

**MINUTES OF A REGULAR SESSION OF THE  
BOARD OF COMMISSIONERS HELD November 27, 2017**

Comes now the hour of 8:00 A.M. on the 27<sup>th</sup> day of November, 2017, in the Commissioners Court in the Noble County Courthouse, Albion, Indiana, being the time, date and place set for a regular session of the Board of Commissioners of Noble County, Indiana.

Present were:

Gary Leatherman, President  
Dave Abbott, Member  
Dave Dolezal, Vice President

Also present were:

Jacqueline L Knafel, County Coordinator  
Dennis Graft, Noble County Attorney  
Matt Gettis from KPC Media  
Aaron Stoner, Enterprise Leasing  
Michael Diaz, Enterprise Leasing  
Suzanne Handshoe, Mayor of Kendallville  
Doug Atz, Attorney for the City of Kendallville

Gary Leatherman, President of the Commissioners, brought the meeting to order at approximately 8:00AM.

**VEHICLE LEASING**

Aaron Stoner and Michael Diaz, from Enterprise Leasing, are present to further discuss the vehicle leasing options for the county vehicles. After some discussion and changes to the list of vehicles, Dave Dolezal made a motion to lease 2 Chevy Equinox, 3 Chevy Cruze 3 GMC Sierra double cab trucks, and 1 GMC Sierra crew cabs without the maintenance plan for 60 months. This would be a total of 9 vehicles from Enterprise Leasing at a cost of \$40,377.00 We would also be getting rid of 7 vehicles to be sold by Enterprise for an estimate of \$42,00.00. Dave Abbott seconded the motion. Motion carried 3-0. Contracts were signed.

**MCCRAY REFRIGERATION BUILDING**

Kendallville's Mayor Handshoe and Doug Atz, City Attorney were present to discuss the deed transfer for the old McCray Refrigeration Building. A resolution and tax sale certificate were done last year to the City of Kendallville but – as City Attorney Atz – explained, there was a verbal conversation and commitment to also release a 1.3 million dollar lien which did not happen. Because of this, the city never petitioned the court for the deed. Evidently this issue has now been resolved and Mayor Handshoe and Mr. Atz are again asking for the tax sale certificate to pursue the transfer of title. Dave Dolezal made a motion to sign the resolution and tax sale certificate for the property owned by SWGP. Dave Abbott seconded the motion. Motion carried 3-0.

**SHERIFF**

Doug Harp, Noble County Sheriff, informed the commissioners that the jail was beginning to have issues with the boilers. He feels that they are going to need to be replaced and they are around 20 years old. Doug will get quotes and report back to the commissioners.

**HIGHWAY**

Richard Rogers, Highway Inspector, was present for the following:

- Richard is requesting a variance for a commercial driveway. This will be a second drive for a property owned by a Thomas. The highway department has no issues with the second drive. Dave Abbott moved to approve the driveway variance. Dave Dolezal seconded the motion. Motion carried 3-0.
- Another driveway variance is being requested by Brian Hawk who is building a new home on the same site as he currently is leaving. This drive will be about 60 feet from the existing drive and is 150 feet short of site distance. The department felt that since the residences currently live at this location they have been used to the issues that the site distance shortage can pose. Dave Abbott moved to approve the variance. Dave Dolezal seconded the motion. Motion carried 3-0.
- Zack Smith, Highway Engineer, then asked if the commissioners were aware of any county policy of geothermal units draining into county ditches. The commissioners were not

aware of any such policy and asked Zack to communicate with the county surveyor's office concerning this issue.

Mark Goodrich, Highway Superintendent, had the following report:

- Mark reported that the county will continue to work on drainage issues as long as the weather cooperates. The department has been able to resolve some long time drainage issues this past year.
- Mark also reported that the department has a stock pile of sand and salt for the upcoming winter months.
- He also reported that the 2 new vehicles arrived last week and are currently in the garage for last minute touches.

Zack Smith, Highway Engineer, has the following engineering issues to report:

- Bridge Inspection is complete and the final report has been placed in the commissioner's office.
- Bridge 136 – the notice to proceed was received last week and has been forwarded on to United Consulting who will begin the surveying process.
- Bridge 139 – repair will start April. Zack reported that it was a design flaw and there is thermal cracking which has caused the issue to be on annual inspection. In April there will be and epoxy treatment with a thermal wrap which should fix the issue and will then remove this bridge from annual inspection.
- Baseline Road – Zack had a LPA voucher for this project. Dave Abbott moved to sign the voucher. Dave Dolezal seconded the motion. Motion carried 3-0.
- Bridge 77 – this bridge is under design and will be bid out in the spring of 2018.
- Bridge 16 and 24 are complete and open.
- LPA Call for projects – Zack reported that all paperwork has been submitted and accepted. Interview process on this project should be coming up.
- Zack has been approached by Region 3A to reclassify Co. Rd. 500 N. Region 3A will do the paperwork on this project and Zack said he would see no reason to not reclassify as by doing this the road would be then eligible for federal projects. Commissioners agreed to allow the reclassification and Zack will notify Region 3A to proceed.
- DOC Contract – Zack had received a contract for the commissioner's signatures on the Department of Corrections work contract. There was some confusion as to whether this was just for the Highway or for the county which between the surveyor and the highway has 3 crews working. Zack indicated that he would stick around for the drainage board meeting and speak with Randy about this issue. The contract was tabled until further clarification.

#### PROPERTY AT HIGH LAKE

Randy Jahn, a resident of High Lake, would like to have the commissioners assign a tax sale certificate for a property next to him owned by Phillip Coffey. The commissioners are willing to do so but would like to recoup the money that the county has spent in demolition costs. Randy is indicating that he is not willing to pay the \$6500.00 that the county has spent on the property citing that the property is not a buildable lot. The commissioners would like to check with the building and planning departments and also contact the owner on the other side of the Coffey property to see if they might be interested in purchasing the property. The commissioners have set December 18, 2018 to revisit this issue and do research in the meantime.

#### HIGHWAY EMPLOYEE

Todd Fortman, Highway Truck Driver, is coming before the commissioners once again about issues at the highway department. The following points were discussed:

- Todd indicated that the last time spoke with the commissioners that he thought the problems at the highway would be resolved and still some issues remain such as problems with leadership, organization and planning.
- Todd indicated that there is no way that drivers can keep up with the work in their particular townships when they are sent all over completing other projects. He cited an incident where there were 4-5 trucks helping with berming and ditching and 3 trucks could have kept up with the hauling. The other trucks could have then been working in their own townships.
- He also reported that there had preparation work done by the highway crews for an upcoming paving job. When the paving contractor came in they completely redid the work. Todd said that if it was done wrong than they needed to know how to do it correctly.

- He referred to the recent Northshore Drive project – indicating that an 18” pipe was used rather than a 24” and there was no stone packed in around the pipe. When supervisors were asked why no stone was used, they were told that the department was trying to cut costs. Todd said that if it needs to be redone because the pipe collapses then no money was saved.
- When asked if he had talked to Mark or Zack concerning this he indicated that he had spoken with both of them and that his conversation with Mark had been recorded.
- Gary Leatherman asked Todd if he thought we needed more drivers. Todd said he thought that just more organization and better scheduling - in point – starting chip sealing earlier in the year. He also said that we have all new operators and they are learning and slower than a more experienced operator.
- Zack Smith, who also was in attendance, said he understood Todd’s frustration, but wanted Todd to know that there is a lot of work behind the scenes that no one but Zack and Mark are aware of that sometimes is the reason for timing and delays. The coordination of contractors, utilities and available equipment and supplies were mentioned. Zack also promised that he would look into some of Todd’s concerns.
- The commissioners assured Todd that they appreciated his comments and appreciated his commitment to doing a good job for the county, but also had faith in the leadership that they have put into place at the highway and encouraged Todd to continue to reach out to both Mark and Zack when these concerns come up. Dave Dolezal even offered to sit in on his conversations with Mark if wanted.

#### LANDFILL

Derek Faulk – Wilcox Environmental – is present to discuss landfill operations.

- Derek reviewed the results of the recent well inspections and reported the that the findings were all minor things and that he would get with Mike Haines to address the issues. The standing water in 15 will need to be addressed to find out where the water is coming from.
- Leachate extraction – No one knows for sure if Mike has ceased pumping at this time or not. It is Derek suggestion that the pumps be turned off until March when the snows melt and spring rains begin. Next spring, we need to make a decision about whether or not to add another pumping station. The main objective of the pumping is to keep the leachate from daylighting. The problem at this time is that it is daylighting on the adjacent property and putting a well for pumping in that area might prohibit that. Gary asked about bringing dirt in to fill that low area where the leachate is daylighting and Derek indicated that this was an option. The problem is that there is no guarantee that this will fully address the problem.
- The commissioners were concerned that the last report had some elevation in the numbers. Derek assured them that all reporting’s were still in allowable ranges and there would not be any issues unless the numbers fell into “exceedance”.
- Derek would like to set up an executive session sometime in the future to discuss options about the landfill and indicated that their attorneys would be available on December 18<sup>th</sup> at 1:00PM for such a meeting. Jackie will advertise the meeting as required.

#### RELAY FOR LIFE

The chairman of the Relay for Life Campaign was present to discuss using the courthouse square again next year for the annual Relay for Life celebration. It was here a couple of years ago and she indicated that there was a great turn out having it located in the center of the county. The date of the event is June 2, 2018 and the only obligation of the courthouse would be allowing the restroom facilities to be open. Dave Abbott moved to allow the Relay for Life committee to have the 2018 annual event around the courthouse. Dave Dolezal seconded the motion. Motion carried 3-0.

Recess for drainage.

Back in Session

#### CLAIMS

- Regular claims dated 11/27/17 were reviewed with Nicole Noe, Deputy Auditor. The report contained 11 pages and totaled \$297199.66. Motion to approve the claims came from Dave Abbott. Dave Dolezal seconded the motion. Motion carried 3-0.

- Court Claims – Court claims were also reviewed - this report contained 6 pages and totaled \$40837.49. Motion to approve these claims came from Dave Abbott and was seconded by Dave Dolezal. Motion carried 3-0
- Credit Card claims were also reviewed with questions about meals and lodging as well as the use of yard signs by the plan commissioners. All questions were answered and approval of the 3 page report came from Dave Abbott. Dave Dolezal seconded the motion. Motion carried 3-0.
- Also discussed was a claim that will be on reports next meeting concerning meals provided to county employees for a training session. This is being claimed out of child support incentive money. The commissioners asked that Jackie call the state to make sure that this is an allowable expense. Jackie contacted Robert Conrad at the state, he was unsure of the answer but did comment that the department were asked to follow county policies in these types of situations. The Noble County handbook clearly states that meals are not paid for within the county. Jackie was then asked to send the claim back to the prosecutor's office along with a copy of the handbook page addressing this. Jackie did so on Tuesday November 28, 2017.

**PAYROLL**

Payroll for the time period of 10/27/17-11/09/17 and dated 11/22/17 was reviewed. Special attention was given to the overtime payments. The total of the payroll for this report was \$356,970.31 and had 6 pages. Motion to approve the payroll was done by Dave Dolezal. Dave Abbott seconded the motion. Motion carried 3-0.

**MINUTES**

The minutes of the previous meeting didn't get received by the members for review so this approval will be tabled until the December 11, 2017 meeting.

**CORRESPONDENCE**

- Treasurer's Monthly report – duly entered
- IDEM – Tenneco Automotive – air permit
- IDEM – Landfill reports
- IDEM – Confined Feeding – Duck It Farm LLC
- Purdue Extension – annual report

**DOCUMENTS**

- Documents signed which were previously approved
- Minutes of the November 13, 2017 meeting
  - Attorney Contract for 2018
  - Findings and Orders for Colen and Borders
  - Veterans Service Officer application for accreditation

**APPOINTMENT**

The appointment request from the Convention and Visitors Bureau was again reviewed with a recommendation for a board member being received from Sheryl Prentice. Sheryl indicated that Kaitlyn Winters Sproles who is the naturalist at the Chain O Lakes State Park is interested. With this recommendation, Dave Dolezal moved to appoint Kaitlyn to serve a three-year term on the CVB Board. Dave Abbott seconded the motion. Motion carried 3-0


**SICK TIME BANK**

Discussed was the sick time bank hours. Every employee can give to the county's sick bank and must do so to receive time in return. Jackie talked to the commissioners about restricting the number of days that an employee receives to prohibit one employee from using the majority of the days. After some discussion, a motion from Dave Dolezal was made making the maximum amount of days to be 7 continuous days which will get the employee to the short-term disability eligibility. Dave Abbott seconded the motion. Motion carried 3-0. Jackie will notify the employees of this amendment.

**ADJOURNMENT**

This session of the Board of Commissioners of Noble County was at approximately 4:30 P.M. recessed from day to day until December 11, 2017.

  
Gary D. Leatherman, President

  
David J. Dolezal, Vice President

  
David Abbott, Member

ATTESTED   
Tonya L. Marks, Auditor