

**MINUTES OF A SPECIAL SESSION OF THE  
BOARD OF COMMISSIONERS HELD OCTOBER 13, 2014**

Comes now the hour of 8:38 A.M. on the 13<sup>th</sup> day of October, 2014, 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:

Gary Leatherman, President  
David J. (Dave) Dolezal, Vice President  
Chad Kline, Member

Also present were:

Jacqueline L. Knafel, Auditor  
Dennis Graft, County Attorney  
and Mick Newton, EMA Director  
Norm Lortie, Building Inspector  
Bob Braley, KPC Media  
Scott Perry, Albion New Era  
Zack Smith, Highway Engineer  
Mark Goodrich, Highway Superintendent  
Larry and Nancy Adair, Residents Brimfield

The October 13<sup>th</sup> meeting of the Noble County Commissioners was called to order at approximately 8:38AM.

***FLOOD PLAIN ORDINANCE***

Mick Newton, EMA Director and Norm Lortie, Building Inspector, were present to discuss the changes that had been made to the ordinance. Laura Kannapel, from the DNR and Rodney Renkenberger, Maumee River Basin, also reviewed the documents and made recommendations. Norm has also review and made the necessary requested changes. According to the documents this will be in effect March 2, 2015 and will be adopted at that time. There had also been received a letter from the DNR concerning a Loon Lake issue. Norm will discuss this issue with the county surveyor and will report back next week.

***COUNCIL ON AGING***

Gregg Parker, Noble County Council on Aging, was present for the 3<sup>rd</sup> quarter reporting. The van insurance is up from the previous years mainly due to the adding of two new vans. The Commissioners reviewed the data and a motion to sign was made by Dave Dolezal and seconded by Chad Kline. Motion carried 3-0. Discussion concerning a van that is "out of service" for the council on aging has been looked at by the commissioners and is under consideration for usage in the surveyor's office. Paperwork will be left with Gary who will see that the surveyor's office processes for payment.

***HIGHWAY***

Mark Goodrich, Highway superintendent, advised the commissioners of the following:

- Work will continue on 150E at the railroad underpass.
- 415 N and bridges will be sprayed with a treatment.
- Drainage issues will continue to be addressed.
- Angling Road culvert work will continue between 800 N and Kendallville. The road closure is planned for October 20- 24<sup>th</sup>.
- A new employee has been hired for the truck driver position and Tony Geary will assume the operator position the first of the year.
- November 10, 2014 will be set as the hearing for the Annual Highway Bids.

Zack Smith, Highway Engineer, is present to discuss the following:

- Bridge #70 work continues and is on budget and on schedule.
- Bridge Overlay are continues with #62 and #80 the last two that need completed.
- Bridge #147 – Zack is waiting on a draft of the contract and feels it should be here by the end of the week.

- The slip lining project should begin late this week or early next week.
- LPA Call for projects is ongoing. Bridge #55 had some issues that needed addressed so temporary repairs were done. PRIMCO is finalizing the estimate of cost and will provide this to CSX Railroad.
- HSIP Call for Projects – Baseline Road evaluation meeting was held last Tuesday with several agencies in attendance. Zack is expecting a report back shortly and then will follow through with the project requirements. When asked the estimated cost, Zack thought that it may be in the 2 to 2.5 million dollar range.
- Zack informed the Commissioners that the Noble County Council approved his moving forward with possible amendment to the Wheel and Sur Tax ordinance enabling an increase in charges. He will work on the draft amendment for the commissioner's approval.
- Zack had received a letter from IDOT concerning the US 6 Brimfield Bridge project and the possible elimination of the 100 E exit. Zack is asking permission to draft a letter to IDOT okaying the closure of 100 E but requesting that IDOT keep the improvement to County Road 150 E on their radar for future LPA projects.
- Zack informed the commissioners that the new hire for the truck driver position also has automotive experience as well as various other qualities that will be an asset to the department.

### ***UNSAFE BUILDING***

Norm Lortie is present to discuss an unsafe building on State Road 9. A letter had been received from the home owner requesting a year to destroy. Norm did not think the letter was acceptable but wanted commissioner input. A motion from Chad Kline was made to allow 6 months for the owner to destroy the property and review will be put on the agenda for April 13, 2015 at 10:00am. Dave Dolezal seconded the motion. Motion carried 3-0. Norm will notify the owner and try to set up a meeting to discuss further options.

### ***TAX SALE UPDATE***

Sheri Auld, Deputy Auditor, was present to update the commissioners on the recent tax sale properties. The 2014 tax sale was held October 9, 2014 in which 40 of the 61 properties listed were sold. Sheri provided the commissioners a list of unsold properties. Sheri will proceed with notification to the owners of the commissioner's tax certificates and the 4 month window in which owners can still redeem.

### ***VACATION OF ALLEY***

Larry and Nancy Adair are requesting the vacation of an alley located between lots 22 & 23 in Jones Addition to Brimfield. The Adair's indicated that there has not been an issue up until the last 2 years, however due to change of ownership issues have developed. The Adair's are requesting the entire alley be vacated and they will assume ownership. Motion was made by Chad Kline to vacate the entire alley and transfer ownership be to the Adair's. Dave Dolezal seconded the motion. Motion carried 3-0.

### ***BRIMFIELD ISSUES***

- Mr. and Mrs. Dan Lash are present to discuss an alley issue in Brimfield. The alley in question has a 12' easement at the end and has large rocks on either side eliminating the ability to turn a trailer down that alley. For the Lash's this is the only access to their property. The Lash's had talked to the highway department but they do not maintain alleys. Dennis advised that if the obstruction is outside the 12 foot easement then there is nothing that can be done. Mr. Lash said that he thought the alley is within the 30 foot highway right of way of a street maintained by the county and if that is the case then there is possibility of something being done. Dennis is suggesting that Mark from the Highway visit the site to make that determination.
- Another issue that Mr. Lash had was concerning the Eagle Island Homeowners association. The channel on the west side of the island and when maintenance is done on the channel the cost is typically divided between the homeowners that use the channel. There have recently been issues with everyone paying their fair share. Mr. Lash is wanting to know if this can be considered as a legal drain and have the county responsible for maintenance and the billing. Jackie asked if this could be the same situation as other homeowner associations and they issue a lien for homeowners who do not pay. Mr. Lash wasn't sure if they could do this. Dennis said that by-laws can be amended and that may be the direction to go.

- Mr. Lash's third issue was with an area close to him that is backing up and washing gravel, etc. from his driveway and plugging a culvert. The Commissioners suggested he stop at the highway department and ask that the drainage foreman evaluate the problem and see if anything can be done by the highway department.

### ***PROBATION***

Stacy Beam, Chief Probation Officer, is requesting permission to purchase a copier for the department. This is at the cost of around \$3,600.00 Dave Dolezal moved to approve the purchase with a second from Chad Kline. Motion carried 3-0.

### ***SHERIFF***

Doug Harp, Noble County Sheriff, is present concerning the following issues:

- September 1, 2014 through December 31, 2014 medical contract for healthcare for Quality Correctional Care, LLC was reviewed as well as the January 1, 2015 through December 31, 2015 contract. Both contracts were approved with a motion from Chad Kline and a second from Dave Dolezal. Motion carried 3-0.
- The claim for two months of service had been withheld due to the fact that no contract had been signed. With the signing of these contracts, Chad Kline moved to release the claim. Dave Dolezal seconded the motion. Motion carried 3-0.
- Doug advised the commissioners that an incident had occurred last week in the elevator when a juvenile inmate had an altercation with the transport officer. A camera in the elevator alerted the security, Officer Bricker was able to assist. Doug is wondering if there is a way to key into the elevator to go from 1 to 3 without stopping or vice versa. The commissioners will discuss this with Phil Jacob to see if this is possible or not.
- Doug is also discussing the issue with time as far as vacation and personal days at the jail. The jailers work 12 hour shifts and are allowed a day for a day when it comes to vacation. They are getting 60 hours of vacation for every 40 hours that other employees get. It is becoming difficult for time to be covered at the jail when jailers have so much time off. Holiday pay is also an issue. After some discussion, the commissioners suggested that holiday pay be paid when worked and eliminate the floating holiday situation. Another possible policy might be to limit the number of vacation days allowed at one time. Doug will consider these options and develop an internal policy.
- The 2005 county pool car was sold and brought \$2,156.00. The title was provided for signature. Chad Kline moved to sign the title. Dave Dolezal seconded the motion. Motion carried 3-0.

### ***PAYROLL***

Payroll for 09/19/14 thru 10/02/14 in the amount of \$323,658.27 was reviewed and a motion from Dave Dolezal approving the payroll dated 10/16/14 was made. Chad Kline seconded the motion. Motion carried 3-0.

### ***CORRESPONDENCE***

- IC Code related to posting of campaign signs – duly entered
- Treasurers Monthly Report – duly entered
- IDEM – Glen Hunter Associates – duly entered
- IDEM – Structural Composites – duly entered
- Town of Albion – leachate invoice – duly entered

### ***MINUTES***

Minutes of the previous meeting were read and approved as corrected with a motion from Dave Dolezal and a second from Chad Kline. Motion carried 3-0.

### ***IRRIGATION QUOTE***

An irrigation quote from Miller Irrigation was discussed. Another quote had been received and Chad Kline had contacted the other company for another quote so that comparison of like could be made. Chad had asked the other company to have their quote here by Friday October 10, 2014 or e-mailed to him by early today. As of this hour nothing has been received. Chad Kline made a motion to accept Miller Irrigation option #2 quote in the amount of \$13,345.00. Dave Dolezal seconded the motion. Motion carried 3-0.

***PLAN COMMISSION APPOINTMENT***

Chad Kline informed the commissioners that Tony Feichtner had resigned his position on the Plan Commission Board. The need existed for an immediate replacement. Chad said that Ken Townsley from Kendallville has shown interest in this position and is requesting the commissioners make that appointment. Dave Dolezal moved to appoint Ken Townsley to the board. Gary Leatherman seconded the motion. Motion carried 3-0.

**ADJOURNMENT**

This session of the Board of Commissioners of Noble County was at approximately 11:40A .M. recessed from day to day until the 20<sup>th</sup> day of October, 2014.

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Gary D. Leatherman, President

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David J. Dolezal, Vice President

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Chad Kline, Member

ATTESTED: \_\_\_\_\_  
Jacqueline L. Knafel, Auditor