

Steuben County Council  
June 9, 2015  
Meeting Minutes

The Steuben County Council met in special session on Tuesday, June 9, 2015 at 9:00 a.m. The meeting was held at the Steuben County Community Center Building, 317 S Wayne Street, Suite 2 H, Angola, IN. Present were Richard Shipe, Jim Getz, Dan Caruso, Ken Shelton, Wil Howard, Linda Hansen and Ruth Beer. Also present were County Auditor Kim Koomler and Chief Deputy Auditor Lori Hickey.

President Richard Shipe called the meeting to order.

Barbara Short, DAS Services, Inc. was present before council to request approval of the CF-1 Compliance with Statement of Benefits Personal Property. The statement reflects a purchase of new machinery & equipment and the addition of a new 60' x80' section of building. Total square footage is now just under 16,000. Short said they originally committed to at least two additional people and have actually hired three. Short said the expansion project has gone very smoothly. Jim Getz moved to approve the CF-1 Compliancy Statement. Wil Howard seconded and the motion carried with seven (7) ayes.

Jennifer Sharkey, SC Highway Engineer submitted a request for additional appropriation in the amount of \$307,070.00 to the Major Moves Fund. Sharkey needs the funds to pay for the design phase of the CR 200 N and SR 827 project. Dan Caruso made the motion to approve the additional, Linda Hansen seconded and the motion carried with seven (7) ayes.

Additional Appropriation Major Moves Fund \$307,070.00 1175-827-3000.01 Design @ 200/827

Alan Tio, Vice President of the Northeast Indiana Regional Partnership provided county council with a brief update. The formation of the Regional Development Authority (RDA) is being proposed to 11 Northeast Indiana Counties. The objective for the RDA is to be eligible to apply for grant and/or loan funds made available by HB 1001 and HB 1403. The amount of \$84 million dollars have been set aside from a new tax amnesty program and placed into a non-reverting fund. The Indiana Economic Development Commission governs the manner in which these funds will be granted to the eligible Regional Development Authorities. The proposed Northeast Indiana RDA consists of the following eleven (11) counties Adams, Allen, DeKalb, Huntington, LaGrange, Noble, Steuben, Wabash Wells and Whitley. As of today, eight (8) of the eleven (11) counties have agreed to join the RDA and the Regional Partnership is on track to have all eleven counties onboard by Thursday June 11, 2015. Dan Caruso moved to approve Ordinance No. 867 An Ordinance Establishing the County of Steuben Development Authority Ordinance. Kenneth Shelton seconded. With no further discussion the ordinance passed with seven (7) ayes.

Steuben County Council  
**Steuben County Ordinance Number 867**

**An Ordinance Establishing the County of Steuben Development Authority Ordinance**

**Chapter 1: Title**

This ordinance is entitled the County of Steuben Development Authority Ordinance.”

**Chapter 2: Purpose**

The 2015 Indiana General Assembly enacted HB 1403 which allows each county and qualified city to join with one or more counties and/or qualified cities in order to establish a Development Authority. The County Council of the County of Steuben has determined that it would be in the best interest of the citizens of the County of Steuben to establish the Northeast Indiana Regional Development Authority with the other Indiana counties listed in Exhibit “A” of this County of Steuben Development Authority Ordinance.

**Chapter 3: Establishment**

Pursuant to IC 36-7.6-2-3, the County of Steuben, jointly with the other Indiana counties listed in Exhibit “A” of this County of Steuben Development Authority Ordinance, hereby establishes the Northeast Indiana Regional Development Authority (“Authority”). The Authority shall consist of the entire area located within the legal boundaries of the County of Steuben including incorporated and unincorporated territory, as well as the territory of the other counties, cities, and towns that are or will become members (“Members”) of the Authority.

**Chapter 4: Membership Period**

The County of Steuben shall be a Member of the Authority for a period commencing immediately upon the enactment of this County of Steuben Development Authority Ordinance and ending on June 30, 2023.

**Chapter 5: Organization; Powers**

The Authority shall be managed by a Development Board (“Board”) consisting of five board members (“Board Members”). The nomination and appointment of the Board, the organization of the Authority, the scope of the

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**Continuation of Ordinance No. 867**

powers to be exercised by the Board, the manner in which such powers are to be exercised, and all of the other functions of the Board shall be as set forth in IC 36-7.6-2-1 et seq. and all acts amendatory and supplemental thereto, as well as any other applicable laws of the state.

**Chapter 6: Amendment; Repeal**

This ordinance may be amended or repealed in whole or in part, at any time, as provided by and subject to applicable laws and regulations.

**Chapter 7: Severability**

Should any portion of this ordinance be deemed invalid for any reason, that portion shall be considered severable and the remaining sections shall remain in full force and effect.

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|----------------------|--------------------|
| 1. Adams County      | 7. Noble County    |
| 2. Allen County      | 8. Steuben County  |
| 3. DeKalb County     | 9. Wabash County   |
| 4. Huntington County | 10. Wells County   |
| 5. Kosciusko County  | 11. Whitley County |
| 6. LaGrange County   |                    |

Ordained this the 9th day of June, 2015.

President Shipe brought the request for an additional appropriation of \$10,000.00 for the Humane Shelter before council for their consideration. Steve Mumby, Lisa Caudell, Rita Needle and others representing the Humane Society Board were present. Shipe stated that we currently have the \$18,000.00 that was originally appropriated plus the additional \$27,000.00 that council passed a few months ago and now before you there is a request from the county commissioners to give the shelter another \$10,000.00. Shipe opened the floor to the audience members and council members for comments.

Dan Caruso stated that a lot of the extra effort has gone into getting to terms on this request and it is mostly due to the request being made mid-year budget cycle. We currently have \$45,000.00 on the table. The Commissioners haven't placed any sort of stipulations on the Humane Shelter for the expenditure of the additional \$10,000.00. Caruso stated he calculated a prorated amount based on the number of days without service would be \$45,944.00. Caruso stated that for the council to pass something in the amount we already have on the table would not be necessary. In Caruso's view the most prudent way to come to an agreement is for the Shelter to accept the \$45,000.00 already on the table. Then the Shelter could go back to the other taxing units again and make their requests.

Jim Getz stated that on the March 23<sup>rd</sup> meeting, a motion was made and approved the additional \$27,000.00 which was over and above the \$18,000.00 already in the CEDIT Budget. However, the shelter refused to execute the contract and declined to accept the funds. The Shelter has requested \$96,136.00 for the 2016 appropriation. Getz stated that his feeling is we are halfway through the year and if we take half the amount being requested for next year, the \$45,000.00 is a fair deal and he hopes the Shelter will opt to accept that and move forward.

Ken Shelton said he did some calculations and he determined the amount of \$49,300.00 would be an appropriate figure. Shelton stated that to arrive at his figure, he based his calculations on the original 74% amount proposed by the commissioners. Shelton stated that what the county is dealing with is a service that is desperately needed and we have seen the impact of not having it at all. Jim Getz asked what Dan Caruso's numbers are in comparison. Caruso said \$45,000.00 with a couple of covenants or restrictions attached.

Richard Shipe told Mr. Steve Mumby he felt the Shelter was trying to hold the county council and commissioner's hostage for a service the shelter has provided of their own free will. The shelter has always raised the funds to do that. It has never been a county owned or county run facility. Shipe likened it to someone that goes out and does clean-up on a stretch of highway and over the years they have done a marvelous job. However, in this scenario, over the years the job has become more cumbersome and costly and they come to the county commissioners and council and request payment to continue or they will quit cleaning that stretch of highway. Is it really the county's responsibility to fund that? It has never been funded by the county.

In the current situation, the county has helped out with \$18,000.00 allocation to pick up animals. That is what the \$18,000.00 was originally meant for. Whether it is being used for that now, I have no idea. Shipe said, I guess with respect to the shelter giving us an ultimatum to fund the shelter or they won't provide services, is what I find distasteful. Shipe stated that he doesn't deny that the shelter does a wonderful job and I don't deny that you may need additional funding. But Shipe said he disagrees with how the shelter has handled this entire situation by giving an ultimatum. There is \$45,000.00 on the table right now that you have refused to take. Apparently you don't need the money. Mumby said that the reason they have not accepted is that the money has restrictions attached. Mumby wants the restrictions removed and he will reconsider taking the funds. Shipe stated that most money comes with restrictions and unless the council takes action today those restrictions are still attached to the \$27,000.00. Shipe

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hopes that the Shelter could accept this money and we could continue to move forward while working toward a solution that you could service the whole county instead of holding us hostage in the public's opinion. Shipe stated that the county council is not doing our due diligence by funding the shelter that has never been funded by the county before. Mumby said at the end of the day, it is clearly up to the county to make that decision whether or not you want to fund the shelter or not. Mumby said it's a business and it is a service we are providing. If the county doesn't like the service, we understand that and will continue to do the work that we need to do with those entities that do support us. Or the county could start its own shelter or hire someone else to do the service for the county. We aren't arguing any of those points. At the end of the day we have to account for every dime and yes, for forty-three years we have provided the service with very little funding. But times have changed and we can't afford to do that anymore. It's up to you.

Jim Getz read his motion from the March 23<sup>rd</sup> meeting. Getz summarized and said the stipulation attached to the \$27,000.00 requiring the Humane Shelter to service the whole county. Getz said he feels that is a reasonable deal and we have worked really hard to get to that point. Kenneth Shelton commented that he agreed that we have worked hard, however he disagrees with the comment from President Shipe that the shelter came here with the intention of holding us hostage. Shelton said he understood that the shelter has been talking to the commissioners for two years about their building being in disrepair and they need to be moving forward to either remodel or rebuild it. The Commissioners told them the county wasn't interested in extending their lease. The Shelter determined that if the lease wasn't extended they would need to make those repairs and upgrades. Shelton stated that he views the shelter as a business that couldn't continue to provide a service and now they are in the position of either getting more income or reducing expenses. Their only option was to go to the government entities they provide service to and request additional funding. Shelton stated that the Humane Shelter has done their due diligence in determining a prorated portion for each of the eight (8) entities with Steuben being the largest portion, followed by Angola and then Fremont. Angola did an analysis and arrived at the figure of \$110,000.00 being the amount this service would cost if they had to do their own animal pick up service without having a facility. Therefore Angola agreed to pay 74% of the original request of \$33,000.00. Angola voted to give \$25,000.00. The shelter came back to the commissioners and they used Angola's calculation as a benchmark for the county. The Commissioners agreed to reduce the original request of \$84,761.00 by that same 74% which was approximately \$62,530.00 total. The commissioners had already allocated \$18,000.00 which left \$44,530.00 additional funds needed.

Kenneth Shelton stated that he is in favor of approving the amount of \$45,000.00 that is already on the table without any restrictions on the Shelter. Jim Getz reminded everyone that there was a motion on the floor at their April Meeting for \$62,530.00 and it didn't pass. Richard Shipe responded to Kenneth Shelton's concerns about placing stipulations on the funds. Shipe stated that these are taxpayer dollars. Is it fair for the shelter not to service one or more of these communities that pay taxes to support Steuben County Government but aren't able to allocate funds directly to the Humane Shelter. Shelton stated that he feels it is absolutely fair. These entities are being billed for services because they use the services of the shelter more. Richard Shipe asked the Steve Mumby if the stipulation was removed, would the humane shelter service the whole county. Mr. Mumby stated that if we can come to an agreement on the \$45,000.00 with no restrictions, then we will move forward. Daniel Caruso commented that he has done some research and has found that this issue is handled in a variety of ways across the state. Caruso stated he would like Council to pursue all of the county's options prior to the next budget cycle so we know what costs are involved with each option.

Jim Getz asked Mr. Mumby that since he has a Fremont address, will the shelter accept a stray animal from him. Mumby stated that they would accept the animal as long as the stipulations are removed. Getz asked how the shelter would determine residency. Mumby stated that they would use driver's license address to determine residency. Caruso stated that with the potential of tripling the funding to the Shelter, we look at more reporting on the shelter's operational revenues and costs. Wil Howard asked which of the units has the shelter not made terms with yet. Mumby stated that the shelter is currently in discussion with Ashley, Hudson, Orland and Fremont. Jim Getz stated that he is willing to make that deal with the Shelter however he doesn't like it one bit but we need your services and you need us. Getz feels that all citizens of Steuben County should be served. Linda Hansen reminded the board and the shelter of the mechanics of the allocation process. As long as everyone understands that it is an allocation based on service, but it is a request for an allocation.

Linda Hansen moved to approve an additional appropriation of \$300.00 out of CEDIT to the Humane Shelter to make up for the \$300.00 that was used but not paid to them specifically. Dan Caruso seconded. With no further discussion, the motion carried with a vote of six (6) ayes and one (1) nay by Richard Shipe.

Additional Appropriation: CEDIT 1112-000-3000.19 Humane Shelter Allocation \$300.00

Kenneth Shelton made a motion to remove the stipulation that service be provided to the entire county. Dan Caruso seconded. Shelton added that by removing the stipulation he believes that that will provide the opportunity for the humane shelter to continue conversation with other government units that have not enlisted up to this point. We are not taking away the ability for the shelter to negotiate with those bodies. With no further discussion, the motion carried with a vote of four (4) ayes Dan Caruso, Kenneth Shelton, Linda Hansen and Jim Getz and three (3) nays Wil Howard, Ruth Beer and Richard Shipe.

Steve Mumby commented that given this agreement, the shelter will resume services to the county and we also suggest that we have joint discussions moving forward on fund raising opportunities and ways to promote animal care for Steuben County and the Humane Shelter. The Dog Tax is one way to increase revenue however it isn't being enforced at this time. Mumby said he appreciated the council's comments today.

Pam Feller, Chief Probation Officer came before council today to receive approval to apply for the Juvenile Accountability Grant through the State of Indiana. Feller stated that the grant information was received this morning and must be submitted to the State by June 30, 2015. Wil Howard asked if this grant was something the county has received in the past. Feller stated that we have had a grant but it funded the youth improvement program which no longer exists. Linda Hansen moved to authorize Richard Shipe to sign the grant application acceptance form. Jim Getz seconded. Richard Shipe asked what added costs will the county have. Feller stated that only in-kind contributions will be the county portion of the project. She has plans to have four probation officers donate their

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time to oversee the juvenile accountability program. There being no further discussion, the motion carried with seven (7) ayes.

Auditor Koomler submitted a request for additional appropriation to the CEDIT fund for the Master Plan/Zoning contract the county agreed to in the 2015 budget process. Koomler stated that the county council removed the allocation from the Building/Planning County General Budget and committed to fund the project from the CEDIT Fund. When 2015 budgets were adopted the \$25,000.00 allocation was not in the CEDIT Fund. This request is to correct that oversight. Ruth Beer moved to approve the additional. Linda Hansen seconded and the motion carried with seven (7) ayes.

Additional Appropriation: \$25,000.00      1112-000-3000.05 Master Plan / Zoning

Correspondence was received from State Board of Accounts to invite county council members to attend the State called County Council Training Session on June 20, 2015. Ruth Beer will be attending.

Coroner Month End Report May 2015

Humane Society 2016 Budget Request

Auditor/Treasurer Monthly Comparison Report – Dan Caruso moved to approve, Wil Howard seconded and the motion carried with seven (7) ayes.

Minutes from the May 12, county council meeting were approved by a motion from Ruth Beer and seconded by Wil Howard. The motion carried with seven (7) ayes.

Jim Getz moved to adjourn the meeting. Kenneth Shelton seconded and the motion carried with seven (7) ayes.

Steuben County Council

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Richard Shipe, President

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Dan Caruso

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Jim Getz

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Wil Howard

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Kenneth Shelton

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Linda Hansen

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Ruth Beer, Vice President

Attest: \_\_\_\_\_  
Auditor, Kim Koomler