

STEBEN COUNTY BOARD OF COMMISSIONERS MEETING
September 2, 2014

The Steuben County Commissioners met at 8:30 a.m. on Tuesday, September 2, 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 and Kim Koomler, Steuben County Auditor.

Loretta Smart made a motion to approve the claims submitted for payment this day totaling \$290,882.59. James Crowl seconded that motion and the motion carried with three (3) ayes.

James Crowl made the motion to approve the Commissioners Meeting minutes from August 18, 2014. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

The Commissioners signed the minutes from August 4, 2014, for the Index Book, which were approved at the previous meeting.

The Commissioners reviewed the Community Center Tenant Rental Rates. Loretta Smart made a motion to increase the 2015 rental rates by 5% for all tenants except for MSD, the Attorney General's Office and the Steuben County Cancer Association. James Crowl seconded that motion and the motion carried with three (3) ayes.

Shelley Herbert, Clerk, submitted the Proposed 2014 General Election Polling Places for approval. James Crowl made a motion to approve the 2014 General Election Polling Places. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

Ronald Smith stated that the Commissioners need to consider, along with the Clerk, changing the ability to have voting centers. He stated that it is a trend that has come to many counties and that option needs to be examined. Donald Stuckey, County Attorney, stated that it currently requires an election board to unanimously approve having a voting center.

Eric Ditmars, County Park Superintendent, submitted the Local.net bid bond check to the Commissioners for permission to return the check to Local.net since the County Park Campground Internet Project has not moved forward. Loretta Smart made a motion to approve returning the bid bond check to Local.net for the County Park Campground Internet Project. James Crowl seconded that motion and the motion carried with three (3) ayes.

Tami Mosier, Purdue Extension Office, submitted a letter requesting approval to have the DeKalb County 4-H Educator ride in the Steuben County van on September 5, 2014, for the Area XI Extension Staff Meeting. James Crowl made a motion to allow the DeKalb County 4-H Educator to ride in the Steuben County van for the Area XI Extension Staff Meeting on September 5, 2014. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

Erin Wray, Commissioners Assistant, asked when the Commissioners would like her to send out the snow removal request for quotes. Loretta Smart made the motion to enable Ms. Wray to send out the snow removal request for quotes. James Crowl seconded that motion and the motion carried with three (3) ayes.

Steve Mumby, Steuben County Humane Society Board President, submitted a letter requesting decision on the extension of their lease. James Crowl volunteered to meet with Mr. Mumby regarding this issue. Ronald Smith asked that Commissioner Crowl report his findings at the next Commissioners Meeting.

Go Angola Downtown Alliance submitted a letter requesting permission to use the parking lots for Autumn in Angola starting at noon on Friday, September 26, 2014, until the evening on Sunday, September 28, 2014. Ronald Smith informed Gary Fair that the parking lots are being requested for the Autumn in Angola activity and the Commissioners want to make sure there are not any issues where the repaving and the retaining wall schedules are involved. Mr. Fair reviewed the letter and stated that there should not be any problems. Loretta Smart made a motion to allow Go Angola Downtown Alliance to use the parking lots for Autumn in Angola from Friday,

September 26, 2014, until Sunday, September 28, 2014. James Crowl seconded that motion and the motion carried with three (3) ayes.

Mr. Fair also advised the Commissioners that the Impala is in need of repairs. Mr. Fair suggested that buying a new van be revisited.

Vina Conti, Plan Commission, submitted plats for Little Otter Hills to be signed by the Commissioners. Loretta Smart made the motion to sign the plats. James Crowl seconded that motion and the motion carried with three (3) ayes and the plats were signed.

Todd Pfafman, Community Corrections, came to the Commissioners with requests to use the Commissioners credit card. Mr. Pfafman requested to purchase window film treatments in the amount of \$51.07 from Amazon. Ronald Smith inquired who was going to install the window treatments and Todd Pfafman said that he has experience installing window treatments and he had planned on installing it. James Crowl made a motion to allow Community Corrections to purchase the window film from Amazon using the Commissioners credit card. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

Mr. Pfafman submitted Amendment #2 to the Grant Agreement with the Indiana Department of Corrections for approval. Loretta Smart made the motion to approve and sign the Amendment. James Crowl seconded that motion and the motion carried with three (3) ayes.

Todd Pfafman also submitted a request for permission to use the Commissioners credit card to pay for MRT Training, in the amount of \$600.00, and hotel reservations, in the amount of \$371.84. Loretta Smart made a motion to allow Community Corrections to pay for the MRT Training and hotel reservations with the Commissioners credit card. James Crowl seconded that motion and the motion carried with three (3) ayes.

Mr. Pfafman also submitted a request for permission to use the Commissioners credit card to pay for hotel reservations for the IACCAC, not to exceed \$870.00. James Crowl made the motion to allow Community Corrections to pay for the IACCAC hotel reservations with the Commissioners credit card. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

Todd Pfafman informed the Commissioners about the Indiana Association of Community Corrections Act Counties 2014 Fall Training Institute. Mr. Pfafman confirmed Community Corrections will be paying for that out of their own budget and will not be needing the Commissioners credit card. Loretta Smart made the motion to allow Community Corrections to use their own budget to pay for the Indiana Association of Community Corrections Act Counties 2014 Fall Training Institute in the amount of \$1,075.00. James Crowl seconded that motion and the motion carried with three ayes.

Mr. Pfafman submitted another request to use the Commissioners credit card for hotel reservations for the ECMS training, in the amount of \$371.84. James Crowl made the motion to allow Community Corrections to use the Commissioners credit card to pay for the hotel reservations during the ECMS training. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

Chad Hoover, GIS, submitted the software support agreement for approval and signature. Mr. Hoover stated that the current support agreement ends at the end of the month. James Crowl made a motion to approve and sign the software agreement. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

Mr. Hoover also revisited the issue of the two (2) requests that have been submitted by covered persons to remove their personal information from the public website. Donald Stuckey, County Attorney, stated that he was under the assumption the Commissioners were going to allow the removal of information and the question became what the Commissioners are going to charge to remove the information because there is considerable work for GIS to do it. Mr. Stuckey stated that if the Commissioners establish a policy that information will not be removed except on a specific request with factual background then that can be the policy. Ronald Smith asked how other counties are handling this issue. Donald Stuckey stated that most counties do not remove the information due to the time involved and the fact that the information is available by using other sources. Ronald Smith stated that a letter shall be sent to the covered persons, whom made the requests, that the Commissioners have decided that since other

counties are not removing information, because of the expense and time involved and the fact that the information will be available by other means or by a FOIA request, Steuben County is not going to start continuously adding people to the exclusionary list.

Gary LeTourneau, Communications Director, came to the Commissioners with a request to either roll over or pay out vacation time for three (3) long term employees due to the hardships those employees endured this year and having canceling some of their vacation requests to work overtime. James Crowl made a motion to grant the request. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

Mr. LeTourneau also came to the Commissioners regarding replacing the carpet tiles during the time the consoles are being replaced. The previous quote of \$4,000.00 has been reduced to \$2,000.00 and Mr. LeTourneau would like to request the Commissioners to pay for the carpet tile replacement. Kim Koomler, Auditor said that they are waiting on an additional to be approved by County Council for Cumulative Capital Development. Ronald Smith said that a decision will be made after County Council makes their decision on the additional requested for Cumulative Capital Development.

Vicky Meek, EMS Director, came to the Commissioners regarding locking in the price for the purchase of a new ambulance and bypassing the bidding process. Ms. Meek said that she has received one ambulance from the 2013 Bond and she would like to start working on the next one since it's a long process. She stated that once the company has a signed agreement it takes six (6) to eight (8) months to build an ambulance. Vicky Meek stated that there is a piggy back clause on the bid for the ambulance that was just received. The ambulance manufacturer put a clause in the contract so we could add the next ambulance on if the county decided to do that; however, Ms. Meek said she wasn't sure where the county stood with the bidding process. Vicky Meek stated that the last ambulance cost \$165,000.00 and the price was locked in January, 2014, but paid for in August, 2014. Donald Stuckey stated that the county would be okay to piggy back on the contract with the previous ambulance manufacturer. Vicky Meek said that this will be the last ambulance purchased and the next five years will be remounts. James Crowl made a motion to allow Vicky Meek to piggy back on the previous contract and order another ambulance from the same company. Loretta Smart seconded that motion and the motion carried with three (3) ayes.

Vicky Meek also informed the Commissioners that last October Steuben County EMS had pink t-shirts for sale and the proceeds went to the Cancer Association. This year they've decided to do an all emergency services t-shirt and the proceeds will again go to the Steuben County Cancer Association.

Emmett Heller, Highway Superintendent, submitted a list of the chip and seal, sand seal and hot mix projects that have been completed. Mr. Heller reported that the total is 24.6 miles and they are working on the striping schedule to get the paint put back on the roads. Emmett Heller also advised the Commissioners that a full time mechanic job posting has been posted and applications are coming in. Mr. Heller also stated that he's leaning toward having the new mechanic work from noon to 8:00 p.m. instead of having both mechanics on the clock for the same hours.

Jennifer Sharkey, County Engineer, submitted utility permit #2711 from Frontier for approval. James Crowl made a motion to approve utility permit #2711. Ronald Smith seconded that motion and the motion carried with two (2) ayes.

Ms. Sharkey asked Donald Stuckey if he had any update from Bill Jones on the right of way acquisition. Donald Stuckey stated that he got the documents signed, sent them to Mr. Jones and the deeds and temporary easements have been recorded.

Ms. Sharkey submitted an invoice for inspection services for the Bike Trail and the information to be sent to INDOT for 80% reimbursement of the invoice. James Crowl made a motion to approve the invoice for inspection services and to sign the information for INDOT to receive the 80% reimbursement. Ronald Smith seconded that motion and the motion carried with two (2) ayes.

Ms. Sharkey stated that she had communication with INDOT today regarding the Maple Street Project. She stated that there was an exhibit that was not included in the contract when it was sent to the central office so

additional information is being requested regarding the schematic of the project. Once that information is sent, it should go through and a meeting will be scheduled to continue with the design.

Ms. Sharkey stated that the 200 N at SR 827 Request for Proposals are due September 12, 2014, at 3:00 p.m. She stated that she has talked with several consultants who are interested in the project.

Ms. Sharkey stated that the 327 Interchange Request for Proposal for Assistance on the planning grant application is due April, 2015. It has not yet been sent out because the fee is unknown until the proposals come in and it has not yet been decided where the funds will be coming from. Ms. Sharkey stated that the TIGER Grant applicant would be Steuben County and she will need approval from the Commissioners along with an idea of where the funding would come from before sending out the RFP.

Ms. Sharkey stated that she has copies of all of the designs that Trine came up with and it gives a good basis of where to start and will also help provide the consultant with information as far as what the county is planning; however, it was scaled down and a more detailed report is needed to apply for such a grant. Ms. Sharkey stated that once the grant is submitted, that when the county needs to show they have a 10%-20% match to the entire planning grant that is being applied for. This issue has been tabled for discussion at a meeting in the future.

Ms. Sharkey also updated the Commissioners on the Title VI Implementation Plan. She stated that this is so the County is in compliance with the ADA aspect. Ms. Sharkey stated that she believes the Title VI Implementation Plan needs to be submitted to the Personnel Policy Committee to be incorporated. Kim Koomler, Auditor, said that it will have to go to the Personnel Committee first and then be approved by the Commissioners.

Ms. Sharkey informed the Commissioners that she has the Gas Bids around and they are ready to be sent out if the Commissioners would like to do that. Emmett Heller stated that maybe in another year it may be wise to look at the cost of fuel in July because that seems to be when the lowest costs are.

Ms. Sharkey also submitted a DOT compliant substance abuse testing policy to the Commissioners for approval. She stated that Midwest Toxicology is the current drug testing facility for the Highway Department and the policy for the DOT substance abuse testing is out of date. Ms. Sharkey stated that she, Emmett Heller and Donald Stuckey have reviewed the new policy. Ms. Sharkey stated that the Highway Department would like to adopt the policy as the new drug policy for DOT testing. James Crowl made a motion to approve the new DOT substance abuse testing policy. Ronald Smith seconded that motion and the motion carried with two (2) ayes.

Eric Ditmars, County Park Superintendent, came to the Commissioners regarding an issue with speeding at the County Park Campground. He stated that campers are getting into conflicts with people driving up and down the roads. James Crowl stated that there are already speed limit signs and speed bumps installed. Mr. Ditmars stated that additional speed bumps can be added and the campers mentioned sectioning off the campground where the boat launch and beach could still be utilized; however, access to the campground would be restricted by means of a gate. James Crowl asked how the public would access the beach and Mr. Ditmars stated that they would have to go through the 4-H Fairground. James Crowl stated that because the county park is an open park and to say that the public can't drive in there is wrong. Mr. Ditmars stated that people driving through the campground are reaching speeds around 40-45 MPH. He also stated that the Sheriff's Department was contacted regarding speed control and he was told that speed was not controllable inside the park.

David Knepper, WeKon & Scott, failed to show for his time slot. James Crowl stated that since Mr. Knepper failed to show, he would like a letter from Donald Stuckey and the Commissioners, to Mr. Knepper, because he's been badgering the Auditor's Office about this issue. Laurie Stoy, Treasurer, stated that Mr. Knepper has called several times and has been in her office as well. Donald Stuckey stated that the way he understands it there are State liens and State Income Tax Liens; however, Ms. Stoy stated that the title company is not finding them. Ms. Stoy stated that there are weed liens and the City of Angola only released one (1), they did not release all of them and those liens are still attached to the parcel as well. Donald Stuckey stated that there was the agreement in 2008 for the taxes at \$5,000.00 for the one lot with the building on it and then there are the taxes since 2008. Mr. Stuckey stated that the way he understood Mr. Knepper the last time was that Mr. Knepper agreed to pay the taxes from 2008 on. James Crowl stated that it was his recollection that the \$5,000.00 was established in 2008 and after that date, any taxes that accrued Mr. Knepper was responsible for. James Crowl stated that Mr. Knepper owes

\$5,000.00 and anything after 2008 he still owes. Donald Stuckey stated that there are still drainage liens on the property as well. Laurie Stoy stated that the City of Angola released the unsafe building lien but not the weed liens. Donald Stuckey stated that based upon his notes, the Commissioners agreed to accept \$5,000.00 to wipe out the real property taxes before 2008 and Mr. Knepper would be responsible to pay the property taxes from 2008. Donald Stuckey said that he would be happy to write a letter to Mr. Knepper outlining that and if he wants to disagree with that, he can come to another Commissioners Meeting.

Bill Schmidt asked if the Commissioners knew the total amount accrued since 2008. Laurie Stoy said that she does not have it broken down; however, the total due right now is \$65,493.81. Ms. Stoy stated that the property taxes are \$1,069.30 per half.

Keith Saunders, with the Tobias Insurance Group, came to the Commissioners regarding employee insurance benefits. He submitted information on what plans Tobias Insurance Group offers and that information is to be forwarded to payroll.

Ken Herceg, Donahue/Herceg, came to the Commissioners requesting a signature on Amendment No. 1 to the Architecture and Engineering Services Agreement to cover the Independent Grant Writer to review the FEMA grant. Mr. Herceg updated the Commissioners on the Community Building. He stated that FEMA keeps the process pretty tight to the belt and the decision is to be made by the end of September but it will not be announced until the end of December. Mr. Herceg stated that he's not sure if there's any way to find out what the decision is until the announcement at the end of December. He stated that as of right now only preliminary design has been done.

Nitin Timble updated the Commissioners on the 200N/200W Project. Mr. Timble stated that he's on his way to a meeting with INDOT and he still needs Parcel 13 documents for submission to INDOT. Donald Stuckey stated that he's still waiting on the Tax ID Number or the Social Security Number so the claim can be paid. Mr. Stuckey did verify that the deed and the temporary easement has been recorded.

David Knepper, WeKon & Scott, arrived at the meeting late but was still able to address the Commissioners regarding the properties located at 410 and 414 Weatherhead Street. Donald Stuckey stated that the notes and minutes were reviewed and the understanding of the Commissioners was that in 2008 a decision was made that the Commissioners would accept \$5,000.00 for all of the property taxes due as of that date. Then in 2012 Mr. Knepper came to the Commissioners asking them to accept that agreement again. The Commissioners said that they would accept the \$5,000.00 for everything due as of 2008 but they expected the property taxes to be paid from 2008 due 2009 forward. That agreement only addresses the real property taxes because the Commissioners do not have control over liens that the City of Angola, the Drainage Board, etc. have added to the property. Donald Stuckey stated that there should be a deadline date for payment as well. Since this property is up for tax sale, which is October 9, the \$5,000.00 and the back property taxes from 2008 to present need to be paid by October 1, 2014.

Mr. Knepper stated that the property is sold. The closing was set for last week; however the closing did not go forward. Mr. Knepper stated that he understood the County needing an agreement in writing. Mr. Knepper informed the Commissioners that there are still some EPA issues and one of the companies is willing to accept some liability.

Mr. Knepper stated that his only question is what parcel Mr. Stuckey is talking about. Mr. Stuckey stated that the Commissioners are talking about one parcel and that this agreement applies to the 414 property only. Mr. Knepper stated that 414 is sold and they can close at any time and the title company will come and pay the taxes as soon as they are accepted. He stated that it was his understanding that something was needed in writing to authorize that to happen. Donald Stuckey stated that he will prepare that document and he will send it to Lakeview Title and to the Auditor's Office.

Mr. Knepper stated that he will keep the Commissioners informed about what happens with the 410 property and he hopes to have something finalized within the next thirty (30) days.

The Commissioners received the following correspondence: DLGF re: August 25 email from Commissioner Schaafsma; Jessica Christen re: 7th Annual Economic Dev. Forum; Lt. Governor Susan Ellspermann re: Introduction to Peggy Welch; ENR Midwest; Kronos Incorporated; David Koenig re: EDC Forum for Steuben

County; Solar Usage Now re: Reducing cost of boiler heating in county buildings; Karr Tuckpointing; IEDC re: IEDC Marketplace News Updated; AIC re: Leadership Class; API re: Offshore Exploration; Career Track re: Managing Emotions Under Pressure Seminar; Economic EDC re: news update; Leightronix, Inc re: promote with affordable streaming solutions; National Seminars Training re: Dynamic Public Speaking.

STEUBEN 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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