

Steuben County Council  
December 8, 2015  
Meeting Minutes

The Steuben County Council met in special session Tuesday, December 8<sup>th</sup>, 2015 at 9:00 AM in the Community Center Building, 317 S Wayne Street Suite 2H, Angola, IN. Present this day was President Richard Shipe, Vice President Ruth Beer, Jim Getz, Dan Caruso, Wil Howard, Kenneth Shelton, and Linda Hansen. Also present was, Auditor Kim Koomler, Deputy Auditor Lori Hickey, and Commissioner Ronald Smith.

President Richard Shipe called the meeting to order. Ruth Beer led the Pledge of Allegiance to the Flag.

Pam Feller, Chief Probation Officer, requested council approval to apply for a JDAI Juvenile Detention Alternative Initiative Grant. The grant will allow the county to hire a coordinator at a salary up to \$50,000.00. This person will be considered a consultant position so there will be no insurance or benefits attached to the position. The coordinator will focus on ways of keeping juveniles out of detention facilities or reducing the length of stay in detention facilities. Richard Shipe asked what the time period is for the grant. Feller said she understood that the State has the potential to fund the grant for at least four (4) years but the county will have to apply annually to receive the funding. Linda Hansen moved to approve the grant application. Ruth Beer seconded and the motion carried with seven (7) ayes.

Brett Hays, Community Corrections Director, was present to provide additional information and answer any questions council members may have on the generator funding request. Hays stated that, in the event of a power outage affecting the community corrections facility, the following options had been previously discussed or proposed to the County Council for consideration.

1. Council asked if Community Correction participants could be taken to the jail during an outage. Hays stated that taking participants over to the county jail raises some problems for the county.
  - a. Community correction's isn't able to bring unsearched individuals into a secure facility without them being registered and searched and their release would be just as problematic.
  - b. The Jail isn't set up for this kind of function and the participant's records would not be accessible to the jail staff.
  - c. The participants would be required to have their sentences modified from community based supervision to confinement based supervision. This would require about 24 different sentences to be modified by the courts prior to the outage event. Many of the participants are from outside of Steuben County so their records would have to be obtained and modified at the originating county.
  - d. Providing food to the participants would be an issue. The Jail would not be prepared to feed up to 24 more inmates. At this time the participants purchase their own food through vending machines in the community correction facility so if there were an outage, food would not be available for purchase.
2. Council asked how many times an outage has occurred in the last five (5) years and how long was each occurrence. Hays stated that he inquired with NIPSCO and was told the chances of an outage are very minimal but they were not able to provide any specific historical data.
3. Council asked who would be liable in the event a community correction participant becomes injured. Hayes stated that liability is probably the biggest justification for the generator. If someone becomes injured or worse the legal ramifications would easily exceed the cost for the generator. Under the Grant agreement, the County is responsible for the residential housing of these participants and we can't be lax. We try to prepare for the worst and hope for the best. The county is liable not the Department of Corrections (DOC).
4. Mr. Shipe asked if the DOC grant funds could pay for the purchase of a generator. Hays stated no, the DOC would not allow for this type of purchase from the grant funds.

Richard Shipe asked Hays to explain the need for a three phase generator. Hays stated that he asked for a quote and the three phase size is what he was quoted to power the entire building. Hays said he had the specifications prepared by one vendor and then received quotes from multiple vendors based on those specs. Jim Getz would like to entertain another one or two companies to tell us if we actually need a generator that large for the building. Getz feels like it is a lot of money to spend for something we aren't even sure we need to have. Dan Caruso said he would like to see what other options are available before making a final decision. Hays said he would be agreeable to obtaining new specifications for a generator that will keep the bare bones operations running and not to power the entire building. Jim Getz stated that he would be happy to contact the company that he recently used when purchasing a generator for his home. The decision was tabled for additional information and further review.

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Richard Shipe brought forth discussion on a request for \$1,000,000.00 in additional funds to be appropriated within the Major Moves Fund for RES PolyFlow loan agreement. Dan Caruso said he was involved in the conference call that took place yesterday with Stevens Group, Investment Firm. Caruso and others were able to ask questions of Mr. Max Blandon regarding timing, collateral, and steps in the investment funding process. Caruso stated that he thinks this is a very special, rare and unique opportunity to step forward with leadership within our county on a project that has potential global implications. Caruso has vetted the project out to the best of his ability over the last few months, as have the other council members. You can see by the homework that was done on this project, that everyone understood the very unique potential for our county. Our first interest was that it was a very healthy and safe opportunity that wouldn't create other issues in the future. County officials place the quality of life in our county in front of the potential for revenue. The opportunity to create quality jobs and not quantity jobs is very important to Caruso and he fully endorses this project, the structure of the financing, and the terms of the loan repayment make perfect sense to him. Wil Howard added that as a community and a county elected official, this gives Steuben County a huge opportunity to grow as a county. RES PolyFlow has the potential to have a large global impact on not just our own country but world-wide and far beyond what any of us could ever imagine. RES PolyFlow has invested a lot of time investigating Steuben County as their home base location. RES PolyFlow has the potential of choosing Steuben County based on more than what the county can offer but based on what the community has to offer. Their business plan seems solid, their technology is innovative, proprietary like no other and as Caruso stated the green energy is the future of what you hear most people talking about nationally. This will be a cooperative effort taking all of the local elected bodies, local educational institutions and local businesses in support of this project. This is a win all the way around, not just for the county but for everyone. Richard Shipe thanked the Council and Commissioners and especially Mr. Ingledue and Mr. Koenig of the EDC for their work bringing this opportunity before the county officials for consideration. Shipe opened the floor for a motion. Wil Howard moved to approve the request from the commissioners for \$1,000,000.00 Major Moves funds to be used for the purpose of loan advance to RES PolyFlow. Dan Caruso seconded. With no further comments or questions, the motion carried with seven (7) ayes.

Additional Appropriation

Major Moves Fund	1172-000-3000.06 RES Poly Flow Loan	\$1,000,000.00
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Emmett Heller, Highway Superintendent, stated that the Commissioners gave him permission to discuss concerns regarding the truck fleet at the highway department. Heller stated that the current fleet is 2006 and older and in desperate need of being replaced. Heller stated that the Commissioners have given him approval to ask county council about using riverboat funds for the purchase of one (1) tandem axle truck and one (1) 1.5 ton truck. Heller said the total for both would be approximately \$230,000.00.

Currently, Highway has a newly purchased truck being delivered on or before December 17<sup>th</sup>. Heller said he has purchased another tandem axle truck from his 2016 appropriation and it is currently in New Haven waiting for the box to be delivered. The 1.5 ton truck has been ordered and will be delivered within a week or two. Heller said he is looking to go ahead and complete the fleet with the purchase of thirteen (13) tandem axle trucks at a total cost of \$2,145,000.00. Heller said in order to move forward, he needs help from council and commissioners to explore funding sources allowable for expenditure on highway trucks. Richard Shipe asked how long it would take to build each truck. Heller said that he anticipates each truck to take three (3) weeks. Heller spoke with the dealer and if the county decides to go that route, we could buy all the trucks chassis at the 2015 prices.

Linda Hansen said she is in favor of using existing River Boat funds for purchase of new highway trucks. Dan Caruso asked if Major Moves funds can be used for highway equipment. Hansen said we need to get an audit position from State Board of Accounts regarding the allowable uses for the Major Moves fund. Jim Getz asked how much money is currently in the River Boat Fund. Auditor Koomler said there is currently a balance of \$273,321.50 in River Boat and each September, the fund receives approximately \$120,000.00 from the State. Getz stated that he is interested in the Commissioners thoughts on this proposal. Commissioner Liechty stated that she was unsure if trucks were an allowable expense from the Major Moves fund. Liechty also stated her concern for approving the purchase all of the trucks in one year. Liechty said we will have the same problem 7 to 10 years down the road if we buy them all at once. Liechty suggested council look at purchasing two or three trucks each year on a rotating schedule so we aren't hit with this again in the future. Liechty stated that she thinks we have to look at this as an opportunity to explore the funding options first before we make any decisions. This is why we asked the Highway department to come in to discuss this today. Dan Caruso asked Heller what the timeline is for the price locks on the new fleet. Heller couldn't provide an exact timeline but felt that the vendor would be willing to allow 60 days for the commissioners to make a decision on the purchase. Caruso agreed with Liechty with regard to waiting to make a decision until the Auditor investigates what funding sources are available. Linda Hansen said the long term plan could be funding from multiple sources. Hansen said we could commit to funding trucks from River Boat, Rainy Day, CEDIT (if commissioners

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amend their plan to accommodate), CCD and even MVH funds and allow us to group at least maybe seven (7) trucks in the first year. Hansen said we have the funds available but we just need to commit to the number of trucks purchased over the next few years. In review, the Commissioners will need to submit a request to additionally appropriate enough River Boat Revenue funds to purchase one truck in 2016.

William Harter, Coroner submitted the following transfer requests for consideration. Ruth Beer moved to approve. Linda Hansen seconded and with no further discussion the motion carried with seven (7) ayes. County General - Coroner

\$100.00 From: 1000-007-3000.80 Public Awareness  
To: 1000-007-2000.13 Medical Supplies

Tim Troyer, Sheriff, submitted the following transfer requests for consideration. Ruth Beer moved to approve. Linda Hansen seconded and with no further discussion the motion carried with seven (7) ayes. County General – Sheriff

\$41,148.00 From: 1000-005-1000.03 Master Deputy  
To: 1000-005-1000.06 Deputy  
\$2,950.00 From: 1000-005-1000.04 Senior Deputy  
To: 1000-005-1000.05 Deputy 1<sup>st</sup> Class  
\$12,500.00 From: 1000-005-1000.04 Senior Deputy  
To: 1000-005-1000.40 Holiday Pay & Overtime

Lynne Liechty, Commissioner, came before council to discuss upcoming changes at the airport. Commissioners were approached by the Board of Aviation (BOA) with a request to buy out the remaining airplane fuel that is in the tanks at the end of 2015 when John Kline leaves. In addition, the BOA has agreed to purchase some of John Kline's equipment needed to maintain the grounds. Liechty stated that the commissioners agreed to put in a request to the county council for \$40,000.00 from the Rainy Day Fund to be used to purchase the fuel. Auditor Koomler advised council that they could appropriate the funds within the Rainy Day Fund to make the purchase of the fuel directly from the fund. The funds will not be transferred out to any other fund. The intent is to purchase the fuel directly from the Rainy Day Fund to provide the BOA with a fuel supply to begin the 2016 fiscal year. Ronald Smith stated that any money spent from the rainy day fund should be repaid to that fund. Auditor Koomler suggested that the funds be gifted to the BOA and not repaid. This will allow the BOA to sell fuel and retain their revenues to allow them to make future fuel purchases. Koomler contacted the State Board of Accounts and Mr. Bill Akey and asked the following question: Steuben County Board of Aviation is terminating their relationship with their contracted airport manager who previously handled all of the fuel sales as part of his private business. The Board of Aviation is going to take over operation of the airport and no longer have an independently contracted manager. The BOA will be purchasing and selling fuel through a credit card system which will have to be set up to flow through a bank account. Laurie Stoy and I discussed and for accounting purposes we would prefer this be kept separate from the county checking account. The Board will be responsible for tracking their fuel sales and would bring the funds to the Auditor with a report of collections. Mr. Akey responded with the following email:

*I agree with you that a separate bank account should be used for this purpose. I believe the County Board of Finance should designate which depository to use. I'm sure the Board of Finance would listen to suggestions from the Board of Aviation. William Akey*

Koomler advised the council that this will be a new revenue source for the airport and will be taken into consideration when the 2017 Board of Aviation budget is calculated. Jim Getz stated that his understanding was that the BOA is not asking for a loan, they are asking for a one time appropriation from the rainy day fund to enable them to buy fuel. The BOA will want to control the purchase of fuel as well. Getz stated that the Commissioners put a new board in place, with a little bit of trust involved, they are going to manage our money better than the previous board members. At some point we have to decide if we are going to allow the BOA to run the airport or are we going to have the Commissioners run it. If the commissioners want to run it, then we don't need to have a Board of Aviation at all. Koomler stated that we just need to be specific with how we document this for the State Board of Accounts. Linda Hansen suggested that the County Council is giving the Board of Aviation the money to purchase the fuel with no payment back to the Rainy Day Fund and from that point forward all transactions go through the BOA and not through the County bank account. Council has an understanding that they will approve the appropriation at their January 2016 meeting and all future accounting of fuel purchase and revenues will be handled by the Board of Aviation.

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In addition, Commissioner Liechty told council that the BOA is planning to hire two new part-time employees to work under the direct supervision of the airport manager. These people will be paid through the county payroll department and will not be considered independent contractors. The Commissioners and Council will need to discuss funding for the new employees at a future meeting. Liechty informed council that the Board of Aviation and the Commissioners do not know what the 2016 budget will actually cost. Liechty asked council to be open to possible changes and additional needs during the transition period that will likely take a year.

Gary LeTourneau, Communications Director came before county council to update them on the Motorola Bond process. LeTourneau advised that the commissioners passed the resolution to pursue a bond issue at their meeting on December 7 and as of today, no remonstrance has been filed with the County Clerk's office. The filing deadline for a petition is December 17<sup>th</sup>, 2015. LeTourneau said he has plans to go to Schaumburg Illinois to train on the new equipment.

Richard Shipe received permission to sign the 2016 Purdue Extension Contractual Service Agreement.

Dan Caruso made a motion to approve Resolution 12-2015-02 Authority to Reduce 2015 Budget Appropriations, Ruth Beer seconded and the motion carried with seven (7) ayes.

Resolution 12-2015-02  
Authority to Reduce Appropriations  
2015 Budget  
Steuben County Council  
Steuben County, Indiana

BE IT RESOLVED by the County Council of Steuben County, Indiana, it is the intent of the Steuben County Council to maintain the 2015 total tax rate at a level necessary for operations during 2015. It is recognized that there may be certain existing 2015 appropriations now having balances that will not be obligated for the purposes for which appropriated.

BE IT RECOGNIZED by the County Council of Steuben County, Indiana, the Council give the authority to reduce 2015 appropriations between the December meeting of the Steuben County Council and December 31, 2015 to the Steuben County Auditor and the Steuben County Council President to facilitate fiscal management. All Budget Reductions will be reported to the Council no later than the February 2016 Steuben County Council meeting. This authority may be exercised at the tax hearing in 2016 with the Department of Local Government Finance in amounts necessary to maintain the maximum levy allowed for each fund for the 2016 budget.

Duly adopted by the following vote of the members of the Steuben County Council, Steuben County, Indiana, on this 8<sup>th</sup> day of December, 2015.

Steuben County Council  
Richard Shipe, President  
Dan Caruso  
Ken Shelton  
Ruth Beer, Vice President  
Attest: Kim Koomler, Auditor

Jim Getz  
Wil Howard  
Linda Hansen

Wil Howard made a motion to approve Resolution 12-2015-03 Transfer of Appropriations. Jim Getz seconded and the motion carried with seven (7) ayes.

Resolution 12-2015-03  
Transfer of Appropriations  
2015 Budget  
Steuben County, Indiana

BE IT RESOLVED by the County Council of Steuben County, Indiana, it has been shown certain existing 2015 appropriations require intra-fund transfers. Intra-fund transfers shall be made in the amounts as shown per a worksheet submitted to the board once all necessary transfers have been identified.

BE IT RECOGNIZED by the County Council of Steuben County, Indiana, due to the budget cuts required for budgeting purposes in 2015 some transfers will be necessary between the December Steuben County Council meeting and before December 31, 2015 to ascertain available appropriations. Permission

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is granted by the Council to make the transfers necessary to facilitate fiscal management. All intra-fund transfers will be reported to the Council no later than the February 2016 Steuben County Council meeting.

Duly adopted by the following vote of the members of the Steuben County Council, Steuben County, Indiana, on this 8<sup>th</sup> day of December, 2015.

Steuben County Council  
Richard Shipe, President  
Dan Caruso  
Ken Shelton  
Ruth Beer, Vice President  
Attest: Kim Koomler, Auditor

Jim Getz  
Wil Howard  
Linda Hansen

Linda Hansen moved to approve Resolution 12-2015-04, A Resolution to Transfer Unencumbered Funds to the Rainy Day Fund Pursuant to IC 36-1-8-5.1. The motion was seconded by Ken Shelton and carried with seven (7) ayes.

Resolution 12-2015-04  
A RESOLUTION TO TRANSFER UNENCUMBERED FUNDS TO THE  
"RAINY DAY FUND" PURSUANT TO INDIANA CODE 36-1-8-5.1.

WHEREAS, Indiana Code 36-1-5-5.1 permits an Indiana county to establish a Rainy Day Fund to receive transfers of unused and unencumbered funds under said Indiana Code; and

WHEREAS, pursuant to said statute, an Indiana County Council shall make a finding that the proposed use of the Rainy Day Fund is consistent with the intent of the fund before making an appropriation therefrom; and

WHEREAS, pursuant to said statute, in any fiscal year an Indiana county may not transfer more than ten percent (10%) of its total budget for that fiscal year to the Rainy Day Fund; and

WHEREAS, pursuant to said statute, the Indiana Department of Local Government Finance may not reduce the actual or maximum permissible levy of an Indiana county as a result of a balance in the Rainy Day Fund;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF STEUBEN COUNTY, INDIANA, AS FOLLOWS:

Therefore, effective this date, the Steuben County Council approves the transfer of \$ \_\_\_\_\_ of unused and unencumbered funds from 2015 in the County General Fund to the "Rainy Day Fund."

The "Rainy Day Fund" shall be subject to the same appropriation process as other funds that receive tax money. The Steuben County Council hereby intends to utilize its decision-making power regarding fiscal affairs and set priorities for allocation and expenditure of the "Rainy Day Fund" as deemed necessary to best serve the residents of Steuben County.

IN WITNESS WHEREOF, the County Council of Steuben County, Indiana, hereunto set their hands that this Resolution be deemed effective this 8<sup>th</sup> day of December, 2015.

Steuben County Council  
Richard Shipe, President  
Dan Caruso  
Ken Shelton  
Ruth Beer, Vice President

Jim Getz  
Wil Howard  
Linda Hansen  
Attest: Kim Koomler, Auditor

Dan Caruso made a motion to approve the following Council Meeting minutes. Ruth Beer seconded. The motion carried with seven (7) ayes. August 26, 2015; September 2,3,4, 2015, September 9, 2015, September 15, 2015, October 13, 2015, November 10, 2015.

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The following Board appointments were approved this day with a motion from Jim Getz. Ken Shelton seconded. The motion carried with seven (7) ayes.

Council Board Appointments for terms beginning on January 1, 2016.

Fremont Library Board, reappoint Jackie Wooley – 4 year term expires 12/31/2015

Alcohol Beverage Board, reappoint Randy Nickols – 1 year term expires 12/31/2015

Carnegie Public Library Board, Jeanine Samuelson – 4 year term expires 12/31/2015

The Angola Redevelopment Commission Board Appointment 4 year term expires 1/31/2016 and county council will request recommendations from the City of Angola to be considered at their January meeting.

Richard Shipe asked council members to review their departmental assignments and think about whether or not they are interested in changing assignments for 2016. Dan Caruso said he is very happy with his assignments but he has a very positive excited interest in County Park, Highway Department and Health Department. Jim Getz stated he is just getting to know some of the department heads and has work he wants to accomplish with them. Jim Getz would like to keep his assignments for another year before switching. Dan Caruso offered to take County Park from Wil Howard. Linda Hansen told Council she is willing to take on another assignment. Jim Getz gave the Clerk's Department to Linda Hansen.

Steuben County Council  
2016 Departmental Assignments

Rick Shipe, President

Commissioners

Extension/Fair Board

Emergency Management

E-911/Communications

Surveyor

Building/Plan Commission

Ruth Beer, Vice President

Auditor

Sheriff/Jail

Drainage Board

Drug Free Steuben

Health Department

Maintenance

WIC

Dan Caruso

Sheriff/Jail

SC EDC

Soil & Water

County Park

I-MAN Board

Rise

Jim Getz

Board of Aviation

Information Technology

Innkeepers Tax Commission

Mental Health

Prosecuting Attorney

Linda Hansen

Building/Plan Commission

Clerk of the Courts

Personnel Policy Committee

Probation

Recorder

Weights & Measures

Wil Howard

Assessor

Coroner

Council on Aging

EMS

GIS

NISWMD

Treasurer

Ken Shelton

Circuit Court

Community Corrections

EMS

Highway

Magistrate Court

Public Defender

Superior Court

Steuben County Joint Commissioner Council Executive Session Meeting minutes from Monday, December 7<sup>th</sup>, 2015 were approved and signed this day.

Dan Caruso moved to approve the November 2015 Auditor/Treasurer Financial Report, Wil Howard seconded. The motion carried with seven (7) ayes.

Correspondence Received:

Highway Engineer Report 11-16-2015; 12-7-2015  
Soil & Water Conservation District Fall Newsletter  
Angola Police Department 2015 Fish Fry invitation

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There being no further business discussed, Dan Caruso moved to adjourn.

Steuben County Council

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Richard Shipe, President

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Jim Getz

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Dan Caruso

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Wil Howard

\_\_\_\_\_  
Ken Shelton

\_\_\_\_\_  
Linda Hansen

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

Attest: \_\_\_\_\_  
Steuben County Auditor