

## MINUTES OF A REGULAR SESSION OF THE BOARD OF COMMISSIONERS HELD November 22, 2021

Comes now the hour of 8:30 a.m. on the 22nd day of November, 2021, in the Commissioners Room 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  
Anita Hess, Vice President  
Dave Dolezal, Member

Also present were:

Jacqueline L Knafel, County Coordinator  
Dennis Graft, Noble County Attorney  
Zach Smith, Highway Engineer  
Richard Rogers, Highway Superintendent

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

### CORRESPONDENCE

- IDEM – application from Town of Albion for Wastewater Lagoon.
- IDEM – Permit – Irving Gravel Company
- Landfill- Information from Derek Faulk in reference to the Treewell system being installed at the landfill
- Noble County Treasurers Monthly report

### MINUTES

Minutes of the Executive Session held on Monday November 8, 2021 were read and approved as written with a motion from Dave Dolezal and a second from Anita Hess. Motion carried 3-0.

Minutes of the regular session held November 8, 2021 were also reviewed. These were approved as corrected with a motion from Anita Hess. Dave Dolezal seconded and motion carries 3-0.

### CLAIMS

Regular claims dated November 22, 2021 were reviewed by the commissioners. The 13-page report totaled \$1,562,757.71 and was approved with a motion from Dave Dolezal. Anita Hess seconded the motion. Motion carried 3-0.

Misc. Claims were also reviewed. This 4-page report totaled \$236,093.65 and was approved with a motion from Dave Dolezal and a second from Anita Hess. Motion carried 3-0.

### PAYROLL

Payroll dated 11/18/2021 was also approved by the commissioners. Motion came from Anita Hess and was seconded by Dave Dolezal. Motion carried 3-0.

### CONTRACT

The contract for services was received from Matt Brinkman, Region 3-A, to administer the Community Connections for People with Disabilities Program grant in the amount of \$68,381.00. Noble County will be the pass-through for this grant. Motion to approve the signing of the contract came from Dave Dolezal and was seconded by Anita Hess. Motion carried 3-0.

### SHERIFF-

Max Weber, Noble County Sheriff, came by to inform the commissioners of some "Freedom" members that were in the area taking pictures of the government buildings etc. He has talked to office holders about how this should be handled if they organization comes into the building. He is just giving everyone a "heads up".

### HIGHWAY

Richard Rogers, Highway Superintendent, was present with the following construction update:

- Driveway variance – Hernandez residence – Richard informed the commissioners that this is 200 ft short of sight distance but is in the best possible location and this is in a slow traffic area. Motion to approve the variance came from Dave Dolezal. Anita Hess seconded and motion carried 3-0.
- Driveway variance – Stayner residence – This property is located on 700 E and sight distance is fine. This is a 2<sup>nd</sup> driveway situation which is needed for barn access. Motion to approve the variance came from Dave Dolezal and was seconded by Anita Hess. Motion carried 3-0
- Richard reported that with the weather cooperating the department has continues cutting brush, culvert work, and grading the roads.

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

- Call for Projects – Zack reported that this process has opened and he has submitted the 3 projects for consideration.
- Annual bids have been out for advertisement and will be opened at the December 13, 2021 meeting.
- CCMG -01 is complete and is closed out.
- CCMG -02 – the county just received notice of the awarded \$500,000.00 and Zack has a contract for approval. Dave Dolezal moved to approve the signing of the contract with a second coming from Anita Hess. Motion carried 3-0.
- 2022 HMA Overlay Project Bid Package. Zack is requesting approval to advertise the bid package. Motion to advertise came from Dave Dolezal. Anita Hess seconds and motion carried 3-0.
- 400 N – the commissioners, Dennis Graft and Zack are discussing the issues with an owner with right of way in the 400 N project. Dennis has done some work on this and finds that supposedly the project is being sold on contract – but the contract has never been recorded. This will more than likely end up in court with - now – two judgement holds and a new mortgage company being involved.
- Bridge Inspection – Zack has an LPA Voucher for approval in the amount of \$5,547.49. Dave Dolezal moved to approve the voucher. Anita Hess seconded and the motion carried 3-0.
- Bridge 136 – Right of way appraisals have begun for this project.
- Baseline Road /600E – LPA voucher is reviewed for this project and is approved in the amount of \$24,220.69 for construction engineering with a motion from Dave Dolezal. Anita Hess seconded and the motion carried 3-0.
- There is also an LPA voucher for preliminary engineering on the 600 E project. This is in the amount of \$371.08 and is approved with a motion from Dave Dolezal and a second from Anita Hess. Motion carried 3-0.
- Bridge 134 – another railroad bridge which always comes with issues
- Old State Road 3 – Zack received the STIP Amendment and is awaiting the Notice to Proceed.
- Little Long/Round Lake – Zack informed the commissioners that the right of way contract is pending.

#### ANNEX

Zack Smith, Project Manager, has the following update for the commissioners:

- Construction update – all but 4 windows are in
- Most of the plaza work is done and the roadway and some parking are expected to open up by Thanksgiving.
- Drywall is done on the 1<sup>st</sup> floor.

#### REZONING

Teresa Tackett, Plan Director, and Scott Ziegler, Surveyor, are present for the Hershberger rezoning. This is for a 10-acre track in Elkhart township to be rezoned from A1 to I1. Teresa reported that the plan commission board is giving an unfavorable recommendation. This is an operation similar to Shed Time and she indicated that the unfavorable recommendation was due to the road, no buffer and there was no home on the property. Scott indicated that the owner was planning to build there eventually and is wanting to know what the expectation are for this type of business so that the people do not go to a lot of expense to apply for things like this and then be denied. Gary Leatherman is also questioning by Shed Time has been able to have – now – two locations of the same type of business and now this one would not be allowed. After a lengthy discussion, Dave Dolezal moved to deny the

rezoning. Anita Hess seconded the motion. Motion carried 2-1 with Gary Leatherman voting against the denial. He again explained that up until now this type of business has been okayed and now, we are not. "We need to be consistent."

#### EXTENSION

Ann Kline, with Purdue Extension, is present at the request of the Commissioners. to explain the service contract with Purdue. Ann also provided a copy of the contract which we did not have up until now. Ann explained the contract included the services of 3 Purdue employees. The contract amount is projected to go to \$97790.00 next year with her services going from 60% to 70% next year. Ann also reported that the department has hired Noelle Gaerte to replace Sara Weeks who has accepted a position with the Health department.

#### HEALTH DEPARTMENT

- Terry Gaff, Noble County Health Officer and Tine Lough are present for the public hearing for the fee increases. The Ordinance has been advertised and is ready for approval. Motion to approve the increase to \$25.00 for Affidavits and to \$2.00 for copies of Paternity Affidavits came from Dave Dolezal. Anita Hess seconded and the motion carried 3-0.
- The department is also reporting that Sara Weeks will be starting in the Health Department and they are requesting that the 10% reduction in pay be waived due to experience. Motion to approve the waiver came from Anita Hess. Dave Dolezal seconded and motion carried 3-0.
- Terry is also on the board for Trails here in Noble County and is asking the commissioners to sign a letter of support for a grant that the group is going after. Terry explained that this has nothing to do with financial support - it is only that the county supports the efforts being made in the development of the trails. Motion to sign the letter came from Dave Dolezal. Anita Hess seconded and the motion carried 3-0.
- Lastly, Terry announced that he has been talking to Dr. Elizabeth Schowey about assuming the Health Officer duties. Terry has wanted to officially retire for some time and then COVID..... He said the Dr. Schowey is better qualified to do this job than himself with her training in public health. Anita Hess know Dr. Schowey and is very excited that she is accepting this position and with that made a motion to approve Dr Elizabeth Schowey as the next Noble County Health Officer if she is willing to accept the position. Dave Dolezal seconded the motion. Motion carried 3-0.
- Dr. Gaff reported that the county is currently in Orange but is expecting us to go to red and is suggesting - vaccinations, boosters, and masks with positivity numbers rising.

Recess

Back in Session

#### SOLAR

The commissioners are back in session to discuss the solar ordinance again. Many concerned residents are in attendance for this session. Teresa Tacket is in attendance as well. The plan commission presented the ordinance with some changes – most of which were recommendations of the commissioners. Each change was read and discussed and Dave Dolezal moved to adopt the ordinance as presented effective immediately. Anita Hess seconded the motion. Motion carried 3-0.

#### RIGHT OF WAY CONTRACT

Zack is back in attendance and presented the Right of Way contract for the Culvert on Little Long/Round Lake project. This is with Butler, Fairman and Seufert. Motion to sign the contract came from Anita Hess and was seconded by Dave Dolezal. Motion carried 3-0.

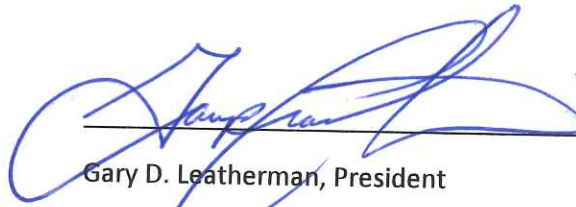
#### STRUCTUREPOINT

Nick Petersen from StructurePoint was present to go over finishes and furniture details for the new building. Also, StructurePoint had a walk-through of the courthouse facility with the commissioners to start the courthouse renovation process.

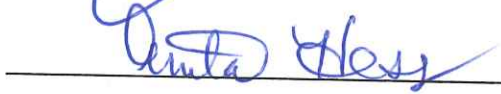
#### ADJOURNMENT:

This session of the Board of Commissioners of Noble County was adjourned at approximately 3:30 p.m. recessed from day to day until December 13, 2021

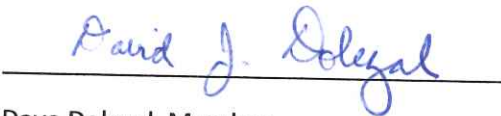
Dated this 13<sup>th</sup> day of DEC, 2021

  
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Gary D. Leatherman, President

  
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Anita Hess, Vice President

  
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Dave Dolezal, Member

ATTESTED:   
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Tonya L. Jones, Auditor