

Steuben County Board of Commissioners Meeting
Tuesday, January 21, 2014

The Steuben County Commissioners met on Tuesday, January 21, 2014 in the Commissioners Room of the Steuben Community Center. Present this day were Commissioners Ronald L. Smith, James A. Crowl, and Loretta S. Smart. Also present were Kim Koomler, County Auditor, Donald J. Stuckey, County Attorney, Ruth Beer, County Councilwoman, and Lori Hickey, Chief Deputy in the Auditor's office.

Candy Oliver, Steuben County Cancer Association President, came before the Commissioners to request office space in the Community Center. Ms. Oliver said that they would need a space for two desks. Ms. Oliver said they are a non-profit organization but they do have money in their budget for renting the space. Ms. Oliver said that they have outgrown their current office. Ms. Oliver said that someone would be in the office five to six hours a day. Commissioner Crowl said that they would need to talk with Gary Fair about available space. Ms. Oliver said that they plan to be in the new hospital in two or three years. Commissioner Crowl suggested that Ms. Oliver should come back to the next meeting and they could decide at that time. In the meantime, Ms. Oliver could check out the available space.

Loretta Smart made a motion to approve the claims for payment this day totaling \$542,839.66. James Crowl seconded and the motion carried with three (3) ayes.

James Crowl made a motion to approve the minutes as submitted from the Commissioners meeting on December 2, 2013. Loretta Smart seconded and the motion carried with three (3) ayes.

The Commissioners set up the committee for the County Park Community Building. Members of the committee are: Ron Smith, James Crowl, Loretta Smart, Rick Shipe - County Councilman, Ruth Beer - Councilwoman, Tami Mosier - 4H Educator, Ron Waite, Frank Charlton, Eric Ditmars and Mark Henney. Loretta Smart made a motion to appoint Ron Waite and Mark Henney as members of the County Park Community Building Committee. James Crowl seconded and the motion carried with three (3) ayes.

The Commissioners decided that their secretary should notify Herceg & Associates, and advertise a meeting scheduled for Wednesday, February 12th and 7:00 p.m. in the Commissioners Room of the Community Center.

The Commissioners discussed returning the three (3) units for heating and air conditioning they purchased from Federal Surplus. Emergency Management would like to use one of the units but the other two have not been used. Send a letter to Federal Surplus asking if they have a time period to use the units and if not, can the County sell them back to Federal Surplus.

Kris Thomas, Health Department Administrator, told the Commissioners the Health Department would like to trade in the Dodge Truck for a new vehicle with grant funds. Ms. Thomas said she had spoken with Dunham Motor Sales and they have a 2014 Durango for approximately \$32,000 in grant funds to make the purchase. Commissioner Smith said by law they must have three bids.

Ms. Thomas asked if they could store the trailer at the Highway or County Park. Commissioner Smith said they need to think about building a pole barn for the trailers and boats in the parking lot on Martha and South Streets. The Highway has no place to put a trailer.

James Crowl made a motion to use the Commissioners signature stamps for the annual allocation contracts. Loretta Smart seconded and the motion carried with three (3) ayes.

Loretta Smart made a motion to approve the Watcon, Inc. contract for testing the closed water loops at the Community Center and Courthouse at a cost of \$600.00 per year. James Crowl seconded and the motion carried with three (3) ayes.

James Crowl made a motion to approve the Council on Aging grant claim for distribution of last quarter of 2013 for \$8,120.00. Loretta Smart seconded and the motion carried with three (3) ayes.

Frank Charlton, Plan/Building Commissioner, brought a new Zoning Amendment A-14-01 before the Commissioners for approval. Mr. Charlton said the Amendment was brought before the Plan Commission on January 8, 2014 and the Plan Commission recommends passing the Zoning Amendment by a 7-0 vote. Mr. Charlton said there are five changes or clarifications on definitions. James Crowl made a motion to approve Zoning Amendment A-14-01. Loretta Smart seconded and the motion carried with three (3) ayes.

**Second and Third Readings
Steuben County, Indiana
Zoning Ordinance Amendment A-14-01**

Thereupon, County Commissioner, Loretta Smart, moved that all rules of procedure of the County Commissioners which might prevent, unless suspended, that second and third readings of Steuben County Zoning Amendment A-14-01, Annual Review of the Steuben County Zoning Ordinance, for final passage and adoption of said Zoning Amendment at this meeting without reading the said Amendment in full but reading the title only. This motion was seconded by James Crowl and was on the call of the roll adopted by the following vote:

Ayes
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Nays
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Under the suspension of the regular rules, County Commissioner, James Crowl, then moved that the Amendment be read for the second and third readings by title only and thereby be ready for passage and final adoption in this meeting. This motion for the second and third readings for final passage and adoption of said Amendment was seconded by Loretta Smart and on the call of the roll was adopted by the following vote:

Ayes
3

Nays
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The County Auditor then read aloud the title of said Amendment for the second and third readings. Thereupon, County Commissioner, Loretta Smart, moved for final passage and adoption of the Amendment in full applicable regulations to establish such Amendment. This motion for final passage and adoption was seconded by James Crowl and on the call of the roll adopted by the following vote:

Ayes
3

Nays
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The President of the Steuben County Commissioners, Ronald L. Smith, declared publicly Zoning Amendment A-14-01, to have been duly passed and adopted. Thereupon, said Amendment was signed by all members of the County Commissioners present and attested by the County Auditor. Zoning Amendment A-14-01 was recorded with the Steuben County Recorder at Deed Record 1402/0015 and reads as follows:

COMES NOW, the Board of Commissions of the County of Steuben, Indiana, and pursuant to the authority vested by I.C. 36-7-4-100, et seq., as amended by the General Assembly of the State of Indiana, and all acts amendatory thereto, enact the following:

AMENDMENT NO. A-14-01: Annual Review
to the
ZONING ORDINANCE of Steuben County, Indiana

A Part of the Master Plan for said County

WHEREAS, Steuben County adopted a new Subdivision Control Ordinance on July 3, 2008, which became effective on August 1, 2008; amended most recently on December 17, 2013;

WHEREAS, the Steuben County Zoning Ordinance was implemented to protect the health, safety, and welfare of the community;

WHEREAS, IC 36-7-4 and IC-14-28-4 grants local governmental units the authority to develop, adopt, and enforce land-use and developmental standards within their jurisdiction.

WHEREAS, annual maintenance and updating provides for the most effective Steuben County Zoning Ordinance;

WHEREAS, the Steuben County Plan Commission has adopted a policy to conduct an annual review of the Steuben County Zoning Ordinance;

WHEREAS, as part of the annual review, an amendment to the Steuben County Zoning Ordinance was identified; this would be more consistent with the intent of the Ordinance;

WHEREAS, after due deliberation by the Steuben County Plan Commission, it was determined that the Steuben County Zoning Ordinance should be amended to adopt the minimum standards and language requirements;

WHEREAS, after due deliberation by the Steuben County Plan Commission, the Steuben County Plan Director filed a petition for Amendment No. A-14-01 Annual Review;

WHEREAS, the notice of public hearing on said amendment was published as required by I.C. 36-7-4-604; and,

WHEREAS, on the 8th day of January 2014, the Plan Commission held a public hearing on said Amendment and, after due deliberation, did certify a **FAVORABLE RECOMMENDATION** of A-14-01 by a 7-0 vote, to AMEND the Steuben County Zoning Ordinance to read:

Chapter 10: General Provisions

Section 10.5 Projections into Required Yards

Table 10.05 Permitted Building Projections Into Required Yards					
Projection	Front Yard	Waterfront Yard	Rear Yard	Interior Side Yard	Corner Side Yard
Awnings and canopies	3 ft.	5 ft.	5 ft.	18 in.	3 ft.
Cornices and similar architectural features	3 ft.	3 ft.	3 ft.	18 in.	3 ft.
Barrier-free ramps and other facilities	5 ft.	5 ft.	5 ft.	3 ft.	5 ft.
Bay windows	3 ft.	5 ft.	5 ft.	18 in.	3 ft.
Eaves, overhanging	3 ft.	3 ft.	3 ft.	18 in.	3 ft.
Gutters	3 ft.	3 ft.	3 ft.	18 in.	3 ft.
No roofs, on open, unenclosed porches, decks, and terraces	10 ft.	10 ft.	10 ft.	3 ft.	10 ft.
Window air conditioning units	--	2 ft.	2 ft.	2 ft.	--
Window wells	3 ft.	3 ft.	3 ft.	3 ft.	3 ft.

Chapter 11: Accessory Buildings, Structures & Uses

(c) Location for Detached Accessory Buildings

(2) When an accessory building is the only structure located on a lot, it shall be considered the primary structure, which will have to meet all zoning district setbacks of primary structures.

(d) **Height Limitations:** The maximum height of detached accessory buildings shall be one (1) story, Attic storage shall be permitted, provided the space shall only be used for storage and have a maximum interior height of six (6) feet, attic and attic-like trusses are not allowed.

Chapter 12: Site Development Provisions

Section 12.06 Stormwater

(9) when a structure on properties adjacent to lake are razed and new structures to be built, a twelve (12) inch tile shall be installed from roadside to the lake, at property owners expenses.

Chapter 16: Improvement Location Permits, Site Plans and Certificates of Occupancy

Section 16.02 Improvement Location Permits

An Improvement Location Permit shall be obtained for any of the following actions. Certain activities are exempt from the requirement of obtaining an Improvement Location permit, but must still be in compliance with the use, setback and other requirements of this ordinance. Major activities such as commercial or industrial uses require a full engineered site plan. Minor activities such as single family residential dwellings may provide a less detailed sketch plan, provided the level of detail is sufficient to demonstrate compliance with this ordinance.

Activity/Use	Improvement Location Permit
Agricultural buildings or structures	Sketch plan
Single family detached and two family dwellings	Sketch plan
Multiple family dwellings	Site plan
Nonresidential building	Site plan
Establishment of a new special exception use (see Article 17)	Site plan
Planned Development Area (see Article 18)	Site plan
Decks, patios, driveways who's walking surface is not more than eight (8) inches off finished grade at any point	Exempt
Private road	Site plan
Construction solely on the building interior that does not increase usable floor area	Exempt
Cosmetic (non-structural) changes to any structure including the replacement of windows in existing openings, re-roofing, the installation of siding material, and repainting	Exempt
Wireless communication facility	Site plan
Change in use to an existing building to a similar or less intensive use, as determined by the Plan Director	Exempt
Change in use to an existing building to a more intensive use, as determined by the Plan Director	Sketch plan
Temporary uses, buildings, structures, and seasonal events	Sketch plan
Temporary storage/accessory structures	Sketch plan
Accessory commercial or industrial outdoor storage	Site plan
New parking lot/loading area or change in driveway access for a non-residential use	Site plan
Expanding an existing parking lot or paving an existing gravel parking lot	Site plan
Resurfacing of existing parking lot without increasing number of spaces	Exempt
Residential driveways and sidewalks that are located entirely on private property	Sketch plan

Construction, relocation or erection of signs, retaining walls, fences, walls, waste receptacle, sidewalks, antennas, lights, poles, cooling/heating or other mechanical equipment for any nonresidential use	Sketch plan
All fences (landscaping, privacy or security) and all retaining walls except on farms and lots in the Agricultural District	Sketch plan
Residential TV towers, satellite dishes, and other similar structures	Exempt
Modifications to comply with accessibility requirements	Exempt
Mineral extraction	Site plan
Alteration of the existing grade in excess of two (2) feet relative to the grade at the property lines of adjoining property owners in Subdivisions, and/or in R-1, R-2, R-3, LR, MH Zoning Districts	Sketch plan
Private ponds	Sketch plan

Chapter 24: Definitions

CRAWLSPACE: The portion of a building which is used to support a structure which partially or wholly below grade shall not exceed four (4) feet of inside height.

We, the Board of Commissioners of Steuben County, Indiana, after due deliberation, by majority vote, **DO CONCUR** with the recommendation of the Steuben County Plan Commission, and therefore;

BE IT HEREBY ORDINATED, THE Z ONING ORDINANCE OF STEUBEN COUNTY BE AMENDED AS PER SAID AMENDMENT NO. A-14-01: ANNUAL REVIEW OF THE STEUBEN COUNTY ZONING ORDINANCE.

PASSED this 21st of January 2014, by the Board of Commissioners of the County of Steuben, Indiana, to be in full for and effect from January 21, 2014 forward.

First Reading: 1-21-2014
 Second Reading: 1-21-2014
 Third Reading: 1-21-2014

STEUBEN COUNTY BOARD OF COMMISSIONERS

Ronald L. Smith, President, South District
 Loretta S. Smart, North District
 James A. Crowl, Middle District

Attest: Kim Koomler, Steuben County Auditor

Mr. Charlton told the Commissioners there is a contract for signage on County property for the businesses near the County Park. The contract is supposed to be reviewed every ten years and it has been fourteen since the contract was signed. Mr. Charlton said that there is a sign ordinance in effect in the Master Plan and he feels that gives them enough authority for control. Mr. Stuckey said that it is very detailed and he did not think any action was necessary from the Commissioners.

Commissioner Smith opened the Public Hearing.

Mr. Charlton brought Ordinance No. Z-14-01 to the Commissioners for approval. The petitioners came before the Plan Commission on January 8, 2014 to change the zoning from Environmental Control to Lake Residence. The Plan Commissioner recommends passage by a vote of 6-0 with 1 abstention.

Commissioner Smith asked for comments from the public: a gentlemen spoke in favor of the ordinance. Velda Dose also spoke in favor of the change.

Commissioner Smith closed the Public Hearing.

James Crowl made a motion to approve Zoning Ordinance Z-14-01. Loretta Smart seconded and the motion carried with three (3) ayes.

**Second and Third Readings
Steuben County, Indiana
Zoning Ordinance Z-14-01**

Thereupon, County Commissioner, James Crowl, moved that all rules of procedure of the County Commissioners which might prevent, unless suspended, that second and third readings of Steuben County Zoning Ordinance Z-14-01, a change in zoning from Environmental Control (EC) to Lake Residence (LR), for final passage and adoption of said Zoning Amendment at this meeting without reading the said Amendment in full but reading the title only. This motion was seconded by Loretta Smart and was on the call of the roll adopted by the following vote:

Ayes
3

Nays
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Under the suspension of the regular rules, County Commissioner, James Crowl, then moved that the Ordinance be read for the second and third readings by title only and thereby be 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 Loretta Smart and on the call of the roll was adopted by the following vote:

Ayes
3

Nays
0

The County Auditor then read aloud the title of said Ordinance for the second and third readings. Thereupon, County Commissioner, Loretta Smart, 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 James Crowl and on the call of the roll adopted by the following vote:

Ayes
3

Nays
0

The President of the Steuben County Commissioners, Ronald L. Smith, declared publicly Zoning Ordinance Z-14-01, to have been duly passed and adopted. Thereupon, said Ordinance was signed by all members of the County Commissioners present and attested by the County Auditor. Zoning Ordinance Z-14-01 was recorded with the Steuben County Recorder at Deed Record 1402/0013 and reads as follows:

Zoning Ordinance No. Z-14-01

It is hereby ordained by the County Commissioners of Steuben County, Indiana, that the following described real estate in Steuben County, Indiana, which is currently zoned *Environmental Control (EC)* shall hereinafter be zoned as *Lake Residence (LR)*:

A part of the North Half of the Southwest Quarter of Section 26, Township 38 North, Range 13 East, Jamestown Civil Township, Steuben County, Indiana, described as follows: Commencing at the intersection of the North Line of the North Half of said Southwest Quarter and the centerline of Old U.S. Highway 27;

THENCE North 88°31'32" West a distance of 462.32 feet; THENCE North 87°11'16" West a distance of 32.18 feet to the TRUE POINT OF BEGINNING of this description; THENCE continuing North 87°11'16" West a distance of 851.06 feet; THENCE South 22°45'35" West a distance of 279.17 feet; THENCE South 60°48'58" East a distance of 238.85 feet; THENCE North 31°43'34" East a distance of 96.40 feet; THENCE South 65°40'56" East a distance of 547.83 feet; THENCE North 22°45'35" East a distance of 515.91 feet back to the True Point of Beginning, containing 7.091 acres more or less, subject to the legal rights-of-way of Lane 140 Little Otter Lake and any other legal easements and/or grants of record thereon.
Map #76-03-26-310-201.000-006

The above described tract is based on previous surveys and Deed Record information and is NOT a result of an actual field survey by Rowland Associates, Inc.

DATED: January 21, 2014

First Reading: 01-21-2014
Second Reading: 01-21-2014
Third Reading: 01-21-2014

STEBEN COUNTY BOARD OF COMMISSIONERS

Ronald L. Smith, President, South District
James A. Crowl, Middle District
Loretta S. Smart, North District

Mr. Charlton brought Zoning Ordinance No. Z-14-02 and Z-14-03 for Commissioners approval. Fred and Randy Ritter, petitioners, came before the Plan Commission on January 8, 2014. The Plan Commission voted in favor of the change by a vote of 6-1, with one abstention. Commissioner Crowl said he was in favor of the change.

Loretta Smart made a motion to approve Zoning Ordinance No. Z-14-02 and Z-14-03. James Crowl seconded and the motion carried with three (3) ayes.

**Second and Third Readings
Steuben County, Indiana
Zoning Ordinance Z-14-02 and Z-14-03**

Thereupon, County Commissioner, James Crowl, moved that all rules of procedure of the County Commissioners which might prevent, unless suspended, that second and third readings of Steuben County Zoning Ordinance Z-14-02 and Z-14-03, a change in zoning from Lake Residence (LR) to Agriculture (A), for final passage and adoption of said Zoning Amendment at this meeting without reading the said Amendment in full but reading the title only. This motion was seconded by Loretta Smart and was on the call of the roll adopted by the following vote:

Ayes
3

Nays
0

Under the suspension of the regular rules, County Commissioner, Loretta Smart, then moved that the Ordinances be read for the second and third readings by title only and thereby be ready for passage and final adoption in this meeting. This motion for the second and third readings for final passage and adoption of said Ordinances was seconded by James Crowl and on the call of the roll was adopted by the following vote:

Ayes
3

Nays
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The County Auditor then read aloud the title of said Ordinances for the second and third readings. Thereupon, County Commissioner, Loretta Smart, moved for final passage and adoption of the Ordinance in full

applicable regulations to establish such Ordinances. This motion for final passage and adoption was seconded by James Crowl and on the call of the roll adopted by the following vote:

Ayes
3

Nays
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The President of the Steuben County Commissioners, Ronald L. Smith, declared publicly Zoning Ordinance Z-14-01 and Z-14-03, to have been duly passed and adopted. Thereupon, said Ordinances were signed by all members of the County Commissioners present and attested by the County Auditor. Zoning Ordinance Z-14-02 was recorded with the Steuben County Records at Deed Record 1402/0012 and Zoning Ordinance Z-14-03 was recorded with the Steuben County Recorder at Deed Record 1402/0014. Both Ordinances read as follows:

Zoning Ordinance Z-14-02

It is hereby ordained by the County Commissioners of Steuben County, Indiana, that the following described real estate in Steuben County, Indiana, which is currently zoned **Lake Residence (LR)** shall hereinafter be zoned as **Agriculture (A)**:

A tract of land situated in the Southwest quarter of Section 15, Township 36 North, Range 13 East, Steuben Civil Township, Steuben County, Indiana, and being more particularly described as follows:

Commencing at a 5/8" rebar found at the southwest corner of Lot number 102 of Gilbert's Second Addition to the Town of Pleasant Lake; thence S 1°15'59" W 7.22 feet to a found 5/8" rebar; thence N 85°37'49" W 73.00 feet to a found 5/8" rebar; thence S 7°23'11" W, 26.62 feet to a found 5/8" rebar w/cap (M.B.S. & Assoc. Inc.); thence N 89°02'26" W, 53.19 feet to a set 618" rebar w/cap (Bevington RLS 29600007) at the Point of Beginning; thence continuing N 89°02'26" W, 592.85 feet to a found 5/8" rebar w/cap (M.S.B. & Assoc. Inc.); thence N 1°16'20" E, 425.74 feet to a found 5/8" rebar; thence S 85°57'27" E 599.10 feet to a found 1/2" rebar; thence S 14°59'21" W, 19.79 feet to a found 5/8" rebar w/cap (M.B.S. & Assoc. Inc.); thence S 0°57'06" W, 253.75 feet to a set 5/8" rebar w/cap (Bevington RLS 29600007); thence S 2°21'21" W, 120.60 feet to the Point of Beginning, containing 5.59 acres, more or less, and being subject to and/or together with all easements and rights of way of record.

Map #76-11-15-340-403-020.017

Dated: January 21, 2014

First Reading: 01-21-2014

Second Reading: 01-21-20-14

Third Reading: 01-21-2014

STEBEN COUNTY BOARD OF COMMISSIONERS

Ronald L. Smith, President, South District

James A. Crowl, Middle District

Loretta S. Smart, North District

Attest: Kim Koomler, Steuben County Auditor

ZONING ORDINANCE Z-14-03

It is hereby ordained by the County Commissioners of Steuben County, Indiana that the following described real estate in Steuben County, Indiana, which is currently zoned **Lake Residence (LR)** shall hereinafter be zoned as **Agriculture (A)**:

A tract of land situated in the Southwest quarter of Section 15, Township 36 North, Range 13 East, Steuben Civil Township, Steuben County, Indiana:

January 21, 2014 Steuben County Commissioners meeting continued

Beginning at a 5/8" rebar found at the southwest corner of Lot number 102 of Gilbert's Second Addition to the Town of Pleasant Lake; thence S 1°15'59" W, 7.22 feet to a found 518" rebar; thence N 85°37'49" W, 73.00 feet to a found 5/8" rebar; thence S 7°23'11" W, 26.62 feet to a found 518" rebar w/cap (M.B.S. & Assoc. Inc.); thence N 89°02'26" W, 53.19 feet to a set 5/8" rebar w/cap (Bevington RLS 29600007); thence N 2°21'21" E, 120.60 feet to a set 5/8" rebar w/cap (Bevington RLS 29600007); thence N 0°57'06" E, 253.75 feet to a found 5/8" rebar w/cap (M.B.S. & Assoc. Inc.); thence S 76°10'41" E, 103.70 feet to a found 5/8" rebar w/cap (Sadlon); thence S 14°59'21" W, 131.24 feet to a found 518" rebar; thence S 76°21'02" E, 221.29 feet to a found 5/8" rebar, thence S 15°17'20" W, 152.31 feet; thence N 88°25'51" W, 121.30 feet to the Point of Beginning, containing 1.42 acres more or less and being subject to and/or together with all easements and rights of way of record. Map #76-11-15-340-417.000-017 & 76-11-15-340-403.000-017

Dated: January 21, 2014

First Reading: 01-21-2014

Second Reading: 01-21-2014

Third Reading: 01-21-2014

STEBEN COUNTY BOARD OF COMMISSIONERS

Ronald L. Smith, President, South District
James A. Crowl, Middle District
Loretta S. Smart, North District

Attest: Kim Koomler, Steuben County Auditor

Commissioner Smart noted that Kristy Clawson, Emergency Management Director, sent a letter to the newspaper thanking everyone for their help during the snow storm. Commissioner Smart said that she thought everything went very smoothly.

Loretta Smart made a motion to approve the contract for Donald Stuckey as the County Attorney for 2014 for an annual retainer of \$10,000 to attend Commissioners' meetings, review county business, report on the status of business matters delegated to him and to counsel and advise as necessary plus additional hourly rates as described in the contract. James Crowl seconded and the motion carried with three (3) ayes.

James Crowl made a motion to approve Steve Bachelor, a Democrat, as a member of the Plan Commissioner Board. Loretta Smart seconded and the motion carried with three (3) ayes. Mr. Bachelor will fill the remainder of John Brooks' term on the Plan Commission Board. His term will begin on January 21, 2014 and end on December 31, 2015.

Mr. Stuckey told the Commissioners George Pifer cannot serve on both the Board of Aviation and Steuben Regional Sewer District Board since both are lucrative office appointments. Mr. Pifer indicated that he feels he needs to stay on the Sewer District Board. James Crowl made a motion to appoint Elten Powers to the Board of Aviation with a term beginning January 21, 2014 and end on December 31, 2017. Loretta Smart seconded and the motion carried with three (3) ayes.

The Commissioners discussed increasing the Board of Aviation to five members. Council creates the fifth member and the Commissioners appoint the member. The Council has not passed the Resolution to provide the fifth member.

Todd Pfafman, Community Corrections staff, introduced Mike Hall, Work Release Coordinator. Mr. Pfafman gave a list of items he would like to salvage from the Work Release Facility. Those items are – 30 bed frames, 30 of the green plastic coated mattresses, 12 half lockers (2) actual units, 18 full size lockers, one rolling plastic tool cart, assorted fasteners, assorted electric boxes and accessories, assorted tools, one fire system control

panel, and one metal desk. Loretta Smart made a motion to approve the request to ask the Sheriff's department to give the items to Community Corrections. James Crowl seconded and the motion carried with three (3) ayes.

Mr. Pfafman also requested on behalf of Brett Hays, Director of Community Corrections, three items to purchase and use the Commissioners credit card. First item is an OtterBox Defender case and holster from Samsung Galaxy S4 for \$226.68, a computer for the Work Release Coordinator for \$1,176.50, and Laptop for Director in LaGrange for \$1,459.95. James Crowl made a motion to approve the request. Loretta Smart seconded and the motion carried with three (3) ayes. Mr. Pfafman said that only item being used to purchase with the credit card would be the OtterBox the other two items can be purchase through an account and be billed later. The costs will be paid for from grant funds.

Mr. Pfafman requested permission to get a key made for the Annex Meeting Room so they can use during the renovation for the Work Release area. Loretta Smart made a motion to approve the request for a key. James Crowl seconded and the motion carried with three (3) ayes. The key will be returned to Communications when the renovation is completed.

Cindy Snyder, Communication Director, came before the Commissioners to release the performance bond for the Public Safety Radio Project and approve final payment to Harris Corporation of \$335,205.19. Mr. Stuckey said all documents are in order. Ms. Snyder said that Harris will continue to be on call for various problems, but most things are taken care of. Loretta Smart made a motion to approve the final payment and release the bond for Harris Corporation. James Crowl seconded and the motion carried with three (3) ayes.

Kristy Clawson, Emergency Management Director, came before the Commissioners to request to purchase an Inflatable Rehab Shelter with grant funds. Ms. Clawson told the Commissioners that she had received several calls from department heads because they were not personally notified of the County closing during the snow storm. Ms. Clawson said she said she told them they should listen to the radio, the Sheriff's Nixle alert, or Sheriff's Facebook or phone tree for each department.

Ms. Clawson expressed her appreciation to the Commissioners, Highway Department, Sheriff's Office, Communications for all of their work during the snow storm. The line of command is detailed in the Snow Emergency Ordinance #775.

Loretta Smart made a motion to approve the request to purchase an Inflatable Rehab Shelter with grant funds at a cost of \$5,179.77. James Crowl seconded and the motion carried with three (3) ayes.

Dave Koenig, Executive Director of SCEDC, came before the Commissioners to answer any questions about the 2014 Contract for service fees of \$130,488.00. Mr. Koenig gave the Commissioners the 2013 Annual Report for EDC and several other pieces of information.

Bill Schmidt had several questions on how funding was determined at the EDC and why it is necessary to have closed door meetings when tax dollars fund the organization. Sara Tubergen, Councilwoman and EDC President, answered Mr. Schmidt's questions. Mr. Koenig offered his explanation on why the meetings at EDC are closed to the public. Mike Marturello, Editor of the Herald Republican, explained why the law was put in place to have open door meetings back in the 1970's and there is a tool available for Executive Session when dealing with confidential discussions. Mr. Koenig stated that he knew of no economic development organization in northeast Indiana that holds open door meetings. Mr. Marturello said that when EDC was first started, all of the meetings were open to the public and then they would go into Executive Session to discuss confidential items. Mr. Marturello said at that point everyone not on the Board would leave the meeting for the Board to discuss the sensitive issues. Mr. Koenig explained the procedures used at the EDC.

Mr. Schmidt asked the Commissioners not to fund the EDC until the meetings are open to the public. Commissioner Crowl said he is also opposed the policy of closed door meetings. Mr. Crowl said he understands

the need for closed door meetings for confidentiality but he thinks the meetings could be open to the public for part of the meeting.

Craig Ralston, EDC Board member, spoke on the issue of the public meetings and why the need for closed door meetings. Mr. Stuckey said he thought the meetings could be open to the public as they had been before for the process of the budget and financial issues. Another member of the Board, Vivian Likes from the City of Angola, spoke and said that she felt it would be a detriment to the EDC to have open door meetings.

Commissioner Smith said that he thought the meetings should be open door or at least all three County Commissioners should be made aware of the confidential discussions of the EDC. Ms. Likes said that she does not consider the EDC secretive. Commissioner Smith said he thought the decision on the EDC Contract should be tabled until the EDC is made aware of the Commissioners' request for open door meetings.

Jennifer Sharkey, County Engineer, gave the Commissioners' her report on various highway projects. Ms. Sharkey said that she applied for Federal Funds for the Baker Street project and they will notify the county by the end of the month.

Ms. Sharkey said that five of the eight parcels have been secured for the CR 200 N/200 W Project. The letting date is scheduled for July 2014.

The Bike Trail Project is scheduled for a May 2014 letting. Ms. Sharkey met with the Regional Trail Group for branding a regional trail to connect with Pokagon State Park. Pufferbelly Trail is the front runner for the name of the trail. Another meeting will be held on January 28th for brainstorming.

Ken Penick, Highway Superintendent, told the Commissioners he hired another mechanic.

James Crowl made a motion to approve the additional for Emergency Part-time for \$2,000.00 to pay the wages for Steve Weber who is filling in for Dennis Kinsey while he is on medical leave. Loretta Smart seconded and the motion carried with three (3) ayes.

The Commissioners asked that a information sheet on different county projects for the upcoming year.

The Commissioners received the following correspondence: Thomas P. Miller & Assoc. re: newsletter; NIPSCO re: newsletter; AIC re: newsletter & HR Course; St. Joe River Basin Commission re: agenda & minutes; SC Humane Society re: monthly report; DLGF re: tax information.

STEBEN COUNTY BOARD OF COMMISSIONERS

Ronald L. Smith, President, South District
James A. Crowl, Vice President, Middle District
Loretta S. Smart, North District

Attest: _____
Kim Koomler, Steuben County Auditor

cag