

**MINUTES OF A REGULAR SESSION OF THE
BOARD OF COMMISSIONERS HELD January 23, 2017**

Comes now the hour of 7:30 A.M. on the January 23, 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 (late)
David J. (Dave) Dolezal, Vice President
Dave Abbott, Member

Also present were:

Jacqueline L. Knafel, County Coordinator
Dennis Graft, Noble County Attorney
Chris Jansen, Attorney
Steve Garbacz, KPC Media
Kenneth Hughes, Plan Commission
Seth Tipton, Attorney
Citizens both for and against the rezoning (see listing H.I)
Zack Smith, Highway Engineer
Richard Rogers, Highway Inspector
Matt Meerson, St Joseph River Basin
Cherish Smith, Council on Aging Director
Stacey Beam, Probation
Danyel Wagner, Probation
Matt Brinkman, Region III -A
Doug Harp, Noble County Sheriff
Shane Coney, Jail Commander

Gary Leatherman, Commissioner President, brought the meeting to order at approximately 7:33AM. Kenneth Hughes, Plan Director, was present and read the draft proposal for the guidelines for Moose Lake Christian Craft Village as discussed with Mr. Doug Jennings. There is still no deed putting the acres that they are wanting to rezone into the same names. Also the delivery of the goods that is brought by large truck that sits on the side of the road for delivery is a concern and Dave Abbott would like this issue addressed also. He feels that there could be a driveway on the East side of the property for this type of delivery which would get the truck off of the road. Dennis Graft, Noble County Attorney, advised the commissioners to either do this on condition, have a special meeting, or recess and come back into session. When asked if the party wanting the rezoning could gather all of the information by 1:00PM, they indicated that thought this would be possible, with that Dave Abbott moved to continue this rezoning at 1:00PM. Dave Dolezal seconded the motion. Motion carried 3-0.

RECESS 8:15AM

The commissioners then recessed for the Finance Committee meeting.

BACK IN SESSION 8:30AM

COUNCIL ON AGING

Cherish Smith introduces herself as the new director of the Council on Aging. Cherish is replacing Gregg Parker at the helm starting late December. Cherish present the Council on Aging 4th quarter report for review. Cherish also had a voucher in the amount of \$29,455.00 for signatures. Dave Abbott moved to accept the report and sign the voucher. Dave Dolezal seconded the motion. Motion carried 3-0.

APPOINTMENTS

- The town of Albion had requested an appointment to the Albion Plan Commission. Dave Dolezal moved to appoint Scott Cole to the Albion Plan Commission Board. Dave Abbott seconded the motion. Motion carried 3-0.
- Rome City had also requested a reappointment to their board. Barbara Tatman's term expires this month and they are recommending reappointment. Dave Abbott moved to reappoint

Barbara Tatman to the Rome City Plan Commission Board. Dave Dolezal seconded the motion. Motion carried 3-0.

PAYROLL

Payroll dated 01/19/17 containing 6 pages and totaling \$356,675.87 was reviewed and approved with a motion from Dave Dolezal. Dave Abbott seconded the motion. Motion carried 3-0.

MINUTES

Minutes of the January 9, 2017 meeting were read and approved as written with a motion from Dave Dolezal and a second from Dave Abbott. Motion carried 3-0.

HIGHWAY

Zack Smith, Highway Engineer, and Richard Rogers, Highway Inspector, were both present for the Highway Construction and Engineering Business as follows:

- Driveway variance – Zack is requesting a variance for a property owner on 950 E between 300-400 S. The owner is building a new home and already has several driveway onto the property. Zack indicated that there was not a site distance issue the issue was just due to there being more than one driveway within the required distance. Dave Dolezal move to approve the variance with a second coming from Dave Abbott. Motion carried 3-0.
- Utility Permit – Indiana Fiber Network is requesting permission to put fiber optic network in. Dave Dolezal moved to approve the installation subject to the company meeting all the requirements of the county. Dave Abbott seconded the motion. Motion carried 3-0.
- Highway Building New Construction – An agreement was presented to the commissioners for a work order for NIPSCO dealing with the utility extension that was going to have to occur. The amount of the service would be \$12,375.03. Dave Dolezal moved to approve the extension for NIPSCO. Dave Abbott seconded the motion. Motion carried 3-0.
- Bridge Inspection - United will be conducting the inspection which will start sometime in April.
- Bridge 136 and Baseline Road Project – RFP are posted and advertised and due February 24, 2017.
- Also construction bids are due on February 24, 2017 for Bridge 16 and 24.
- ADA and TITLE VI Compliance – Zack provided copies of the plan updates to the commissioners. Both plans are now on the Noble County Government Website.
- Equipment Purchases – Zack is awaiting more information on the emission changes to get quotes on trucks. Zack indicated that between the cash balance of the highway budget and the CREDIT funds that he could possibly have the money to get 2 new trucks and a chip spreader.
- Additional Employee – Zack will be approaching the Council to get permission to hire another operator. All of the issues with drainage and the overtime associated with that issue justifies the need for another operator.
- Vacation request – Zack had a request from one of his employees to extend his vacation time. Marc Fisher was wanting to extend his 6 days of vacation which would expire March 4, 2017. He is wanting to use these days on March 13th thru the 20th. The request was denied since there remains 6 weeks of time to use his 6 days by the March 4 deadline.
- Zack indicated that the main topic this year at the Legislative Conference coming up next week would be concerning road funding. He cited road bill 1002 in particular which could possibly bring in another 2 million dollars to Noble County. This would a transitional bill with the full effects of the bill coming in 2021.

REZONINGS

Kenneth Hughes, Plan Director, was present for the following rezoning requests:

- Scott Ziegler, Surveyor, is present representing William & Ruby Yoder rezoning 1.36 acres from RE to A1. This is on Northport Rd outside of Rome City. Dave Dolezal moved to approve the rezoning based on the recommendation of the Plan Commission. Dave Abbott seconded the motion. Motion carried 3-0.
- Scott is also representing Emerson & Marjorie Bushong for a rezoning of 33.48 acres located in Washington Township on South SR 5. This rezoning would move this land

from RE & A1 to OS. Motion to approve the rezoning came from Dave Dolezal and was seconded by Dave Abbott. Motion carried 3-0.

- Carl Pulver was present for the last rezoning. This was requested by Pulver Real Estate LLC and rezoning 59.49 acres from A1 to H1 to allow for gravel/sand mining. Discussion about the debris on the roads from hauling of the sand and gravel and Mr. Pulver indicated that it would be no issue to pave the lane back to the site. Dave Dolezal moved to approve the rezoning with that paving project in mind. Dave Abbott seconded the motion. Motion carried 3-0.

CREDIT CARD PROCESSING

Kenneth Hughes, Plan Director, is discussing credit card payments with the commissioners. Kenneth had done research on the processing fees, equipment for the processing for departments, etc.... and had four quotes from MuniCityPay, Chase, PNC and Lake City Bank. Kenneth was leaning in the direction of Lake City Bank considering the fees and what they had to offer. This can be offered to any department who is wanting to offer this capability to their customers. Dave Abbott moved to go with Lake City Bank for this service. Dave Dolezal seconded the motion. Motion carried 3-0.

PROBATION CONTRACT

Stacey Beam, Chief Probation Officer, and Danyel Waggoner, Asst Chief, were present for approval from the commissioners to reapply for the community corrections grant. This grant is for \$243,364.00 with the option of additional funding in the amount of \$200,000.00. The commissioners signed the approval letter with a motion from Dave Abbott and a second from Dave Dolezal. Motion carried 3-0.

ST JOSEPH RIVER BASIN

Matt Meerson from the St. Joseph River Basin, is present to introduce himself to the commissioners and discuss the continued efforts of the river basing for land quality. He explained the need to improve the land quality which will in turn affect the water quantity. He is asking for the commissioners continued financial support to the St. Joseph River Basin and offered his help to the county commissioners and surveyors.

NOBLE COUNTY COUNCIL ON AGING PUBLIC HEARING

Dave Dolezal made a motion to allow Matt Brinkman from Region III-A to conduct and record the public hearing for the Noble County Council on Aging grant. Dave Abbott seconded the motion. Motion carried 3-0. The public hearing was conducted for the federal funding for a building project. ORCA has been in communication with council on aging as to how they can be successful this time for the grant. The project will allow the council on aging to move to a much larger facility on Ohio Street and will also allow for more parking at the facility. The Auditor's office has not received any written comments, either for or against the project however, the council on aging had received several comments for the project and all comments will be submitted along with the grant application. Reagan Ford was present at this public hearing and spoke in favor of the project. Matt also asked that anyone wishing to add letters of support do so and get them to Region III-A by March 31, 2017. Matt also indicated that the grant application would focus mainly on the limitations that the organization now has because of the limited space rather than focusing on the advantages that the new facility would bring as they did last time. The letter of intent is due February 10, 2017 with the grant application being due April 7, 2017. The hearing then closed at 10:45AM.

SHERIFF

Doug Harp, Noble County Sheriff, and Shane Coney, Jail Commander, were both in attendance to discuss the camera project with the Commissioners. Doug is in the process of preparing a request for proposals with the help of a consultant because of the depth of the project. Doug feels that between commissary money, forfeiture money, housing of inmate's money and a grant that is being applied for that the funds will be available to complete this project. This will allow for the system that will provide everything that the jail needs in a camera system and has a one year warranty. This will also have the 180 day recording capability that Doug feels is necessary for court proceedings.

Doug also presented a memorandum of understanding with Hamilton County for housing for the commissioner's signatures. After review, Dave Abbott moved to approve the MOU. Dave Dolezal seconded the motion. Motion carried 3-0.

RECESS

The commissioners then recessed for the drainage board meeting until 1:00PM.

MOOSE LAKE REZONING

Seth Tipton along with Mr. Jennings were back before the commissioners with deeds in hand. Easements had been recorded and the first deed putting both parcels in the same name will be recorded this afternoon according to Attorney Tipton. The plat making Lot 1 and Lot 2 will require signatures prior to being recorded and then the second deed will be recorded putting Lot 2 into the Key Largo name. A letter of commitment was drawn explaining the allowance for this property until such time as a sewer system can be installed and certified by the state. Dave Dolezal made a motion to approve the Raccoon Ridge rezoning on the terms of conditions as set forth in the Letter of Commitment. Dave Abbott seconded the motion. Motion carried 3-0.

CORRESPONDENCE

- IDEM – Tower Structural Laminating permit renewal – duly entered
- IDEM – Carlex Glass – modification of air quality permit
- IDEM – Kendallville Iron & Metal – solid waste facility permit
- IDEM – Methane Monitoring
- IDEM - LSC Communications – air permit
- Weights & Measures – monthly report
- FEMA – Flood Insurance Rate Maps
- Building Department Year-end report
- Plan Commission - year-end report

CLAIMS

Claims dated 01/23/17 containing 12 pages and totaling \$326,403.15 were reviewed by the commissioners. Dave Abbott moved to approve the claims as well as the credit card claims presented. Dave Dolezal seconded the motion. Motion carried 3-0.

ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 1:50P.M. Recessed from day to day until the 13th day of February, 2017.

Gary D. Leatherman, President

David J. Dolezal, Vice President

David Abbott, Member

ATTESTED: _____

Tonya L. Marks, Auditor