

**MINUTES OF A REGULAR SESSION OF THE
BOARD OF COMMISSIONERS HELD JANUARY 30, 2012**

Comes now the hour of 8:25 A.M. on the 30th day of January, 2012, in the Commissioners Court in the Noble County Courthouse, Albion, Indiana, being the time, date and place set for a special session of the Board of Commissioners of Noble County, Indiana.

Present were:

Joy Y. LeCount, President
David J. (Dave) Dolezal, Vice President
Jack W. Herendeen, Member

Also present were:

Marion S. Cavanaugh, Deputy Auditor
Dennis Graft, County Attorney
and Bob Braley & Scott Perry both @ 9:39

**PHIL JACOB, HEAD OF MAINTENANCE –
MAT RENTAL FROM CINTA’S**

Phil said Cintas is the company that we get our floor mats and dust mops from, and it is time to renew the contract. He said when they called he told them he wasn't happy with the increase in the prices, so he got them to make the prices lower. Phil presented a sheet showing what the prices would have been, and what they will be now, as well as a service rental agreement and an addendum to the agreement, (H.I.).

Jack moved to approve the new contract with Cintas. Dave seconded the motion and it carried, 3-0.

DAVE BAUM – IT BUSINESS

**ADVANCED IMAGING SOLUTIONS -
MANAGED PRINT SERVICES AGREEMENT**

Dave Baum presented the above referenced agreement, which outlines what printers are covered under the agreement, and where they are located, (H.I.). He said this is for the 29 printers we agreed to swap out.

Dave Dolezal moved to approve the agreement. Jack seconded the motion and it carried, 3-0.

NEW PHONE SYSTEM

There was much discussion about the new phone system that is being installed in the county offices. Joy asked if the new system would separate the office at the jail from dispatch to keep all of the calls from going into dispatch. Dave Baum said that is something that has to be decided. He said the Sheriff is the one that has to decide how he wants to process his calls.

Dave said they will also have to decide if they want an automated attendant. He said there is one built into the phone system. Dave said the question is if we put it on an outside number; if we publish it; and who publishes it. He said it says welcome to Noble County Government. Dave said it says, "if this is an emergency please hang up and call 911". He said then it says if you know your party's name or extension you can dial it at any time or just say a name. Dave said it tries to make it so people can do what they need to do within 10 - 15 seconds.

There was discussion about the problem with the wiring and the phones at the South Complex when it rains. Dave Baum said that would go away when we put in the new system.

Dave said we could do away with some of the outside lines once the phones are all installed and working, which would save us money. He said there are a lot of benefits, but it is going to take time to get the phones all installed and everything.

Dave Dolezal said it sounds like it will save us a lot of money. Dave Baum said the goal in the long run is to reduce the cost of the local lines.

While discussing the cell phones that belong to the county, Dave Baum said the average cell phone charge is about \$45.00 a month, including all of the fees and charges.

Dave Baum said what we are trying to do is to drive the number down on what we pay for phones, communications and internet.

TORT CLAIM – BRITTANY NELSON

The Commissioners received a Notice of Tort Claim regarding an allegation by Brittany Nelson against the Sheriff and the Sheriff's Department, (H.I.).

Sheriff Doug Harp was present, and he said he didn't think this was going to be a problem.

DISCUSSION RE: SHERIFF'S DEPT. VEHICLE PURCHASE

Sheriff Doug Harp and the Commissioners briefly discussed the purchase of vehicles for the Sheriff's Department, (H.I.).

ARMY CORPS OF ENGINEERS - FLOOD LOSSES ON NORTH BRANCH OF ELKHART RIVER

The Commissioners received notice from the Detroit District of the Army Corps of Engineers that they had received the county's Letter of Intent requesting the District to initiate a study under Flood Plain Management Services to assist Noble County mitigate flood losses on the North Branch of the Elkhart River, and that the request would be processed, (H.I.).

ALAMO INDUSTRIAL - MOWING EQUIPMENT

The Commissioners received an advertisement from ALAMO Industrial regarding mowing equipment, (H.I.).

PRO ACT INC. - DISCOUNT PRESCRIPTION CARD

The Commissioners received information from Pro Act about a discount prescription card program they have available, (H.I.). Joy checked with Jackie Knafel, Auditor and she said we don't presently have this card. She said we could have as many cards as we want. Joy said

Jackie also said NACo is going to start sending us \$1.00 for every time someone uses their card. No decision made.

**DEPT. OF NATURAL RESOURCES - APPOINTEE
TO COMMON WAGE HEARING RE: DAM
REPAIR PROJECT AT BEAR LAKE**

The Commissioners received notification from the Department of Natural Resources about the need for an appointment by the county for someone to attend the above referenced wage hearing, (H.I.). Joy said she thought if Scott Zeigler, Surveyor is available he would be a good one to sit in on the hearing.

Jack moved to appoint Scott Zeigler to attend the hearing if he will accept it. Dave seconded the motion and it carried, 3 -0.

**GENERAL PRESERVATION CORP. -
COURTHOUSE EXTERIOR PRESERVATION**

The Commissioners received information from General Preservation Corp. regarding the services they have available for preserving the exterior of buildings, (H.I.). The Commissioners agreed to send the card in for the free pictorial analysis and cost estimate.

BOB WILSON - DONATION OF MAP

The Commissioners received a copy of an e-mail from Beth Shellman, who was here with Bob Wilson last week while he was discussing donating a map to the County, (H.I.). The e-mail indicates that Bob would like to gift the map to the County as a charitable gift in the amount of \$1,000.00 per year for the next 5 years.

Joy said she had been in touch with Dennis on this, and she had asked the family to come up with some other thoughts on what they would want if the county no longer wanted to keep the map here. Dennis said we could draw up an agreement that the County would agree to keep it here and have it on display and then if that changes, who the map would go to.

DISTRICT 3 MUTUAL AID AGREEMENT 2012

The Commissioners reviewed the paperwork Mick Newton, EMA Director had submitted regarding the above referenced agreement. They discussed their concerns, and what would need to be checked out before thinking about approving the agreement.

AFFIDAVIT TO DESTROY WELFARE CHECKS

Auditor Jackie Knafel presented an affidavit that would allow her to have Welfare checks that are no longer being used destroyed.

Jack moved to approve the affidavit. Dave seconded the motion and it carried, 3-0.

HIGHWAY BUDGET CUT BY STATE

Jackie reported that the State cut the fund in the Highway Budget which includes salaries, gas oil & lube, a new truck etc., by \$278,000.00, because projected revenues are insufficient. She said the local road and streets fund was fully approved.

NACO PRESCRIPTION CARD

Auditor Jackie Knafel said the National Association of Counties (NACo) would give us \$1.00 for each time their prescription card is used. Jackie said it would take an ordinance for them to give us the money, and she had prepared an ordinance from a sample NACo had provided, (H.I.). After Dennis reviewed the ordinance and said it was okay, Joy read it aloud.

Jack moved to approve the ordinance. Dave seconded the motion and it carried, 3-0.

Jackie presented a Benefit Services Agreement and a Rider which Joy read aloud. Dave moved to approve both documents, (H.I.). Jack seconded the motion and it carried, 3-0.

HIGHWAY BUSINESS – MARK GOODRICH

PROJECTED FUEL COSTS

Jack asked Mark how much more the gas and oil is going to cost us from last year. Mark said he thought the Diesel fuel alone is going to cost us over \$200,000.00 this year. He said we have \$250,000.00 in the fund, and they knew they were already going to go over on that. Mark said the Highway Department had already taken out of the 2012 budget what they could, and he didn't know what the State was thinking.

LTAP - EXPLANATION OF HOW GAS TAX IS BEING USED

Mark said LTAP has a DVD that explains the gas tax and how it is being used. He said he hasn't seen it yet, but they are trying to work toward pushing the legislature to re-vamp the system to where the County and Local Municipalities can get a little more money, which would be real nice.

Jackie asked how we know we are getting all of the money we are supposed to, because we don't have a way of tracking it. Mark said the DVD explains where every penny of the gas tax goes.

CR 1200 E SOUTH OF 200 S

Mark said the Highway Department doesn't have any records on what our right-of-way is on this road, and he asked Jack if he knew anything about it. He said it is apparently on our right-of-way because at one time there was some chip and seal on it. After some discussion, Jack said he would go down this week and look at it.

REPORT ON TRUCKS NEEDING REPAIRS

Mark gave the following reports on trucks:

Truck #6 has been repaired at a discounted cost of \$901.00. Mark said the company was told when the truck was taken down there to just diagnose it and not to go over \$500.00. He said they sent us a bill for \$1500.00 and all but \$300.00 of it was labor.

Truck #18 is currently out of commission because of a bad transmission. He said the transmission is at the transmission shop.

Truck #14 has a bad bearing in the rear, and it appears some transmission work will need to be done on it. Mark said it sounds to him like there has been a problem with the transmission ever since it was bought, and they didn't want to do anything about it.

Trucks #2 and #16 both need some transmission work done on them because they are popping out of gear. Jack asked why we are having so much transmission trouble. Mark said he didn't know.

When asked, Mark said there are three trucks currently out of commission.

DIGITAL RADIO INSTALLATION

Mark said Doug Hoover and Andy Steffe had started installing digital radios in the trucks. Jack asked how much work that takes. Mark said it doesn't take a whole lot of changes. He said he was real impressed that when they have the trucks in to install the radios they are going clear through them and repairing anything that needed it.

BUCKET TRUCK

Mark gave the Commissioners an update on the work that had been done on truck #49, the bucket truck, since October 26, 2010 as they had requested. There was discussion about the injector problem.

Jack said he thought we should do the transmission work and the rear end work on the other trucks before we worry about the bucket truck. Mark said right now he is planning on servicing the truck and getting the oil level down to where it should be.

TRUCK IN DITCH

Mark said we had a truck go in a ditch this weekend on 500 E just south of Baseline that required a wrecker to pull it out. He said the truck wasn't hurt. Mark said the men have been very careful this year because the shoulders are soft. He said the driver kept apologizing and he told the driver he was glad he wasn't back 100' because with the drop-off there the truck would have rolled down the bank.

SIDE PLOW CAME OFF TRUCK

Mark said there was a side plow that came off truck #3 this morning and came back and damaged the fender, the door, the muffler and the step. He said there is a tire that might need to be replaced too. Mark said he was out there and he knows that both pins popped out. He said he is not sure what caused it.

Dave asked if there was any damage to the plow. Mark said there wasn't. There was further discussion about what might have caused the plow to come off. Mark said they won't send the truck back out until they find out what the issue is with it.

WORK ON RAILROAD TRACKS - ROCHESTER ROAD, CR 725/750

Mark said the work has begun on Rochester Road. He said Jim (representing the Norfolk & Southern Railroad) called him last week and said they had the gate up. Mark said Jim said he was going to get in touch with the REMC to see if they would move some poles so he could get it leveled off and cleaned up.

TRUCK LIFT

Mark said the rear cylinders on the truck lift have been tested for underground leaks and found to be sound. He said they repaired 2 leaks in the hydraulic line feeding the rear cylinders, and are in the process of repairing leaks in the plumbing coming off of the pump. Mark said he thought it would be okay when all of the leaks are repaired.

Mark said Doug from Gasoline Equipment came in and worked with him and the mechanics and showed them a lot of things, and he doesn't think there is anything we can't do now. He said Doug said the seals would have to be replaced once in a while and he showed them how to change them.

COMPUTER CHIP FOR STORM GUARD SYSTEMS

Mark said he had not checked with Don Nichols in regards to the computer chip for the storm guard systems yet. He said the mechanics stated that Don would check out the trucks that are having trouble with slow hydraulics and he could adjust the programming on them. Mark said he would see about getting the chips installed at the same time.

MOISTURE PROBLEM BY BREAK ROOM

There was a brief discussion about the moisture problem by the break room. Mark said there was a man whom Romary Associates had sent that was in Friday to look at it. He said he seemed very knowledgeable, and he had some good ideas. Joy talked about the discussion she had with Romary Associates on the subject.

MICK NEWTON, EMA DIRECTOR – DISTRICT 3 MUTUAL AID AGREEMENT 2012

Mick said Dave Dolezal and Dennis Graft attended the district meeting with him back in November. He said the district is ready to push forward on the agreement.

Mick said if mutual aid was to be requested it would have to come from the EMA Director of the requesting county, to him. He said if you read what the attorney says about the liability portion, it makes sense to him. Mick said they have had numerous mutual aid agreements, but as he understands it they weren't official because they hadn't been approved by the Attorney General. He said the agreement is hard for him to understand, and they didn't get any good guidance on who should sign it.

Joy asked if there is ever a time that the district could call up these groups. Mick said it would take the State to activate district resources.

Mick said the way he understands it, there is only one district in the state that has signed the agreement. Joy asked if the idea of this is coming from the State. Mick said it was, and that they wrote the agreement.

Joy said it bothers her that someone at the State would activate our law enforcement agency because they have this document. Mick said they could request that, but we don't have to do it if we have a good reason not to. Dennis said we could say no for any resource they might ask for. He asked what the other counties and towns positions are. Mick said Whitley County is the only county he has heard of that has signed it.

Joy expressed her concern that if we asked for assistance from another county and they came here and a piece of their equipment got damaged, we would be liable for it. Jack said he

didn't want to have any part of this. There was discussion that the county should check with their insurance company before agreeing to this.

Jack asked Dennis if there is any jeopardy if we don't agree to this. Dennis said there is no guarantee that any other county or town would do anything for the county anyhow.

Mick said he thought the agreement sets a standard for reimbursement. Joy asked where the money would come from. There was discussion about different circumstances where the county had been compensated for blizzards and/or for flooding. Mick said there is no guarantee we would get any money though.

Joy asked if there had been any discussion about the guidelines and procedures that the agreement says should be developed. Mick said he hadn't heard anything about them. He said he thought that was a part of the agreement they were looking at.

There was discussion about a mutual aid truck and trailer that Kendallville has that has enough equipment to treat 300 people. Mick said if for instance Albion called that truck for mutual aid, then Albion would be responsible to replenish all supplies used at that time.

Dave asked Mick what his recommendation would be. Mick said he would recommend that the Commissioners not sign it until they are comfortable with it, and that they watch what the other counties are doing. Dennis said he didn't see why Noble County would want to jump the gun on this right now.

PAYMENT OF CLAIMS THAT HAVE DEADLINES AND COURT CLAIMS

The Commissioners received a couple of lists of claims that don't go through the regular claims process because of having to be paid in a timely manner, (H.I.). Auditor Jackie Knafel came in to explain the need for this, such as credit cards and utilities that would have a penalty if paid after the due date. Dave said he thought the Commissioners should be looking at the claims.

There was discussion about employees using their individual credit cards for purchases and then being reimbursed. Jackie said she has a credit card for the county that has a \$2,000.00 limit, and other offices use it. She said we have to pay for employees going to seminars with a credit card now, or we can't get the tax exempt status. Jackie said she usually pays the fees with her credit card and then she sends a check with the employees when they attend the seminar.

Joy asked Jackie to check with Mary to see if most of the claims could be incorporated into the claim process now that we are paying claims twice a month instead of monthly.

Dave asked if we are limited to the credit card companies we use. Jackie said she just found out recently that whoever signs the application form for the credit card is responsible for the payment if there is a default of any kind.

The Commissioners reviewed some of the claims listed on the two claims dockets.

Dave said he would like to make it so no employee would have to use their personal credit card. He said we lose our tax exempt status on those purchases. Dave also questioned purchasing items directly through a store, rather than ordering them and paying them through the claims process.

Dave moved to approve for Joy to sign the two claims dockets. Jack seconded the motion, with the idea that we see the claims from now on. The motion carried, 3-0.

TAX DEEDS FOR PROPERTY'S THE COUNTY IS TAKING TITLE TO

Dennis presented the above referenced deeds. Dave moved to approve signing them. Jack seconded the motion and it carried, 3-0. The deeds are for the following properties: John P. Smith, Parcel #007-101125-00; Rex & Lorraine Bodenhafer, Parcel #009-100967-00; Porter & Annabel Teter, Parcel #012-100634-00; Chae & Renee Dolsen, Parcel #021-100501-17; Robert Hamilton, Parcel #004-101157-00; and Stephen Pulver, Parcel #011-100324-00. Dennis took the deeds to finish the process for the county to take title to the properties.

WEAVER BOOS – PROPOSAL FOR METHANE GAS EXCEEDANCE REMEDIATION AT THE LANDFILL

Joy read aloud from the above referenced proposal which covers tasks 1 and 2 of the 7 tasks proposed by Weaver Boos, according to the permitted Methane Monitoring Plan, (H.I).

Jack moved to approve tasks 1 and 2. Dave seconded the motion and it carried, 3-0.

RECESSED AND RECONVENED

The Commissioners recessed their meeting at approximately 12:16 P.M. and reconvened at approximately 1:45 P.M. at the Noble County South Complex.

PRESENT:

Joy LeCount, Commissioner
Jack Herendeen, Commissioner
Dave Dolezal, Commissioner
Dave Baum, IT Department
John Mays, IT Department
Dick Adair, Building Inspector

Steve Kirkpatrick, Plan Director
Doug Keenan, Extension Agent
Cheryl Munson, Health Nurse
Scott Ziegler, Surveyor
Jacqueline L. Knafel, Auditor

Joy LeCount brought the meeting to order at approximately 1:45PM.

This meeting was held to discuss the proposed minor remodeling project at the South Complex. Bids had been distributed earlier concerning this project and to date there had been no responses. According to the County Attorney, the commissioners will now be allowed to hire a contractor. This project will be to make the necessary changes to the stairwell on the north end of the building. Joy is conducting this meeting to allow the offices at the complex to provide their input into any other construction issues that need to be addressed while the contractor is available.

Dave Baum asked that the department put location information on a plan that he had so that the IT department would be able to address the new phone system and any audio/visual aids that will be needed at the complex. All necessary wiring will need to be done during the construction phase.

In the course of the remodeling phase, the health department will be moving upstairs. Cheryl Munson informed the commissioners that she is looking at having clinic more than once a week, possibly on Monday and Wednesday afternoons from 12:00 noon until 4:00 PM.

Scott Ziegler suggested that there be power to the garage and if possible a bathroom in the garage for the work crew. This would create the need for heat at that location so probably will not be done at this time. REMC will contact for the power hook up however.

Scott also suggested that the HVAC units in the complex be looked at as well as windows for the west side. The cooling system is not a commercial system and he feels that this is the type of system needed to prevent the extreme contrast in temperatures throughout the building. No decision was made in regard to this issue.

Dave Baum also brought up the topic of security at the complex. "This is the time to install all necessary cables if there is a need for some type of security." Scott also thought that some type of security would be a plus as there have been items stolen from the garage area.

Joy informed the group that Replogles had been contracted to do the carpeting and samples were shown with the decision to go with the same colors that were installed at the Weber Road facility.

Charles Replogle will get with each department as to the scheduling of the carpet installation. Joy wants all construction and painting – if needed – to be done before the carpet goes down.

**CERTIFICATE OF APPOINTMENT TO
HEALTH BOARD - DR. TERRY GAFF**

Joy signed the above referenced certificate for Dr. Gaff, whom the Commissioners had re-appointed at their December 12, 2011 meeting, (H.I.).

ADJOURNMENT

There being no further topics for discussion this session of the Board of Commissioners of Noble County was at approximately 3:00 P.M. recessed from day to day until the 6th day of February 2012.

Joy Y. LeCount, President

David J. Dolezal, Vice President

Jack W. Herendeen, Member

ATTESTED: _____
Jacqueline L. Knafel, Auditor