

STEBEN COUNTY COMMISSIONERS MEETING MINUTES
Monday, March 17, 2014

The Steuben County Commissioners met at 8:30 a.m. on March 17, 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 County Auditor Kim Koomler, County Attorney Donald J. Stuckey, and County Council members Richard Shipe, Ruth Beer, Dan Caruso, Linda Hansen, Sara Tubergen, and John Ingledue, and District 51 State Representative Denny Zent.

Dr. R. Wyatt Weaver, President of the Board of Aviation, was present at the meeting to discuss any questions the Commissioners might have on the request for an additional to pay the utility bills at the Airport. The Commissioners discussed with the Auditor the different funds that can be used for an additional. The Commissioners noted that the Board of Aviation should contact NIPSCO to have access to the natural gas line that is on the south side of US 20. Dr. Weaver said the Board of Aviation has contacted NIPSCO, but he wasn't sure the access could be accomplished by next winter. James Crowl made a motion to allow up to \$20,000 in the Commissioners line item in Cumulative Capital Fund to pay the utility bills at the Airport. Loretta Smart seconded and the motion carried with three (3) ayes. The claims for the utility bills will be turned in to the Auditor's office and the line item number will be put on the claim by the Auditor's claims deputy. The Auditor will track the claims for the utility bills and will let the Commissioners know when they are reaching the \$20,000 limit.

James Crowl made a motion to appoint Walt Drewes as the fifth member to the Board of Aviation. Loretta Smart seconded and the motion carried with three (3) ayes. County Council passed Resolution 02-2014-01 increasing the members of the Board of Aviation from four to five members.

Loretta Smart approved the claims submitted for payment this day totaling \$374,102.15. 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 March 10, 2014. Loretta Smart seconded and the motion carried with three (3) ayes.

The Commissioners received a letter of resignation from Cindy Snyder, Communications Director, explaining that her last day of employment would be March 21, 2014. James Crowl made a motion to accept the letter of resignation from Ms. Snyder. Loretta Smart seconded and the motion carried with three (3) ayes. The Commissioners asked that a letter of acknowledgement be sent to Ms. Snyder.

Commissioner Smith agreed to go to the meeting on a "Tiger" grant which is a Federal grant in Orland. The application for the grant would be on the extension of Maple Street.

Mr. Stuckey said he had not heard anything back from the Sheriff on updating the Snow Emergency Ordinance.

The Commissioners received a letter from Jim Willison a consultant with Advanced Communications Design & Consulting, offering their services. The Commissioners asked that a letter be sent to Mr. Willison thanking him for his offer, but the Commissioners have already hired a consultant.

The Commissioners noted that the General Assembly has given the right for Allen County to ask the voters if they want to go to a single county executive. The second item of interest is the Business Personal Property Tax. The issue has been put back on each county to decide what is best for that county.

Tami Mosier, 4-H Youth Educator, asked the Commissioners for permission to use the County Park on May 17th at 9:00 a.m. for a fund-raising walk called a "Color Run". The distance of the event is one mile and she would like to use the top of hill or the rodeo arena. Ms. Mosier said she does have waivers for liability for whoever would come to purchase paint for the event. The event will be open to the public and the charge for the event will be \$5.00 which will go to 4-H. Loretta Smart made a motion to approve the request for the Color Run to be held at the County Park. James Crowl seconded and the motion carried with three (3) ayes.

Brett Hays, Community Corrections Director, submitted a Memorandum of Understanding between Northeast Indiana Community Corrections and Steuben County Council on Aging, Inc./STAR Transportation for the Commissioners approval. The MOU is an agreement to use volunteer services for the elderly and/or disabled citizens that request assistance for leaf and snow removal through the COA. James Crowl made a motion to approve the agreement. Loretta Smart seconded and the motion carried with three (3) ayes.

Mr. Hays also presented three Delta T Mechanical repair bills for the furnace in the Historic Jail at a cost of \$3,220.86. Mr. Hays stated that the Commissioners had agreed to pay one-half of the bills at their meeting on December 30, 2013. Loretta Smart made a motion to pay \$1,610.43 to Delta T Mechanical as the Commissioners portion from the Commissioners line item in the CAGIT Fund (1110-000-3000.39). James Crowl seconded and the motion carried with three (3) ayes.

Mr. Hays requested approval to purchase a laptop from Cyber Power PC at a cost of \$1,592.93 including shipping charges. James Crowl made a motion to approve the laptop at a cost of \$1,592.93 from Cyber Power PC. Loretta Smart seconded and the motion carried with three (3) ayes. Cost will come from grant funds.

Mr. Hays requested approval to purchase a desktop computer from Newegg Computers. Mr. Hays also asked for permission to use the Commissioners' credit card. The cost is \$1,188.00. Loretta Smart made a motion to approve the desktop computer at a cost of \$1,188.00 and permit Mr. Hays to use the Commissioners credit card. James Crowl seconded and the motion carried with three (3) ayes.

Chad Hoover, GIS Coordinator, requested approval to purchase a laptop from the 2010 Short Term Bond. Mr. Hoover had three quotes – Dell quotes \$4,445.59; HP quotes \$4,021.35; and Toshiba quoted \$3,580.93. Mr. Hoover recommended the low quote from Toshiba. Loretta Smart made a motion to approve the low quote from Toshiba for \$3,580.93 and take the purchase from the 2010 Short Term Bond. James Crowl seconded and the motion carried with three (3) ayes. Mr. Hoover also asked the Commissioners to make a transfer in the 2010 Short Term Bond to cover the cost of the purchase. The transfer would be for \$1,900 from 4601-000-3000.07 (GIS Layers) to Capital Asset GIS line item 4601-000-4000.08. Transfer was approved.

Commissioner Smart said that they have met with a consultant to be the interim Director for the Communications Department. The contract will pay the consultant a weekly rate of \$2,200.00 per week or \$110.00 per hour, whichever is less, plus all expenses incurred as necessary to fulfill the contractual

obligation. The consultant will act as interim director until the staff level is full and will direct operations and hire new employees. Loretta Smart made a motion to go forward with hiring of the consultant for the interim director of communications. James Crowl seconded and the motion carried with three (3) ayes.

Gary Fair, Community Center Building Manager, submitted two quotes for the handicapped door on the first floor. Williams Electronic quoted \$1,650.00 and Lakeland Electronics quoted \$1,182.50. Mr. Fair will use Lakeland Electronics and will pay for the cost of his Maintenance Budget. Mr. Fair asked the Commissioners to pay invoice #T-636 from the Commissioners budget. The invoice cost is \$969.86. James Crowl made a motion to approve the low quote from Lakeland Electronics for \$1,182.50 for the handicapped door which Mr. Fair will pay for out of the Maintenance Budget and approve the cost of the Delta T bill of \$969.86 from the Commissioners Budget in Cumulative Capital fund, line item 1138-000-4000.15. Loretta Smart seconded and the motion carried with three (3) ayes.

Mr. Fair told the Commissioners he has not received quotes for the women's restroom renovation. Mr. Fair told the Commissioners that he estimated the cost of waterproofing the 1st floor in the Community Center to \$80,000. Mr. Fair hoped to have the quotes for the women's restroom the first meeting in April.

Ken Penick, Highway Superintendent, discussed various highway projects with the Commissioners.

Jennifer Sharkey, County Engineer, submitted a utility easement for Frontier Communications #2686. Loretta Smart made a motion to approve the utility easement. James Crowl seconded and the motion carried with three (3) ayes.

Ms. Sharkey discussed the Bike Trail and how the signal will work for crossing SR 127 at 300 N. Ms. Sharkey said that there will be a meeting on branding for bike trails on March 19th in Fort Wayne. Letting for the Bike Trail will be in May.

Kent Irwin, from Waggoner, Irwin, Scheele & Associates, the Consultant hired by the Commissioner for Human Resource advice to discuss new job descriptions and Fair Labor Standards Act. Mr. Irwin handed out folders with his recommendations and new job descriptions. Mr. Irwin told the Commissioners and Council that the County must provide overtime/comp time to the non-exempt employees for all time worked over 40 hours per week.

Mr. Irwin reviewed how he determined whether a job is either exempt or non-exempt by FLSA tests. The tests are Executive Test, Professional Test, Administrative Test, and the position must be on a salary basis, making more that \$455 per week. Mr. Irwin noted there are exclusions for elected officials or appointees by elected officials and they are considered to be exempt. Mr. Irwin said that the Sheriff's Merit Board is not under the exclusion but the Chief Deputy and Matron are considered exempt. These are the only two of the Sheriff's administrative staff that have exempt status.

Mr. Irwin said that the County employees need to keep time records to avoid ghost employment. The only people who do not have to keep time records are the elected officials. Mr. Irwin said that using FLSA tests he reviewed the new job descriptions for Assessor, Auditor, Clerk, Recorder, Sheriff, Surveyor and Treasurer. Chief Deputies for all offices are considered exempt and cannot accumulate comp time.

Mr. Irwin recommended that time clocks be used for payroll. Mr. Stuckey said that each department can keep a record of employee's time sheets, but all should be turned in to payroll for the County's records. The County is required to keep three years of records for over time claims. Mr. Irwin said that the requirements for FLSA should be put into the Employee Policy Manual so that each employee knows the rules they must follow.

The Commissioners discussed the E911/Dispatch Center and how the operation is proceeding. Commissioner Smith said the issue of E911 was challenged to be placed under the control of the Sheriff's office. Public safety is the number one issue and the Commissioners feel that the control should be kept under the Commissioners office.

Commissioner Crowl stated that the process was given by the County Council to establish E911/Communications and, by Ordinance, control was given to the Commissioners. Commissioner Crowl said he would establish a Public Safety Board to advise and help with public safety on a 24 hour basis. The Board would consist of a representative from each department. The Emergency Management Director has put together a Board that will help and advise, and "the problem that is happening now will never happen again." Commissioner Crowl said that control of dispatch at the last meeting was not stated directly but the answer is "no", control of E911/Communications will not be changed.

Commissioner Smart said that the Commissioners try to maintain professionalism and be conscious of the needs of the County. There are ongoing meetings which the Commissioners attend. Commissioner Smart said that in hindsight, the Commissioners were too lenient, and the task is now to rebuild.

Commissioner Smith said that the Commissioners are looking at a consultant who will offer his services and will be here at 3:00 p.m. to discuss his contract. The consultant will superintend the hiring process for staff in the Dispatch Center so that it is fully manned. The Commissioners have visited the Dispatch Center during the past week and have found it fully staffed and operating efficiently. Commissioner Smith said that minor crises of health issues come up every day in private companies as well as government, and they have had to solicit other qualified people to handle the job, in this case the County has used Sheriff's deputies and former Dispatch employees. Commissioner Smith said that the Commissioners will not be making a motion to transfer leadership of E911 to the Sheriff's Department but rather keep it under the auspices of the Commissioners. The Commissioners are actively seeking leadership and pursuing hiring new employees.

Sheriff Troyer spoke to the Commissioners on current issues with the E911 Center. The E911 staff has lost two individuals recently. There has been coverage by various individuals, some of them are deputies and some have been Town Marshals which have created a little confusion with the Towns. Sheriff Troyer said that Mr. Stuckey made a comment at the last meeting that a transfer from one department to another could not be done until 2015 since the budget had already been determined by County Council. Sheriff Troyer said that he had contacted Department of Government Finance and talked with Dan Jones, to see if a transfer of budgeted County funds could be done. Mr. Jones told him it could be done by advertising the transfer and "reducing the budgets under the Commissioners and appropriating the amounts into the budget the Sheriff directs. The County Council signs and adopts the transfers."

Mr. Stuckey said that the Commissioners cannot approve the transfer. It is the County Council that decides whether to allow the transfer.

Sheriff Troyer said that he has two plans that he would like the Commissioners to consider: Immediate plan – they would use outside offers to fill and cover shifts at Communications with qualified people that Commissioners or a Director do not have access to, immediate screening of dispatchers, train the certified staff for dispatching, IDACs and NCIC compliance, and insure quality call takers and communicators for the public. Once these things have taken place it would be time to release the stabilizing force from the outside. Long Term Plan would use the staff already in place and go forward with training and communication skills and proven leadership qualities to hire supervisors. Sheriff Troyer would create an advisory committee made up of representatives from Angola Police, Prosecuting Attorney, volunteer fire departments, full time firemen's group, Town Marshal, schools, EMS. Next would be a blending of the Sheriff policy with the Dispatch procedures. It would ensure quality standards. The fourth thing would be to provide mentoring for the staff, development and management.

Sheriff Troyer said he disagrees with the Commissioners and thinks that they are in a crisis in 911. Sheriff Troyer said that the risk is too great to leave it in the hands of the Commissioners and asked that E911/Communications Department be transferred back to the Sheriff's Department where it belongs; any more delays will simply cost the County too much.

Commissioner Crawl referred to a comment made by the Sheriff that a lady had worked 24 hours in the Dispatch Center. Commissioner Crawl said that a lady came in to work and was working on her IDAC certification. She went back to take a nap later and another person woke her because she needed to visit the restroom. So the lady taking a nap covered until the lady came back from the restroom and returned to her job. The lady taking the nap told Commissioner Crawl that "they will think I worked for 24 hours because they heard me on the radio.

Sheriff Troyer said there was a 1hr 20 min. lapse in time for the lady and it could have been the time she took a nap.

Commissioner Smith asked the Sheriff to give him an incident where 911 Dispatch did not meet standards correctly.

Sheriff Troyer said there might be two people in the chairs but trainees are not qualified people to dispatch. There can be different breaks for restrooms, smoke breaks etc. Sheriff Troyer said there are times that Deputies are supposed to check in on the radio when they go on domestic calls and there is a protocol to check on the Deputies with code that they use. It is very unsafe for his Deputies when this protocol is not used.

Commissioner Smith asked the Sheriff would be willing to work with the Commissioners until the situation in 911/Communications is under control.

Sheriff Troyer said he would, that he has four deputies that are qualified, but he may not be able to do it all of the time. Sheriff Troyer said he would also be willing to sit on the Board for Public Safety that has been discussed today.

Commissioner Crawl asked if the Sheriff would notify Communications when they have special programs such as Operation Pullover. The Sheriff said that they have only a few officers that are part of the program and there are other agencies involved. Commissioner Crawl said that if Communications was notified in advance they would have the opportunity to hire an extra person for that day or days to help with the calls. Sheriff Troyer said the Angola police are in charge of this program. A representative of the Angola Police said that they do notify the newspapers and others that a "blitz" will be going on during a certain time. Sheriff Troyer said he is not in control of this.

Commissioner Smith told Sheriff Troyer that the Commission Board will not relinquish control of 911/Communications at this time. The Commissioners want to enhance the capabilities of the department to maintain safety and they will be hiring a consultant, Ken Lowden, who the Commissioners think will give the department some leadership and solidarity. The Commissioners think that this will keep the County safe and the Sheriff will feel they are covered. Sheriff Troyer said he would be available at 3:00 p.m.

Meeting re-convened at 3:00 p.m.

Commissioner Smith turned the meeting over to Commissioner Crawl. Commissioner Crawl said that he and the EMA Director have been talking with other counties and towns to see how they handle 911/Communications. Highway works 24 hours, Fire Departments, Town Marshals, EMS, Communications, Sheriff, Commissioners, and Council representatives.

Kristy Clawson stated that she had been asked to propose a Board that will advise Communications, very similar to the user group that was established for the Radio Project, and it will be a committee with bylaws. Every entity would have a voice. The bylaws would be specific as to what the group is to do and the roles and responsibilities each person will have. Once a Director has been hired for Communications Ms. Clawson thought that person could be the chairman of the committee. Ms. Clawson did say that in some counties the chairman does not have voting privileges.

Commissioner Crawl said that some of the representatives are elected and appointed. Ms. Clawson said that her office is resource, support and coordination. Her daily job is to identify and relay the information to the Sheriff, Highway and Commissioners and then those persons make a decision, making sure that public safety is the first priority.

Ms. Clawson said the committee will meet every month or more often it should be up to the committee to decide. Commissioner Crawl said he could see the committee meeting weekly for the time being and then the meetings could be cut back.

Ms. Clawson said she thought they need to designate the committee members. Sheriff Troyer said he thought the fire departments need to pick a representative for full time fire fighters and one for volunteer fire fighters. Also he thought one representative from all of the Town Marshals. Sheriff Troyer thought that these groups should pick their own representative for the committee. Ms. Clawson said that there is a Chief and Officer meeting with the fire departments and perhaps that would be a good time for them to discuss a representative and decide.

Sheriff Troyer asked what assurances that the committee will meet on a regular basis. Before the committee was organized under a part time EMA director and now Ms. Clawson is full time. Ms. Clawson said that it could be written in the bylaws that the chairman of the committee could be elected

each year. Vicky Meek said that many counties have ordinances that give the committee governing powers and authority.

Commissioner Crowl would like the committee to be set up and have regular meetings as soon as possible. Ms. Clawson said she would send out emails for with several dates for meeting to see what would be the most convenient time.

Sheriff Troyer noted that the board might have nepotism issues because so many people are related.

Commissioner Crowl said he thought it would be one person from each group to keep the committee a reasonable size. Ms. Clawson said she recommended one representative from each department: the Sheriff, Volunteer Fire Department, Full time Fire Department, Highway, County Council, Commissioner, City Police, EMS, EMA, Communications, and Town Marshals.

Commissioner Crowl said this would be a group for public safety and the representatives could have a two year limit on representatives.

The IDACs Board is a separate Board and is a five person Board.

Commissioner Smith said there should be a mission statement for the committee.

Commissioner Crowl said that he would like to have the committee meet the following week.

Commissioner Smith asked Commissioner Smart to speak on the Consultant.

Ken Lowden, as consultant, will do an assessment of the Communications Department and what needs to be done to resolve the problems. Mr. Lowden needs to be able to hire new employees, check on the radio situation, and make sure the department is covered for dispatch.

Commissioner Smith said that they feel comfortable with Mr. Lowden since he was the previous director and left to take a job with the State of Indiana. Mr. Lowden has retired from the State and is now a consultant.

Sheriff Troyer asked how the salary for the consultant would be funded. Commissioner Smith stated that Mr. Lowden's salary would be funds through the E911 funds.

Sheriff Troyer asked who they would go to if they had any questions. Commissioner Smith said the proper procedure would be to go to Mr. Lowden and then Mr. Lowden could consult with the Commissioners, if needed.

Loretta Smart made a motion to hire Ken Lowden as Consultant for E911/Communications. James Crowl seconded and the motion carried with three (3) ayes.

The Commissioners received the following correspondence: State Treasurer re: Public Funds Management Seminar; IACC re: legislative news; NEIRP re: Mayors & Commissioners meeting agenda & information; IEDC re: newsletter; AIC re: newsletter, webinars, legislative alerts; phone call from B. Ledgerwood re: meeting on Communications/Dispatch issues; NACo re: newsletter; Northeast Indiana

Works re: newsletter; Erie Haven re: service offer; EMC re: Insurance claims; City of Angola re: Annex inspection; Soil & Water Dist. re: agenda & minutes; Humane Shelter re: monthly report; EMA re: Sandbags sites; Thomas P. Miller & Assoc. re: newsletter; DLGF re: publication of revenues; St. Joe River Basin re: annual meeting; COA re: newsletter.

STEUBEN COUNTY BOARD OF COMMISSIONERS

Ronald L. Smith, President, South District

James A. Cowl, Vice President, Middle District

Loretta S. Smart, North District

Attest: _____
Kim Koomler, Steuben County Auditor

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