

**MINUTES OF A REGULAR SESSION OF THE
BOARD OF COMMISSIONERS HELD September 26, 2022**

Comes now the hour of 8:30 am. on the 26th day of September, 2022 in the Commissioners Room in the Noble County Annex building, 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
Anita Hess, Vice President
Dave Dolezal, Member

Also present were:

Jacqueline L Knafel, County Coordinator
Dennis Graft, Noble County Attorney
Matt Getts, KPC Media
Richard Rogers, Highway Superintendent
Zack Smith, Highway Engineer

Gary Leatherman, Commissioner President, called the meeting to order at approximately 8:30am.

COORESPONDENCE

- Md Kimmell Biogas LLC - Notice of Permitting
- Plan Commission Kendallville - Variance for 628 Billy Dr
- Dexter Axle – IDEM - administrative amendment
- Clerk monthly report for August

MINUTES

Minutes of the September 12, 2022 meeting were read and approved as written with a motion from Dave Dolezal. Anita Hess seconded and the motion carried 3-0.

CLAIMS

Claims dated 9/26/22 were reviewed by the commissioners. The 13-page report totaled \$463,748.01 and was approved with a motion from Dave Dolezal and a second from Anita Hess. Motion carried 3-0.

PAYROLL

The 4-page report of payroll dated 9/22/22 totaled \$463,578.46 and was approved with a motion from Dave Dolezal. Anita Hess seconded and the motion carried 3-0.

SHERIFF'S VEHICLE

Max Weber, Noble County Sheriff, is requesting that the commissioners sign a title to be donated to the IMPACT program to be used in their Criminal Justice program. This is for the 2017 Dodge Charger which has over 151000 miles on it. Motion to sign the title came from Anita Hess. Dave Dolezal seconded and the motion carried 3-0.

HIGHWAY

Richard Rogers, Highway Superintendent, had the following construction update for the commissioners:

- Utility permit – Precision Utilities Group
- Driveway variance – this is for the Yoder residence on 325 W who is wanting to add a 3rd drive. The drive is 100 ft short of sight distance but is in the best location. Dave Dolezal moved to approve the variance. Anita Hess seconded and the motion carried 3-0.
- Driveway variance – this is for the Long residence on 350 S. The family is putting up a second building and would like a separate drive. There are no issues with drainage or sight. Dave Dolezal moved to approve the variance. Anita Hess seconded and the motion carried 3-0.
- A second drive is being requested by Steve Christman on 700 E. This is short on sight distance and will be used as a second drive. Dave Dolezal moved to approve the variance. Anita Hess seconded and the motion carried 3-0.
- The last driveway variance is for Mike Konger on 400 S. Richard reported that this is short on sight distance and is recommending that a Hidden Drive sign be put up. Dave Dolezal

moved to approve the variance with the condition of a hidden drive sign – at the expense of the petitioner – be erected at the sight. Anita Hess seconded and the motion carried 3-0.

- Richard reported that the county is wrapping up the mowing season.
- They continue to cut brush in the 4 bottom townships
- The community crossing project on 200 E that Pulver's are doing is just about complete.
- Ditching and Berming, as well as culvert work, continue at the department.

Zack Smith, Highway Engineer, had the following engineering business to bring before the commissioners:

- The bid opening for the Little Long/Round Lake project was held. The engineering estimate had recently been revised to \$515,000.00. There were 3 bids received:
 1. KWest Group \$584,254.70
 2. Pioneer Associates \$1,053,075.28
 3. RL McCoy \$726,022.00

Dave Dolezal moved to table all bids pending review of the bids for completion. Anita Hess seconded and the motion carried 3-0.

- CCMG – 2 applications for projects have been submitted and Zack is expecting to hear if Noble County is awarded the project sometime in late October or early November.
- Bridge 136 – Zack has an LPA voucher for this project in the amount of \$350.00. Dave Dolezal moved to approve the voucher. Anita Hess seconded and the motion carried 3-0. Zack reported that there are remaining 2 parcels for settlement prior to the letting in February. The one parcel in court has received the court appraisal and Dennis Graft, County Attorney has delivered the check in the amount of \$85,200.00 to the courts.
- Zack has an LPA voucher for construction engineering for the Baseline Rd/ 600 E project in the amount of \$2,573.40. Dave Dolezal moved to approve, Anita Hess seconded and the motion carried 3-0.
- LPA Voucher for Old State Road 3 was also presented for approved. Dave Dolezal moved to approve the voucher in the amount of \$28,613.40. Anita Hess seconded and the motion carried 3-0
- Bridge 59 and Riley Road – the county is still waiting on the “notice to proceed” from the state.
- The speed ordinance for 200 N is in the process of advertisement and will come back before the commissioners on October 24th.
- Zack has a draft ordinance for approval for Northshore Dr and the reduction of the speed to 20 MPH. Dave Dolezal moved to approve the advertisement of the ordinance. Anita Hess seconded and the motion carries 3-0.

NEW ANNEX

Zack Smith, Project Manager, has the following change orders for the new annex:

1. This was for rework on the condensate drain to the sink and pipe installation. PCO-52 is in the amount of \$3,830.22 and is approved with a motion from Dave Dolezal. Anita Hess seconded and the motion carried 3-0.
2. Fin tube rework was required for the hydronic piping. PCO -53 pricing is \$9,679.33. Dave Dolezal moved to approve. Anita Hess seconded and the motion carried 3-0.
3. PCO -54 was for placing and grading stone at the old jail adjacent to the new building. Dave Dolezal moved to approve PCO – 54 in the amount of \$1,014.87. Anita Hess seconded and the motion carried 3-0.
4. PCO- 55 was for the Flag and Light pole potholing in the amount of \$1,106.35. Motion to approve came from Dave Dolezal. Anita Hess seconded and the motion carried 3-0.
5. Corner Guards were added to the building at a cost of \$340.44. PCO -56 was approved with a motion from Dave Dolezal and Anita Hess seconded. Motion carried 3-0.
6. An occupancy sensor was added in the radio room at a cost of \$528.73. PCO -57 was approved with a motion from Dave Dolezal. Anita Hess seconded and the motion carries 3-0.
7. Plan Commission and the building department requested a base cabinet and two cash drawers. PCO -58 was in the amount of \$1,789.12 and was approved with a motion from Dave Dolezal. Anita Hess seconded and the motion carried 3-0.

As far as the acoustics in the main lobby goes, Zack has been looking at some paneling and is thinking of adding some lobby furniture. An estimate for the furniture came in at \$23,190.00.

Dave Dolezal moved to approve moving forward with these options. Anita Hess seconded. Motion carried 3-0.
The Recorders office is requesting more book shelves but that will be paid and taken care of by her office.

COURTHOUSE RENOVATION

Zack is working with the Clerk, Probation and the Courts and American StructurePoint is finalizing the design process.

CREDIT CARD CLAIMS

Dave Dolezal moved to approve the claims with clarification on two claims. One for \$314.15 and one for \$90.94. Anita Hess seconded and the motion carried 3-0.

NEW ANNEX SECURITY

The security policy drafted by the attorney was reviewed by the commissioners, however, Max Weber, Noble County Sheriff, was present and told the commissioner that the metal detector has been shipped but the scanner will not be here until sometime in October. With that information, the commissioners did not act of the security policy as it will not be in place until all equipment has arrived.

JAILER

Max Weber, Noble County Sheriff, is requesting that the 90-day 10% reduction in salary be waived for a new jailer. Dakota Wilcox has many years of experience as a correctional employee and just moved to our area. Dave Dolezal moved to approve the request. Anita Hess seconded and the motion carried 3-0.

REZONING

Teresa Tackett, Plan Director, and Scott Ziegler, Hand to plow Surveying, were present to request a rezoning for Daniel and Laura Miller. This is a 13.93-acre section in Perry township. They are requesting that it be rezoned from A1 to RE and has the favorable recommendation from the plan commission board, Dave Dolezal moved to approve the rezoning. Anita Hess seconded and the motion carried 3-0.

DRIVEWAY CONCERN

Teresa Tackett, Scott Ziegler and Attorney Jacob Atz were all present for a discussion of a driveway that will be shared by – at this time – at least 2 residents. The UDO has set no standard for a drive within that ordinance but the plan commission is worried about safety issues such as fire trucks and emergency unit getting back to the residents if needed. She feels that the ordinance needs to be amended to address these concerns. Mr. Atz and Mr. Ziegler argue that even though this may be needed in the future it does not apply now and are wondering why their plat is not being signed. Mr. Ziegler indicated that he is more than willing to secure a bond at 125% of the estimated cost of the drive cost at it's highest as well as agreed to a "no occupancy" until the drive issue is resolved and inspected by a 3rd party surveyor/contractor. With this agreement in place Dave Dolezal moved to approve the signing of the plat with the conditions as set forth. Anita Hess seconded and the motion carried 3-0.

DOMESTIC VIOLENCE

Ashley Schalinske, Victim Advocate, and Jim Mowery, Prosecutor, are present for a proclamation declaring the month of October Domestic Violence Awareness Month. Ashley is also requesting that the new plaza be used for a candle light ceremony and that they do – as they have in the past – decorating around the courthouse. Dave Dolezal moved to approve the proclamation as well as the usage of the county property for the ceremonies. Anita Hess seconded and the motion carried 3-0.

POLIO DAY

Erik Murraray and Joy LeCount from the Albion Rotary Club, were present to request that October 24, 2022 be proclaimed World Polio Day. Joy gave a little bit of history to the polio epidemic of the 50's and how far the country and world has come in eradicating the disease. Motion to proclaim October 24, 2022 as World Polio Day, Anita Hess seconded and the motion carried 3-0.

REGIONAL PARTNERSHIP

Gary Gatman, EDC Director, was present to request that the county pay the regional partnership dues. Gary indicated that the EDC has paid them in the past but have asked for no more money from the county in their yearly contribution to the EDC. The dues are based on population and run between \$22,000.00 and 23,000.00 a year. The EDC pays quarterly and have paid for the first 2 quarters of 2022. Gary provided the commissioners with information about how the partnership has helped his agency as well as the county. Dave Dolezal moved to approve the payment of the dues through the CEDIT plan. Anita Hess seconded and the motion carried 3-0.

CEDIT PLAN AMENDMENT

The commissioners were back in session in the afternoon to discuss the amendment to the CEDIT Plan. Project 6 – the seconded year of the plan for the landfill was lessened due to the trees being planted. This was reduced to \$125,000.00

Project 11 - in the second year of the plan we have budgeted \$0.00 but now are needing to continue to pay rent from Bonar Holdings in the amount of \$4,300.00 a month. Year two of the plan will be set at \$51,600.00 and an additional will be needed the first of the year for funding.

Project 12 – this will amend the second year to \$40,000.00. Dollars have been budgeted accordingly.

Project 13 – amended second year of the plan to \$0.00 for the Land acquisition. No plans to purchase ground.

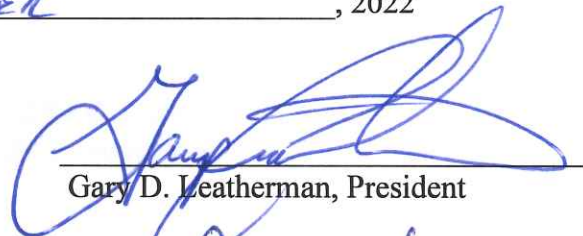
Project 14 - Highway Garage Equipment – there was a need for some equipment in the shop at the highway department and with road projects in full swing there was no funding. The plan was amended to \$60,000.00 in the first year of the plan to pay for the equipment. An additional will be requested.

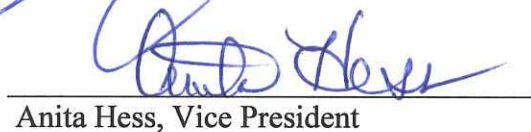
Project 15 – Per the agreement above there will need to be an amended for the first year of the plan adding this project and allowing \$12,500.00 to be paid. Year two will be amended to \$25,000.00 Motion to approve the above amendments to the plan came from Dave Dolezal. Anita Hess seconded and the motion carried 3-0.

ADJOURNMENT

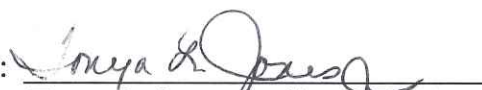
This session of the Board of Commissioners of Noble County was at approximately 3:30 PM recessed from day to day until October 11, 2022

Dated this 11th day of OCTOBER, 2022


Gary D. Leatherman, President


Anita Hess, Vice President


Dave Dolezal Member

ATTESTED: 
Tonya L. Jones, Auditor