The Steuben County Commissioners and the Steuben County Council met at 8:00 a.m. on Tuesday, August 11, 2020, in the Commissioners’ Room of the Steuben County Community Center. Present this day were Commissioners James Crowl and Lynne Liechty, Council Members, Richard Shipe, Ruth Beer, Jim Getz, Dan Caruso, Wil Howard, Ken Shelton and Linda Hansen. Also present were Kim Meyers, Auditor, Donald Stuckey, County Attorney, Rodney Robinson Sheriff, Kelli Johnson, Chief Deputy Auditor and Erin Schiffli, Commissioners’ Assistant.

Ruth Beer, Council President, called the meeting to order. Rick Shipe led the Pledge of Allegiance.

Ruth Beer said number one (1) on the list is the Judicial Center/Courthouse Renovation Project. She said they would like to be on the same page and know where the project is at. James Crowl said they have established the fact that the green space must be used. He said the surveying, soil boring and utility locates have been done. Commissioner Crowl said they have a floor plan for square footage and it is time to move it on. He said the number Commissioners have come up with for bricks, mortar, technology and incorporating the new building with the old is $12 Million. Commissioner Crowl said it will be no more than that, hopefully less, but they’d like to turn it out to engineering companies.

Lynne Liechty said the original option that included closing Gale Street is not feasible because the City wants the County to use the green space. Commissioner Liechty said they are looking at 80% being spent on the new structure and 20% on the old Courthouse. She said there is a federal grant available in the amount of $500,000.00 for renovating and remodeling the old Courthouse. Lynne Liechty said Martin Riley has helped get the footage and spacing put together. She said paying cash is not an option, bonding is an option, but we would be paying 8% of the total amount to a bondsperson and we can also do what they call a Build Option Transfer (BOT) which is basically financing. She said with a BOT you commit to a specific amount of money per year. Commissioner Liechty said Steuben County is in good shape for bonding and typically communities use BOT when there isn’t a lot of available funding. She said the last thing she wants to do is a referendum.

Lynne Liechty informed everyone that there is a Courthouse in Jackson County that was done for $10 Million. She said $12 Million is a good number where we won’t get Wal-Mart, we won’t get Von Maur, but we will get something in between. She said it will be a strong project that will last for years to come.

Ruth Beer asked the square footage of the new part. Lynne Liechty said it was approximately 15,000-16,000 square feet. Jack Daniel said the document last presented to the Commissioners suggested that the new addition would include 33,822 square feet. He said that was Martin Riley’s efforts to dial down the square footage below what their original projection was.

Ken Shelton said he had a meeting with Judge Fee and Judge Wheat and they presented him with a drawing of what they are proposing. Lynne Liechty said she received the same drawing, but it is off the table as it is about $30 Million to build what they want. Ken Shelton said he doesn’t disagree with Commissioner Liechty, but as liaison to the Court, they asked him to submit it for consideration. Mr. Shelton said the Judges are proposing that everything prior be scrapped and that a standalone Courthouse be built across from the Jail, immediately west, encompassing the Old Jail. He said he appreciates what the Commissioners are bringing to the table today and answering questions, but he thinks he would be remix, if he didn’t say he was disappointed that through this entire process he doesn’t feel that the Courthouse Study Committee was involved in this to the degree that they could have been. He said he requested several different meetings because the Judges felt as if they were being left out as well.

Ken Shelton asked if the handout regarding Jackson County was dealing with the proposed financing and BOT. Lynne Liechty said that is a Courthouse that is being built and almost finished for $10 Million in Jackson County. Mr. Shelton asked what part the Jackson County Courthouse plays in what we are talking about because he sees Jack Daniels here from Martin Riley and asked if his company is involved in this. Lynne Liechty said there are a number of companies that the Commissioners have talked to and they also have RQAW in the background. Josh...
Goodman, RQAW, said what Lynne Liechty passed around was just an example to prove that they have done something of the similar size and stand alone for under $12 Million and it was recently completed less than a year ago. He said he just wanted to prove that it could be done and Steuben County won’t get something inferior that doesn’t stand up to what the existing facility is.

Rick Shipe asked if the current proposal has any extra room for future Courtrooms or if this is just the bare minimum to get them by for what they need for now. He asked if we are going to have to invest more money in five (5) years because it isn’t big enough. James Crowl said he hopes not. Lynne Liechty said she’s looking at 25 years or more and she thinks you have to allow for open space for future use down the line. She said that allows flexibility and the Judges have talked to the Commissioners about keeping a fourth courtroom in the old Courthouse.

Rick Shipe asked with the Coronavirus climate that they are in, building costs have elevated considerably and he asked if the costs today will be bumped another 10-20%. Jack Daniel said time is the enemy and these figures will be good for no more than a year. He said escalation related to building materials will be seen but labor costs are probably pretty stable. Josh Goodman said he agrees with Jack Daniel.

James Crowl asked if the can was going to be kicked down the road again or is something going to be done. Jim Getz said Ken Shelton was a little too kind in his comments and he too was part of the steering committee and apparently, he lives on Mars because he is being shown a drawing of what was done in Jackson County. He asked if there was a proposed drawing of what Steuben County plans on building and whether it will be a standalone building or added on to the current Courthouse. James Crowl said that is why they are turning it over to the engineering firms saying, “Here is our green space and here is our square footage, what can you do for us?” Commissioner Crowl said it has to be turnkey, no more expenses other than open the door and it is completely done. James Crowl said they are going to absolutely add on to the old Courthouse, that is the only option available right now unless you want to go over a block or two (2) and spend $30 Million. Jim Getz said he was just asking the question of what they are planning on doing. James Crowl said this has been very open.

Lynne Liechty said she had the same conversation with engineering firms the other day and they are not going to give a free design, free layout, etc. She said they have decided upon connecting to the old Courthouse, using the green space and it is up to them to take all of the figures that Martin Riley has compiled and give the best design.

Ken Shelton said the Judges were very emphatic with him that it was the drawing they submitted, or nothing. Lynne Liechty said she was not told the same thing. She said she pointed out the work they have already done, the green space being used and the expense. Donald Stuckey, County Attorney, said it has been his experience that you want the end users to participate, but they do not design the project. He said in his experience, the end user always wants everything they can get. Mr. Stuckey said he has great respect for both Judges, but personally it has been his experience you want the end user to participate, but not design.

Donald Stuckey said the Courthouse is not ADA compliant, there are significant problems and there is a lawsuit waiting to happen.

Dan Caruso said at the last Commissioners’ Meeting where Martin Riley spoke, the project, including soft costs was close to $15,340,000.00 based on the square footages laid out here and they said they were paring them back without the stakeholders input. Mr. Caruso said he wants to know how the Commissioners are getting from that figure down to $12 Million. Lynne Liechty said if you go back to the minutes, the Commissioners asked twice for a project of $10-$12 Million. She said the first time it came in at $18 Million and the second time it came in at $16 Million. James Crowl said $12 Million is it. Donald Stuckey asked what was taken from the $15 Million to get to $12 Million. James Crowl said he didn’t take out anything, he thinks you have to have a number. He said $12 Million is a lot of money and should get Steuben County an excellent Courthouse. Lynne Liechty said that is just one (1) engineering company and there are differing opinions.

Lynne Liechty asked if the max Steuben County can bond is $17 Million. Kim Meyers said she doesn’t have the exact number, but it is close to that. Ms. Meyers said the other bond won’t come off for another two and a half (2.5) to three (3) years.
Jack Daniel said he’s not sure what Martin Riley’s status is with the County, whether they are hired or not hired, but he’s gathering that they are not and that’s fine. He said they could go further and produce more refined costs and square footages that compliment those costs. Mr. Daniel said Noble County is doing something similar and they are running below $310.00 a square foot. For this exercise, Mr. Daniel explained they used the $310.00 figure because they felt it was appropriate. He said they also figured renovation around the $175.00 mark.

Mr. Daniel said he’s hesitant to put too much information out there because he’s not sure if they are still competing or not, but they took the renovation of the basement out of the equation. He said they think that is a strategy that can save some money. Mr. Daniel said that was a great logical space for an additional courtroom because it is the cheapest square footage they will build in the whole building and it preserves the opportunity to convert that at some point in the future.

Jim Getz asked if the Council budgets $12 Million are the Commissioners going to bid the project. The Commissioners said that is the only way to do it.

Ken Shelton said he just wanted to make sure what the Judges asked for be taken into considered as well. Mr. Shelton said he told the Judges he was disappointed, that at this point in the game, they came up with this suggestion. He said he also invited the Judges to be at this meeting today; however, they probably got tied up.

Wil Howard said it appears that the Commissioners are in a position now where the project could be put out for engineering and design. He said the Commissioners have essentially decided the direction in which they would like to go with this and it is the Council’s responsibility to determine whether they can do it or not.

Dan Caruso said he supports moving forward with the Courthouse on the site the Commissioners are proposing and in the manner they are proposing. He said based on the numbers he ran from Jeff Peters, he does not have an issue with $12 Million. He said the Judges don’t need to be totally satisfied, but he needs to be satisfied with security, ADA and increased capacity.

Rodney Robinson, Sheriff, said he met with Martin Riley to discuss some of his concerns. He said his ideal situation would be to have it attached to the Jail and that way he doesn’t have to move people outside. He said he’s excited about getting a new building to use because the current building is one of his biggest complications.

Dan Caruso said any facility Steuben County has includes ongoing operational costs for heating, cooling, cleaning, etc. Mr. Caruso asked how many more people would be needed with a new building because there’s no way to recapture dollars to pay for that. James Crowl said the Sheriff’s Department would have to add a couple more people for security reasons. Wil Howard said several counties have closed every entrance except one (1) in an effort to not have double.

Ruth Beer asked for clarification that the $12 Million is to complete the addition onto the existing Courthouse, plus all the soft costs (furniture, security, etc.), plus remodeling the old structure. James Crowl said it includes remodeling a portion of the old structure. He said the elevators they hook up to the new structure will serve the old structure as well and get the old Courthouse ADA compliant for elevator use. James Crowl said there are things in that old structure that will cost a tremendous amount of money to make that ADA compliant, whereas if the new structure is ADA compliant and the old building can be used for office space, that is what it is all about. He said they are not abandoning the old building, they will be using it, that’s why they are hooking it together. Lynne Liechty said not to forget about the federal grant for Courthouses. She said also by connecting the new Courthouse to the old Courthouse, you automatically make them ADA compliant because the old Courthouse isn’t under the same rulings as it is considered a historic structure. Jack Daniel said there are still things that will have to be done to the old Courthouse when it comes to the doorways, hallways, etc. He said their plan originally contemplated the idea of gutting the nonstructural walls and reorganizing space so they had the freedom to create corridors at the proper width but it gets difficult when you consider the jury rooms and wheelchair access.

Jim Getz asked how much money would be needed to design a space that can be bid by three (3) or four (4) builders that way we know what we are buying. Mr. Daniel said Noble County engaged the architect and engineer through schematic design, which produced a workable floorplan that showed everyone how many square feet each office received. It then gets reviewed by an independent cost estimator to put a price tag on it and bring it back for
consideration, approval and comment. Once there is a project and a budget, then the engineering company is engaged to do the rest of the design and engineering. He said it can be a two (2) step process where the County engages Martin Riley or another firm to go through that schematic design and that is worth about 15% of the entire design services package.

Ruth Beer said the Commissioners are asking the Council to come up with a way to find $12 Million but if there are other costs involved with remodeling the Old Courthouse are the Commissioners are willing to pay for those through Cum. Cap. or some place else? James Crowl said no, $12 Million, that is it for everything.

Wil Howard said a portion may come out of Cum. Cap. or CEDIT where we would only be looking at a bond for $10 Million.

Ruth Beer asked if the Council wanted Jeff Peters, Peters Financial, to come and speak about the options. Wil Howard said he doesn’t think that’s necessary, they need to wait to see what the Commissioners choose to do in terms of an actual project. The Commissioners said they rather have a budget established. Wil Howard said based on the capacity and looking at a timeframe for this project, the Motorola Bond will roll off close to the time we are ready to bond this project.

Rick Shipe said he thinks the Commissioners are looking for some kind of formal yes or no. Ken Shelton said he agrees, it is time for a decision. Linda Hansen said she is in agreement with everybody. Wil Howard said they still won’t have more than two (2) bonds at a time. Linda Hansen said that is a promise that this Council has always kept. Wil Howard said one (1) will roll off very quickly. Linda Hansen said even if the bonds overlap, it will be short lived and the Council is committing to a project that a lot of work has been placed into and it is time to move.

Dan Caruso made a motion to authorize the Commissioners to move forward with a no to exceed $12 Million total project cost on the Courthouse and take the next steps in engineering to determine which company they are going to use. Wil Howard seconded that motion and the motion carried with seven (7) ayes.

Ruth Beer asked number two (2) on the list is the Health Department Garage/Storage Building. James Crowl said he doesn’t think it is a viable thing right now. He said there is a theory that if you build it, the Government will pay for it, and he doesn’t buy that. He said if we build it, we have to pay for it and right now with Council on Aging moving out, there will be a lot of space for storage. Lynne Liechty said they are looking at it as a temporary situation and will hopefully resolve itself in the next year. Building something for that specific reason is risky at this point.

James Crowl said there is a question about the vehicles the Health Department has and we probably do have to rent a spot to put those in to keep them out of the weather but the majority of the items, PPE, etc. can be stored downstairs. Lynne Liechty said she has been told that the CARES Act will pay for the rental of a storage unit this year.

Ruth Beer asked if the Commissioners have any long-term plans for the 200 W corridor. James Crowl said it is a valuable piece of real estate, but they are putting in more storage units and he feels that is disappointing.

Lynne Liechty said she had a call on the property from a person whom has a large corporation in Fremont and they were interested in where the old Humane Shelter was located. She said she had to point out that the property has never been surveyed and it is all one (1) lot. Commissioner Liechty said if the decision is made to move forward at any point, they may want to take a look at surveying that property correctly so it can be divided into lots if needed.

Dan Caruso said they cannot control what private enterprise does, but we can have a vision for what the County owns. He said there is a clear divider there and what is happening on that other property is out of our control. Mr. Caruso said if that property were his, he would prepare that lot from the I-69 to the Highway Garage and put it out there to see who has interest. If the person that has interest needs more land and would pay for the area where the Highway Garage is, it would allow for some funding to move the Highway Garage. If they don’t need that extra space and the Highway Garage is to sit there another decade, that is fine too. He said the land is
generating $0.00 right now, to put it on the market and be really choosy about what goes in there to make sure it is something that aligns for our long-term vision for Steuben County makes the most sense. If someone is interested in the Highway Garage too, enough money may be generated to fund the Highway Garage build, etc.

James Crowl said to move the Highway Garage right now isn’t feasible, the Courthouse is number one (1). He said it is important to update the Highway Department because there are some issues out there, but they can look at all of the options. Until the Courthouse is done, he doesn’t think they should be too aggressive on moving the Highway Barn unless someone comes up and offers to purchase it.

Jim Getz said the Airport has close to eighty (80) acres that is now under the control of the FAA but the BoAC is in the process of getting that land released. Mr. Getz said there have been talks at some of the BoAC Meetings that perhaps it may be a future location for the Highway Garage. Lynne Liechty said she is meeting with the FAA at the Airport at 9:30 a.m. today for that very discussion and she will give a writeup of what is discussed. Jim Getz said his point is that the County already owns the land. Dan Caruso said they are tying two (2) things together that could take shape and they need to move forward on what they have to see what kind of funds it could bring in for what the County wants to do. Lynne Liechty said she likes the idea of putting the 200 W property out there for purchase.

James Crowl stated that the elevator in the Community Center has to be redone. He said it is obsolete and Gary Fair has been working on it with three (3) different companies. Commissioner Crowl said it will cost approximately $125,000.00 and will be the major expense for the Community Center in 2021.

Rodney Robinson, Sheriff, said they are currently bidding the Jail roof replacement and they are looking at approximately $495,000.00 for that project. Jim Getz asked if that was in the Sheriff’s budget.

Ruth Beer said Jim Getz had brought up at a prior meeting about possibly going wireless. Jim Getz said County Council spoke about laptops and trying to go wireless and he wondered if the Commissioners had a preference. James Crowl said he likes paper, but if it is a cost savings down the road and will help everyone, he’s fine with it.

Ruth Beer said Ken Shelton brought up the Event Center and concerns about the income, expenses, projections and how reservations were going in the last Council Meeting. James Crowl said one of the biggest things is that COVID-19 hit and everything sealed up. He said there were a lot of cancellations and some of them are still pending. Commissioner Crowl said there is some business out there, but they have had a major hit. Rick Shipe said there were quite a few cancellations. Ken Shelton said he believes the Commissioners have some grace due to the Coronavirus, but the fact of the matter is that previous years fell way short of expectations. Ken Shelton said it is a $2.4 Million investment that they need to take a very hard look at it and figure out what they are going to do. He said there has been a change in personnel out there and asked if that person is addressing that or are they working for the Campground. James Crowl said the job is two-fold and she works for both the Park and the Event Center. He said the new employee has been there a couple months, is doing well and the Commissioners see her at every meeting.

Dan Caruso asked if the opportunities at the Event Center would be more on the office side for leasing some of the space that is not being used. James Crowl said not really, but lowering the rental cost for the conference rooms helped and they picked up a few reservations before the pandemic. Commissioner Crowl said they also offered a three (3) day rental option. Dan Caruso asked why the offices couldn’t be rented out. James Crowl said they could.

Lynne Liechty said she wouldn’t mind, if a palatable renter could be found, renting the offices out to someone that specializes in that type of environment (water testing, etc.). Dan Caruso asked if the Commissioners would entertain a broker in town, whom understands what the spaces are and what the best fit would be, market the space. Lynne Liechty said that would be a possibility, but there are a lot of empty spaces in town. Dan Caruso said a lot of it is location driven as downtown is hard to fill commercially, but is reaching capacity now. Mr. Caruso said he’s just trying to find ways to cover the operational costs of the Event Center.