordinance**

WHEREAS, Steuben County Council approved its budget for 2014 by passing the Salary Ordinance on September 10th, 2013 and,

WHEREAS, the budget established by the County Council is being amended to increase the annual salary for the E-911 Communications Director position;

NOW, THEREFORE, be it ORDAINED by the County Council as follows:

Salary Ordinance for the Steuben County 2014 Budget is hereby amended to increase the annual salary for the E-911 Communications Director to an annual salary of \$50,197.06 and will be funded by the Statewide 911 Budget Line item 1222-000-1000.02

Ordained this 12<sup>th</sup> day of August, 2014.

1<sup>st</sup> Reading July 8<sup>th</sup>, 2014 Yes 6 No 0  
2<sup>nd</sup> Reading August 12, 2014 Yes 6 No 0  
3<sup>rd</sup> Reading August 12, 2014 Yes 6 No 0

Steuben County Council

\_\_\_\_\_  
Richard Shipe, President

\_\_\_\_\_  
F. Mayo Sanders, Member ó Absent

\_\_\_\_\_  
Dan Caruso, Member

\_\_\_\_\_  
Sara Tubergen, Member

\_\_\_\_\_  
Wil Howard, Member

\_\_\_\_\_  
Linda Hansen, Member

\_\_\_\_\_  
Ruth Beer, Vice President

\_\_\_\_\_  
Attested by: Kim Koomler, Auditor

President Shipe presented first reading of Ordinance No. 858, an Ordinance Amending 2014 Salary Ordinance. After reading said ordinance, President Shipe called for discussion. There being no further discussion, Linda Hansen made motion to approve the first reading of Ordinance No. 858, and Ruth Beer seconded the motion. Motion was carried with six (6) ayes and zero (0) nays.

**Second and Third Readings**  
**Steuben County, Indiana**  
**Ordinance Number 858**

Thereupon, County Council member, Sara Tubergen moved that all rules of procedure of the County Council which might prevent, unless suspended, that the second and third readings of Steuben County Ordinance #858, An Ordinance Amending the 2014 Salary Ordinance for final passage and adoption of said Ordinance at this meeting without reading the Ordinance in full but reading the title only. The motion was seconded by Linda Hansen and was on the call of the roll adopted by the following vote:

Ayes  
6

Nays  
0

Under the suspension of the regular rules, County Council member, Wil Howard, then moved the Ordinance be read for the second and third readings by title only and thereby ready for passage and final adoption in this meeting. This motion for the second and third readings for final passage and adoption of said Ordinance was seconded by Dan Caruso and on the call of the roll was adopted by the following vote:

Ayes  
6

Nays  
0

The County Auditor then read aloud the title of said Ordinance for the second and third readings. Thereupon, County Council member, Wil Howard, moved for final passage and adoption of the Ordinance in full applicable regulations to establish such Ordinance. This motion for final passage and

adoption was seconded by Dan Caruso and on the call of the roll adopted by the following vote:

<u>Ayes</u>	<u>Nays</u>
6	0

The President of the Steuben County Council, Richard Shipe, Ordinance #858, An Ordinance Amending the 2014 Salary Ordinance to have been duly passed and adopted. Thereupon, said Ordinance was signed by all members present of the County Council and attested by the County Auditor. Ordinance Number 858 was adopted in the following words and figures:

**Ordinance # 858**  
**An Ordinance Amending 2014 Salary Ordinance**

WHEREAS, Steuben County Council approved its budget for 2014 by passing the Salary Ordinance on September 10th, 2013 and,

WHEREAS, the following amounts are the current salaries set out in the 2014 Salary Ordinance;

Deputy Prosecutor	\$57,900.18
IV-D Attorney Prosecutor	\$56,200.04

WHEREAS, the budget established by the County Council for 2014 Annual Salaries for Steuben County Deputy Prosecutor and the IV-D Attorney/Prosecutor are being amended;

NOW, THEREFORE, be it ORDAINED by the County Council that the 2014 Annual Salary for the following positions will be amended effective immediately;

Deputy Prosecutor	\$59,100.18
IV-D Attorney Prosecutor	\$55,000.04

Ordained this 12<sup>th</sup> day of August, 2014.

Steuben County Council

\_\_\_\_\_  
Richard Shipe, President

\_\_\_\_\_  
F. Mayo Sanders, Member ó ABSENT

\_\_\_\_\_  
Dan Caruso, Member

\_\_\_\_\_  
Sara Tubergen, Member

\_\_\_\_\_  
Wil Howard

\_\_\_\_\_  
Linda Hansen, Member

\_\_\_\_\_  
Ruth Beer, Vice President

1 <sup>st</sup> Reading	August 12, 2014	Yes	6	No	0
2 <sup>nd</sup> Reading	August 12, 2014	Yes	6	No	0
3 <sup>rd</sup> Reading	August 12, 2014	Yes	6	No	0

\_\_\_\_\_  
Attested by: Kim Koomler, Auditor

A motion was made by Ruth Beer and seconded by Dan Caruso to authorize the Council President, Richard Shipe to sign the Declaration of Steuben County Option Income Tax for fiscal year October 1, 2014 through September 30, 2015. The motion carried with six (6) ayes. Mayo Sanders absent.

Declaration of County Tax Rates Fiscal Year Oct. 1, 2014 ó September 30, 2015  
 CAGIT County Adjusted Gross Income Tax .0100  
 Property Tax Relief .0025  
 Public Safety .0025  
 NET of Rates: .0150

Dan Caruso moved to approve the minutes of the meetings from June 2014 and July 2014 pending noted corrections. Sara Tubergen seconded and the motion carried with (5) five ayes zero (0) nays and one (1) abstention by Wil Howard. Mayo Sanders absent.

Commissioner Ron Smith was present along with Community Center Building Maintenance Supervisor Gary Fair to discuss the commissioner's request for an additional appropriation of \$130,000.00 to repair and repave and upgrade the county parking lots. The funds are being requested from the Cumulative Capital Development Fund. The Commissioners have major structural retaining wall issues as well as ADA compliance that will need to be addressed very soon. Gary Fair stated that he wants to get an engineer involved as well as the City of Angola to help with planning of the project. This amount of money only addresses the existing lots and does not include any new parking areas. The project will likely run close to the requested \$130,000.00 with nothing remaining. Linda Hansen made the motion to approve an additional appropriation of \$130,000.00. Ruth Beer seconded and stated that she appreciates the fact that the Commissioners are addressing the wall to make sure we don't have future problems. President Shipe called for further discussion. Sara Tubergen stated that in the future she would like to be informed prior to the meeting of this type of change in the plan. Tubergen understands that there is a time issue. Ron Smith stated that these things change daily and to try to have the information in advance would be impossible to do with this short of notice. The motion to approve was passed by a vote of six (6) ayes and zero (0) nays.

**Additional Request: \$130,000.00**

**To: Cum Capital Development Fund 1138-000-4000.15 Mach, Equip, Rpr, Remod**  
**For: Parking Lot Resurface/Sealcoat/Striping & ADA Compliance**

Commissioner Smith presented the following transfer request for approval. Ruth Beer moved to approve the transfer, Linda Hansen seconded. Dan Caruso asked if this transfer would short fall the Major Moves County Park building funding. Smith responded that this is the only money we have available to pay for the architectural design plan. Commissioners Smith stated that the architect designed the building with the FEMA grant in mind, but if the grant funds are denied, the commissioners and council will have to make a choice whether to go ahead and put up a building on a much smaller scale without FEMA funding. Tubergen asked if the commissioners would wait another year if we don't qualify through FEMA. Smith said the Commissioners would seek advice from the County Council as to what the county would do moving forward. Smith said he still sees a tremendous need for the safety building to be put at that location for the many people who visit our county park. Smith said that due to the fact that there are many other people requesting funding from FEMA we have no guarantee the project will be approved. President Shipe called for any other questions or comments. Dan Caruso said he thinks the county is building a building it can't afford in the future. Caruso stated that he doesn't think the revenues from that building will in any way, shape, or form, cover the operational expense much less the expense of the building. Caruso stated that there are enough areas we are operating a government we need to have the money for. Commissioner Smith stated that over 30 years the county commissioners have been planning to improve the park and now we have the ability to do so. We have commissioners who believe this is a worthwhile project to improve the park and the quality of life in Steuben County. Sara Tubergen reminded the commissioners that she had asked for income information from them at a previous meeting and she is still waiting for the numbers. Smith said the information requested was for an arena building and not the FEMA building. The Commissioner stated that he gave Councilwoman the numbers he had gathered from similar Counties with regard to the activities those counties used their arena buildings for and what income was being generated from the events. President Shipe called for a vote on the motion that was on the floor made by Linda Hansen. Council voted three (3) ayes and three (3) nays.

Commissioner Smith asked council what they should do now since the work has been done and the bill is submitted for payment? Sara Tubergen said she thinks the Commissioners need to convince the Council that this is a good idea. We were not on board. Some of us were against the FEMA Building from the beginning. Tubergen said she wants to be convinced that this is good for this county. You have not convinced us that this is good for this county. This is going to cost us money and we are already struggling with the costs we are required to spend in order to keep the government running.

Richard Shipe gave clarification to councilwoman Tubergen stating that since the Council already approved the money for this project and Commissioners are merely asking for a transfer of money to pay for the bill. Shipe stated he doesn't feel the Council can deny the payment of this bill. Whether we agree with the project or not we as a council approved the project. Tubergen said she has never approved of the project from the beginning and always voted against it. Dan Caruso stated that except for a technicality, the commissioners came back two months ago to request even more money for more buildings at the county park. The whole make up of this project has changed since the initial request for funds was made. Sara Tubergen stated that she can't vote for something that hasn't been shown to her to be the right decision for the people of this county. Tubergen said when council took the vote, after 20 minutes of discussion and not answering her questions, she was simply cut off and the vote was taken. Tubergen said she wants her questions answered. She needs to know that if the county constructs the building there is going to be enough revenue there that will take care of at least the expenses of this building. She wants to know if this is going to put a drag and take away from what this county government is required to do. We need to take care of our buildings, our jail, our courts and our roads and this is very nice but is not a basic service that is required of county government.

Ron Smith said major improvements at the county park have directly increased the revenues coming into county general fund. Tubergen said commissioners need to show the council where the money is. Smith told Tubergen that she has access to all of this same information and he should not have to lead her to it. Dan Caruso commented that he can't go anywhere without hearing from his constituents that we have already spent enough out at the county park.

Auditor Koomler provided President Shipe with the county park income generated for the last two years was as follows:

Park 2013 - 211,554.00 annual revenue  
Park 2014 - 200,804.00 revenue to date

Commissioner Smith stated that there are folks in Steuben County that think the Commissioners should sell the county park and allow for development. Smith asked council to consider the statistics of what that piece of property is all about. It is quality of life, 4-H, socializing in the community, leisure, pleasure, all of those things that many counties would love to have. Look at the City of Angola and the amount of money they have spent on the city parks. Ron Smith asked Council President Shipe to please move forward.

Ruth Beer stated that the question before us today is approval of a transfer of funds. Beer stated that council decided to give so much money to the project and the funds were approved. Should the FEMA Building fall through then it is between the Council and Commissioners to decide what we will do with the remaining balance of the funds. This is a simple transfer of funds request. Wil Howard asked if there was a specific plan for the park or is this just a haphazard project. Sara Tubergen said that the first request took 20 minutes to approve and it was for 3 million dollars that should not have happened. Ruth Beer said we as a council are being very irresponsible if we are not allowing the funds to pay our bills that we have already incurred. Caruso stated that we need to get past this and make this happen. Ruth Beer made a motion to approve the transfer of funds. Wil Howard seconded and the motion carried with five (5) ayes. Mayo Sanders and Linda Hansen are absent.

#### **Major Moves Fund**

Transfer Request: \$25,552.75

From: 1172-101-4000.01 Building

To: 1172-101-3000.01 Professional Svc & Design

Gary LeTourneau Director Steuben County Communications submitted a request for the transfer of funds within the 2010 Bond to pay for a portion of the purchase of PowerPhone EMD software. The total cost of the software is \$56,320.30. The remainder of the funds in the amount of \$42,061.05 will be paid from the 2013 Bond. Dan Caruso moved to approve the transfer within the 2010 Bond Funds in order to allow for the purchase. Ruth Beer seconded and the motion carried with five (5) ayes.

#### **2010 Bond**

Transfer Request: \$14,259.25

From: 4601-000-3000.08 Communications Phone System/Profess Contract

To: 4601-000-4000.07 Communications Phone System

Mervin Top, MTR Machining Concepts, came before county council to request approval of Form CF-1 to continue their abatement another year. Sara Tubergen made a motion to approve the abatement, Wil Howard seconded and the motion carried with five (5) ayes.

Jennifer Sharkey, Highway Engineer brought a request for additional appropriations in the amount of \$63,062.50. The money is needed to replace truck #202 and truck #203 which were auctioned off recently. Sharkey is requesting that the money received from the auction be reallocated to purchase a flatbed truck as well as a regular pick-up truck. Dan Caruso questioned if there are any other funds available within the highway's budget to pay for gas, fuel and oil. Sharkey said she didn't believe there was another place to pull the money. Caruso made the motion to approve the additional, Ruth seconded and the motion carried with five (5) ayes.

Additional: \$63,062.50

\$30,562.50 to 1176-533-4000.15 Mach, Equip, Repr, Remod

\$32,500.00 to 1176-533-2000.20 Gas, Fuel & Lube

Jennifer Sharkey presented information for the Council regarding the Maple Street Extension project in Orland, IN. The Indiana Department of Transportation through their Economic Development Corporation Partnership has agreed to finance work on the State Route 120 portion of this extension up to \$175,000.00. Our current estimate for the right-of-way portion of the SR 120 project is \$127,500.00. The total project is \$510,000.00 and we are looking to possibly use up to \$182,500.00 of the \$200,000.00

budget requested in 2015 Major Moves. By using the money for Maple Street we are taking away from the funding we would typically use toward road repair and maintenance.

With regard to the CR 200 W 200 N Project, we have our construction proposal out for the construction inspection services portion and I am just notifying you that once we the contract is agreed upon, and a the consultant selected, we will move forward. The \$407,000.00 we have already budgeted will be sufficient for our portion of that project.

Jennifer Sharkey updated council on the Bike Trail informing them that the committee is meeting in the near future to discuss additional financial needs due to utility conflict and the responsible party for supply of those funds.

Jennifer Sharkey also updated council on the CR 200 N/SR 827 Project. Sharkey said the county was awarded \$2,813,600.00 in federal funds for this joint project with the City of Angola. The County and City will split 50/50 the LPA 20% local match as indicated previously. It is anticipated that the 2015 budget will include the following line items.

Professional Services/Contracts/200 & 827 Project/Hwy = \$500,000.00  
ROW/200 & 827 Project/Hwy = \$135,000.00  
Construction / 200 & 827 Project/Hwy = \$380,000.00

President Shipe read the transfer requests submitted by Gary LeTourneau, Communications Director who was unable to attend due to a prior commitment. The transfers are being requested in order to bring the following County General and Statewide 911 line items out of a negative balance environment. The funds have been spent due to high employee turnover within the department over the last 3 month period. Dan Caruso made a motion to approve all transfers, Sara Tubergen seconded and the motion carried with five (5) ayes and zero (0) nays.

**Statewide 911 Fund**

Transfer Request \$35,000.00  
From: 1222-000-1000.01 Telecom Tech  
To: 1222-000-1000.41 Extra Help  
Transfer Request \$10,000.00  
From: 1222-000-1000.01 Telecom Tech  
To: 1222-000-3000.01 Contractual

Auditor Koomler advised council that the County General Communications Budget has been strained to the point there are not enough funds remaining to get through December. Koomler advised council that she has checked the past years activity and she is comfortable that we can pull the funds from within the county general communications budget and move them into overtime to get that line item out of the red. All future county general communications expenses for overtime will be paid from the Statewide 911 budget instead. Ruth Beer moved to approve the transfer requests for the Communications General Fund transfers totaling 21,800.00 all being moved into the overtime line. Wil Howard seconded and the motion carried with five (5) ayes and zero (0) nays.

**Communications County General Fund**

Transfer Request \$21,800.00  
From: 1000-303-1000.07 Telecom Tech \$2,500.00  
From: 1000-303-1000.41 Extra Help \$4,000.00  
From: 1000-303-3000.10 Telephone \$5,500.00  
From: 1000-303-3000.08 Training \$2,300.00  
From 1000-303-4000.15 Tower Rent \$7,500.00  
To: 1000-303-1000.40 Overtime

Brett Hayes, Director of Community Corrections submitted the following transfer requests. The transfers are needed to balance and close out the budget at fiscal yearend. Dan Caruso made a motion to approve the transfers, Ruth Beer seconded and the motion carried with five (5) ayes and zero (0) nays.

Transfer Request \$1.25  
From: 9111-251-1000.21 PERF  
To: 9111-251-1000.01 Director  
Transfer Request \$ 0.30  
From: 9111-251-1000.21 PERF  
To: 9111-251-1000.02 Case Manager B  
Transfer Request \$1.30  
From: 9111-251-1000.21 PERF  
To: 9111-251-1000.03 Case Manager A  
Transfer Request \$ 0.85

From: 9111-251-1000.21      PERF  
To: 9111-251-1000.04      Admin Assistant A  
Transfer Request \$ 0.06  
From: 9111-251-1000.21      PERF  
To: 9111-251-1000.09      WR Supervisor  
Transfer Request \$ 0.90  
From: 9112-000-1000.20      FICA  
To: 9112-000-1000.04      Admin Assistant A

Dan Caruso moved to authorize President Richard Shipe signed the county council budget request form. Ruth Beer seconded and the motion carried with five (5) ayes and zero (0) nays.

President Shipe also advised council that has been approached by a few people to consider hiring an Attorney to represent the County Council on a more permanent basis. Shipe stated that he would like to hear what the other board members think. It is getting to the point that it would be nice to have legal counsel but he doesn't know if it is necessary to have the Attorney at every meeting.

President Shipe presented the Auditor / Treasurer monthly report for council to approve. Ruth Beer moved to approve, Wil Howard seconded and the motion carried with five (5) ayes, zero (0) nays.

Wil Howard inquired about which department assignments he should be handling. President Shipe said he can assume the departments that John Ingledue held until the January meeting where council will make their 2015 assignments.

The May 2014 meeting minutes were signed.  
Correspondence Received:  
Hugh Taylor, Supplemental PD Fund changes  
Co Highway Engineer Report 7-21 & 8-4  
2015 Holiday Schedule  
Purple Hope Event Invitation  
Myers & Stauffer, CPA cost recovery notification letter

There being no further business, Ruth Beer moved to adjourn the meeting, Dan Caruso seconded and the motion carried with five (5) ayes and zero (0) nays.

Steuben County Council

Richard Shipe, President

Ruth Beer, Vice President

F. Mayo Sanders, Member

Dan Caruso, Member

Sara Tubergen, Member

Linda Hansen, Member

Wil Howard, Member

Attest: Kim Koomler, Steuben County Auditor