

**MINUTES OF A REGULAR SESSION OF THE  
BOARD OF COMMISSIONERS HELD April 9, 2018**

Comes now the hour of 8:30am. on the 9<sup>th</sup> day of April, 2018, 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  
Matt Getts from KPC Media  
Zack Smith, Highway Engineer  
Richard Rogers, Highway Inspector

Gary Leatherman, President of the Board of Commissioners, brought the meeting to order at approximately 8:35AM

**CORRESPONDENCE**

- Weights & Measures Monthly report – duly entered
- Noble County Landfill leachate report – duly entered
- Courthouse Security Monthly Report – duly entered
- Report of Collections for March – duly entered
- DNR – Notice of Historical site – Kneipp Springs Rome City

**MINUTES**

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

**PAYROLL**

Payroll for the time period of 03/16/18 – 03/29/18 and dated 04/12/18 was reviewed and approved with a motion coming from Dave Dolezal. The 6 page report totaled \$400,027.85. Dave Abbott seconded the motion. Motion carried 3-0.

**CLAIMS**

Nicole Noe, deputy auditor, was present as the commissioners reviewed 11 pages of claims totaling \$293,046.51. The claims were approved with a motion from Dave Abbott and a second from Dave Dolezal. Motion carried 3-0.

Supplemental claims were also reviewed. 1 page totaling \$265077.33 was approved by a motion from Dave Abbott. Dave Dolezal seconded the motion. Motion carried 3-0.

Utility claims were approved with a motion from Dave Abbott. Dave Dolezal seconded the motion approving 2 pages totaling \$148529.44. Motion carried 3-0.

**HIGHWAY**

Richard Rogers, Highway Superintendent, was here to update the commissioners on the construction at the department:

- Richard presented a request for a variance on a driveway permit located on 450 E between 800 N and 850 N. The driveway is 80 foot short of site distance and have moved the driveway as far as they can to improve the site distance. Highway department has no problem with the variance where it now stands. Motion to approve the variance came from Dave Abbott and was seconded by Dave Dolezal. Motion carried 3-0.
- Richard also had a permit request for fiber optic from Ligtel. This was approved with a motion from Dave Abbott. Dave Dolezal seconded the motion. Motion carried 3-0.
- There has also been a request from a motorcycle club to close Noble St in Wolf Lake for a day for a motorcycle show. It is not a main street and therefore the commissioners did not see a reason not to permit the closure. Motion to approve the request came from Dave Dolezal and was seconded by Dave Abbott. Motion carried 3-0.

- Richard reported that the grinder will be coming April 23 which will start the reconstruction season.
- Richard is working on the Road Evaluations and reported that 8 townships out of 12 are now done. After completion Zack and Richard will be working to update the road and bridge plans.
- Richard also filed two utility permits for Centurylink and Noble REMC.

Zack Smith, Highway Engineer, reported the following updates concerning engineering:

- Bridge Inspection – letters of interest are due by the 20<sup>th</sup> for opening on Monday April 23, 2018.
- Bridge Inspection – Zack had a LPA Voucher for approval which was approved with a motion from Dave Abbott. Dave Dolezal seconded the motion. Motion carried 3-0.
- Bridge 147 -Zack presented two LPA Vouchers for Bridge 147 – one for preliminary engineering and the other for construction. Dave Abbott moved to approve the signing of both vouchers. Dave Dolezal seconded the motion. Motion carried 3-0.
- Bridge 136 - this bridge is under design and set for construction in 2021.
- County Road 400N – RFP's are due April 20,2018.
- Bridge 139 – Zack reported work is progressing and should be done this week. This repair will remove the bridge from the annual inspection list.
- Bridge 55 – Zack has received the notice to proceed on this bridge.
- Culvert Replacement – this bridge is located near Loon Lake and because of dewatering etc.... the actual work should begin in late August or early September.
- Equipment – The department is in need of a new broom and once Zack gets some preliminary figures he will proceed with quotes or bids – whatever the cost requires.
- Oversize load ordinance – Zack again reviewed a draft of the oversize load ordinance he has been working on. Dennis Graft, County Attorney, suggested one minor change and after completion and one more final review, Zack will send the document to Jackie for advertisement.
- Bridge Request – the bridge requested by the homeowner's association on Riley road was discussed at a prior meeting and information as far as cost was sent back to the association and Zack is reporting that he has not heard anything more for them.
- Bookkeeping contract –Zack again presented the independent consulting agreement for an employee who will be retiring this year. He had added the end date as requested by the attorney. Dave Abbott moved to approve the agreement and gave Zack the authoring to proceed with the agreement. Dave Dolezal seconded the motion. Motion carried 3-0.
- Speed Studies - The department has conducted two speed studies due to complaints. The first study was done on CR 550 N – Stoneshill road from US 33 to Townline Road. Zack indicated that the speed is appropriate for the residential area and suggested the possibility of a 3 way stop at one of the intersection and adding more signage as there were study results of excessive speed in the area. He feels that maybe some increased patrols in that area might also help.
- The second speed study was on CR 800 E from CR 100 N to CR 200 N. This study indicated most were within the speed limit however – as normal – there were some occasions of excessive speed. Zack reported only 13 residential properties on the road and it is a low volume road. Zack is suggesting no change to the speed in the area but is suggesting targeted enforcement and more signage.
- DOC contract - Zack provided the commissioners with the new DOC contract which will go through 2021. Dave Dolezal moved to sign the professional service contract with the DOC. Dave Abbott seconded the motion. Motion carried 3-0.
- Zack again discussed the need to replace the tanks and gas pumps at the Highway department. Funding of the \$140,000.00 project is of main concern. The Commissioners discussed CEDIT funds as well as cum courthouse funds to pay for the expense. Dave Dolezal suggested that Zack check with the local 24/7 gas company to find prices and report back at the next meeting. Zack and Richard mentioned that currently we treat the diesel fuel in -house to prevent gelling during the winter months and was concerned that this would not be done with an outside vendor. Zack will also look into a leasing program.

#### UDO REQUESTED AMENDMENTS

Lori Gagen, Black Pine Animal Sanctuary, was present concerning possible changes to the UDO in reference to animal treatment. In particular, she is concerned about a horse east of town with no shelter. Kenneth Hughes, plan director, is also present and is indicating that this is really not

a UDO or zoning problem. He suggested that there be a policy in place concerning these issues but the next problem would enforcement. There are a lot of issues concerning putting a policy or ordinance in place when it comes to enforcement. The commissioners will continue to look into the issues she brought before them and will look to other counties for possible solutions.

#### BROADBAND ORDINANCE

Kenneth was present for the adoption of the broadband ordinance which will allow policy and procedure for improvement to the broadband services to Noble County by eliminating fees associated with installation of wireless services. The policy will require highway department review as well as commissioner's approval. Motion to adopt the ordinance came from Dave Dolezal and was seconded by Dave Abbott. Motion carried 3-0. With no fees imposed, the ordinance will be advertised within 30 days of the adoption. Note: ordinance sent to the papers 4/11/18 by Jackie for advertisement on 4/18/18.

#### BZA MEETING

Kenneth informed the commissioners of a BZA meeting would be held at Sylvan Springs due to the large number of people expected. This meeting will be dealing with increase hunts at a new deer preserve as well as a dog kennel requesting a significant increase in the dog population.

#### COLLEN PROPERTY

Norm Lortie, building inspector, was present to request an extension on the Colen property in Wolf Lake. This has been an ongoing issue with the department with Mr. Colen giving the property back to the mortgage company. Norm had been in contact with the California based Carrington Mortgage Company which had promised to take care of the home – either by remodeling or tearing it down. The mortgage has now gone to a Wilmington Savings. Norm has been in contact with Mike Johnson through this company and he is asking for a 6-week extension to allow assessment of the property to be completed. Dave Dolezal moved to allow the extension and set a date of June 11, 2018 at 10:00AM. Dave Abbott seconded the motion. Motion carried 3-0.

#### COUNCIL ON AGING

Cherish Smith, Council on Aging Director, is present and requesting a de-obligation letter which will return around \$800.00 back to the DOT. Motion to sign the letter came from Dave Abbott and was seconded by Dave Dolezal. Motion carried 3-0.

Also needing signatures was the quarterly financial report and status report. Motion to sign the report was made by Dave Abbott and seconded by Dave Dolezal. Motion carried 3-0.

#### PROBATION

Stacey Beam and Danyel Wagner, were present to discuss the master agency agreement for alcohol monitoring system. Kosciusko has this system and is happy with the results. Danyel also reported that she had tested some of the equipment and result were good. Offenders will pay for the system in most cases, but if unable to pay the cost will come from other user fee and project income funding. Motion to sign the three-year contracts came from Dave Dolezal. Dave Abbott seconded the motion. Motion carried 3-0.

#### OLD BUSINESS

- The treatment of the glass at all four entrances as well as the probation department in the courthouse and across the street was again discussed. For all windows that the probation and security want to have done would cost around \$7,000.00. The film does not stop a bullet but would prevent the glass from shattering. There is still some reluctance on the part of the commissioners and no decision was made at this time.
- REZONING - The restrictions that were placed on the North rezoning at the last meeting were added to the ordinance and now before the commissioners for signatures. Dave Dolezal moved to sign the ordinance. Dave Abbott seconded the motion. Motion carried 3-0.
- BINGO – Gary had received a call from Jessica Balyeat concerning the bingo request and OES has now withdrawn their request.

RECESS UNTIL AFTER DRAINAGE

1:00PM BACK IN SESSION

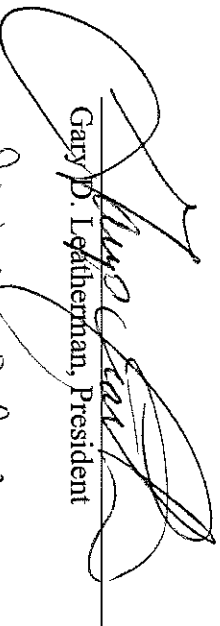
**NOBLE COUNTY 911/CITY OF KENDALLVILLE CONTRACT**


Mitch Flandt, 911 Director; Doug Harp, Noble County Sheriff; Mayor Suzanne Handshoe, City of Kendallville; Jim Dazey, Kendallville City Council; Rob Wiley, Kendallville City Chief of Police; and John Urso, Asst 911 Director were all present for the contract discussion for 911 services. Currently Noble County is one of 22 counties that have not centralized their 911 services. Noble County has been paying for one dispatcher and the for the equipment and phone lines that connect the 2 services. Mitch indicated that with all expensed it was costing the county around \$80,000.00 a year. All present want this to continue but now the state is requiring a contract spelling these services out. Most counties are now centralized but neither facility in Noble County would be able to accommodate all of the dispatchers needed. It also makes sense for us in the fact that if one department is down due to a storm - a chemical spill - (as both departments are within a mile of either the B & O rail or the CSX rail in Albion,) that we could shut down on and move within a short time period to the other location. Dennis has contacted other agency for a copy of their contract and will continue to work with Doug Atz, Kendallville attorney, in drafting a interlocal contract between Noble County and the City of Kendallville.

**ADJOURNMENT**

This session of the Board of Commissioners of Noble County was at approximately 3:15P.M. recessed from day to day until April 23, 2018.

Dated this 23<sup>rd</sup> day of April, 2018

  
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Gary D. Leatherman, President

  
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David J. Dolezal, Vice President

  
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David Abbott, Member

ATTESTED:   
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Tonya J. Marks, Auditor