

**MINUTES OF A REGULAR SESSION OF THE
BOARD OF COMMISSIONERS HELD July 23rd, 2018**

Comes now the hour of 8:30am. on the 23rd day of July, 2018, 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:
Dave Dolezal, Vice President
Anita Hess, Member

Absent:
Gary Leatherman, Commissioner President

Also present were:
Jacqueline L Knafel, County Coordinator
Dennis Graft, Noble County Attorney
Matt Getts from KPC Media
Zack Smith, Highway Engineer
Richard Rogers, Highway Inspector

Dave Dolezal, Commissioner Vice President, called the meeting to order at approximately 8:30 AM

MINUTES

Minutes of the previous meeting were read and approved as corrected with a motion from Anita Hess. Dave Dolezal seconded the motion. Motion carried 2-0.

CORRESPONDENCE

- Surveyor – rate increase Thomas Ott
- Surveyor – rate increase Glosser
- Town of Albion – invoice for leachate disposal
- Treasurer’s monthly report – duly entered
- IDEM – Air Quality Wolfpack Chassis
- Letter of Introduction – Johnson Melloh
- Butler Fairman Seufert – Information on Bridge 55
- Jail Inspection Report – Questioned number of inmates and Community Corrections question.

PAYROLL

Payroll for the time period of 06/22/18 – 07/05/18 and totaling \$391,320.30 was reviewed and approved by the commissioners with a motion from Anita Hess. Dave Dolezal seconded the motion. Motion carried 2-0.

CLAIMS

Regular claimsmg were reviewed by the commissioners. The 9-page report totaled \$370,509.70. Also, some miscellaneous claims were reviewed which the 1-page report totaled \$17,108,084.30. This total contained a \$14,000,000.00 investment to Lake City Bank and a \$3,000,000.00 investment to Horizon Bank. Both sets of claims were approved with a motion from Anita Hess and a second from Dave Dolezal. Motion carried 2-0.

A claim from last meeting for a deputy prosecutor was released with the information provided by the prosecutor’s office. Motion to release the claim came from Anita Hess and was seconded by Dave Dolezal. Motion carried 2-0.

QUIT CLAIM DEEDS

There were 4 quit claim deeds that were prepared by the county attorney presented to the commissioners for their signatures. These were property that had been on many tax sales and were acquired by the county and were now being decided over to interested adjacent property owners. Motion to sign the deeds came from Anita Hess. Dave Dolezal seconded the motion. Motion carried 2-0.

HIGHWAY

Richard Rogers, Highway Superintendent, was present and reported on the construction progress at the Highway department:

- Richard reported that the department has spent the last several days berming
- This week the crews will be patching and then will return to chip and sealing.
- Big culvert projects replacement continues.

Zack Smith, Highway Engineer, had the following engineering business to discuss with the commissioners:

- Several pieces of old equipment had been advertised for a silent bid auction. The Auction was advertised and an open house was held last Friday, July 20, 2018, for interested parties to inspect the equipment. Bids were opened this morning to award bids:
 1. 2002 Volvo – Hixon \$10,001.00
 2. 2002 Volvo – Hixon \$ 9,579.00
 3. 2005 International – no bid
 4. 1997 Ford F350 – Sieber \$ 3,588.00
 5. 2000 Gradall – no bid
 6. 1980 Case Backhoe – Magnuson \$ 7,755.00
 7. 1965 Caterpillar dozer - Caskey \$ 8,500.00
 8. 1990 Finish Paver – no bid
 9. 1986 Chip Spreader – did not meet reserve
 10. 1990 Forklift - Magnuson \$ 1,275.00
 11. 1996 Ford Dump Truck – Sieber \$ 1,100.00
 12. 1999 Sterling Dump Truck – Sieber \$ 1,100.00
 13. 1995 Brush Chipper – Sieber \$ 4,100.00
 14. 2004 Dura patcher – no bid
 - 15a Dump Bed Salt Box – no bid
 - 15b Dump Bed Salt Box – no bid \$ 529.00
 - 16a Snow Plow - Hixon \$ 501.00
 - 16b Snow Plow - Hixon \$ 501.00
 17. Asphalt Distributor Body – Pavement Sol \$ 1,505.00
 18. 2009 Ford 450 Ambulance \$ 1,001.00
 19. 2004 Ford Expedition \$ 700.00
 20. Box Trailer – Haines \$ 200.00
 21. Lawn Mower - Hass \$ 20.00

Bids were reviewed by the Highway Department later in the day on Monday and the above list was accepted as the high bids for the auction. Motion to award the sell to the high bidder came from Anita Hess with a second from Dave Dolezal. Motion carried 2-0. Cashier's checks or money orders will be accepted by the Highway Department and signed titles (for titled vehicles) have been given to the department for distribution at the time of payment.

- A public hearing was held for an ordinance regulating speed on CR 950 W between Harper lake Road and Woodview Dr. There being no opposition to the ordinance, a 20 MPH speed ordinance was adopted with a motion from Anita Hess and a second from Dave Dolezal. Motion carried 2-0.
- A public hearing was held for an ordinance to change a one-way stop to a three-way stop at the intersection of CR 550 N and Townline Road. There being no opposition this was adopted with a motion from Anita Hess and a second from Dave Dolezal. Motion carried 2-0. This will be in effect upon signage installation.
- Zack has a contract for Pulver's, who is the company that got the overlay bids. The contract is based on the reduced work as set forth by the highway department and is \$1,113,225.00 for the overlay HMA-01 and \$565,265.00 for the sub division overlay SUB-01. Motion to sign the contract came from Anita Hess. Dave Dolezal seconded the motion. Motion carried 2-0.
- Bridge 6 – Zack reported that this bridge was completed last Thursday which hit the target date of "back to school". With no marking from the City of Kendallville for their sewer system (which had been requested several times) there was a last-minute problem which ended up costing over \$10,000.00. The Highway supplied as much material as they possibly could to keep the cost at a minimum. Zack has itemized cost and will submit this to the City of Kendallville for reimbursement.
- Bridge 77 and 55 are in phase of design and will be ready for bidding next year.

- Fuel pumps for the new fueling station are ordered but expected delivery is not until October.
- Zack shared a letter from a resident on South Drive requesting that a “dead end” sign be placed and a 20 MPH speed limit sign be placed. Zack reported that this is a county right of way but not a Highway maintained road, so the highway department has no obligation or jurisdiction to place the signs. Since this is a county right of way the commissioners would have the say and order to place signs..... After looking at the maps and lengthy discussion, Anita Hess moves to table this issue and extend an invitation to the adjacent property owners to come to the commissioners meeting to state their views. Jackie will contact adjacent property owners and extend that invitation for August 27, 2018 at 9:45AM. Dave Dolezal seconded the motion. Motion carried 2-0.
- Zack reported that he has ordered the new dump truck to get the same pricing as earlier quoted. The truck will not be delivered or paid for until next year.

REZONING

Kenneth Hughes, Plan Director, is present for this part of the agenda. Steve Reid, owner of the property, is present along with Tiffany Rolin. Kenneth explained that the rezoning from A-1 to A-3 was heard by the BZA last week and that the board voted 5-0 for an unfavorable recommendation citing best land use as well as its’ proximity to the Elkhart River. Mr. Reid is wanting to build a CAFO for hogs with numbers not to exceed 2200. Mr. Reid and Ms. Rolin explained the design of the building and had made adjustments to the plan as suggested by the BZA board. Eric Strater, a CAFO operator himself, spoke on behalf of Mr. Reid, stating a number of opposition to his operation as well and indicated that 3 years later they have not had any issues with the operation. There was opposition here however and Jim Annis spoke on behalf of 4 other people in attendance, stating water run-off onto his property, decline in property values and the smell associated with CAFO’s. After hearing both sides of the issues, Dave Dolezal indicated his reluctance to go against the BZA board, “who are the experts” in this decision-making process and also his desire to have the 3rd member of the board present for a decision of this kind. Anita Hess agreed that Gary should be a part of this decision and moved to table the issue until August 27th, 2018 at 9:30AM. Dave Dolezal seconded the motion. Motion carried 2-0.

The second rezoning was requested by Leroy Hochstetler to have DePew Heights Lot 2 rezoned from A1 to LR. Scott Zeigler, Surveyor from Hand to the Plow, was present on behalf of Mr. Hochstetler to answer any questions the commissioners might have. Kenneth reported that the board had given a favorable recommendation to this rezoning. Anita Hess moved to approve the rezoning from A1 to LR. Dave Dolezal seconded the motion. Motion carried 2-0.

ANIMAL ORDINANCES

Kenneth has been working on Animal Welfare ordinances and has made some amendments to the ordinances after the last discussion with the board. More discussion was had about licensing, maximum numbers of dogs, and more importantly enforcement. This is an ongoing project and will not be adopted until the commissioners feel the ordinances are correct and enforceable.

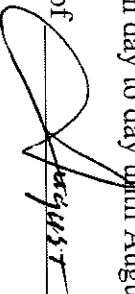
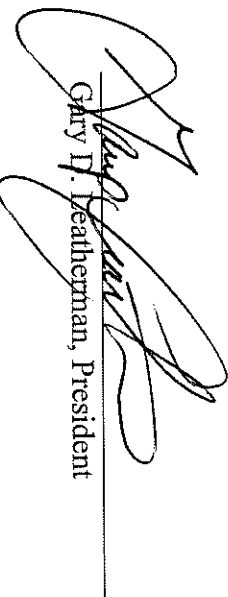
NATIONWIDE REQUEST

Mary Applegate, Deputy Auditor, had received a request from Nationwide (a deferred comp benefit) requesting what investment options the county wanted for the upcoming years. There were many questions and the commissioners would like to set up a conference call with Nationwide in order to make the correct decision. Jackie will take care of the scheduling.

ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 11:05AM. recessed from day to day until August 13, 2018.

Dated this 13th day of August, 2018

Gary D. Leatherman, President

David J. Dolezal
David J. Dolezal, Vice President

Anita Hess
Anita Hess, Member

ATTESTED: Tonya L. Jones
Tonya L. Jones, Auditor