STEUBEN COUNTY BOARD OF COMMISSIONERS MEETING  
February 3, 2020

The Steuben County Commissioners met at 1:00 p.m. on Monday, February 3, 2020, in the Commissioners’ Room of the Steuben County Community Center. Present this day were Commissioners Ronald Smith, James Crowl and Lynne Liechty. Also present were Donald Stuckey, County Attorney, Kim Anderson, Assessor, Ruth Beer, Steuben County Councilwoman, Larry Gilbert, Surveyor, Wil Howard, Steuben County Councilman, Dan Caruso, Steuben County Councilman and Kim Meyers, Steuben County Auditor.

James Crowl made a motion to approve the claims submitted for payment this day totaling $355,216.55. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Lynne Liechty made a motion to approve the minutes from the Commissioners’ Meeting on January 21, 2020. James Crowl seconded that motion and the motion carried with three (3) ayes.

Kim Meyers, Auditor and Melissa Bixler, Treasurer, submitted the Monthly Comparison Report and Monthly Financial Statement for review and approval. James Crowl made a motion to approve those reports. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

The Commissioners signed the minutes from the January 6, 2020, Commissioners’ Meeting and the January 13, 2020, Admin/Emergency Expenditure Meeting for the Index Book, which were approved at the prior meeting.

Lynne Liechty made a motion to approve the January 31, 2020 Payroll in the amount of $443,131.91. James Crowl seconded that motion and the motion carried with three (3) ayes.

Lynne Liechty submitted information on signage for the 200 W Beautification Project. Commissioner Liechty said the Tourism Bureau will be paying for the sign, but the Commissioners need to approve the location. She said the proposed location is on a hill located on the Old County Home Property. Lynne Liechty made a motion to approve the sign placement. James Crowl seconded that motion and the motion carried with three (3) ayes.

The Commissioners requested that Rus Strang, The Pier Place and Dan VanGordon attend the Commissioners Meeting regarding White Oaks Glen Drainage. Rus Strang stated the County has tried to get the water to flow to the east and back out to the highway but it still needs a little more work and hopes it can be done in a timely manner. He said apparently the operator didn’t get clear instructions because now there is a small holding pond by the mailbox.

Jennifer Sharkey said there are plans scheduled for this spring to do some touch up work for the ditching that was done in the fall. Rus Strang said the culvert is still semi-plugged, but someone cut a hole in it.

James Crowl said the culvert is private and the County does not have the right to plug it. Jennifer Sharkey said that she and the operator went out and looked at it and there is some touchup work that can be done this spring to help the water continue to flow. Jennifer Sharkey said the State has not been very responsive about the culvert on State ground.

Lynne Liechty said if Mr. VanGordon is given the okay to plug the culvert, she wants to make sure it is to specifications so it doesn’t create more water flow.

Charles Diehl, 825 N 280 W, stated he is also affected by the water at his home. Mr. Diehl submitted photos to show the water issue.

Jennifer Sharkey said the resolve for the Highway Department is to clean up the ditch that was done in the fall to help the water flow through there. She said the two (2) lingering items are plugging the private culvert and who would do that. James Crowl asked who owns the culvert. Rus Strang said the culvert is about four (4) feet on County Property. Commissioner Crowl said it is not a County Regulated Drain. Mr. Strang said Dan VanGordon put in the drain when he did the development.
Mike Reese, 830 N. 280 W., Angola, stated his property backs up to the south end of the VanGordon property so the water they are talking about goes into his back yard, flows between his house and the Skurski’s to the north. He said it then goes through a culvert under his driveway, on down to the next property, across the street past Charlie’s house and on to Mr. Strang’s property. Mr. Reese said that he understands all of this may be done legally; however, it doesn’t mean it is done right. He asked if his back yard should be the retention pond for the businesses because right now when it rains, that is what his back yard becomes. Mr. Reese said he has a three (3) foot deep river in his back yard. If he would have known the property had this water issue, he probably wouldn’t have bought the house.

Lynne Liechty said more stringent permitting can be put in place in areas where there is a lot of water and not enough drainage. She said she believes that needs to be looked at as there are other places that have water problems as well. Commissioner Liechty said they can look at it with Ms. Sharkey and see what they can do. Mr. Reese said site development has to be done up front, the law didn’t require it so it wasn’t done.

James Crowl said once Jennifer Sharkey gets the work done, it may not fix all of it issues, but it will help.

Rus Strang asked if the current County Codes on Industrial Drainage would stop another building or addition from being built elsewhere. Mr. Strang said he spoke to Frank Charlton when he was the Building Commissioner and Mr. Charlton told Mr. Strang the site could be red tagged so a closer look can be made before an addition would happen. He said Mr. Charlton retired and another addition was allowed and was never looked at.

Rus Strang asked who has the right to cut open or cover up the culvert that is on County Property. Donald Stuckey stated that only the County can control its own assets; however, there are some discussions that the culvert in question is not a County Culvert. Mr. Strang said it is on County Property. Jennifer Sharkey said there is a private roadway that goes back to the businesses with a drive going to the business and the culvert is for the drive from the private road through the property.

Jennifer Sharkey said the Highway Department will touch up the ditch work on the north side of The Pier Place property and then will talk with Mr. VanGordon about allowing construction to happen within County Right of Way as they cannot permit anything that would touch State Right of Way. Ms. Sharkey said in regards of the Highway Crews doing the work further south, it may be County Property, it is not County Highway Property.

Ronald Smith thanked everyone involved in this process for attending the meeting and he hopes there is a resolve as the County cannot resolve the entire issue for them.

Charles Diehl asked said a culvert was put in and is creating silt build-up and he wants to know who is responsible for keeping it clean. James Crowl said the silt is from the limestone parking lot.

Mike Reese asked who owns the ditches and the culvert under his driveway as it is not on his property according to his deed. Jennifer Sharkey said driveway culverts are the responsibility of the property owner. She said it is within the County Right of Way but maintenance is the responsibility of the property owner. If it is a culvert under the roadway, that would be the Highway Department responsibility.

Jennifer Sharkey, Highway Engineer, submitted iMAN Utility Permit #2870 for approval. James Crowl made a motion to approve the Utility Permit. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Ms. Sharkey also submitted the Revised Bike Trail Maintenance Agreement with the City of Angola for mowing of Phase I and snow removal for Phase I and II in the amount of $18,000.00. Lynne Liechty made a motion to approve that Maintenance Agreement. James Crowl seconded that motion and the motion carried with three (3) ayes.

James Crowl said the DeKalb County Commissioners want to meet with the Steuben County Commissioners regarding the Old 27/800 S intersection. Commissioner Crowl said he would reach out to them to see when a meeting can be scheduled.
Ms. Sharkey submitted a quote from Larry’s Lock and Safe for Highway Department security and burglary system in the amount of $6,605.72 for approval. Kim Meyers said that the Cumulative Capital Fund is where it would have to be paid from. James Crowl made a motion to approve the quote from Larry’s Lock and Safe. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Jennifer Sharkey stated that she has locked in Diesel rates at $2.64/gallon and Gasoline Rates at $2.27/gallon.

Ms. Sharkey submitted title paperwork on the two (2) tandem axle dump trucks. Lynne Liechty made a motion to sign the paperwork. James Crowl seconded that motion and the motion carried with three (3) ayes. She also notified the Commissioners that quotes will be coming in on those truck builds and will submit them for review once they are received.

Jennifer Sharkey said she was approached by the Marty Priller, 60 Lane 130, Lake George, Fremont, Indiana regarding a platted road right of way that he would like to have vacated. Ms. Sharkey said Dennis Spidel, on behalf of Mr. Priller, approached Larry Gilbert and was referred to the Highway Department and the Commissioners.

Marty Priller said the road right of way has been there for a long time and his family has been maintaining it for the past thirteen (13) years. He said he also maintains the drain on both ends and keeps it clear and unplugged. Mr. Priller said the drain needs to be improved and he would like to do that by putting in a better drainage system so it doesn’t plug up like it does now. He said he was hoping they could add it to his property, adjust the taxes accordingly and he would be responsible for the maintenance moving forward.

Jennifer Sharkey said the Highway Department has no rights with this piece of right of way and the only concern they have is maintaining the drainage facility since it takes some of the county-maintained roadway water. Ms. Sharkey said she believes this piece of property it is a road right of way and not an easement to the lake. Donald Stuckey said it does appear that it is a road right of way; however, it is not a part of Mr. Priller’s plat. Mr. Stuckey said he’s not sure if it is a part of the adjoining plat and if it is vacated, and it is part of the other plat it would go to the lot that is contiguous to it in that plat. He said if it is not designated in either plat, it belongs to the original platters or their successors in interest. Mr. Stuckey said vacating the road right of way would not make the property Mr. Priller’s or his neighbors, as it belongs to the people whom originally platted the real estate. Mr. Stuckey said he will do the research so he can correctly advise the Commissioners on what to do.

James Crowl asked if the drain needs to be upgraded would the County be responsible. Jennifer Sharkey said that gets into the grey area with the private lanes draining and it is not within the county maintained right of way. Donald Stuckey said if it is a county road right of way, the County has the right to maintain the drain.

Donald Stuckey said that Mr. Priller could potentially obtain ownership of the property by adverse possession, which does require a court action, but is typically worth it for lake front properties.

Bill Schmidt asked if this could be done without going to the Plan Commission. Mr. Stuckey said County roads are within the purview of the County Commissioners. If it is a platted road in a private subdivision then it would go to the Plan Commission.

Rodney Robinson, Sheriff, requested permission to purchase two (2) Patrol Rifles and gear for those rifles in the amount of $3,044.80. Sheriff Robinson said he planned on taking $2,000.00 from his Donation Fund and the remaining $438.90 from the Handgun Permit Fund. James Crowl made a motion to approve the purchase of two (2) Patrol Rifles and gear. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Mike Sevits, Annex Maintenance submitted a quote for painting the interior office of the 911 Call Center and a quote to replace the flooring in the 911 Call Center and in EMS. Mr. Sevits stated that he did solicit other quotes; however, these were the only two (2) received. Lynne Liechty made a motion to approve the quote from Painting by Steve Hanna in the amount of $1,600.00 and the quote from Sanborn’s Sofa Plus in the amount of $27,394.41. James Crowl seconded that motion and the motion carried with three (3) ayes.
Crystal Dadura, HR Director, submitted the revised Highway Superintendent Job Description that was approved by the Personnel Committee. Ms. Dadura said the revision specifies the Highway Engineer as the Department Head. James Crowl made a motion to approve the revised Highway Superintendent Job Description. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Ronald Smith submitted a letter and an invoice for $1,500.00 from the Mayor’s and Commissioners Caucus. The Commissioners took no action on the matter.

Jace Crozier, Courthouse Maintenance, submitted a quote from Delta T Mechanical to replace the 3rd Floor Jury Room exhaust fan, repair the 1st Floor drinking fountain, repair a heat run, clean coils and to run diagnostics for a total cost of $1,616.00. James Crowl made a motion to approve the quote in the amount of $1,616.00 and to pay it from 1000-068-3000.39. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Rachel Ayres requested to rent the Work One Classroom again for a sewing class from March 25 through April 29, 2020. Lynne Liechty made a motion to approve the Work One Classroom rental with the same terms as before. James Crowl seconded that motion and the motion carried with three (3) ayes.

Ms. Ayres also requested that an Associate of hers be able to have Health and Wellness classes in the Work One Classroom. The Commissioners requested Erin Schiffli to obtain more information and bring that information to the Commission Board for more discussion. The Commissioners also agreed it should be a separate lease if approved.

James Crowl made a motion to approve the minutes from the Administrative/Emergency Expenditure Meeting held on Tuesday, January 28, 2020. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Clint Knauer, Plan Commission, submitted a request to purchase a Static Cone Penetrometer in the amount of $587.00 and to use the Commissioners Credit Card. James Crowl made a motion to approve that request. Lynne Liechty seconded that motion and the motion carried with three (3) ayes.

Erin Schiffli, Commissioners’ Assistant, submitted information on the Purdue Road School and asked if any of the Commissioners planned on attending. James Crowl stated he would be attending. Lynne Liechty said she would have to check her calendar. Ronald Smith stated he would not be attending this year.

The Commissioners received the following correspondence: RISE, Inc re: Recaps with RISE; Catalyst PAG re: Weekly Newsletter; John Sampson re: Indiana Arts Commission Visit; Maria Davis, City of Angola re: Yarn Bombing; Retha Hicks, City of Angola re: Invitation to Poverty Simulation Meeting.

STEUBEN COUNTY BOARD OF COMMISSIONERS

__________________________________________
Ronald L. Smith, President, South District

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James A. Crowl, Vice President, Middle District

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Lynne Liechty, North District

Attest: ______________________________________
Kim Meyers, Steuben County Auditor