

**MINUTES OF A REGULAR SESSION OF THE
BOARD OF COMMISSIONERS HELD June 12, 2017**

Comes now the hour of 8:00 A.M. on the June 12, 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
Steve Garbacz, KPC Media
Aaron Stoner, Fleet Management Enterprise
Zack Smith, Highway Engineer
Mark Goodrich, Highway Supervisor
Doug Keenan, Extension Agent
Kenneth Hughes, Plan Director
Steve Hook, GIS Director
Doug Harp, Sheriff
Chad Willett, Chief Deputy Sheriff
Norm Lortie, Building Inspector
Mr. Barrios, resident
Dave Ober, convention & visitors bureau
Sheryl Prentice, CVB

Gary Leatherman, Commissioner President, brought the meeting to order at approximately 8:00 A.M.

ENTERPRISE FLEET MANAGEMENT

Aaron Stoner from Enterprise was present to discuss the actual cost of leasing the 10 vehicles that Gary had sent him for the various county departments. The information provided was based on a similar vehicle that is currently in the department. There was discussion that this was not the case in a few departments as the plan commission needs a 4- wheel drive vehicles for certain situations. Doug Harp and Chad Willett were also called to the meeting to discuss the sheriff department needs. The quote will vary with the correction that were made but an estimate of the lease for the 10 vehicles came in at \$53,496.00 and \$58,153.00 with maintenance costs. This company will also sell any vehicles we wish to get rid of on our behalf. Cars will be covered for 50,000.00 or 5yr warranty, Trucks can be turned over each year through an agreement with the manufacturer. Aaron will stop by the sheriff's department and speak further with Doug and Chad to include the sheriff's department vehicles as part of this leasing program. Further discussion will continue.

PLAN COMMISSION

Kenneth Hughes, Plan Director, is present to discuss hiring an intern out of his CREDIT Comprehensive plan line to help with the research for the plan. 50% of the cost of the intern will be reimbursed by the college. Kenneth is estimating the cost to the county would be around \$1,600.00. Dave Dolezal moved to approve the intern program with a second coming from Dave Abbott. Motion carried 3-0.

Kenneth is also asking that his vacation time be increase due to receiving his certification. This will give him 2 weeks' vacation at the beginning of his 2nd year rather than the 1 week of vacation as stated in the handbook. Dave Abbott moved to approve the request. Dave Dolezal seconded the motion. Motion carried 3-0.

EXTENSION

Doug Keenan, Extension agent, was present to discuss the mileage being paid by the county for his department. Doug as well as two others in his department are Purdue employees but expenses – such as mileage are paid by the county. Doug brought copies of the IC codes indicating the responsibilities of the counties. There had been questions concerning these expenses during the review of claims.

GIS

Steve Hook, GIS Director, is also present to seek permission to again this year use the intern program from his many projects. Dave Dolezal moved to approve the summer intern program for the GIS program, Dave Abbott seconded the motion. Motion carried 3-0.

Highway

Mark Goodrich, Highway Superintendent, had the following construction issues to discuss with the commissioners:

- Mark wants advice and direction on how to handle a drainage issue on 600 E south of Baseline Road. Mark feels that to address this issue he will need to go beyond the county right of way and has talked to one of the owners of the property affected. David Kessel is the owner that Mark has spoken too. The commissioners would like a little more information and would like the opportunity to discuss this with the county surveyor before and direction is given.
- Friday June 23rd has been set as ribbon cutting day at the new highway garage.
- Mark presented utility permits for Frontier, United Telephone, and NIPSCO for the file.

Zack Smith, Highway Engineer, had the following engineering business:

- The highway is completed and the walk through produces a punch list of items to finalize the project. Zack reported that those issues are being worked on and completed. He also made mention that Martin Riley had done a great job of planning and supporting the contracted employees during the building project.
- Zack has received the mileage certification from the state. We have 2 more miles added which will increase funding.
- Bridge inspection – in progress
- Bridge 147 – Zack presented to LPA voucher for bridge 147. One for right of way acquisition and the other for preliminary engineering. Dave Abbott moved to approve the vouchers. Dave Dolezal seconded the motion. Motion carried 3-0.
- Zack presented a General Service Agreement for bridge work between Butler Fairman and Seufert and the county commissioners. This will be for inspections on the two bridge projects 16 and 24 and will not exceed \$16,089.20. Motion to approve the agreement came from Dave Dolezal and was seconded by Dave Abbott. Motion carried 3-0.
- Zack also had the contractor agreement for the two bridges. RL McCoy had been awarded the bid at an earlier commissioner meeting but contract had not yet been signed. Motion to sign the two contracts was made by Dave Abbott and seconded by Dave Dolezal. Motion carried 3-0.
- Zack reported that Gary Edsall Construction will be doing some concrete over a culvert in the Wakefield Village addition. This quote is for \$5,556.00 which will include repair to the concrete as well as a concrete sealant. Dave Abbott moved to approve the contract with Gary Edsall Construction. Dave Dolezal seconded the motion. Motion carried 3-0.
- Community Crossing Applications - have been submitted and accepted. We just need to wait to see if Noble County gets any of the money.
- Highway Job Matrix – Zack reported that the council had accepted the request for a change to the job matrix for the highway department. This was done with a comparison of outlying counties.
- The above matrix change also provided for another offer to a gentleman who was interested in the shop supervisor position. Another benefit that is being requested is the removal of the 10% reduction in pay for the probationary period, the vacation will be awarded based on the years of experience – which is over 20 – and that vacation be allowed to be taken within the first 180 days of employment. Motion to approve came from Dave Dolezal and was seconded by Dave Abbott. Motion carried 3-0. With these provision, Zack is predicting a start date of July 10, 2017.
- Zack also informed the commissioners that the Town of Albion is closing out the Main Street Project and will reimburse the county for its expenses to date which is approximately \$3,000.00
- In the last item of business, Zack discussed the insurance costs of outside funds and that Jackie had indicated over \$10,000.00 per employee. Zack would like to increase the funding in the highway budget from \$50,000.00 to \$100,000.00 but doesn't feel that the department can fund the \$260,000.00 + that was requested. The commissioners feel that the suggested amount of \$100,000 should be sufficient.

UNSAFE HOUSING

Norm Lortie, Building Inspector, along with Mr. Barrios is present for an unsafe housing issue. Barrios property is now all enclosed and roofed and Norm feels that this is no longer an unsafe structure. Mr. Barrios indicated he will be going to get an updated permit and would continue to improve the property. Norm is suggesting that the file be closed and Norm will continue to work with Mr., Barrios through the building permit. Dave Dolezal moved to close the Barrios file. Dave Abbott seconded the motion. Motion carried 3-0.

The second property that Norm wanted to discuss with the commissioners was the George Beal property. The house was removed in 2012 or 2013 but an old shed as well as fencing still remains. These are now also in disarray and weeds are growing up on the property. Norm is asking for direction. The commissioners suggested that in the time period after this year's tax sale that we contact adjacent property owners to see if they are interested in the property and then -if so - go through the process in getting a tax deed to the properties for resale to the adjacent owners. Norm will do more research.

COUNCIL ON AGING

Cherish Smith, COA Director, is present for signatures on the capital and operating grants as well as resolution naming Cherish to represent the Noble County Commissioners for the grants. Dave Dolezal moved to sign the grant paperwork and also the resolution, Dave Abbott seconded the motion. Motion carried 3-0.

CONVENTION AND VISITORS BUREAU

Dave Ober and Sheryl Prentice from the CVB were present to give a presentation about the bureau and its involvement and promotion of Noble County.

- The bureau moved it's headquarter from Kendallville to Rome City in 2015 and has renovations to the home to meet ADA requirements.
- CREDIT dollars have supported wages of Dave Ober who works on securing grants for advertising, bicentennial events, etc.....
- During the bicentennial celebrations, Noble County was recognized as having the most bisons in the state. This bison project also involved local artist who decorated the various bison which are displayed throughout the county.
- Through the help of the CVB, the region cities program, Noble County was awarded 3 projects.
- The bureau feels that they are impacting tourism with their connection.
- The bureau is also working on a project for the old Kendallville Middle School which will be relocating to a new facility within the next year or so. CVB is looking at project to repurpose that building.
- Sheryl and Dave also thank the commissioners for their continued support through the CREDIT dollars as their main source of income comes from the innkeeper's tax and is at times unpredictable.

BLACK PINE

Lori Gagen, director of the Black Pine Animal Sanctuary, along with Barb Smith and Ted Stewart, board members, were present to again disgust the purchasing of the 54 acres where they are currently located. They indicated that had reached out to the 4-H extension group and had recently attended a meeting that was set up by the 4-H group. Mr. Stewart indicated that the outcome of that meeting was that the 4-H was not interested in Black Pine purchasing the entire acreage. The recent research that was done found that the county acquired the land by virtue of a sheriff's sale or tax sale. The county then - in 1953 - gave a 99 year lease to the 4-H Exhibit Corp. then in 2006 gave a lease for the ground north of the ditch - said to contain around 18 acres. The county attorney indicated that more research will need to be done, in particular the dual leasing issue, prior to any title change in this land. Black Pine indicated that they were very much interested in the entire piece of ground but, at the very least, was interested in the 18 acres they currently occupy.

LANDFILL

Brad Ebey, owner of property west of the landfill, is present to discuss the leachate that is coming on to his property. Leachate is running across the field he owns next to the landfill and he is wanting to know if the commissioners are working on a solution to this issue. This has been extremely bad this year due to the increased rainfall. The commissioners told Mr. Ebey that they are working with Wilcox Environmental and, of course, IDEM to get the methane issue resolved and then they will direct Wilcox to work on the leachate issue. Mike Haines, Haines Bulldozing,

was also present and answered question about the pumping of the leachate. The commissioners assured Mr., Ebey that they were trying to address all the issues of the landfill and that they would keep him up to date on the progress.

SUPERIOR II

Judge Hagen, Superior Court II Judge, was in attendance to request that his employee, Mary Augenstein, had been with him in his private business and has 18 years' experience. She is a paralegal and Judge Hagen is asking that the commissioners consider the waiving of the 10 % reduction in pay for the 90 day period, Dave Dolezal moved to approve the waiver. Dave Abbott seconded the motion. Motion carried 3-0.

WEST LAKES

Mark Pankop, former Noble County Commissioner, was present to give some ideas as to the handling of the flooding at West Lakes. Mark indicated that flooding in that area has been a problem for many many years and he feels that the only way to remedy the situation is to buy out the residents in the most flood prone areas. He suggested having Rod Renkenberger come talk to the residents and commissioners. Dave Dolezal indicated that Rod had been contacted concerning this issue but the commissioner still have many questions still unanswered about a potential buy out. "We don't want Noble County to be responsible for the property and feel that the homeowners association should have some involvement".

RECESS

ECONOMIC DEVELOPMENT

Rick Sherck, EDC Director, is present to discuss the increase in dues to the Regional Partnership. Rick feels that it is important for Noble County to be a member of this partnership and just wanted the commissioners to know that the gradual dues increases will be more that the CEDIT funding of the current \$20,000.00. This fund at the EDC currently has a fund balance but it will only take a few years to deplete that balance with the gradual increase in dues. Noble County has paid the dues for the entire county for many years. The commissioners discussed the fact that most of the economic development has occurred in the incorporated cities and towns and feel that maybe those cities and towns should maybe start sharing in some of the costs. Rick will reach out to those units to see if they can help contribute as well as reaching to John Sampson from the Regional Partnership.

MINUTES

Minutes of the May 22, 2017 meeting were read and approved as written with a motion from Dave Dolezal. Dave Abbott seconded the motion. Motion carried 3-0.

PAYROLL

Payroll for the time period of 05/12/17 thru 05/25/17 dated 06/08/17 totaling \$362,580.23 and containing 6 pages was approve with a motion from Dave Abbott. Dave Dolezal seconded the motion. Motion carried 3-0.

CLAIMS

- Regular claims dated 06/12/17 containing 12 pages and totaling \$493,261.49 were approved with a motion from Dave Dolezal and a second by Dave Abbott. Motion carried 3-0.
- Supplemental claims were also approved with a motion Dave Dolezal. They were listed on one page and totaled \$41,528.77. Dave Abbott seconded the motion. Motion carried 3-0.
- Utility claims were reviewed and approved with a motion from Dave Abbott. The listing contained 2 pages and totaled \$278,128.94. Dave Dolezal seconded the motion. Motion carried 3-0.

CORRESPONDENCE

- Courthouse security monthly report
- Haines Bulldozing – monthly leachate pumping report
- IDEM – Methane monitoring
- IDEM – CFO – Metzgers
- IDEM CFO – Troyers
- Information concerning a Criminal Justice & Detention Facility Training Seminar

- Weights & Measures monthly reporting
- Notice of hearing from the Town of Albion concerning Water Rate Hikes
- IDEM – Hendrickson Truck Suspension
- Notice of public hearing – Surveyor – Stuff System
- Notice of public hearings – Plan Commission - Herr – June 7, 2017
North – June 21, 2017
- West Lakes flooding area – report from Mick Newton, EMA Director

ROOFING WARRANTY

A roofing warranty was received from Royalty Companies for a 15 year warranty on the roof replaced by Leatherman Construction. Warranty was signed and a copy was sent to Royalty Companies Attn: Jennifer 2099 E Tipton St. Seymour, Indiana 47274.

TMA CONTRACT

The TMA contract for personal property audits was again discussed at length. There have been complaints from taxpayers, questions about the penalty of 20% that was added as none of the commissioners recall that ever being mentioned. There was no direction as to how to handle these corrections to the auditor and treasurer. There was always a concern by the commissioners as to the cost vs the income generated from the audits. Dave Dolezal then made a motion to give 30 days’ cancellation notice to TMA and for Jackie to direct Kim to not assign any more audits to TMA effective immediately. Jackie sent the notice on Tuesday June 13, 2017 to Kim. Dennis Graft will draft the termination letter to TMA. Dave Abbott seconded the motion, Motion carried 3-0.

20% PENALTY

As discussed at the March 27, 2017 meeting in which Jackie Knafel told the commissioners that the Auditor and Treasurer were in favor of signing a correction of error on behalf of all TMA audits to remove the 20% penalty and the commissioner gave their support a formal motion and vote was taken today to officially support this decision. Dave Dolezal made a motion to concur and support the Noble County Auditor and Noble County Treasurer in their efforts to remove the 20% penalty assessed by the Noble County Assessor on TMA audits through a correction of error. Dave Abbott seconded the motion. Motion carried 3-0.

ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 4:40 P.M. recessed from day to day until the 26th of June, 2017.

Gary D. Leatherman, President

David J Dolezal, Vice President

David Abbott, Member

ATTESTED: _____
Tonya L Marks, Noble County Auditor