

## MINUTES OF A REGULAR SESSION OF THE BOARD OF COMMISSIONERS HELD March 28, 2022

Comes now the hour of 8:30 a.m. on the 28<sup>th</sup> day of March 2022, in the Commissioners Room 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  
Anita Hess, Vice President  
Dave Dolezal, Member

Also present were:

Jacqueline Knafel, County Coordinator  
Dennis Graft, Noble County Attorney  
Zach Smith, Highway Engineer  
Richard Rogers, Highway Superintendent

Gary Leatherman, Commissioner President, called the meeting to order at approximately 8:30a.m.

### CORRESPONDENCE

- IDEM – Clifford Aggregate – Notice of public hearing for air permit
- IDEM – Precision Tank & Equipment- Notice of public hearing for air permit
- IDEM – Town Structure Laminating – Permit renewal
- Clerk – monthly reports for January and February

### MINUTES

Minutes of the previous meeting were read and approved as corrected with a motion from Dave Dolezal. Anita Hess seconded and the motion carried 3-0.

### CLAIMS

Claims totaling \$452,565.29 on this 13-page report were reviewed. There was a question on the Northeastern Center claim which was corrected. After correction, Dave Dolezal moved to approve the claims. Anita Hess seconded and the motion carried 3-0.

### PAYROLL

The payroll dated 03/24/2022 was reviewed by the commissioners. This was a 4-page report totaling \$445,705.46 and was approved with a motion from Dave Dolezal and a second from Anita Hess. Motion carried 3-0.

### NEW BUSINESS

The Noble County Health Department is requesting an appointment to their board. Dave Dolezal moved to approve the reappointment of Michael Gordan to the Health Board. Anita Hess seconded and the motion carried 3-0.

### HIGHWAY

Richard Rogers, Highway Superintendent, was present for a driveway variance. This is for a 2<sup>nd</sup> drive for a resident on 50 S between 450 W and US 33. Richard is reporting no issues with sight or drainage. Motion to approve the variance came from Dave Dolezal and was seconded by Anita Hess. Motion carried 3-0.

Zack Smith, Highway Engineer, has the following engineering updates for the commissioners:

- For a purchase over \$5000.00, Zack has the following quote needing commissioners' approval. For 3 of the older trucks, the department would like to install back-up cameras. This is at a cost of \$6484.00 from WA Jones. Motion to approve the purchase came from Dave Dolezal. Anita Hess seconded and motion carried 3-0.

- Zack also had a quote for tires from McMahon's Best One Truck Center. The quote was in the amount of \$13,957.00. Motion to approve this purchase also came from Dave Dolezal and was seconded by Anita Hess. Motion carries 3-0.
- Bids for a trailer were taken. Three bids were received: one from Indiana Trailer Sales in the amount of \$26,784.00, one from Midway Trailer Sales in the amount of \$37,737.00 and the other from RODOC Leasing Sales in the amount of \$38,737.00. Zack recommended accepting the low bid from Indiana Trailer Sales at a cost of \$26,784.00 and that was Dave Dolezal's motion. Anita Hess seconded and motion carried 3-0.
- Zack reported that the 3 LPA projects that were submitted were reviewed and letters were received from INDOT accepting Bridge 59 and the Riley Road Intersection with Appleman Road. The Baseline Road project was denied.
- Buena Vista – There is a petition for usage of the turn-a-round – however Bob Misner owns a portion of this turn-a-round and is denying access to the area. The county has ordered a title search of the property but feel that all indication is that he does own a section and has the right to deny access. Zack is proposing an alternative to this as Mr. Stork – who owns a portion of the property as well is willing to sell his land to the county. Zack indicated that the county could go through condemnation of the Misner property which would prolong the process. Mr. and Mrs. Misner were in attendance as were many of the other neighbors who had signed the petition. The neighbors are questioning the ownership which Zack reiterated that a title search would provide that information. At the end of the session, the commissioners indicated that no decision would be made until the title work was complete. They will discuss this issue again at their April 25, 2022 meeting.
- Zack reported that he is still waiting on the "notice to proceed" the second HMA project in 2021
- The LPA Consulting Contract between American Structure Point and Noble County has been received by the commissioners for the 400 N project. Motion to sign the contract came from Dave Dolezal, seconded by Anita Hess and the motion carried 3-0.
- Bridge 136 – there were two LPA voucher for this project – one for Preliminary Engineering in the amount of \$5,911.15 and the other for right of way in the amount of \$13,400.00. Both were approved with a motion from Dave Dolezal. Anita Hess seconded and the motion carried 3-0. Zack also discussed the possibility of a land swap on the south side of Bridge 136 between the county and Shawn Kimmel who is an adjacent land owner. Also discussed was the condemnation process for the Hague property located on the North side of the bridge. Dave Dolezal moved to proceed with the filing of the condemnation package for Hague.
- Baseline Road at 600 E - Construction Engineering – An LPA voucher was received in the amount of \$392.58 which was approved with a motion from Dave Dolezal and a second from Anita Hess. Motion carried 3-0.
- Bridge 69 – Zack reported that there had been a meeting with the Property owners concerning this project on March 24, 2022.
- Old State Road 3 – An LPA voucher in the amount of \$6,852.00 was received for approval on this project. Dave Dolezal moved to approve the voucher. Anita Hess seconded and the motion carried 3-0.
- Little Long/Round Lake project – Zack reported that the process was started to revise the specs for a winter project as no bids were received for the summer bid.

#### COURTHOUSE ANNEX

Zack Smith, Project Manager, has the following information for the new annex building:

- Minutes of the meeting between Weigand, American StructurePoint and Zack.
- Because of a department request change, the furniture delivery for his office is delayed by 2 months. This will change the move schedule. Zack is planning to move the courthouse and Weber Road on June 24/25 then in July the prosecutor and public defender. And then move probation to the rented facility in August and move the south complex to the new building.
- Zack had samples of the map that will be the lobby feature for the commissioners to see.
- Zack is currently working on signage for offices and there were questions as to how the building plaque would look.
- There was a quote from TechSolutions for 2 additional video surveillance cameras for the annex. This was in the amount of \$1,476.70 and was approved with a motion from Dave Dolezal and a second from Anita Hess. Motion carried 3-0.

- The commissioners discussed the transition of insurance and the commissioners asked that Jarrod Ramer of Black and Ramer Insurance be present at the April 25, 2022 meeting to discuss this further.
- Zack talked about window tinting as the sun coming in could put glares on the computer screens. That will be discussed further after move in.
- The last issue was that of sight concerns at the corner of York St and Jefferson – with the angle parking in place and when longer vehicles (trucks) park in those first spaces – it is difficult to see oncoming traffic. Zack indicated that he is talking with the Town of Albion to come up with a solution – possibly a 4 way stop.
- Ribbon cutting ceremonies would likely be sometime around the first of June.

#### COURTHOUSE RENOVATION

Zack provided a copy of the property condition of the current courthouse along with an estimated cost of renovation and a proposed base plan. The cost estimate is \$3,937,483.00

#### REZONING

A request from Jerry M and Anita J Yoder to rezone 15.85 acres of ground in Perry Township from A1 to RE was on the agenda for consideration. Teresa Tackett was present and indicated that the plan commission board had passed this request with 5 voting for the rezoning and 2 having No Recommendation. After some discussion and listening to the future plans for this property, Dave Dolezal moved to approve the rezoning. Anita Hess seconded and the motion carried 3-0.

#### SKINNER LAKE PROPERTY OWNERS

Several property owners from Skinner Lake living on Arthur Dr were present to discuss with the Commissioners, Zack Smith and Randy Sexton a possible solution to there flooding issues on this drive. The group had a presentation to give to the commissioners with concerns of safety as emergency workers had at time had problems getting to the residents. Also, a concern was sewer backup and school bus access. There has been time when the residents have had to park at the entrance and wade or kayak through the waters. The group told of incidents of medical supplies not being delivered or food not being delivered and then times when they have not been able to get out to go to work. They had charts to show flooding incidents. From 2009 thru 2017 they had issues with flooding about one time a year every other year. From 2017 on there have been at the very least one a year with 2019 topping out at 4 events. Randy and Zack both had done research on this and Randy indicated that some of the issue was coming from Sweet Lake but didn't think a culvert was the answer. Zack indicated that the highway department is looking at a process to lift the roadway 2 ½ feet in hopes that this will help. The only other alternative would be to have an alternate route possibly going out to 350E.

#### SEXUAL ASSAULT AWARENESS MONTH

Ashleigh Schalinske, Victims Witness Advocate, Jim Mowery, Noble County Prosecutor and Jamie Groves, Chief Deputy were all present for this proclamation. This will declare April "Sexual Assault Awareness Month" Dave Dolezal moved to sign the proclamation. Anita Hess seconded and the motion carried 3-0. The group went on to explain that there are typically 14-16 cases filed a year but the fact that there a lot of cases out there that are never reported is concerning and this type of information helps draw awareness to this topic. Ashleigh is also asking the commissioners permission to put teal ribbons on the lampposts around the courthouse square as well as denim clings on the windows. Dave Dolezal moved to approve this activity as well with a second coming from Anita Hess. Motion carried 3-0.

#### ARP ORDINANCE

Dennis had recently drafted an ARP ordinance for the commissioners based on the final rule. After review the commissioners adopted the ordinance with a motion from Dave Dolezal and a second from Anita Hess. Motion carried 3-0.

#### ADJOURNMENT:

This session of the Board of Commissioners of Noble County was adjourned at approximately 11:00 a.m. recessed from day to day until April 11, 2022.

Dated this 11 day of April, 2022

ABSENT

Gary D. Leatherman, President

Anita Hess

Anita Hess, Vice President

Dave J. Dolezal

Dave Dolezal, Member

ATTESTED: Tonya L. Jones

Tonya L. Jones, Auditor