

**MINUTES OF A REGULAR SESSION OF THE  
BOARD OF COMMISSIONERS HELD April 3, 2023**

Comes now the hour of 8:30 am. on the 3<sup>rd</sup> day of April, 2023 in the Commissioners Room in the Noble County Annex building, 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  
Gary Timmerman, Member

Also present were:

Jacqueline L Knafel, County Coordinator  
Steve Garbacz, KPC Media  
Dennis Graft, County Attorney – by phone  
Zack Smith, Highway Engineer – by phone

Commissioners President, Gary Leatherman, brought the meeting to order at approximately 8:30 AM.

**SEXUAL ASSAULT AWARENESS MONTH**

Jim Mowery, Noble County Prosecutor, along with deputy prosecutor Leslie Haynes and Victim Advocate Ashleigh Schalinske came before the commissioners to request that April be proclaimed Sexual Assault Awareness Month. Mr. Mowery reported that cases have remained about the same over the last few years, however, they are aware that many cases – for various reasons- are not reported. This proclamation will allow the department to get the word out to all that if reported they will be heard. Ashleigh told the commissioners of many of the projects that they have planned and asked permission to use the courthouse square to do the “chalk up” event and hang purple bows. Gary Timmerman moved to approve the proclamation. Anita Hess seconded and the motion carried 3-0. Anita Hess moved to approve the planned events with a second coming from Gary Timmerman. Motion carried 3-0.

**ATTORNEY CONTRACT**

Jim also discussed an attorney contract with the commissioners. He will be hiring Paul Sturm to the position of Deputy prosecutor. Paul is wanting a contract rather than employee status with the county due to his firm requirements. The contract was reviewed and approved with a motion from Anita Hess and a second from Gary Timmerman. Motion carried 3-0. Jim told the commissioners that he planned to approach the council this afternoon to discuss the possibility of taking the full-time position and making it into 2 2/3-time attorneys.

**CORRESPONDENCE**

- IDEM – Graphic Packaging air permit

**MINUTES**

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

**CLAIMS**

Claims dated 03/27/2023 were reviewed by the commissioners and approved with a motion from Gary Timmerman. Anita Hess seconded. Motion carried 3-0. This was a 12-page report totaling \$258,539.79.

**PAYROLL**

The 3-page report for payroll totaled \$481,604.93 and was approved with a motion from Gary Timmerman. Anita Hess seconded the motion and the motion carried 3-0.

**OLD BUSINESS**

Jackie informed the commissioners that the quote for lawn care at the South Complex and the Sheriff's department has gone up just over \$1000.00 due to fertilizers cost and gas. Green Edge Lawn Care will be providing this service again this year. The commissioners had also received a quote for fertilizer here at the courthouse. This service is provided by Dick Coats Lawn Service.

Green Edge had been approved at the last commissioners meeting however the Lawn service from the Dick Coats was just received. Anita Hess moved to approve the service. Gary Timmerman seconded and the motion carried 3-0.

#### EARLY VOTING LOCATION

Tammy Bremer, Noble County Clerk, has requested approval of the Municipal Voting locations for the primary election in May. They are as follows:

- April 24 – 28 Noble County Courthouse
- April 29 Bridgeway Church Kendallville
- May 1 Noble County Courthouse

ELECTION DAY IS MAY 2 and those locations are as follows;

- Avilla Library
- Bridgeway Church
- Crosspointe Church.

Gary Timmerman moved to approve all of the above locations. Anita Hess seconded and the motion carried 3-0.

#### MEETING

Anita Hess is wanting to host the Mayor's and Commissioners regional meeting at the new annex on April 19, 2023. This typically comes with a luncheon provided. The Conference is available for the meeting and Anita has discussed the technical needs with the IT department. The luncheon is the main question at this time and cost involved. Anita Hess moved to approve the use of the Conference Room for this event. Gary Timmerman seconded and the motion carried 3-0.

#### HIGHWAY

Richard Rogers, Highway Superintendent, was unable to attend the meeting due to a training conference but had left the following information for the meeting:

- Utility Permit for Ligtel in Sparta Township – duly entered
- Driveway variance for Konger Farms on 400 E and 300 S the drainage and sight distance is good with the only issue being that is close to another driveway. Motion to approve the variance came from Gary Timmerman with a second from Anita Hess. Motion carried 3-0.
- Nathan and Natasha Kotterman on 850 W has a request for a driveway that is a second drive and is short on sight distance by 110 feet. Motion to approve this permit came from Gary Timmerman. Anita Hess seconded and the motion carried 3-0.
- Scott Pounds, on 525 W is wanting a second drive as well. This is short on sight distance by 190 feet. This also is approve with a motion from Gary Timmerman and a second from Anita Hess. Motion carries 2-0 with Gary Leatherman abstained due to this being a family member.

Zack Smith, Highway Engineer, is joining us by phone with the following engineering updates:

- The annual financial report is reviewed and summarized by Zack. A motion to approve the report is made by Gary Timmerman. Anita Hess seconded and the motion carried 3-0.
- 400 N – there is a contract amendment for this project with an increase of \$1,058,695.20. Motion to approve the amendment for electronic signature was made by Gary Timmerman. Anita Hess seconds and the motion carries 3-0. This is also an LPA voucher for this project for Construction Engineering in the amount of \$1,585.93. Gary Timmerman moves to approve with a second from Anita Hess. Motion carried 3-0
- Bridge 136 – an LPA voucher in the amount of \$4,680.00 is reviewed and approved by a motion from Gary Timmerman. Anita Hess seconded and the motion carried 3-0.
- Baseline Road – an LPA voucher for this project is approved in the amount of \$3,298.80. The motion comes from Gary Timmerman. Seconded by Anita Hess and it carries 3-0.
- Bridge 134 – there is a supplemental agreement before the commissioners for Truss Analysis and Repair in the amount of \$25,700.00. Gary Timmerman moved to approve this amendment with Butler Fairman and Seufert. Anita Hess seconded and the motion carried 3-0. There is also an LPA voucher for this project. The preliminary Engineering voucher is in the amount of \$36,708.05. Gary Timmerman moved to approve. Anita Hess seconded and the motion carried 3-0.

- Old State Road 3 – an LPA voucher for this project is in the amount of \$25,230.00 and is approved with a motion from Gary Timmerman. Anita Hess seconded and the motion carried 3-0.
- Bridge 59 – the LPA Voucher for this project is in the amount of \$3,357.00. Motion to approve this is made by Gary Timmerman. Anita Hess seconded and the motion carried 3-0.
- Zack shared lettered from INDOT concerning the Call for Projects 2028. Noble County was awarded the safety project at 100 N and 50 W but the other two were denied. This 50 W project comes with an award of \$1,930,500.00.
- Bridge 73 – this is currently under construction with things going well
- Little Long/Round Lake – Zack reported that he had just received information that there were some issues with the dewatering and this will slow the progress due to having this to clean up. There were also some issues with the dredging and Gary indicated that he would be talking with the surveyor later today about this issue.
- ADA and Title VI – Zack has provided copies of the Title VI plan for 2023 as well as an updated ADA Transition Plan. Gary Timmerman moved to approve both plans as presented. Anita Hess seconded and the motion carried 3-0.

#### ANNEX

Zack Smith, Project Manager, has the following annex report for the commissioners:

- Construction on the shell space - a layout of the shell space was provided and per an e-mail attached the Judge Hagen, Superior Court II Judge, is happy with this plan
- Zack is reporting that the blinds for the 911 dispatch room will be an additional \$4748.27 and the placement of those is 6-8 weeks out.
- There remains a few punch list items that Zack is staying on top of.
- Acoustic panel should be complete before too long. J
- Dedication plaque – the commissioners are still discussing this topic as the estimate came in relatively high for this plaque.
- The town of Albion will be placing 2-hour parking signs on the east side of the new annex building probably yet this week.

#### COURTHOUSE RENOVATION

Zack Smith, Project Manager, is reporting the following:

- Zack has provided a copy of the Proposed Timeline received from ICE Miller, bond counsel as well as a cost estimate of the project in the amount of \$8,850,000.00.
- The above figure included an amount provided by the IT department for wiring and technical mechanics in the amount of \$986,919.00.
- Also included was a roofing estimate in the amount of \$40,775.00 and the elevator update in the amount of \$447,200.00.

#### FARM GROUND LEASING

Three bids were received for the 25 acres of ground that is owned by the county. The 3 bids are as follows:

- Samantha McGinnis \$197.00 per tillable acre
- Tucker Quality Farms LLC \$165.00 per tillable acre
- Randy Marks \$166.00 per tillable acre

Gary Timmerman moved to accept the \$197.00 bid from Samantha McGinnis for the farming of the land for one year with payment due November 1, 2023.

#### HEALTH INSURANCE

The Noble County health insurance plan document was approved with a motion from Gary Timmerman and a second from Anita Hess. Motion carried 3-0. The signed document was sent to Unified 4/5/23.

#### WELCOME and SEPARATION

Jackie Knafel, County Coordinator, has put together a Welcome packet that can be given to new employee at the time of hire. This will be distributed to the department heads. There is also a separation document that was developed for feedback from the department employee to help us improve when it comes to employee relations. Both documents were approved with a motion from Gary Timmerman and a second from Anita Hess. Motion carried 3-0.

**REZONING**

Teresa Tackett is present for the rezoning of the Kraus property. Mr. Kraus and his attorney are also present. No one in opposition to the rezoning was present. Teresa reported that the plan commission had approved the conditions that were set forth by the Noble County Commissioners. These were approved at their meeting by a 6-1 vote with Randy Sexton vote against the rezoning. With that information and no one present opposing the rezoning, the rezoning of 23.175 acres from A1 to A2 for Cody Kraus was approved with a motion from Gary Timmerman. Anita Hess seconded and the motion carried 3-0.

**UDO AMENDMENT**

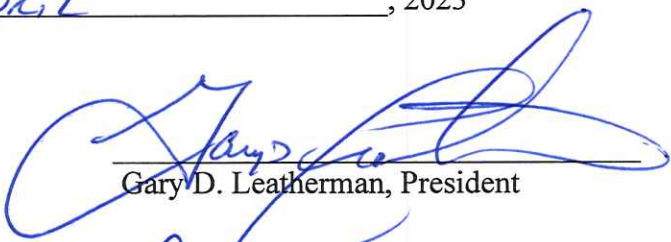
Teresa discussed with the commissioners the work on the driveway permitting. She is hoping to change the wording to issue a permit for 3 or less parcels. They are planning to add a professional engineer or Surveyor sign off to drives that will access 4-6 parcels and then leave the "private street" verbiage as is. This was just information at this time and no commissioners action is required.

For the Commercial Solar Ordinance, there is a stand alone ordinance at this time and Teresa is wanting to merge this document into the UDO ordinance. She is asking that commissioners sign an agreement for services with Hometown Initiatives LLC to merge this document into the UDO. This is at a cost of \$2,500.00 which she will need additional funding for to pay for the service. Teresa indicated that she will be submitting a request for an additional to the council to accomplish this project. Gary Timmerman moved to approve the signing of the agreement. Anita Hess seconded and the motion carried 3-0.

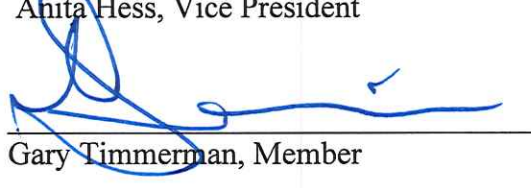
**ADJOURNMENT**

This session of the Board of Commissioners of Noble County was at approximately 10:40 am recessed from day to day until April 10, 2023

Dated this 10<sup>TH</sup> day of April, 2023

  
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Gary D. Leatherman, President

  
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Anita Hess, Vice President

  
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Gary Timmerman, Member

ATTESTED:   
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Michelle Mawhorter, Auditor