STEUBEN COUNTY BOARD OF COMMISSIONERS MEETING
July 6, 2020

The Steuben County Commissioners met at 1:00 p.m. on Monday, July 6, 2020, in the Commissioners’ Room of the Steuben County Community Center. Present this day were Commissioners James Crowl and Lynne Liechty. Also present were Donald Stuckey, County Attorney, Ruth Beer, Steuben County Councilwoman, Ken Shelton, Steuben County Councilman, Kim Meyers, Steuben County Auditor, Kelli Johnson, Deputy Auditor and Erin Schiffli, Commissioners’ Assistant.

James Crowl made a motion to approve the claims submitted for payment this day totaling $565,656.17. Lynne Liechty seconded that motion and the motion carried with two (2) ayes.

Kim Meyers, Auditor and Melissa Bixler, Treasurer, submitted the Monthly Comparison Report and the June Monthly Financial Statement for review and approval. Lynne Liechty made a motion to approve those reports. James Crowl seconded that motion and the motion carried with two (2) ayes.

James Crowl made a motion to approve the minutes from the Commissioners’ Meeting on June 15, 2020 and the Administrative/Emergency Expenditure Meeting on June 25, 2020. Lynne Liechty seconded that motion and the motion carried with two (2) ayes.

The Commissioners signed the minutes from the June 1, 2020 Commissioners’ Meeting and the June 8, 2020, Administrative/Emergency Expenditure Meeting for the Index Book, which were approved at a prior meeting.

Lynne Liechty made a motion to approve the June 19, 2020 payroll in the amount of $438,830.17. James Crowl seconded that motion and the motion carried with two (2) ayes.

James Crowl made a motion to approve the July 3, 2020 payroll in the amount of $418,024.01. Lynne Liechty seconded that motion and the motion carried with two (2) ayes.

Lynne Liechty made a motion to approve Ordinance #939 on its second reading. James Crowl seconded that motion and the motion carried with two (2) ayes.

Jalaine Hinman, Executive Director of the Community Humane Shelter of Steuben County, submitted a request to remove the old Humane Shelter sign located on 200 W due to the fact it is causing confusion and will present a cleaner look along 200 W. James Crowl stated that the removal of the sign shall be at the Shelter’s cost. Lynne Liechty made a motion to approve the removal of the sign. James Crowl seconded that motion and the motion carried with two (2) ayes.

James Crowl made a motion to approve the quote from Foresight Professional Engineers & Surveyors in the amount of $3,980.00 for the Land Survey for the Courthouse Renovation Project. Lynne Liechty seconded that motion and the motion carried with two (2) ayes.

Crystal Dadura, HR Director, submitted information regarding the INSHARP Recertification. The Commissioners stated last December the decision to not move forward was made. The Commissioners requested a memo be sent to Ms. Dadura stating participation in the program shall cease.

Randy Brown, EMA, submitted an invoice from Integrity Communications & Electronics for the annual siren maintenance for approval. Lynne Liechty made a motion to approve the invoice from Integrity Communications & Electronics in the amount of $4,512.00. James Crowl seconded that motion and the motion carried with two (2) ayes.

Mr. Brown reported that he is working on the account set up for the WebEx Meeting capabilities and hopes to have it completed by the end of the day.

Gina Cafolla, Pitney Bowes, came to the Commissioners regarding the mail machine Lease Agreement. Ms. Cafolla said a new machine, with upgraded parts, would cost approximately $595.51 a month as opposed to the
current $651.00 month. She stated a new lease would also run 60 months which is the same as the current lease. James Crowl made a motion to approve the new contract with Pitney Bowes. Lynne Liechty seconded that motion and the motion carried with two (2) ayes.

Tracy Milleman, Parkside Addition, came to the Commissioners regarding the gate at the end of the privately-owned road. James Crowl said they have addressed this a couple different times and also spoke with Kevin McAbee. Ms. Milleman said that Mr. McAbee sold his home and has moved. James Crowl asked since that was the case, was there still an issue. Tracy Milleman said right now there isn’t an issue, but everyone on the road is asking to keep that gate locked. James Crowl said that is a private road and a private gate, the residents of Parkside own it and they control it, the Commissioners have nothing to do with it. Commissioner Crowl said if the next person doesn’t like that gate, move it to the other side, let them have a driveway to the road and don’t let them use the gated road.

Donald Stuckey said for the Commissioners to do anything, the road has to be a County Road and there are a lot of private roads in the County due to the lakes. Mr. Stuckey said since it is a private road, the Commissioners don’t have any authority to regulate it in any way.

Another Parkside Resident asked if they had an HOA, could they enforce the gate, since it is a private road. Donald Stuckey said if an HOA is formed based on covenants and restrictions of the subdivision, yes, but if it is just something put together right now, he doesn’t believe it is binding on all of the property owners and it would be voluntary on their part. He said if there are covenants and restrictions that run with the land, when you buy the land, you effectively are controlled by those covenants and restrictions. A lot of covenants and restrictions and subdivisions provide for a Homeowner’s Association, so you’re bound by what the HOA decides within the parameters of the covenants and restrictions. If there’s never been an HOA provided for in the covenants and restrictions of the subdivision, there is no legal authority to control anyone else’s property. Mr. Stuckey said he doesn’t know the history of the gate or why it’s there. Apparently, everyone agreed at one point that it was a good deal. Another Parkside Resident said they all agree on it now, except for the one man who has moved and they don’t know the new owner net. Donald Stuckey said with property rights, it is not a matter of majority vote. Tracy Milleman said she thought the gate was closed in 1995 due to the amount of traffic and the speed of the traffic. Donald Stuckey said as long as everyone agrees, it is okay. He said since everyone agrees and if whoever buys that home, if an agreement is signed and recorded, they will be okay because it is binding on everyone whom signed it, plus, assuming it is stated in the agreement, it is binding on future property owners.

Frank Charlton, County Park Superintendent, informed the Commissioners it would cost $1,000.00 to remove several trees from the County Park. Lynne Liechty made a motion to approve payment of the $1,000.00. James Crowl seconded that motion and the motion carried with two (2) ayes.

Mr. Charlton reported that the water samples taken from County Park failed; however, it was a transport error and the second test came back okay.

Frank Charlton said he received the State Board of Health Campground Deficiencies. He said the site numbers are all on the pedestals, but sometimes campers block the numbers. He said he was going to see if those who have slide outs would be willing to place a number on their camper because they have to be visible from the road. Mr. Charlton said the Camper Agreement says they have to store it under their campers if it is a foot off the ground, but according to State it has to be a minimum of 12” off the ground. Some of the campers recommended getting the fire wood rings and place them behind the campers. Mr. Charlton said he would send emails to the campers who have padlocks on their service. Frank Charlton said he would call the Inspector and see if those ideas would work to fix the deficiencies.

Frank Charlton reported that Mike Holden has completed the painting of the Rensch Hall roof.

Jennifer Sharkey, Highway Engineer, submitted NIPSCO Utility Permits #2888, #2889 and #2890 and Reinhold Utility Permit #2754RC for approval. James Crowl made a motion to approve the Utility Permits. Lynne Liechty seconded that motion and the motion carried with two (2) ayes.
Ms. Sharkey submitted a reimbursement voucher for engineering on the CR 200 W Phase II for approval. Lynne Liechty made a motion to approve the reimbursement voucher. James Crowl seconded that motion and the motion carried with two (2) ayes.

Ms. Sharkey said she received a sketch for the Solar Bench and a brief statement that each party signed. She said the solar bench will be provided by Solar Tracking Company via Dennis Peet with the maintenance work and associated cost for that solar bench provided by Mr. Peet and the Company. She said the concrete pad installation and any associated costs for the platform for the solar bench will be provided through the Steuben County Trails Group. James Crowl made a motion to allow the solar bench to be placed on the trail. Lynne Liechty seconded that motion and the motion carried with two (2) ayes.

Ms. Sharkey submitted a reimbursement voucher for the Bridge Inspections for approval. Lynne Liechty made a motion to approve the reimbursement voucher. James Crowl seconded that motion and the motion carried with two (2) ayes.

Jennifer Sharkey discussed a request received from Todd Finan, Hollywood Landing Commons, regarding a potential pedestrian crosswalk on Orland Road. She said she believes the Hollywood Land Commons has a piece of real estate on the lake side which is where they access the lake and she’s assuming that’s they are wanting the pedestrian crossing. Ms. Sharkey said she wanted to bring it to the Commissioners and get Don Stuckey’s insight as far as liability issues with providing a pedestrian crossing, signage, curb ramps for ADA Compliance and pavement markings if there are no other pedestrian facilities in the area. Donald Stuckey said as far as the ADA Compliance he can check and see what the requirements are. Mr. Stuckey said cross walks he sees have flashing lights and you can push a button but he sees no issue with liability.

Lynne Liechty asked why the Association doesn’t put it in themselves. Jennifer Sharkey said the Hollywood Landing Commons are requesting the County to fund the project. James Crowl asked about the Bike Trail Crossing cost. Jennifer Sharkey said those types of crossings are quite expensive. Commissioner Crowl said this could be tremendous expense and asked if this was opening up a can of worms for the future when all the lakes in the County want to have a special crosswalk for different properties. Lynne Liechty requested Jennifer Sharkey to take a look at alternatives as to how expensive it would be, what else could be done that isn’t terribly expensive, etc. Ms. Sharkey said they could put pedestrian crossing warning signs and paint the cross-walk markings, but she would have to check site distance, speed issues, etc. James Crowl said that is a tough call with the curve right there. Donald Stuckey said there are a lot of title issues out there too and if any off-road signage would be required, it is a real mess out there as far as who owns some of the properties.

James Crowl said once foliage is on the trees, it will be tough to see a crosswalk. He said it is a dangerous situation and you’re dealing with a 35 MPH or 40 MPH speed limit from 200 W to the curve and then the 3-way stop. Jennifer Sharkey said she isn’t sure if doing this would encourage pedestrian crossing where it perhaps shouldn’t be encouraged.

Lynne Liechty said more research is needed. Ms. Sharkey said she will look at some alternatives, sight distance, etc. She also requested, if the Commissioners’ proceed with this, perhaps standard policies and procedures can be put together for future requests of this nature.

Ms. Sharkey reported that NERCC did a traffic data collection over the weekend with traffic cameras at the intersection of 800 S and Old 27. She said once they can analyze that information and provide recommendation, they will move forward from there. Ms. Sharkey said the brush clearing that was done on both the DeKalb and Steuben side has helped tremendously. James Crowl said brush killer is needed because it is growing back.

Uniform Quotes were received from Aramark, Cintas and Wildman. The Commissioners took the quotes under advisement for review and recommendation by the Sheriff, Maintenance and Highway Departments.

Alicia vanEe, Health Department, requested permission to continue the contract with Boyce to combine death records. She said the current death records are currently in old cumbersome books that are very fragile and they have been working on this project for three (3) to four (4) years. Ms. vanEe said after this, they have nine (9) books left and after that they are completely done with the project. She said the request is to spend $5,050.00 to
continue that project. Lynne Liechty made a motion to approve the request. James Crowl seconded that motion and
the motion carried with two (2) ayes.

Ms. vanEe said the Health Department’s SmartGov user licenses need to be renewed. She said she would
also like to purchase an additional user license as well. Ms. vanEe said the total request is for $6,000.00. Lynne
Liechty made a motion to approve the purchase. James Crowl seconded that motion and the motion carried with
two (2) ayes.

Alicia vanEe said the Health Department had a free storage area at the EDC and the building has since been
demolished. She said they were given quick notice that they had to move out and currently they have their items at
the Pleasant Lake Township Trustees Building, the Multi-Purpose Room storage area in the Community Center, the
Health department storage area and their trailers. She said they are needing to find a permanent home so they can
catalog what they have and make sure it is in order so they can deploy if needed.

Lynne Liechty said she is going to make a recommendation since the Commissioners offered the WorkOne
area to the Auditor. She said under the CARES Act a storage area could be rented and it would be reimbursable.
Alicia vanEe said it is reimbursable until the end of the year. She said she also spoke to someone and they were
hesitant to say it would be an automatic reimbursable because certain parties that would use that storage unit would
not be reimbursable under the CARES Act. Lynne Liechty said it would only be used for the Health Department.
Ms. vanEe said she knows Council on Aging is vacating the Community Center and there is the STAR Transport
Dispatch Area and she is requesting to temporarily use that once they vacate for at least a year. Lynne Liechty said
she would speak with Denise Kreais with COA to see if there is any area available now.

James Crowl said a new building could be built rather quickly, paid for by the CARES Act and a three (3)
bay garage would take care of everything the Health Department has. Lynne Liechty said it would be climate
controlled. Alicia vanEe said they would like to have some sort of counter or wet sink so if they had to do
vaccinations they would need a spot to wash their hands so they would like to have water and sewage as well.

Commissioner Crowl asked where we were going with Indiana’s Back on Track Plan. Alicia vanEe said
that currently Indiana is at Stage 4.5. As of right now, everything that happened at Stage 4 is continuing through
Stage 4.5 so concerns capacity at bars and restaurants, internal venues, but fairs, etc. are a little bit different and
could move forward; however, if the case count rises, they could be at this stage longer. Ms. vanEe said July 17 is
not the cut and dry date in which we move to Stage 5. Alicia vanEe said over the weekend Steuben County only had
a four (4) case increase for a total of 130 cases. She said Indiana is at about 47,500 and that is artificially deflated
because they didn’t do testing on Thursday, Friday or Saturday for the holiday weekend.

Ms. vanEe said the next Board of Health Meeting is scheduled for July 15 and usually they are in the
Purdue Executive Board Room but she would like to request permission to hold the meeting in the Multi-Purpose
Room instead. She said they want to be safe in advance and have that room ready to go. Gary Fair said that time
has been scheduled for the Health Department.

The Commissioners determined there would be no change to the way business is currently conducted in the
Community Center. Gary Fair asked permission to unlock the north, east and south doors at 7:30 a.m. instead of at
8:00 a.m. No motion was made; however, both James Crowl and Lynne Liechty were in favor of the change.

Brett Hays, NICC, submitted two (2) Grant Applications for review and approval. Mr. Hays said the one
grant is for their standard budget and the other grant is requesting more money from IDOC for three (3) new
Correction Officers. James Crowl made a motion to approve both Grant Applications. Lynne Liechty seconded that
motion and the motion carried with two (2) ayes.

Patrick Kirkpatrick, EMS, submitted a request to repair a refrigerator in an ambulance in the amount of
$960.00. Lynne Liechty made a motion to approve the request. James Crowl seconded that motion and the motion
carried with two (2) ayes.

Lynne Liechty made a motion to approve and sign the Contract with Barnes & Thornburg for the CARES
Act Reimbursements. James Crowl seconded that motion and the motion carried with two (2) ayes.
James Crowl made a motion to approve the June, 2020 EMS write offs in the amount of $357.26. Lynne Liechty seconded that motion and the motion carried with two (2) ayes.

Mike Sevits submitted his online auction item list for approval. James Crowl recommended talking to Tami Mosier, Purdue Extension, to see if they had use for the 56 plastic chairs.

A BOT Ordinance was submitted for review and discussion. Donald Stuckey said this is another method of dealing with the financing and construction of a large project. He said it gives the Commissioners another method by passing this ordinance, it doesn’t commit the Board to any method, it just permits the Commissioners to use this as an option if they have a large construction project. He said it especially useful if there is a fixed number and he would recommend passing the ordinance to put the Commissioners in the position if they want to go this route in the future. James Crowl made a motion to approve the BOT Resolution # 07-2020-01. Lynne Liechty seconded that motion and the motion carried with two (2) ayes.

Rodney Robinson, Sheriff, submitted a request to purchase a UVC Robot that would eliminate any virus/bacteria including COVID-19, flu, common cold and MRSA, etc. This purchase would be reimbursable under the CARES Act and he is requesting the Commissioners’ pay for the Robot up front. Lynne Liechty made a motion to approve the quote from Command Sourcing, Inc, in the amount of $35,806.00. James Crowl seconded that motion and the motion carried with two (2) ayes.

James Crowl made a motion to approve the 2nd Quarter Miscellaneous Claims in the amount of $62,443.21. Lynne Liechty seconded that motion and the motion carried with two (2) ayes.

Donald Stuckey said an attorney from Portland, Indiana called him because about 10-15 years ago, someone purchased a back lot at Crooked Lake at Tax Sale and it doesn’t appear that they ever went through the process to get a tax deed. Kelli Johnson said they did not because she already looked it up. Mr. Stuckey said there was never a certificate issued to the Commissioners and if he recalls correctly, back then they didn’t issue certificates to the Commissioners. Kelli Johnson said there wouldn’t have been a certificate to the Commissioners because they actually purchased it so they received the certificate. They did complete their process to obtain a tax deed through the Court. Donald Stuckey said it would have been back on tax sale, but they kept paying the taxes, so now they are filing a quiet title action, which is exactly what he should be doing. The Attorney wanted to know if the County Commissioners were going to object. Mr. Stuckey said as far as he is concerned, let them quiet title if they can and if they get that, the transfer office will do the transfer. He just wanted to make the Commissioners aware.

Lynne Liechty made a motion to approve and send the rough draft memo regarding the CARES Act COVID-19 Reimbursement Information to Department Heads. James Crowl seconded that motion and the motion carried with two (2) ayes.

James Crowl made a motion to approve the invoice in the amount of $1,135.00 from Fort Wayne Roofing for leak repairs made to the Community Center Roof. Lynne Liechty seconded that motion and the motion carried with two (2) ayes.

The Commissioners requested Erin Schiffli to send memos to all departments in all buildings regarding the supply of procedural masks and hand sanitizer that the Commissioners have available to hand out.

The Commissioners approved a memo regarding PPE for large jury trials and possible off-site jury selection at the Event Center for the Courts.

Lynne Liechty said the Public Defenders have an office in the Annex that is not used. She said they are going to have a meeting to decide whether or not they will let the office go so Mike Sevits can use it has his office and the Prosecutor can have Mike Sevits’ old office for storage. James Crowl asked if the County is required to furnish an office for the Public Defenders. Donald Stuckey said he assumes they are required to furnish an office. Erin Schiffli said there are several Public Defenders that are out of county and it is a requirement in their Contract that they meet with their clients within a certain time frame.
Donald Stuckey said the County is required to provide office space if they are in the state program. Erin Schiffli said Steuben County is in the state program and a quarterly reimbursement is received. Lynne Liechty said she wants to check because she thinks they are using the Courthouse rooms to meet with their clients. Donald Stuckey said some of the Public Defenders have private offices here in town and they are using their private offices to meet with clients. James Crowl said they have to check with the Public Defender Board. Lynne Liechty said she has received a letter from one person on the Board and they don’t see why they can’t let it go, but they are going to check to see if they’ve been paying anything for that. Erin Schiffli said the Public Defender Board has not been seeking any sort of reimbursement for the maintenance of that area. Donald Stuckey said there is a meeting room in Superior Court, but if there are four (4) or five (5) public defenders and everything is scheduled on a Monday, only one can use it at a time.

Mr. Stuckey recommended discussing the matter with the Public Defender Board to see what they want and what they need. Erin Schiffli said she can make sure it is on the next meeting agenda. Ken Shelton said the next meeting is scheduled for September 9, 2020, at 11:30. James Crowl said that isn’t going to help moving it along, so the Commissioners requested to send a memo to the Public Defender Board and have Donald Stuckey check the law.

Erin Schiffli said she was informed by one of the maintenance personnel that Delta T is just fixing things as they are told by maintenance. Ms. Schiffli asked if the Commissioners want that information to come to them first for approval or at least a phone call. Lynne Liechty said she would like to know about repairs. Erin Schiffli said the issue arises when she gets bills and she doesn’t have any sort of approval on it, whether it is a written approval, an email or phone call and she doesn’t know if it was okayed or not because it was over the $500.00. Commissioner Liechty said they need to know when they are over the $500.00 threshold.

The Commissioners requested to have an executive session scheduled for Monday, July 13, 2020, at 9:15 a.m.

The Commissioners received the following correspondence: Mediacom re: Channel change; Stacey Meek, NICC re: Advisory Board Meeting; Janel Meyer, SCSWCD re: Board Meeting Agenda; Indiana State Department of Health re: Campground Inspection Report; DNR re: Windermere Lodge Indiana Register of Historic Sites and Structures; Stephanie Yager IACC re: Modification to Back on Track Plan; RISE re: Introducing Easterseals RISE; Stephanie Yager, IACC re: Darrell Smith; NEIndiana Works re: WorkOne Centers to Open to Walk-In Customers; Jim Freeman, ABS re: Ambulance Fee Legislation; Andrea Kern, OCRA re: COVID-19 Response Program Phase 2; John Sampson, NEIndiana re: Make it your own Mural Fest; Joy Hudson, HPG Network re: Caucus Presentation 06/17/2020.

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