

STEBEN COUNTY BOARD OF COMMISSIONERS MEETING
April 21, 2014

The Steuben County Commissioners met at 8:30 a.m. on Monday, April 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, Steuben County Auditor, Donald J. Stuckey, County Attorney and Ruth Beer, County Councilwoman.

Loretta Smart made a motion to approve the claims submitted for payment this day totaling \$474,202.33. James Crowl seconded and the motion carried with three (3) ayes.

James Crowl moved to approve the meeting minutes as submitted for 4/7/14. Loretta Smart seconded the motion and the motion carried with three (3) ayes.

Eric Ditmars, Steuben County Park Superintendant submitted a Memorandum of Agreement from Eagle Lawn Care, LLC, for daily trash and debris removal from the Clear Lake County Park and weekly grass mowing. The mowing services will be billed at a rate of \$65.00 for each time the property is mowed and trash and debris pickup shall be billed at a rate of \$115.00 a month for the months of May ó September. Loretta Smart moved to approve the Agreement. James Crowl seconded the motion and it carried with three (3) ayes.

Eric Ditmars also submitted an invoice from Millennium Electric, LLC, for the Campground Project, in the amount of \$11,000.00. James Crowl moved to approve the invoice. Loretta Smart seconded the motion and the motion carried with three (3) ayes.

Chris Emerick has requested to use the YIP House for a mock crime scene for training purposes on April 16, 2014. Verbal approval of that request was given on April 14, 2014. Loretta Smart moved to officially approve the request. James Crowl seconded the motion and the motion carried with three (3) ayes.

Angela Duncan with the Indiana Committee for Employer Support of the Guard and Reserve asked if the Commissioners would like to reaffirm their commitment to service members by updating the certificate and Statement of Support. James Crowl moved to approve updating the certificate. Loretta Smart seconded the motion and the motion carried with three (3) ayes.

Kristy Clawson submitted a quote from ISU Croxton & Roe Insurance Services for the Tornado Siren Insurance. For \$330,000.00 worth of coverage which would cover all eighteen (18) tornado sirens and with a deductible of \$600.00, the yearly premium would be \$1,000.00. Loretta Smart moved to approve purchasing the additional siren insurance. James Crowl seconded the motion and the motion carried with three (3) ayes.

The Commissioners received an invitation to the Maumee Valley Heritage Corridor Regional Trails Conference to be held on May 2, 2014, in Ohio. Commissioner Smith stated that he will be attending that conference.

The Commissioners were invited to an Open House of the newly remodeled City of Angola Training Center, located at 306 W. Mill Street, on May 8, 2014. Commissioner Smith stated that he will be attending the Open House.

Dennis Kinsey, Annex Maintenance, has informed the Commissioners of his intent to resign effective May 10, 2014. Loretta Smart moved to approve Mr. Kinsey's resignation. James Crowl seconded that motion and the motion carried with three (3) ayes. The Commissioners requested that a letter be sent to Mr. Kinsey thanking him for his service. The Commissioners stated that a job posting shall be posted for one (1) week, in all county buildings, to see how many applications for Mr. Kinsey's position are received.

Steuben County Council on Aging submitted their first quarter draw for 2014 Section 4311 INDOT Grant for STAR Transportation in the amount of \$52,221.00. James Crowl moved to approve. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

An invoice from Donohue/Herceg for the Engineering Services for the Community Building at the County Park, in the amount of \$2,968.42 was submitted for payment. Loretta Smart moved to approve payment of the invoice. James Crowl seconded that motion and the motion carried with three (3) ayes.

Phil Pieri, from Nordic Energy Systems came to speak to the Commissioners regarding the current discounted rate. He stated that the contract the county currently has with Nordic Energy Systems expires August 16, 2014. The county is currently on a variable rate and Mr. Pieri would like to get the county on a fixed rate. He plans on watching the rates and will come back to the Commissioners when the rate is lower and he will present a new contract at that time. George Pifer stated that he has read we are in store for a warm winter for 2014-2015.

Kim Koomler notified the Commissioners that the US Department of Justice needed to be notified of the change in the Steuben County Government's Point of Contact Person. Currently the US Department of Justice records show Pamela Coleman as the point of contact for Steuben County and since Ms. Coleman is no longer employed by Steuben County, the Contact Person needs to be changed to Kim Koomler. Loretta Smart approved the change of Steuben County Government's Point of Contact Person from Pamela Coleman to Kim Koomler. James Crowl seconded the motion and the motion carried with three (3) ayes. A letter shall be sent to the US Department of Justice notifying them of this change.

Steuben County's Amended Snow Emergency Ordinance No. 2014-856 was submitted for approval. The Amended Ordinance had minor word changes and placed colors where they weren't listed before. The Ordinance has been amended to be consistent with the State to avoid confusion. James Crowl moved to approve the Amended Snow Emergency Ordinance No. 2014-856. Loretta Smart seconded the motion and the motion carried with three (3) ayes. Due to the penalty provision in the amended ordinance, the amended ordinance shall be published one (1) time to inform the public.

ORDINANCE 2014-856

SNOW EMERGENCY ORDINANCE FOR
STEBEN COUNTY, INDIANA

WHEREAS, the Steuben County Commissioners previously passed Ordinance Number 775 on April 21, 2008; and,
WHEREAS, said Ordinance Number 775 has been codified as §96.03 ("Snow Emergency") and §96.99 ("Penalty"); and,
WHEREAS, the Steuben County Commissioners wish to revise the Snow Emergency order to comply with State standards:

IT IS HEREBY ORDAINED by the Steuben County Commissioners:

SECTION 1: That Ordinance Number 775 passed on April 21, 2008, and codified as §96.03 and §96.99 is hereby repealed.

SECTION 2: This Ordinance shall be known as the Snow Emergency Ordinance Of Steuben County, Indiana, and shall apply to all roads, highways, or right-of-way located in Steuben County, Indiana.

SECTION 3: The Steuben County Commissioners, after consultation with the Steuben County Sheriff, the Emergency Management/Department Homeland Security Director, and the Steuben County Highway Director, if available, or the respective representative designated by each as the person to consult in his/her absence for the purpose or recommending a snow emergency declaration, may declare a snow emergency by executive order when, in the Steuben County Commissioners' judgment, such order would be in the best interest of the public safety and welfare of the residents of Steuben County, Indiana. If only one member of the Steuben County Commissioners is available, he/she can declare a snow emergency if at least two of said

officials (or the respective designated representatives of each) also recommend a declaration. If no members of the Steuben County Commissioners are available to declare a snow emergency, then all three of said officials or the respective designated representatives of each may declare a snow emergency. The above-mentioned board members and/or officials or their respective designees who declare a snow emergency shall designate whether it is a Level Red (Warning) Snow Emergency or a Level Orange (Watch) Snow Emergency or a Level Yellow (Advisory) Snow Emergency based on the criteria set forth in the section below.

SECTION 4: A snow emergency declaration pursuant to this Ordinance shall consist of 3 levels in order to keep the residents of Steuben County, Indiana, informed of the weather and county road conditions, and to assist County Highway Department in the clearing of the county roadways by eliminating stranded vehicles:

4.1 A Red Warning Snow Emergency is the highest level of local travel advisory, and may be declared when travel should be restricted to emergency management workers only. When an emergency warning is declared local travel advisory, individuals are directed to refrain from all travel; comply with necessary emergency measures; cooperate with public officials and disaster services in executing emergency operations plans; and obey and comply with the laws and directions of properly identified officers. Further restrictions the Steuben County Commissioners deems necessary may be enacted at this time.

4.2 An Orange Watch Snow Emergency may be declared when conditions are threatening to the safety of the public. During the watch, local travel advisory, only essential travel such as to and from work or emergency situations is recommended, and emergency action plans should be implemented by businesses, schools, governmental agencies and other organizations.

4.3 A Yellow Advisory Snow Emergency is the lowest level of local travel advisory and may be declared so that routine travel or activities may be restricted in areas because of a hazardous situation, and individuals should use caution or avoid those areas.

SECTION 5: Publication and broadcast of a Yellow, Orange, or Red Snow Emergency Watch or Warning declaration order/activation shall be made or caused to be made by the Board or other official designating the level of the snow emergency using a press release to all Law Enforcement agencies, Fire Departments, Hospitals and News Media. The declaration shall be filed with the Steuben County Emergency Management/Department Of Homeland Security, State Department Of Homeland Security, Steuben County Clerk and Steuben County Auditor.

SECTION 6: Any person violating any provisions of this Ordinance shall be guilty of the commission of an infraction and may be penalized any sum not to exceed \$100.00 and such shall be enforceable in any court of law, duly authorized by Indiana State Law, and in addition to such penalty the court shall be authorized to direct the violator to repay the County of Steuben any monetary losses or expenses incurred in the incident.

SECTION 7: Those vehicles exempt from this Ordinance shall include medical assistance, law enforcement, fire department, emergency management, public utility, snow removal vehicles under contract, fuel hauling vehicles, and employees of any of the above exempt services, if engaged in performing their respective duties. Any other vehicle violating this Ordinance are subject to removal by towing or other means at the expense of the owner of the vehicle, when such towing and/or removal is deemed necessary by any one or more of the following: the County Highway Department, the County Sheriff's Department, the State Conservation Officer, or the Indiana State

Police.

Dated: April 21, 2014.

Steuben County Commissioners
Ronald L. Smith, President
James A. Crowl, Vice President
Loretta Smart

Attest:

Kim Koomler, Steuben County Auditor

Commissioner Smith spoke about the Mayors & Commissioners Caucus that he attended. He stated that during that caucus the Economic Directors spoke. Commissioner Smith stated that some counties give a percentage of the EDIT fund to the EDC. The Steuben County EDC has decided that there will be no open door meetings and Commissioner Smith stated that there is no malice by the EDC in not having open door meetings. A decision must be made before budget time regarding funding of the EDC. If funding is to be stopped, a six (6) month notice is required. At the next meeting they will discuss line items in the CREDIT fund for the county's contract with the EDC, line item for shovel ready sites and annual investment in special projects that the EDC might have.

The Commissioners requested that a report be given from the Community Foundation and iMAN on the county's bucket as far as revenues received for the Fiber Optics Project.

The Commissioners asked Gary Fair if he had any suggestions on the county employee parking situation. Mr. Fair suggested that more county employees park in the east lot; however, resurfacing of that lot would help make it a safer walk zone due to the current condition of that parking lot. More discussion is needed on this topic, no resolution has been decided upon at this time.

The Commissioners introduced Christina Ebel. She has accepted the offer of employment to be the new Veteran Service Office and said that she is honored to help the veterans in this county.

Commissioner Smith started a discussion on the County Park. Herceg is working on an upgrade to the draft of the Community Building. The agricultural buildings are being moved after the fair this year.

Vicky Meek with Steuben County EMS requested permission to purchase a new ventilator out of the small equipment line item in the amount of \$6,100.00. She also requested to purchase a service agreement for that ventilator in the amount of \$299.00. James Crowl moved to approve her request. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

Vicky Meek also would like to offer AED/CPR training to any county employees that would like to become certified. She would like to set up a class for some time in June and the class will be about 2 to 2.5 hours long. Ms. Meek would like to get someone trained in the Community Center and the Courthouse. She will send a flyer to Cheryl Goudy to post.

Vicky Meek also requested to change the EMS holiday scheduled from 12/25/14 and 12/26/14 to 12/24/14 and 12/25/14. Loretta Smart moved to approve the request. James Crowl seconded the motion and the motion carried with three (3) ayes.

Eric Ditmars submitted two (2) quotes for the repair of a 500 foot section of the fence along I-69. One from Arrow Fence Company, Inc, in the amount of \$8,465.00 and the other from R&C Fence, in the amount of \$7,300.00. James Crowl moved to accept the proposal from R&C Fence, in the amount of \$7,300.00 to be paid out of Major Moves line item 1172-101-3000.02. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

Eric Ditmars reported that May 17, 2014, will open the camping season. At the meeting for the County Park Campground there were 140 attendees. The amount of available spaces has increased from 131 to 156 and new lot assignments have been made. Mr. Ditmars also reported that he is looking to improve the recreational activities down by the beach.

Commissioner Smith discussed the possibility of revenue starting to go towards maintenance/improvements at the County Park instead of into the County General Fund.

Donald Stuckey, County Attorney, opened the one bid that was received for the County Park Internet Project. iMAN submitted the only bid in the amount of \$109,460.61 for iMAN fiber optic connection only, service drop would be \$8,884.00 for a total bid \$118,344.61. The iMAN service drop is from US 20 to 200 W, section of 2.5 miles north to access point on 200 W and entering access point at the park location any other location at the park there would be an additional fee. An additional drop fee for Community Building would be charged and \$125.00/mo for point to point connection. The fiber optics being installed would not only service the park but it would also service the highway department and any other facilities out that way. Eric Ditmars said the \$8,000.00 figure has been taken into consideration and budgeted for, but the \$100,000.00 figure would cut into the county park improvement budget, meaning the boat launch. No decision was made on the bid today; however, the bid was given to Eric Ditmars for review.

Bill Geiger updated the Commissioners on the Hamilton iMAN connection. They are in the process of getting fiber optics installed on 700 S and at the Town Hall in Hamilton. Within the next two and a half months they will be making 15-20 connections to AT&T cell towers. The Hamilton Water Tower on the east side of lake and St. Rd. 1 is included in that. iMAN has access to half of all cell towers, there is also presence at all water towers but no connections on water towers. For any future plans to improve the communication systems the majority of the infrastructure is in place. Fiber optics has been run into Hamilton Schools and final connections/testing will be finished in Hamilton schools within thirty (30) days. Don Stuckey reviewed the contract presented, iMAN will not warranty anything and he will be recommending that the Commissioners not sign it. Bill Geiger with iMAN will have to bring the possibility of a new contract to iMAN's attorneys.

Gary Fair submitted six (6) invoices from Delta T for the repair of the boiler in the Community Center, totaling \$4,529.26. Loretta Smart made the motion to pay those invoices from Cum. Cap. 1138-000-4000.15. James Crowl seconded that motion and the motion carried with three (3) ayes.

The Commissioners requested that a letter be sent to the County Council informing them that due to the age of the Community Center, Courthouse, and Jail/Annex, there are many repairs that are needed and the funds for those repairs are not in the Maintenance budgets. The Commissioners also requested that the County Council be informed that they will be requesting an increase in the "Mach-Equ-Repair" line item for 2015.

Mr. Fair also submitted two (2) quotes for the installation of two LED flood lights to be installed at the base of the flag pole along South Wayne Street. Garman Midwest Electric, Inc. submitted a quote for \$1,223.00 and Clear Lake Electric, Inc. submitted a quote for \$668.00. Permission for Gary to move forward with hiring Clear Lake Electric, Inc for the installation of the two LED flood lights at the base of the flag pole was granted as a part of the prior motion and the funds for the new LED flood lights shall come out of Cum. Cap. 1138-000-4000-15.

Brett Hays, Community Corrections Director, requested permission to purchase two (2) trailers (one (1) new and one (1) used) to be used for Community Service. He also requested that the new trailer be purchased with the Commissioners' credit card. Mr. Hays submitted three (3) quotes for the new trailer, one (1) from Menards in the amount of \$679.99, one (1) from Tractor Supply Company in the amount of \$699.99, and one (1) from Rural King in the amount of \$876.99. James Crowl moved to approve the request to purchase of the trailer, with the Commissioners' credit card, from Tractor Supply Company in the amount of \$699.99 and the request to purchase the used trailer in the amount of \$100.00. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

Brett Hayes also submitted quotes from Manahan Construction for repairs that need to be done to the Steuben County Work Release Center. The total amount of the quotes total \$23,525.00. Community Corrections will pay a total of \$17,809.00 and Mr. Hayes requests that the Commissioners pay a total of \$5,716.00 for the repairs. Mr. Hayes also noted that Manahan Construction is requesting a total of \$14,000.00 upfront for supplies. James Crowl moved to approve the quote from Manahan Construction and to approve the upfront payment of the \$14,000.00 for supplies. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

Brett Hayes also requested permission for Community Corrections to use the YIP House for classes. Commissioners granted Mr. Hayes permission to use the YIP house for classes, but said it is going to need to be scheduled due to other departments using the house as well. The Commissioners asked Mr. Hayes to be in charge of coordinating the use of the YIP House for training and meeting purposes for Community Corrections, Probation and the Sheriff's Department.

Ken Lowden, E911/Communications, requested that the holiday schedule for E911/Communications be changed from 12/25/14 and 12/26/14 to 12/24/14 and 12/25/14. Loretta Smart moved to approve that request. James Crowl seconded the motion and the motion carried with three (3) ayes.

Ken Lowden said that he's been trying to find out where the county stands with the tower. Don Stuckey reviewed the lease contracts and said the county has a long term lease agreement for the tower to use for county purposes and on a space available basis Swick Broadcasting can use it as long as they don't interfere with county's use, although they do have the right to use it for their broadcasting purposes. Mr. Lowden is to schedule a meeting with Swick regarding the tower building access and available space in the tower building for our equipment.

Mr. Lowden also requested the Commissioners' approval to go before the County Council to ask for an additional \$9,060.00 to be transferred from Major Moves to the Fiber Optics Project. James Crowl moved to approve that request. Loretta Smart seconded the motion and the motion carried with three (3) ayes.

Mr. Lowden informed the Commissioners that not all 911 Communication dedicated phone lines are being recorded. He requested that \$4,402.00 be taken from the 2013 Bond to purchase a license from the recording vendor so that all the lines will be recorded. Loretta Smart moved to approve the request. James Crowl seconded that motion and the motion carried with three (3) ayes.

Mr. Lowden also requested \$450.00 to hire a phone answering service in order to record phone messages. Loretta Smart moved to approve that request. James Crowl seconded that motion and the motion carried with three (3) ayes.

Jen Sharkey, Highway Department, submitted the Donohue/Herceg Approval of Additional Fee letter to the Commissioners stating that the amount shall not exceed \$4,770.00 for additional work for the sewer utility relocation. James Crowl moved to approve the letter. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

Ms. Sharkey updated the Commissioners on the Bike Trail Project. Letting for that project is scheduled for May 8, 2014. The bids for this project are being done through INDOT.

Ms. Sharkey stated that the bridge inspection draft report is expected in July, 2014.

Ms. Sharkey informed the Commissioners that a meeting is scheduled with INDOT on the Maple Street Project on April 24, 2014, at 10:00 a.m. in Fort Wayne. During this meeting, alternatives (reducing speed and adding warning signs and pavement markings, realign Maple Street slightly south and realign Maple Street due north) will be discussed to determine an acceptable solution for the intersection on SR 120.

Ms. Sharkey stated that the Inter-Local Agreement with the City of Angola needs to be approved; however, she wants to correct that agreement to increase the selection committee to four (4) to include the Commissioners and herself. Once that is done, she will bring it back in front of Commissioners for approval. She also informed the Commissioners that the County would be the lead agency and financial backer with the City as a supporter. We would invoice the city for 50% of the amount.

Ms. Sharkey reported that American Structurpoint has offered to assist free of charge to ensure that our budgetary numbers are accurate and once she receives information from them she will double check the budget amount and report back.

Ms. Sharkey reported that she has been selected to prepare the RFP for assistance for the Tiger Grant application. Once she gets the letters of interest submitted and a firm selected to assist with the application, she is not sure where the payment for putting together an application would come from and she is not sure how much that would be until we get proposals back.

Ms. Sharkey told the Commissioners that she had a conversation with Bill Schmidt regarding the bridge lighting at Four Corners and there has not been a resolution for the lighting issue.

The Commissioners asked Ms. Sharkey to assess the parking lots as to what needs to be done, there are sink holes in north parking lot and the east parking lot is crumbling. To the east and south of the lot we use now, the city has control of that in terms of drainage, etc. and if we were to try to put in a pervious lot using regrind material/slag material, we need to know what the parameters/requirements would be. Commissioner Smith asked Ms. Sharkey to contact the city regarding this issue.

Ken Penick, Highway Superintendent, requested approval from the Commissioners to go before the County Council to request an additional \$125,000.00 from Major Moves funds to his line item from the Highway Holdover line item in order to repair roads due to the harsh winter. James Crowl moved to approve this request. Loretta Smart seconded the motion and the motion carried with three (3) ayes.

Mr. Penick also submitted a Letter of Understanding/Unofficial Detour at SR4 over Little Turtle Creek. The detour is tentatively scheduled for mid July, 2014. Loretta Smart moved to approved the Letter of Understanding/Unofficial Detour. James Crowl seconded that motion and the motion carried with three (3) ayes.

The Commissioners received the following correspondence: St. Joe River Board, re: agenda for next meeting and last meeting's minutes; David Koenig, Executive Director EDC, re: an article regarding economic development; Malcon re: County Title IVD reimbursement of \$10,344.48; email from Nicci Upp re: health insurance preventative care coverage; email from St. Regis Culvert, Inc., manufacturers of high quality corrugated steel pipe re: them now being DBE certified in Michigan and Indiana; NACo re: newsletter; forwarded email from Karen Mackowiak re: IDEM receiving US EPA approval on 2014-2018 State Nonpoint Source Management Plan; email from Vanessa Hurtig re: advance materials for the Caucus on April 16, 2014; 2013 Annual report on Charles McClue Nature Reserve; email from Jen Sharkey re: govdeals.com auctioning service; email from Rodney Renkenberger, Maumee River Basin Commission, re: agenda for April 10 meeting and minutes from February 6 meeting; email from Kayleen Hart re: March SWCD Board Meeting minutes; AIC eNewsletter; Micah G. Vincent, Indiana Department of Local Government Finance, re: report 4/7/14 & 4/14/14; letter from Mediacom, re: digital only signal; NIPSCO re: ED impact; EMC Insurance Co re: Lana Fanning & Alexander Fanning v. Steuben County Sheriff's Dept, et al; City of Angola re: open house at newly remodeled training center 5/8/14; email from Jenny Banks, Director of Communications for Ind. Dept. of Local Gov. Finance re: Circuit Breaker Reports Now Available Online

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
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