

Steuben County Council  
Special Session  
April 8, 2014

The Steuben County Council met in special session on Tuesday, April 08, 2014 at 9:00 a.m. in the Community Center Building. Present were, Richard Shipe, Dan Caruso, Ruth Beer, Sara Tubergen, Linda Hansen, and John Ingledue. Kim Koomler, Auditor and secretary to the County Council was also present. Mayo Sanders was absent.

Richard Shipe, Council President, called the meeting to order. Ronald Smith, President of the Board of Commissioners was present to answer any questions related to the transfer funds within the EDIT Fund. The County Council approved this transfer at their March 2014 meeting and today the Auditor presented them with the Salary Ordinance Amendment which must be approved before the salary can be set. Ronald Smith advised the Council that the Commissioners had approved an amendment to their Capital Improvement Plan for the County Economic Development Fund to include 25% of the IT Director Salary.

President Shipe read aloud Ordinance #855 in its entirety, an Ordinance Amending the 2014 Salary Ordinance. The floor was opened for discussion, Dan Caruso made a motion to approve Ordinance #855, Linda Hansen seconded and with no further discussion, the motion carried with six (6) ayes.

John Ingledue made a motion to suspend the rules of procedure of the Steuben County Council which might prevent, unless suspended, that the second and third reading of Steuben County Ordinance 855, an Ordinance Amending the 2014 Salary Ordinance for passage and adoption of said Ordinance at this meeting without reading the said Ordinance in full but reading by Title only. Ruth Beer seconded and the motion carried with a vote of six (6) ayes.

Under the suspension of the regular rules, President Shipe asked if a motion that the Ordinance be read for the second and third readings by title only and thereby be ready for passage and final adoption in this meeting. Motion by John Ingledue for second and third readings. Dan Caruso seconded and the motion. President Shipe read aloud the Title of the ordinance for second and third reading of Steuben County Ordinance 855, an ordinance amending the 2014 Salary Ordinance. Being no further discussion the motion carried with a vote of six (6) ayes.

**Ordinance # 855**  
**An Ordinance Amending 2014 Salary Ordinance**

WHEREAS, Steuben County Council approved its budget for 2014 by passing the Salary Ordinance on September 10th, 2013 and,

WHEREAS, the budget established by the County Council did not include salaries for individuals whose salary classifications had not been established.

NOW, THEREFORE, be it ORDAINED by the County Council as follows:

Salary Ordinance for the Steuben County 2014 Budget is hereby amended to include the Information Technology (IT) Department Director. The IT Director will be paid a base annual salary of \$55,000.00; however for the remainder of the fiscal year 2014, from April 1, 2014 through December 31, 2014, the salary will be prorated in the amount of \$41,250.00. The IT Director salary will be funded from two fund sources calculated at 75% to be paid from the County Commissionerø Budget and 25% to be paid from the County Economic Development Fund.

Ordained this 8th Day of April 8th, 2014.

Steuben County Council

\_\_\_\_\_  
Rick Shipe

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Ruth Beer

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Sara Tubergen

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Dan Caruso

Absent  
F. Mayo Sanders

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John P. Ingledue

\_\_\_\_\_  
Linda Hansen

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

Commissioner Smith presented a transfer request from the 2010 Bond to cover the expense of a new GIS Laptop for Chad Hoover, GIS Coordinator. Ruth Beer made the motion to approve a transfer of \$1,900.00 into the GIS Equipment line item. John Ingledue seconded and the motion carried with six (6) ayes.

From:	GIS Ongoing Layers	4601-000-3000.07	\$1,900.00
To:	GIS Equipment	4601-000-4000.08	

Jennifer Sharkey, County Highway Engineer came before the County Council to request additional funds to pay for Phase I of the Bridge Inspection Contract. The amount needed is \$5,000.00 and is needed in the following line item. Linda Hansen moved to approve the additional. Ruth Beer seconded and the motion carried with six (6) ayes.

Additional	Cumulative Bridge	1135-542-3000.40	\$5,000.00
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Ken Penick, Highway Superintendent came to the county council to request the transfer of \$15,232.00 from the Highway Mechanics line item into the Part-time Mechanics line item. The reason for the request is to pay for a part-time mechanic to help out until he is able to hire a full-time mechanic. Ken Penick said he has asked Blaine Lease to come back and work part-time until the position is filled. Ruth Beer made the motion to approve the transfer of funds. Linda Hansen seconded and the motion carried with six (6) ayes.

Transfer MVH Fund

From:	Mechanics	1176-533-1000.15	\$15,232.00
To:	Pt-time Mechanics	1176-533-1000.16	

Mr. Penick also advised the Council that he will be requesting an additional \$50,000.00 at the May Council meeting, \$25,000.00 for Truck Tractor Repairs and \$25,000.00 for Garage & Motor Supplies. Penick also advised Council that he will be requesting the \$125,000.00 that was set aside in the Major Moves be appropriated for roads due to the bad winter we experienced. In addition, Penick estimates a need for the appropriation of \$300,000.00 in MVH Fund once he receives his distribution from the State. In August, Penick will be requesting \$125,000.00 to pay for fuel for the rest of 2014.

Ken Lowden, Consultant, E-911 Communications presented a request for a transfer of \$10,000.00 from Telecom Technician into the part-time line item to pay for the part time staff he has recruited to cover all shifts. Dan Caruso made a motion to approve the transfer. Ruth Beer seconded and the motion carried with six (6) ayes.

From:	E-911 Telecom Tech.	1222-000-1000.01	\$10,000.00
To:	Pt-time Help	1222-000-1000.41	

Linda Hansen made a motion to approve the February and March 2014 County Council Meeting minutes provided the typographic errors are corrected. Ruth Beer seconded and the motion carried with six (6) ayes.

Dan Caruso advised the Council that there is going to be a vacancy on the Region III-A Board. Caruso is suggested the council consider Mr. Dave Koenig as a replacement. Richard Shipe asked for clarification from Mr. Caruso and if he was the member was planning to leave the board and relinquish his position. Caruso stated that he was not planning to leave but that another member had advised him that they were planning to vacate their position. Caruso asked council to officially make the recommendation to appoint Dave Koenig to serve on the Region III-A Board of Directors replacing a member who is planning to vacate their position on the board. Caruso wants the Council to consider Mr. Koenig based on his years of experience as the former Director for the Region III-A. Council is being asked to send a letter of recommendation to the Region III-A Board for consideration. Sarah Tubergen moved to make stated recommendation to the Region III-A. Dan Caruso seconded and the motion carried with six (6) ayes.

The March 2014 Auditor/Treasurer Monthly Financial was approved by a motion from Linda Hansen and seconded by John Ingledue. The motion carried with six (6) ayes. Dan Caruso asked for more detailed information regarding the large amount expended from the Major Moves Fund in March. Linda Hansen

said this is part of the monthly claims process. Auditor Koomler reported the expenditures are claims from the vendors who provided the services to the County.

Frank Charlton stated that the vote to appoint a replacement to the BZA from the February meeting was not unanimous and the council decided to table the appointment to a future meeting. Frank Charlton and Vina Conte came before the Council to again to present the applicants for the BZA Board opening. Charlton stated that he has three applicants who are qualified and interested, Mr. Bruce Watson, Mr. Kevin Stockwell and Mr. Steven Mayer. Charlton said last time he was leaning toward Mr. Watson because he is a little bit more qualified for the position, but now he feels Bruce Watson being a lake resident, tips the scale on the BZA Board and he would rather have someone from the farming community on the board. Charlton gave his recommendation to appoint Mr. Kevin Stockwell since he is from the farming community. The third applicant, Mr. Mayer was not considered last time so he is no longer being considered. Charlton said Mr. Stockwell would be the better choice to give the Board a more even balance. Sara Tubergen asked what the difference in experience is between Stockwell and Watson. Charlton said he isn't so sure one is more experienced in zoning matters than the other. Tubergen recalled that at the February meeting she was in favor of Mr. Watson based on his experience in Allen County and the recommendations she received from the Allen County Commissioners. Charlton also stated that the BZA Board is tilted toward the lake residents and there is a whole lot more to this county than the lakes. Charlton feels we need that diversity in our board. Ruth Beer also commented that there is a need to have representation from the Southern part of the County. Charlton also stated that the appointment has been prolonged because of the conflict of interest with the CAFO coming before the board. Stockwell would have had to recuse himself for that meeting and it was important that we had a five (5) member deciding vote. Beer asked if Stockwell would be appointed to the BZA would he have to recuse himself every time a vote came before the BZA regarding CAFOs. Beer asked if Charlton also expects members who live on the lakes to recuse themselves when there are issues involving the lakes. Charlton stated that he does not. The reason for this issue was Stockwell's employee was the person bringing the CAFO to the table. Caruso asked what percentage before the BZA are Agriculture related versus lake related requests. Frank said that percentage is 70% Lake and 30% Agriculture. John Ingledue said that that doesn't mean lake board members aren't informed enough to make decisions regarding agriculture. Charlton said as long as they do their homework and are well informed about each appeal request and they usually all go to the site surveys to view the properties involved. The Board members make their decisions based on compliance with the Zoning Ordinance and the County Comprehensive Plan. Bill Schmidt commented that he has been advocating for the vacancy be filled with an agriculture based resident. Richard Shipe said he will again have to recuse himself due to his relationship with Mr. Stockwell.

Sara Tubergen advised council that she would like more time to review her notes and do more research on Mr. Stockwell before voting. Tubergen moved to table until next meeting. Shipe called for a second to the motion and there being no second, the motion died for lack of a second.

John Ingledue made the motion to appoint Mr. Kevin Stockwell to the vacancy on the BZA Board. Ruth Beer seconded. Shipe called for a vote by show of hands, Shipe abstained, Linda Hansen, John Ingledue and Ruth Beer voted aye and Sara Tubergen and Dan Caruso voted nay. The vote was three (3) aye, two (2) nays and one (1) abstained. The motion to appoint Kevin Stockwell was voted down. A majority vote from four (4) is required for passage.

Richard Shipe distributed a copy of a time tracking spreadsheet that Brett Hayes created for use in his department. Shipe asked county council to review the spreadsheet for possible future topic of discussion.

Richard Shipe brought forward a discussion he has had with Ken Lowden and the difficulty Lowden is having in filling the part-time positions in the Communications department. Lowden said he would like to see the hourly rate for part-time Telecom Techs to be increased to \$15.10 per hour. Shipe said that any increase will help. Linda Hansen asked what the EMS part time help earns per hour. Their hourly rate is currently \$14.10 per hour. John Ingledue said he would agree to increase to \$14.10 to be equal to the hourly part-time rate for EMS. Hansen agreed with John Ingledue. Sara Tubergen said she would like to see what the surrounding county pay rates are before making a decision.

Linda Hansen suggested that council move forward with their action to increase the hourly rate today and then finalize signing the Salary Ordinance Amendment next month. Ron Smith, Commissioner, advised council that lower pay is the reason the County can't retain Telecom Techs. We train them and then they leave for more money. John Ingledue made a motion to increase the Communications Telecom Tech, part-time help to \$14.10 per hour to become effective the first day of the next payroll cycle April 14, 2014. Linda Hansen seconded and the motion carried with six (6) ayes.

Richard Shipe asked council to review the report provided to them by the Auditor detailing the current status of the Communications & E911 Budgets specifically the Telecom Tech base salary, overtime and part time line items.

Richard Shipe brought the 2015 Budget process to Council members for discussion. Shipe said he would like to consider a different way of handling the budget review process this year. Shipe suggested the council liaisons could meet with their department heads individually prior to the budget hearings. Dan Caruso thinks as liaisons council members need to go back to the departments and let them know what we are looking at as far as the proposed budget numbers. To give everyone a better indication of what we are trying to achieve. If our priority this year is going to be the pay scale then we need to communicate that to our departments. Sara Tubergen agreed that we do need to have a conversation with those departments that we are liaison to so we can have a better understanding of what their needs are before the budget process begins. Caruso said he would like to be able to stress test some numbers to see what is realistic and what isn't. The Auditor stated this could be done before the next council meeting with direction of the council. Nicci Upp, Payroll Deputy can prepare different scenarios for council to review. Nicci Upp asked council clarification to know which way we are going to go. Does council want to increase the pay grade for each job classification type because this would also require a change in the job descriptions? The other option is to increase the amount being paid for entry level step and possibly increase all steps. Hansen agreed that we will need to make a decision on how we want to approach this. Hansen feels the council could eliminate step one and go to step two for entry level as well as increasing all levels in the matrix. Sara Tubergen asked if the county is having trouble hiring new people because of the wage scale or is this just in a specific department. Tubergen suggested it may be better to put the money in those areas that are more specialized and more difficult to fill the positions or should we give everyone an increase? Hansen stated that if council chooses to change the matrix they need to stay consistent and give increases to all. Tubergen stated that the Payroll Step matrix has tied our hands time and time again. When we are short in money and we feel that some areas need more pay and maybe we could get by in other areas it isn't right to say we have to revise the whole matrix. Hansen stated that if Council is considering changing one specific group of employees then we will need to take that group and elevate their job descriptions and classification to a higher category in order to justify a higher wage scale. Tubergen said she feels council should speak to our department heads and get their opinion on what should be done. Council members agreed that all department heads will give the same answer being all of their people need a raise. Tubergen said she wants to hear from the departments if they are having difficulty hiring staff or retaining employees. Council directed the Auditor's office to provide some scenarios for the next meeting. Auditor Koomler asked for council to be more specific.

Auditor Koomler presented the spreadsheet she had prepared with the starting wage being moved to step two and no changes to any other steps. The total cost to the county to make this change is \$12,781.08. The projected cost to give everyone their scheduled steps in 2015 with no other changes to the matrix would be \$42,960.32.

Ron Smith informed council that the Commissioners and Mayors caucus will be holding a meeting next Wednesday April 16<sup>th</sup>. The topic of discussion will be regarding the local option for counties to eliminate the personal property taxes in their counties. The Mayors are irate about the fact that the legislators made this decision and the effects this will have on our area. There are many unhappy people who will be meeting to discuss this matter. The concern is which counties will win the race to the bottom so that they can be the first to eliminate the tax and be the most attractive to prospective businesses considering locating in their community. You as county council will be the ones who will need to be informed about that. The legislators passed the buck to local government to make the decisions.

Sara Tubergen asked to address the County Council about the Steuben County Economic Development Commission (SCEDC). Tubergen said she doesn't think the council members have all of the information they should regarding the SCEDC. There are thirty-two members on the Commission. Eight are government entities the rest are from the private sector. EDC took a poll and asked our EDC Board members about allowing their meetings to be open to the public. These members are the people that are out there in the community who are the people making the jobs, trying to create jobs, and they know what it takes to bring a new business to our community or to grow an existing business. Twenty-five of them said they did not want the EDC to have open meetings. Five of the members didn't want to comment and two of the members said they wanted make a statement, one was the Commissioners representative and the other a business leader in our community who is related to the Commissioner. What the EDC represents is a working together of the community to try to bring jobs to the community. This isn't just a government entity; this is a large group of businesses with the help of government

trying to create jobs. In the last four years, four times the county has threatened the funding of the EDC. Four times in four years, and actions really speak louder than words. So, are we behind bringing jobs into the community? Business look for government entities to work together because when a business comes into our community there are going to be problems to solve that are going to take various government units and businesses working together. Just because the county contributes the largest amount of money to the EDC doesn't mean we should bully them. Four times in four years. The county is bullying them. The other board members are questioning why they are even standing at the table when we make a decision the county says if you don't do it our way we are going to pull your funding. That is what the County is doing. I wanted to talk to you about this last month, but we went over to the E911 office at a commissioner's request and met behind closed doors. We should practice what we preach. We have a meeting behind closed doors and the Commissioners are saying no, EDC is not allowed to meet behind closed doors. How can the county say that, how can we not work together with the whole community, how can we not practice what we preach, how can we tell these other communities no you do it our way or it's no way. What is this doing with our relationship with EDC's in the surrounding communities and the State, what is this doing to how we are projecting ourselves when in the economic development community they hear that Steuben County is at it again? What is this doing for our reputation that we can't work together as a group with our business community? Now to get to the reasoning of why the EDC wants to keep these meetings closed. Yes the majority of the funding is from tax dollars, but the tax money comes from economic development. How we spend our money is public knowledge and anyone can go online and look at the budget. Why are we hurting ourselves by putting this issue out there again? Is this going to help or hurt job creation by doing this? We could have the first part of our meeting open and then ask everyone to leave. What happens when we want to bring a prospect into our meeting are they going to have to wait out in the hall until the press leaves in order for them to discuss specific issues. Businesses are very competitive in this process and they do not want their names or anything released to the public until they make their decision to come into the community. It is just the way economic development is. And for those people saying we aren't getting our money's worth they should follow Dave Koenig around for a day. Look at the stats if you want to know what we have accomplished I can get you the stats. The EDC is so important I just feel like the county is not standing behind this and supporting us. This isn't just government entities but a large group of people committed to economic development. When we have 22 members saying that's not the best thing to do for job creation. Four times in the last four years. Are we behind economic development or not? Are we behind this group of people who are working together, 32 members? These are the people who are out creating jobs. Businesses who want to come here look for a community where businesses leaders and the government leaders work together. I am really disappointed, we need to work together.

Daniel Caruso stated that he would have to agree with most of what Sara Tubergen had to say. If we are going to invest in EDC we either believe in it or we don't. I would like to see the County not have everyone else looking at us like what is the problem over there. Caruso said these meetings need to be in private and confidential. He doesn't think there is anything going on behind closed doors that should cause anyone to have concern. When I look at what the county is investing in economic development it would take twenty years of EDC investment to equal what we have spent on improvements to the Steuben County Park and Fairgrounds. Which one is going to help us pay our bills into the future? My goal isn't to see this county to change its complexion and become overpopulated. We all want to protect the beauty we enjoy in this county, but we won't have that to enjoy and we won't be able to protect the public safety or anything else at the quality that we need to if we don't help replenish jobs, encourage the successful businesses that are employing our friends, working for them to be successful in this community. Having said that I also think it is a big responsibility as to what level government is involved in dictating to the level of success of certain businesses. So EDC's are very common thing but when you are looking to incentivize businesses to come to your community, I think the biggest way you can do it is to have a functional knowledgeable BZA, and approachable government, information readily available and quality school systems. There are a lot of things to Commissioner Smith's point that they are going to be looking to us to replenish lost revenues due to the possible elimination of business personal property. In my experience, the most important thing to a potential business is the quality of life, accessible man power and resources and infrastructure. It requires a face of local government that shows them we understand what they need and we are here to work with them as they are here to create quality jobs. That would be my supporting statement to Sara's comments.

Tubergen added that she doesn't think there is another EDC in the State that has open meetings. It isn't going to help us it is only going to hurt. Shipe asked if the Commissioners want the entire meeting to be open. Tubergen said no, they only want the first five minutes to be open to the public. They want our financial statement. That is going to be available on the website. We could agree to their demands, but look at how the other members are feeling. How would you feel?

Dan Caruso said now that the State has kicked the can back to the county, he thinks this is our chance to lead, and say our county is unique. We have so many benefits that are justification to say we won't pass the burden of the business tax on to our tax payers and residents. We have a lot of those things that are God given gifts here in Steuben County in spite of ourselves. We need to be cooperative and understanding to the needs of businesses. If we are afraid of too much growth we better be afraid of too much shrinkage too. We may find ourselves in a lot worse situation. We have so much potential but we need to something in a constructive unified way. If a business is trying to locate here and they think there are walls being thrown up will turn them off a lot more than what that tax rate is on their inventory. Tubergen said this is just not good and it should not be happening. Tubergen also stated that Dave Koenig is such an asset to the Economic Development in Steuben County and is very valuable to our continued success.

No further business was discussed.

Dan Caruso moved to adjourn, Sara Tubergen seconded and the motion carried with six (6) ayes.

Council received the following correspondence:

Engineers Report April 7, 2014.

Steuben County Weights & Measures, Update on departmental activities

Steuben County Sheriff's Office Jail Division's 2013 Annual Report

SC Soil & Water Conservation Dist

Steuben County Payroll's F/T Employment Activity Report

Steuben County Council

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Richard Shipe

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Absent  
F. Mayo Sanders

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Dan Caruso

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Ruth Beer

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Sara Tubergen

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Linda Hansen

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John Ingledue

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Attest: Kim Koomler, Auditor