

**MINUTES OF A REGULAR SESSION OF THE  
BOARD OF COMMISSIONERS HELD July 27, 2015**

Comes now the hour of 8:30A.M. on the 27th day of July, 2015, 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  
David J. (Dave) Dolezal, Vice President  
Chad Kline, Member

Also present were:

Jacqueline L. Knafel, County Coordinator  
Dennis Graft, County Attorney  
And Phil Jacob, Courthouse Maintenance  
Steve Garbacz KPC Media  
Doug Harp, Noble County Sheriff  
Beth Shellman Town of Albion Manager  
Mark Goodrich Noble County Highway  
Gregg Parker Council on Aging  
Norm Lortie, Building Inspector  
Nathan Miller, Plan Director  
Ryan Weber, Surveyor  
Renee Ott  
Steve Hook, GIS Coordinator  
Elva Miller  
Bill Etzler, Engineering Resources

Gary Leatherman, Commissioner President, brought the meeting to order at approximately 8:40AM.

**SIDEWALK REPAIR**

Phil Jacob, Courthouse Maintenance Supervisor, was present to discuss uneven walkways on the outer sidewalk area of the courthouse as well as issues at the South Complex and the Prosecutors office. Phil had retained a quote from Leatherman Construction in the following amounts. Repair at the courthouse was amounting to \$7,447.00, South Complex in the amount of \$1,677.00 and the Prosecutor's office in the amount of \$1,555.00. The commissioners reviewed the quotes but tables action until they could visually inspect the sites.

**NOBLE COUNTY PUBLIC LIBRARY**

A conflict of interest for Patricia Voors, a member of the Noble County Library Board, was filed for commissioner's review and signature. A motion to approve the filing came from Chad Kline and was seconded by Dave Dolezal. Motion carried 3-0.

**PRAYER VIGIL**

Jackie Knafel, County Coordinator, had been contacted by Pam Lash asking permission to use the courthouse square for a prayer vigil on September 11, 2015. Chad Kline moved to approve the event asking that the attendees stay on the sidewalk portion of the courthouse as the irrigation and landscaping are now complete. Dave Dolezal seconded the motion. Motion carried 3-0. Jackie will contact Pam with the decision and the request to stay on the sidewalk area.

**SHERIFF**

Noble County Sheriff Doug Harp was present to discuss the following issues:

- Doug had received a quote from Noble Industrial Fabrication to repair steel entry door in three location at the jail. This quote was for \$2,950.00 and would also include some threshold repair. Motion came from Dave Dolezal to proceed with the repair. Chad Kline seconded the motion. Motion carried 3-0.

- Doug also had a discussion with the commissioners about the meal reimbursement policy in the handbook. Doug feels that the department head – in reviewing the claim for meals – should be able to determine its' warrant. There was some discussion about being close to home and stopping for a meal when you are within 2 or 3 hours from your destination. Gary and Chad both indicated that would be willing to add a clause in the handbook that would require the department head to write a letter to accompany the claim giving his reasons for allowing special circumstances when dealing with meal claims. Chad indicated that they would take this information into consideration but did not mean that all claims would still be allowed. Dave Dolezal indicated his interest in knowing that the department head had indeed reviewed the claim and thought that the letter from that department head would explain those special occasions.
- Doug is still waiting on quotes for the flooring issues at the jail and will report back to the commissioners when available.

#### **INTERLOCAL AGREEMENT**

An interlocal agreement between Noble County and the Town of Albion was entered into for the West Main Street project. Noble County will be paying 20% of the town 20% (up to \$80,000.00) of the local match for the federal project. Dave Dolezal made a motion to sign the agreement with a second coming from Chad Kline. Motion carried 3-0. Two copies of the agreement were sent with Beth Shellman, Albion Town Manager, who was present for the discussion. She will get town council signatures at their Tuesday July 28<sup>th</sup> meeting.

#### **HIGHWAY**

Mark Goodrich, Highway Superintendent, was present to discuss the following issues:

- Mark has received a quote for a transmission rebuild on truck #17 a 2006 single axle in the amount of \$3,145.02. Chad Kline moved to approve the repair. Dave Dolezal seconded the motion. Motion carried 3-0.
- Truck #13 which is a 2000 Sterling is also having transmission issues as well as some electronic system problems. The truck has been sent to Fort Wayne for an analysis at which time an estimate for the cost of repair will be generated.
- Mark reported some issues with the chip and seal work that has been done this year. The department is looking at these issues and will adjust future work as well as repairing what has been done.
- Currently the department has about 3 more days of berming and then will begin chip sealing again.
- Culvert repair continues in a couple of locations.

In Zack Smith's absence, Mark continued with the engineering information:

- No update on bridge #147
- Bridge Inspection – Mark presented a LPA voucher for preliminary engineering on the Bridge inspection project. Chad Kline made a motion to sign the voucher with a second coming from Dave Dolezal. Motion carried 3-0.
- Sign Study – Mark reported that signs that were placed incorrectly have been removed from 14 out of 15 locations and the department will continue the study to determine if any specialty signs are needed in certain locations.
- Speed Studies - the county should be receiving 6 more speed counters from LTAP within the next couple of weeks which will allow the county to run 3 speed studies. The county currently has 13 area marked for speed analysis.
- Cracksealing – Mark indicated that all of the paperwork is complete and this project should start in early September.
- Debt Service Extension – Zack is proposing a garage area at the highway department be a project for the extension. Zack and Jackie had obtained estimated interest rates from a couple of area banks. Discussion will continue in this area.

#### **RECESS**

#### **COUNCIL ON AGING**

Gregg Parker from the Council on Aging was present to give his quarterly reporting as well as having an IDOT voucher signed for the 5311 grant. Dave Dolezal made a motion to sign the voucher. Chad Kline seconded the motion. Motion carried 3-0.

Gregg also had a policy revision for the 5311 grant that must be upgraded. Gregg asked that our county attorney review the policy.

### **UNSAFE HOUSING**

A property owned by Jason & GERALD Diehl was on the agenda for review. Norm Lortie, Building Inspector, was present to discuss this with the commissioners. Norm feels that there is progress being made and suggested that this be revisited in about a month, at which he feels that the case can be closed. The commissioners have set August 24<sup>th</sup> at 10:00AM for the next hearing. Norm also reported on the flooding issues on Waldron and Steinbarger Lakes.

### **RIGHT OF WAYS**

Nathan Miller, Plan Director, as well as Ryan Weber, a local Surveyor were present to request additional road right of way for a 2 acre minor sub division owned by Moser. After reviewing the documentation, Dave Dolezal made a motion to grant the right of way increasing it from 20 to 30 feet. Chad Kline seconded the motion. Motion carried 3-0.

### **REZONING**

Ryan Weber along with Mr. Elva Miller came before the commissioners to request that a parcel of ground owned by Mr. Miller and located on 1050 N in Elkhart Township be rezoned from A-1 to A-3. The request had been approved by the Plan Commission. Dave Dolezal moved to approve the rezoning. Chad Kline seconded the motion. Motion carried 3-0.

### **UNSAFE HOUSING.**

A home owned by Renee Ott on State Road 9 south of Albion was on the agenda for review. Norm Lortie who was also present indicated that there has not been much progress made in the last two years. The commissioners have requested a timeline from Ms. Ott who wants to do the work herself as it is quite expensive to hire the cleaning of a meth property. She has contacted a couple of agency for a guideline of the cleaning process. The commissioners are strongly recommending that Ms. Ott get some help on this project in order to avoid a \$5,000.00 penalty which will be assessed and will allow the commissioners to destroy the property. Norm is being asked to visit the property and report back to the commissioners on August 24<sup>th</sup>. If no progress has been made by that time, the fine will be assessed. Motion to reset a hearing date for August 24<sup>th</sup> at 10:00AM was made by Chad Kline and seconded by Dave Dolezal. Motion carried 3-0.

### **RESTRICTED ADDRESS**

Steve Hook, Noble County GIS Coordinator, was present to discuss the Restricted Home Address Ordinance with the commissioners. Upon further discussion, there were changes that were requested by the commissioners of which Steve will make the changes and the ordinance will have to be readvertised and a new adoption date will be set.

### **LANDFILL**

Bill Etzler, Engineering Resources, was present to discuss landfill issues:

- Bill reported that the groundwater monitoring had been done but he was waiting on the statistical analysis report.
- Bill discuss this issue of a home monitoring system at a location north of the landfill. He will follow up on this issue with IDEM.
- Bill continues to work on the Work Program and will share with the commissioners once complete.
- Bill reported that the surveyor office was to be at the landfill sometime this week to survey the location.
- Bill also updated the commissioners on the budget needs for the rest of this year as well as his prediction for the 2016 calendar year.

### **ASSESSOR**

Kim Miller came before the commissioners with the following information:

- The Ratio study that was finally sent in was just approved by the state
- Kim told the commissioners that she would be willing to lower the assessed value of the Garrett LLC property by 50% considering the condition of the building on this site.
- Kim wants more time to consider the Tax Management Associates in aiding in the personal property assessments.

**RECESS**

Dave Dolezal made a motion to recess the commissioners meeting at 11:10am until after the drainage board meeting. Chad Kline seconded the motion. Motion carried 3-0.

**BACK IN SESSION**

At approximately 1:20PM the commissioners resumed their meeting.

**CLAIMS**

Tonya Marks, Noble County Auditor, was present to review the claims dated 07/27/15 consisting of 10 pages and totaling \$325,407.07. Dave Dolezal made a motion to approve the claims as presented. Chad Kline seconded the motion. Motion carried 3-0.

**PAYROLL**

Payroll for 07/23/15 was reviewed. This was for the pay period of 06/26/15 thru 07/09/15 consisted of 5 pages and totaled \$336,254.28. Chad Kline moved to approve the payroll with a second coming from Dave Dolezal. Motion carried 3-0.

**CORRESPONDENCE**

- LaGrange County Drainage Board public hearing notice – duly entered
- IDEM – RR Donnelley 2500 Marion Dr Kendallville Indiana Air permit – duly entered
- IDEM – RR Donnelley 3094 Lester Dr Kendallville Indiana Air permit – duly entered
- Weights & Measurers monthly report – duly entered
- County Treasurer’s Monthly report – duly entered

**MINUTES**

Minutes of the Executive Sessions that were held on July 13, 2015 and July 27, 2015 were read and approved as written with a motion from Chad Kline and a second from Dave Dolezal. Motion carried 3-0.

**CEDIT**

The 2016 – 2017 CEDIT plan that had been prepared by Jackie Knafel was reviewed and approved as written with a motion from Chad Kline and a second by Dave Dolezal. Motion carried 3-0.

**BUDGETS**

The 2016 budgets charged to the commissioners were reviewed for discussion. The budgets were approved as written to be presented to the Noble County Council for budget hearings.

**PROMOTIONAL VIDEO**

Chad Kline discussed the funding for a promotional video for Noble County. Most of the cities and towns in the area have committed CEDIT dollars towards this project. After the discussion and a short presentation of a Shelby County Video, Chad Kline made a motion to commit \$3,000.00 from the CEDIT fund for this project. Dave Dolezal seconded the motion. Motion carried 3-0.

**TAX SALE PROPERTIES**

Gary Leatherman reported that the owner of Kendallville Iron and Metal is now ready to move forward on a tax property and with that information, Chad Kline made a motion to assign the Industrial Finishing tax sale certificate to Kendallville Iron and Metal. Dave Dolezal seconded the motion. Motion carried 3-0. Jackie will notify Sheri Auld of this decision and have her proceed with the appropriate paperwork.

**ADJOURNMENT**

This session of the Board of Commissioners of Noble County was at approximately 2:25P.M. recessed from day to day until the 10<sup>th</sup> day of August, 2015.

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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: \_\_\_\_\_  
Tonya L. Marks, Auditor