

**MINUTES OF A REGULAR SESSION OF THE
BOARD OF COMMISSIONERS HELD June 10, 2019**

Comes now the hour of 8:30am. on the 10th day of June, 2019, 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
Justin Stump, Member

Also present were:

Jacqueline L Knafel, County Coordinator
Dennis Graft, Noble County Attorney
Matt Getts, KPC Media
Joy LeCount, Courthouse Preservation Committee
Steve Hook, Courthouse Preservation Committee
Marvin Rodenbeck
Richard Rogers, Highway Superintendent
Zack Smith, Highway Engineer
Robert Terry, resident
Everett Newman, Attorney
Teresa Tackett, secretary
Cheryl Munson, Health Nurse.

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

COURTHOUSE FOUNTAIN FLOWERS

Joy LeCount and Steve Hook were present for the discussion about the flowers in the fountain area of the courthouse lawn. Joy has spoken with Countryscapes and they can plant yet this week if a decision is made today. The estimate for flowers came in at \$3,125.00 of which the committee have received donation in the amount of \$1,650.00. Two of the commissioners donated additional money to the cause leaving a balance of \$1,175.00 due to complete the project. Justin Stump moved to pay \$1,175.00 to the Courthouse Square Preservation committee. Anita Hess seconded the motion. Motion carried 3-0.

PROPERTY CONCERN

Joy LeCount also was discussing a property that was damaged by fire in Wawaka and is indicating that nothing has been done with the property. Joy was advised to talk with the building department to see what can be done.

CORRESPONDENCE

- Drainage Board – Diamond Lake Drain to regulated drain – duly entered
- Drainage Board – Swogger Br to a regulated drain – duly entered
- Clerk of the Court – monthly report - duly entered
- Courthouse security – monthly report – duly entered

MINUTES

Minutes of the previous meeting were read and approved as corrected with a motion from Anita Hess and a second from Justin Stump. Motion carried 3-0.

FINDINGS AND ORDERS

The findings and orders were signed based on the motions from the May 28, 2019 meeting. Copies were provided to the commissioners file and the county attorney with the originals being sent out to the Building Department on 06/11/19.

TAX SALE DEEDS

Four deeds were signed over to adjacent property owners after going through the process for ownership transfer. Deed from Noble County to Debra Kay Rice (Howards sub division lot 4), Phoenix Realty Holdings LLC (.0110 strip of ground); to Randy Jahn (Depews Third Addition High Lake Lots 32 and 33) and to Bernard Baysinger and Bonnie Baysinger (lot 37 Sand Point 2nd

Addition) Deeds were signed with a motion from Anita Hess and a second from Justin Stump. Motion carried 3-0.

CONTRACT

The Noble County Auditor's office is wanting to change reporting companies for the IV-D money receipts and is wanting to go with Jeff Dossett Consulting. Commissioner Justin Stump indicated that the Prosecutor was having some issues with this company and suggested talking with Mr. Mowery prior to signing the contract. Mr. Mowery was in court at the time and was unavailable. The commissioners tabled the signing of the contract until we consult with the Prosecutor as well as the Clerk who use this service. Justin Stump moved to table the signing of the contract until next meeting. Anita Hess seconded the motion. Motion carried 3-0.

HIGHWAY

Richard Rogers, Highway Superintendent, had the following construction business to discuss with the commissioners:

- Utility permits were received from Precision Utilities Group.
- Richard advised the commissioners that the reconstruction projects have begun
- Drainage Work is continuing in many areas
- Mowing of the right of way is also underway and spraying of the right of way has begun.
- Richard reported that he had again spoken with Bill Martin about a "manhole" in his area in which he had called to talk to the commissioners about the issue. The "manhole" was put in by the conservancy and Richard reported that they had raised the road to meet the "manhole" and had done all that the highway department can do to divert water from going to his property. Richard indicated that Mr. Martin was still not happy and that he probably would not be happy until the department lowers the road.

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

- Zack reported that he had completed his review of the bids received last meeting for the HMA project. Bids were received from Pulver Asphalt in the amount of \$1,329,770.00; Niblock in the amount of \$1,364,900.00 and Phend and Brown in the amount of \$1,220,210.00. After a complete review of all bids, Zack is recommending the low bid from Phend and Brown. Justin Stump moved to award the HMA bid to Phend and Brown at a cost of \$1,220,210.00. Anita Hess seconded the motion. Motion carried 3-0.
- Zack had a LPA voucher for approval for Bridge 147. This should be one of the last LPA vouchers for this project. Motion to approve the voucher came from Justin Stump and was seconded by Anita Hess. Motion carried 3-0.
- The Stage one design for 400 N went very well and was approved by INDOT with no issues. This will put this project ahead of schedule. Justin Stump moved to approve the LPA voucher for preliminary engineering. Anita Hess seconded the motion. Motion carried 3-0.
- Bridge 136 – Stage one has been submitted at least 4 weeks ago but to date there has been no response from INDOT concerning approval.
- Bridge 55 – on schedule for construction in November.
- Bridge 77 – the highway is still waiting on AEP to complete utility work prior to applying asphalt in this area. Zack recently made contact with them for a timeline.
- Ball Road – The highway has contracted with Lawson Fisher and is moving forward with plan provided in Option 3. All information to date has been forwarded to the insurance company.
- Zack informed the commissioners that he had not heard anything further from the residents at Crooked Lake (Neer). The commissioner will check with Randy to see if he has heard anything from Mr. Neer.
- As a ADA project for 2019, Zack had a proposal from Pulver Asphalt in the amount of \$9,176.00 to repair sidewalks and approaches and curbs. Motion to approve the cost came from Anita Hess and was seconded by Justin Stump. Motion carried 3-0.
- Zack had received a petition to make Williams Road on the East side of Big Lake a county-maintained road. Richard had done a site visit and reported that the road would have to be brought up to highway acceptance standards and that a turn-around would have to be provided as – at this point – there is no way a tandem truck could turn around at the end of the road. Zack and Richard both recommended that the board not accept this road in it's current condition. Zack will provide a written response to the group.

- Zack had a response from the State of Indiana concerning the road right of way that is along or a road in the state system. The IC code cited that there is no deed transfer required for this type of situation and that there should be no taxes charged for the property owner.
- As a part of the courthouse renovation project/ new office building project a contract between Noble County and an Architect. AIA document B102 was signed with a motion from Anita Hess. Justin Stump seconded the motion. Motion carried 3-0.
- Anita Hess asked Zack and Richard to look into a complaint that she had received from a resident at Meadow Lanes. There was water pooling in here yard and she was asking for help in this area. Anita had taken pictures and will forward all information to Richard for review.

PLAN COMMISSION

Robert Terry, a resident on 3509 N 650 W Ligonier, Indiana had contact the commissioners concerning the Plan Director, Kenneth Hughes. Mr. Terry reported that he had received a complaint about his property from Mr. Hughes. He was told to put up a fence which he did. After that was completed he was told that the fence was not in compliance. He also reported that he had called Mr. Hughes asking for an extension and he was granted that extension and soon after that received notice that he would be fined so much a day for that extension. The county is calling this a scrap yard. Mr. Terry says he is NOT running a scrap yard – although people consistently drop things off in his yard. Everett Newman, plan commission attorney and Teresa Tackett, secretary were present and advised Mr. Terry that this was not an issue to come before the commissioner and that he should talk this over with Mr. Hughes. When Mr. Terry indicated that he had tried to resolve this issue with Mr. Hughes many times and the owner of the property Cheryl Hunnicutt, refused to even talk to Mr. Hughes again, Everett suggested that they meet with the BZA Board. Mr. Terry and Ms. Hunnicutt were told to call the office and set a hearing date with the BZA Board and that Teresa Tackett would aid them in this set up.

CLAIMS

- Anita Hess made a motion to approve the regular claims. The report contained 9 pages and totaled \$5654,683.32. Justin Stump seconded the motion. Motion carried 3 -0.
- Justin Stump moved to approve the 2-page supplemental report which totaled \$312,159.87. Anita Hess seconded that motion. Motion carried 3-0
- Utility claims were also reviewed and approved with a motion from Justin Stump and a seconded from Anita Hess. Motion carried 3-0. This report was 2 pages and totaled \$124,806.11.

HEALTH DEPARTMENT

Cheryl Munson, Health Department Nurse, wants to update fee ordinances for Food Services and Septic Tank Permits as well as TB Skin testing fees. She provided the new ordinances for review. After discussion, Anita Hess moved to proceed with advertising of the ordinances prior to adoption. Justin Stump seconded the motion. Motion carried 3-0.

Cheryl also discussed the Bio Terrorism Grant with the commissioners and told the commissioners that the opportunity to increase the grant amount from \$16,000.00 to \$25,000.00 is available but stipulates that all \$25,000.00 be used to hire a contractor to do this job. Cheryl indicated that this would take a lot off of her and is highly recommending this. Cheryl explained some of the purposes of this grant and questioned where the expenses currently being paid from this grant were going to come from. Cheryl indicated that this was yet to be figured out. Anita Hess moved to approve the grant application and if granted to proceed with hiring a contractor to do the work. Justin Stump seconded the motion. Motion carried 3-0.

TRANSFER FEE amendment

The commissioners also reviewed an ordinance changing the cost of transfer from \$5.00 to \$10.00 as required by the state. Anita moved to approve the advertisement of the ordinance. Justin Stump seconded the motion. Motion carried 3-0.

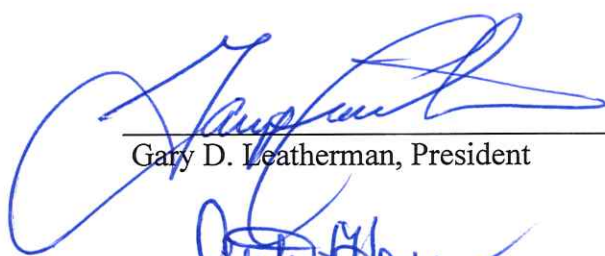
TIME CLOCK PLUS

Jackie asked if the commissioners were wanting to moved forward with the TIME CLOCK PLUS system after webinars with many of the people involved. Anita Hess moved to proceed with the next phase with a second coming from Justin Stump. Motion carried 3-0.

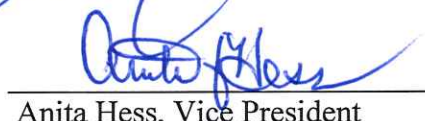
ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 3:45PM recessed from day to day until June 10, 2019.

Dated this 24th day of June, 2019



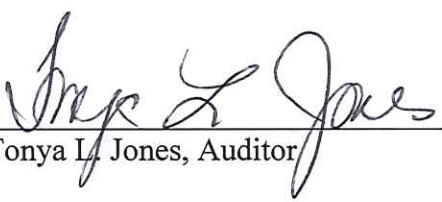
Gary D. Leatherman, President



Anita Hess, Vice President



Justin Stump, Member

ATTESTED: 

Tonya L. Jones, Auditor