

STEUBEN COUNTY BOARD OF COMMISSIONERS MEETING  
August 18, 2014

The Steuben County Commissioners met at 8:30 a.m. on Monday, August 18, 2014 in the Commissioners Room of the Steuben Community Center. Present this day were Commissioners Ronald L. Smith, James Crowl and Loretta S. Smart. Also present were Donald Stuckey, County Attorney, Kim Koomler, Steuben County Auditor and Ruth Beer, County Councilwoman.

Kris Strawser, Steuben County Council on Aging Executive Directors, came to the Commissioners for approval of the Operating, Capital, Feasibility & Intercity Application Package including a Resolution Authorizing the Filing of an Application for Grant Under Section 5311 of the Federal Transit Act, As Amended. Loretta Smart made a motion to approve the Operating, Capital, Feasibility & Intercity Application Package and the Resolution Authorizing the Filing of an Application for Grant Under Section 5311 of the Federal Transit Act, As Amended. James Crowl seconded that motion and the motion carried with three (3) ayes.

**RESOLUTION 08-2014-01**

**RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION  
FOR GRANT UNDER SECTION 5311 OF THE FEDERAL  
TRANSIT ACT, AS AMENDED**

WHEREAS, the U.S. Department of Transportation is authorized to make grants to states through the Federal Transit Administration (FTA) to support capital, operating and feasibility study assistance projects for nonurbanized public transportation systems under Section 5311 of the FTA Act of 1964, as amended;

WHEREAS, the Office of Transit, Indiana Department of Transportation (INDOT) has been designated by the Governor to make Section 5311 grants for public transportation projects;

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of project costs;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF STEUBEN COUNTY, INDIANA, THAT:

That, Steuben County Council on Aging, Inc. by Kris Strawser, Ex. Director on behalf of, Steuben County Commissioners is authorized to make the necessary assurances and certifications and be empowered to enter into an agreement with INDOT for the provision of rural public transportation services.

1. That Steuben County Council on Aging, Inc. is authorized to execute and file an application on behalf of Steuben County Commissioners with the INDOT to aid in the financing of transit assistance projects pursuant to Section 5311 of the Federal Transit Act, as amended.
2. That Steuben County Council on Aging, Inc. by Kris Strawser, Ex. Director, is authorized to furnish such additional information as INDOT may require in connection with the application.
3. That Steuben County Council on Aging, Inc. by Kris Strawser, Ex. Director, is authorized to execute grant contract agreements on behalf of Steuben County Commissioners.

Adopted and Resolved this 18<sup>th</sup> day of August, 2014

STEUBEN COUNTY BOARD OF COMMISSIONERS

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

Attest: Kim Koomler, Steuben County Auditor

James Crowl made a motion to approve the claims submitted for payment this day totaling \$762,000.39. Loretta Smart seconded and the motion carried with three (3) ayes.

Loretta Smart made the motion to approve the Commissioners Meeting minutes from August 4, 2014. James Crowl seconded that motion and the motion carried with three (3) ayes.

The Commissioners signed the minutes from July 21, 2014, for the Index Book, which were approved at the previous meeting.

An invoice from Lawn M.D. for mowing at the Old County Home was submitted for payment. Ronald Smith stated that Lawn M.D. was authorized to take care of the property and it required sixteen (16) man hours for the job. Loretta Smart made a motion to pay the invoice from CAGIT 1110-000-3000.39. James Crowl seconded that motion and the motion carried with three (3) ayes.

Vicky Meek, EMS Director, submitted a request to purge the closed collection files. James Crowl made a motion to approve purging the closed collection files. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

Ronald Smith informed his fellow Commissioners about the joint meeting with the LEDO Council and the Northeast Indiana legislators to discuss the Business Personal Property Tax, on Wednesday, August 20, 2014. Ronald Smith said that the intention is not to offend the Governor's administration but the LEDO Council wants them to address and understand the complex issues that will arise. Ronald Smith stated that they are making a statement they are opposed to the Business Personal Property Tax.

Mark Thrasher, Hudson Town Marshal, came to the Commissioners regarding the Hudson Police Department helping the Steuben County Sheriff's Department cover southwest Steuben County. Marshal Thrasher stated that he knows approximately \$32,000.00 was made available several years ago to hire part time officers for extra police coverage. Marshal Thrasher wanted to let the Commissioners know that the Hudson Police Department is more than willing to do some work in the southwest portion of the county. He said that they would just need a small compensation to help offset some of the fuel and labor costs and indicated that this was not to step on anyone's toes or take anyone's area of patrol. Marshal Thrasher said there are known issues with overtime pay and he thought this could help with the problem. He said that his Council gave him their blessing to come to the Commissioners regarding this issue. Marshal Thrasher said if there was interest in this, they could try a one (1) year trial period.

Donald Stuckey, County Attorney, stated that he believed this issue should be the Sheriff's decision and he would have to make the request to the Council. Loretta Smart asked Sheriff Troyer if he would be willing to consider this option. Sheriff Troyer stated that there are a lot of issues that need to be addressed and he doesn't see where this has happened anywhere else around the state. Sheriff Troyer also stated that they have a liability insurance carrier as a county and that carrier will probably have a huge voice in whether or not any authorization for outside law enforcement, on a contractual basis, would be allowed. Sheriff Troyer said that there is a reason that the deputies in the Sheriff's Department are required to go through the full fifteen (15) week academy along with other training in between and they have the experience that is needed to handle some of the serious cases that happen in the county. Sheriff Troyer stated that at this point he is not comfortable with having the Hudson Police Department help with patrols in the southwest portion of the county. Loretta Smart asked if investigation could continue a little further and the guidelines clarified to perhaps put something like this into effect for a year trial. Sheriff Troyer stated that Donald Stuckey made it clear what the guidelines are and that the voters of Steuben County voted him in to oversee the county law enforcement and if he lets this happen then the county assumes the liability of it as well. Sheriff Troyer stated that this request is going to stop with him. Marshal Thrasher stated that he knows that it is a common practice around Marion County. Sheriff Troyer stated that Marion County Marshal has a different system than what Steuben County has because they have a Metropolitan Police Department which is a different form of Government.

Mike Hall, Community Corrections came to the Commissioners for approval to use the Commissioners' credit card to purchase office supplies in the amount of \$133.85, a messenger system for inter-office communications in the amount of \$232.00, software from GoToMyPC.com in the amount of \$198.00 and

maintenance plan in the amount of \$293.20 for a total amount of \$857.05. James Crowl made a motion to allow Community Corrections to make those purchases with the Commissioners credit card. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

Mike Hall brought two (2) quotes for mattresses for the Work Release Center to the Commissioners. Loretta Smart made a motion to allow Community Corrections to purchase mattresses. James Crowl seconded that motion and the motion carried with three (3) ayes.

Mike Hall also requested permission to purchase an ID card system in the amount of \$4,810.00 and a surveillance system in the amount of \$1,500.00, which he indicated are to be paid from Work Release funds. Loretta Smart made a motion to allow Community Corrections to make the ID card and surveillance system purchase. James Crowl seconded that motion and the motion carried with three (3) ayes.

Gary LeTourneau came to the Commissioners with a request to purchase three (3) new 911 radio consoles in the amount of \$43,191.00. Mr. LeTourneau stated that the new consoles are an updated version from the 1994 version that is currently installed in the Communications Department. James Crowl made a motion to approve Mr. LeTourneau's request to purchase three (3) new 911 radio consoles in the amount of \$43,191.00, from the 2013 Equipment Bond, pending verification from the Auditor. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

Gary LeTourneau also submitted a request to purchase new carpet squares for the Communications Department where the new consoles will be installed. Mr. LeTourneau stated that the new carpet square should not exceed \$4,000.00. He also stated that he and Rick Meyers, Annex Maintenance, would be able to easily install the carpet squares. Loretta Smart made the motion to approve Mr. LeTourneau's request to purchase new carpet squares, not to exceed \$4,000.00, if the funds are available. James Crowl seconded that motion and the motion carried with three (3) ayes.

Gary LeTourneau also updated the Commissioners on the Harris 800 System and the Fire Systems. He stated that he met with the Harris Engineers last week and another call has been scheduled. Mr. LeTourneau stated that progress is being made on identifying the radio issues, making notifications to law enforcement agencies and letting them know what is going on.

The Commissioners Assistant, Erin Wray, together with maintenance, have been working on gathering information regarding a blanket fire alarm and sprinkler contract to cover all county buildings. Keith Porter and Brad Koorsen from Advanced Systems Group, Treg Freeman and Dave Strigameyer from Koorsen Fire & Security and Todd Swymeler from Esco Communications, Gary Fair, Community Center Building Manager, Al Knisely, Courthouse Maintenance and Rick Meyers, Annex Maintenance, were all in attendance for today's meeting. Mr. Fair stated that the two companies that can handle everything are Simplex Grinnell and Koorsen. He stated that the Community Center has used Simplex Grinnell for several years, long before he was hired. He said that he realizes that we have had an issue getting information from Simplex Grinnell for these quotes and Koorsen got back to us right away. Gary Fair stated that his recommendation would be to either go with Koorsen or Simplex Grinnell.

Erin Wray, Commissioners Assistant, informed the Commissioners that she had invoices from Simplex Grinnell for a year service contract. Currently, the Courthouse and the Community Center are on a five (5) year rollover contract with Simplex; however, the year contract comes to an end on August 31, 2014. Al Knisely asked how the five (5) year rollover contract works. Donald Stuckey, County Attorney, stated that there is an automatic roll over provision in the contract with no termination date. He said that Indiana law states that when you have no termination date on a contract, at the end of the first term, either party may terminate the contract on reasonable notice.

Gary Fair brought the age of the fire alarm panels to the Commissioners attention. He stated that all the panels are around twenty (20) years old and if another company other than Simplex is chosen for this contract, the other company may have to subcontract out to Simplex due to the panels being so old.

Gary Fair recommends going with Koorsen for the blanket contract on the Fire Alarms and Sprinklers for all county buildings. James Crowl made a motion to accept the quotes from Koorsen. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

Donald Stuckey stated that he will be giving Simplex notice of cancellation of the current contract effective October 1, 2014.

Rick Meyers, Annex Maintenance, came to the Commissioners with two (2) quotes for repair to the Prosecutor's Office stairwell. Mr. Meyers recommended going with the low quote from Chuck's Custom Concrete in the amount of \$1,800.00 which also includes a three (3) year warranty. Loretta Smart made a motion to accept the quote from Chuck's Custom Concrete in the amount of \$1,800.00 to be paid from CAGIT 1110-000-3000.39. James Crowl seconded that motion and the motion carried with three (3) ayes.

Gary Fair, Community Center Building Manager, came to the Commissioners regarding signage for the parking lot repairs. Mr. Fair stated that after he ran the numbers for all of the signs, sign posts, etc., he concluded that the handicapped parking signs are the most important. Mr. Fair stated that feels that reserved parking is not needed and he plans on removing the reserved parking for the Commissioners in the Community Center parking lot and all other reserved parking spots will be removed as well. Mr. Fair stated that not replacing the signs adds up to considerable savings for the county and he feels that money is better spent on the resurfacing, striping and the retaining walls. Mr. Fair stated that he has received recommendations to shorten the width of the parking lot due to it being oversized by about 12 feet. Mr. Fair also said that it has been suggested that a site plan be done and he would like to get with Jennifer Sharkey, County Engineer, to discuss a new layout of the upper lot. Ronald Smith recommended that Mr. Fair speak to Eric Henion, Chairman of the MS4 Committee. James Crowl recommended a Steuben County Parking Only sign to be placed in the EMS lot and the upper lot. James Crowl informed Gary that when the Work Release Center opens up the inmates will be parking as far away as possible so employee parking is not taken up. Mr. Fair also discussed moving the trailers that are in the parking lot to the highway barn; however, it was stated that there are reservations in doing so because of security issues.

Gary Fair also brought an invoice from Industrial Contracting & Engineering for the installation of the new drain pipe in the third floor men's room in the Community Center, in the amount of \$1,568.40, to the Commissioners for approval. Loretta Smart made a motion to approve the invoice and for it to be paid from CAGIT 1110-000-3000.39. James Crowl seconded that motion and the motion carried with three (3) ayes.

Emmett Heller, Highway Superintendant, stated that they are about half a day from being done with the chip and seal and that the hot mix is finished. He also stated that they have been repairing tiles, mowing, brushing and trimming trees. Mr. Heller informed the Commissioners that their part-time mechanic has left and they are looking at replacing him with another part-time or possibly a full-time person. Ronald Smith requested that Mr. Heller give the Commissioners reports of the paving projects and Mr. Heller stated he would do so.

Jennifer Sharkey, County Engineer, introduced the Arrow Uniform representative, Robert Holman and submitted the new uniform contract for approval and signatures. James Crowl made a motion to approve and sign the new Arrow Uniform Contract. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

Jennifer Sharkey also spoke to the Commissioners about the gas bids. Ms. Sharkey stated that the requests are ready to be sent out; however, after talking with the fuel company, if the county was to lock in a price at this time, it is only guaranteed for twelve (12) months. The county would then have to go through the process again to finish out the year. Ms. Sharkey stated that she would recommend doing the gas bids at the same time as the other annual bids and lock in the price in December like has been done in the past. Ms. Sharkey also reminded the Commissioners about the energy meeting next Wednesday and the price trends can be discussed after that meeting.

Jennifer Sharkey submitted the documentation on the bridge inspection for INDOT for approval and signatures for the 80% match. Ms. Sharkey stated that a claim has already been submitted to pay American Structurepoint for their services. James Crowl made a motion to sign the document for the 80% match. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

Jennifer Sharkey submitted an invoice for the 200 N/200 W Intersection Project from Donahue/Herceg for their utility relocation work. She also reminded the Commissioners that the proposals for construction inspection are due today by 4:00 p.m. She stated that once those are received, she will get them organized and distributed for review and scoring. Loretta Smart made a motion to approve and sign the invoice from Donahue/Herceg. James Crowl seconded that motion and the motion carried with three (3) ayes.

Jennifer Sharkey also updated the Commissioners on the 200 N/SR 827 Project that federal funds have been awarded for. Ms. Sharkey submitted the LPA INDOT Agreement for approval and signatures. Ms. Sharkey also reminded the Commissioners that proposals for the preliminary engineering and right of way services on that project are due September 12, 2014 at 3:00 p.m. James Crowl made the motion to approve and sign the LPA INDOT Agreement. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

Jennifer Sharkey submitted an agreement from INDOT regarding the Maple Street Extension Project. Ms. Sharkey stated that it is set up as a reimbursable contribution so the county and/or town would still be responsible for any and all up front costs. Ms. Sharkey stated that the agreement is like a hybrid between a local project and a federally funded project. Loretta Smart made a motion to approve and sign the INDOT agreement for the Maple Street Extension Project. James Crowl seconded that motion and the motion carried with three (3) ayes.

Jennifer Sharkey submitted five (5) Frontier utility permits for approval, 2706, 2707, 2708, 2709 and 2710. James Crowl made a motion to approve the Frontier utility permits. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

Jennifer Sharkey introduced three (3) representatives from BF&S, Corey Staley, Construction Inspector, Jeremy Books, Project Engineer and Jason Griffin, Design Engineer and Utility Coordinator. There have been discussions regarding the utility conflicts with the Bike Trail and the additional costs to the county for the loss of efficiencies to the contractor as well as any delays that may be a result of the utility conflicts.

Ms. Sharkey stated that Mr. Griffin has been very helpful in providing the utility coordination documentation from the beginning of the project through his turnover to the inspection staff. Mr. Griffin stated that he contacted Mr. Short with Frontier and Mr. Short indicated he was going to send people out to depth locate. Mr. Short then provided Mr. Griffin a spreadsheet that had his findings. Mr. Griffin then put that spreadsheet into the plans and asked Mr. Short to verify that they were correct. Mr. Griffin stated that he indicated to Mr. Short that he found an area with a problem and hand digging would be required but if Mr. Short was in agreement where his depths were, then things could move forward. Mr. Griffin had Mr. Short sign the work plan from INDOT stating what conflicts existed and that he was in agreement of where the depths were.

Jennifer Sharkey stated that she thinks some of the areas could have gotten miscommunicated due to where the lateral offset was measured from. She stated that she did go and check the spreadsheet that Mr. Short at Frontier provided. Ms. Sharkey said she scaled it off and indicated that the plans were accurate as far as where Frontier said their lateral offsets were, from the edge of the pavement. Ms. Sharkey stated that if Frontier's interpretation of edge of pavement is different from BF&S's interpretation, that could account for some of the discrepancy. She stated that in some areas she believes it was as much as a four (4) to six (6) feet discrepancy if it was edge of shoulder versus edge of pavement.

Corey Staley stated that the location where the utility line was hit was where the bore pit was located and was where the lines had been brought together. Where the line was hit, the lines actually came up in elevation, it was originally 15 feet deep and it was within 5 feet. Mr. Staley said that they excavated both sides about 20 feet each way and it almost came straight up and he indicated that he'd never seen that happen before. Frontier was present while the digging was occurring and they didn't realize where their depths were.

James Crowl asked who will be responsible for the bill. Mr. Books stated that the impact will not be fully known until the utilities are relocated and it also depends on how much work can be done this season. E&B Paving will try to get as much work done this season; however, if the work goes into next season sometimes labor rates go up, fuel rates go up and a claim will be put in for those costs. He stated that any legitimate claims would be done through the contract so they would come to the county. Mr. Books then said that BF&S would then help the county try to leverage against Frontier to get compensation. He stated that he spoke with E&B Paving and he currently has

a call into David Short with Frontier. It was stated that one possibility is to try to convince Frontier to directly compensate E&B Paving for the damages; however, there is no contract between the two and one would have to be drawn up. Mr. Books stated he spoke to Thane Knox and he's willing to sit down and have that discussion once the impact is figured out. Frontier is doing all of their work at their own cost, the only concern is any claims from E&B Paving for damages and/or delays. Donald Stuckey, County Attorney, stated that it appears that the responsibility lies with Frontier.

Jennifer Sharkey submitted an invoice from BF&S for the Bike Trial for approval and signature. Loretta Smart made a motion to approve the invoice. James Crowl seconded that motion and the motion carried with three (3) ayes.

Jennifer Sharkey also submitted the documentation to get the 80% reimbursement for the BF&S invoice that was just approved. Loretta Smart made a motion to approve the signing of that document. James Crowl seconded that motion and the motion carried with three (3) ayes.

The Commissioners received the following correspondence: ENR Equipment & Trends re: Hurricane Sandy Crane Probe; NACo re: Washington Watch; NACo re: County News Alerts; NACo re: August Advocacy Toolkit; Christian Sallows re: 3<sup>rd</sup> Annual Four County Transitional Living Golf Outing; IACC re: 2014 Outstanding Commissioner of the Year; Northeast Indiana Regional Partnership re: Collaborative Stakeholder Meeting ó Save the Date; Soil & Materials Engineers, Inc., re: Keefer Highway Bridge; IEDC re: News Update; Steuben County Council on Aging re: August 2014 Newsletter; West Otter Lake Board of Directors re: annual dues and weed control; Tait Communications re: procuring your system; Jack Gerard re: RFS Ethanol Requirements; IACC re: 2014 Outstanding County Commissioner of the Year; IDEM re: Pollution Prevention Conference; St. Joe River Basin re: Meeting Reminder; Bingham Greenebaum Doll LLP re: Registration for conference; Indiana Dept of Environmental Management re: Pollution Prevention Conference.

STEBUEN COUNTY BOARD OF COMMISSIONERS

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Ronald L. Smith, President, South District

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James A. Crowl, Vice President, Middle District

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Loretta S. Smart, North District

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

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