

**MINUTES OF A REGULAR SESSION OF THE
BOARD OF COMMISSIONERS HELD August 14, 2023**

Comes now the hour of 8:30 am. on the 14th day of August, 2023 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
Gary Timmerman, Member

Also present were:

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

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

CORRESPONDENCE

- Report of the Clerk of Noble County Circuit and Superior Courts for the month of July – duly entered
- GFL Solid Waste Midwest LLC – IDEM permitting for new facility
- Letter concerning solar from Olivia McGahan - Ms. McGahan was present and has questions about the bond or escrow for decommission. She stated that when the question was asked of the attorney at the plan commission meeting – he could not answer that question and was not directed to seek bond counsel concerning this issue. Dennis Graft, County Attorney asked Ms. McGahan to submit her questions in writing to him and he would look into this issue.

MINUTES

This was not a correction to the minutes but Dennis Graft reported that he had looked further into the cell phone issue discussed at the July 24, 2023 meeting and that because there are public meetings held in this building, we could not ban cell phone from the entire building. He stated that if the courts choose not to allow them in the court room – each court will have to make an order banning them from their court. The minutes of the previous meeting were then read and approved as written with a motion from Gary Timmerman. Anita Hess seconded and the motion carried 3-0.

CLAIMS

The 16-page claims report dated 08/14/2023 and totaling \$1,136,811.88 was reviewed by the commissioners. Gary Timmerman moved to approve the report. Anita Hess seconded and the motion carried 3-0.

PAYROLL

Payroll dated August 10, 2023 was also reviewed and approved with a motion from Gary Timmerman. Anita Hess seconded and the motion carried 3-0. This was a 3-page report totaling \$503,321.26.

NEW BUSINESS

Jackie Knafel, County Coordinator, had 3 titles that needed signing due to retirement of the vehicles. There was a 2018 Dodge Charger with last four VIN of 1382, a 2014 Dodge Ram with last four of VIN 2983 and a 2015 Ford F350 with the last four of 8787 that will be removed from service. Motion to sign the titles came from Anita Hess. Gary Timmerman seconded. Motion carried 3-0.

NAME CHANGE

The Commissioners received an e-mail from Matthew O'Donnell of the USGS concerning changing the name of a lake in Green Township from Jessie-Ca Lake to Hidden Valley Lake. After some discussion and the advice of the County Attorney, the commissioners decided to table the decision until a public hearing was held to possibly get feed back from the public. Dennis asked that this be put on the August 28 meeting of the commissioners at 8:30 am and notice be sent to Matthew O'Donnell and RD Boyer. Gary Timmerman moved to table this decision until after the public meeting on August 28, 2023. Anita Hess seconded. Motion carried 3-0.

NURSES CONTRACT

There was a new nurse's contract for Anne Lowe for review. The council had signed the contract at their August 7, 2023 meeting. Motion to approve the contract came from Gary Timmerman with a second coming from Anita Hess. Motion carried 3-0.

HIGHWAY

Richard Rogers, Highway Inspector, was present and had the following information for the commissioners:

- Utility Permit - Frontier North Inc – duly entered
- Driveway variance – Richard has a driveway variance for Bret Schlotterback on 50 W. This has a sight distance issue at this point but plan to level out the hill on his property. Gary Timmerman moved to approve the variance. Anita Hess seconded and the motion carried 3-0.
- Driveway variance. - this is for Dale Fry on 500 S and is for a 2nd drive. Richard indicated that the sight was moved for better sight distance but will now cross a county tile. This will come before the drainage board for approval as well. Gary Timmerman moved to approve the variance pending drainage board approval. Anita Hess seconded and the motion carried 3-0.

Zack Smith, Highway Engineer, was present for the engineering business:

- The department is in need of another roller for asphalt work. Zack has a quote for \$89,970.00. Gary Timmerman moved to approve the purchase of the roller. Anita Hess seconded and the motion carries 3-0.
- HMA 2023-1 – Zack reported that Pulver's plan to start on this project later this week.
- HMA 2023-2 – Pulver's got this project as well but are unsure if this will be completed yet this year.
- Bridge Inspection – Zack has an LPA voucher for this project in the amount of \$9,896.25. Motion to approve the voucher came from Gary Timmerman with a second from Anita Hess. Motion carried 3-0.
- There is an LPA voucher for 400 N as well. This is in the amount of \$140.53 and is approved with a motion from Gary Timmerman. Anita Hess seconded and the motion carried 3-0.
- Bridge 136 – Zack has a voucher for preliminary engineering on this project. Gary Timmerman moved to approve the LPA voucher in the amount of \$2,950.00. Anita Hess seconded and the motion carries 3-0.
- There will be October letting for Bridge 136 as well as Bridge 44.
- Bridge 134 - there is an LPA voucher for this project as well. Gary Timmerman moved to approve the voucher for engineering in the amount of \$11,520.00. Anita Hess seconded the motion. Motion carried 3-0.
- Bridge 69 this bridge also has an LPA voucher for approval in the amount of \$4,331.70 which is approved with a motion from Gary Timmerman. Anita Hess seconded and the motion carried 3-0.
- LPA Voucher for Bridge 59 - Gary Timmerman moved to approve an LPA voucher for this project in the amount of \$13,435.00. Anita Hess seconded and the motion carried 3-0.
- Riley Road at Appleman Road - - there is an LPA voucher in the amount of \$1,202.50 for preliminary engineering. Gary Timmerman moved to approve with a second coming from Anita Hess. Motion carried 3-0.
- CR 100 N and CR 50 W - Zack told the commissioners that INDOT is really pushing to get contracts done by the end of this month. Zack had just received the contract for this project from American StructurePoint and is asking that the commissioner sign prior to

INDOT approval. Anita Hess moved to sign the contract pending INDOT approval. Gary Timmerman seconded and the motion carried 3-0.

- Zach has a draft ordinance based on a traffic study for Canal Road at CR 150 E and 175 E. The draft ordinance was approved for advertisement with a motion from Gary Timmerman and a second from Anita Hess. Motion carried 3-0.
- A speed study was requested by residents on High Point Drive. Zack summarized the study and is recommending - as requested - that the speed be lowered to 20MPH. Gary Timmerman moved to draft an ordinance for review next meeting. Anita Hess seconded. Motion carried 3-0.
- Little Long and Round Lake request. The homeowner association is requesting that a sign be installed in the county right of way stating that idle speed only through the channels and within 200 feet of the shoreline. Zack indicated that they can make the sign at the cost of the association and then will install with commissioner's approval. Gary Timmerman moved to approve the signage to be installed by the county. Anita Hess seconded the motion. Motion carried 3-0.
- Unofficial Detour for SR 9 was finally settled with INDOT. This was much less than requested but the settlement is Not to Exceed \$12,000.00. Motion to approve the reimbursement amount came from Anita Hess. Gary Timmerman seconded and the motion carried 3-0.

ANNEX

Construction closeout has two PCO for approval. PCO #2 is for adding low voltage cables and lobby receptacle. Motion to approve PCO #2 in the amount of \$2,837.24 came from Gary Timmerman. Anita Hess seconded the motion. Motion carried 3-0.

PCO #3 was also approved. This was for power in the extension office after the temporary move. Gary Timmerman also approved this request. Anita Hess seconded. Motion carried 3-0.

COURTHOUSE RENOVATION

- Zack has more information on the safe that is located in the Treasurer's office, He will share this information with Shelley Mawhorter.
- Zack also shared an e-mail exchange between Nick from StructurePoint and Stacey Beam, Chief Probation Officer concerning card readers on the door to the former commissioner's office. They are wanting to store files at this location.
- Early Procurement - On Bid package 26- 1A for the Electrical Equipment – Kendall Electric was the bid of choice. With Cummins Inc being the winning bid on the Generator and Transfer Switch. Gary Timmerman moved to approve both bids. Anita Hess seconded and the motion carried 3-0
- Zack reported that the temporary move of all departments was now complete.
- Zack has a lease proposal for a hoist to be used during construction with a total price of \$10,000.00. Motion to approve this lease came from Gary Timmerman. Anita Hess seconded and the motion carries 3-0.
- The second request is for a trash chute that will allow for removal of salvage from the building. This is coming in at \$12,500. Motion to approve this also came from Gary Timmerman. Anita Hess seconded. Motion carried 3-0

WOLCOTTVILLE

Dean Domer, a resident of Wolcottville (Noble County side) was present to see what can be done about condemned housing in his area. He is aware that the LaGrange County Building Department has jurisdiction over all of Wolcottville and that they have been working on the issue. Dean indicated that he thinks that the Noble County Health department should also be doing something to clean up the "meth houses". Currently, the commissioners feel that it is LaGrange County that has the jurisdiction to do work in Wolcottville however Gary Leatherman will reach out to the LaGrange County Commissioners to verify those thoughts.

TRANE

Max Weber, Noble County Sheriff, along with Brad Rollins, Maintenance at the jail, and Joan and Erin from Trane, were all present to update the commissioners on all of the repairs done at the Noble County Jail. Erin indicated that most work was now complete and the company is now working on "punch list" items. One of the items needs to wait until the heating season arrives to make sure all is running properly. Joan told the commissioners that Trane hopes to be completely

done by the end of October, however, the training will continue until such time that the maintenance staff feels comfortable with dealing with issues that come up.

EDC

Melanie Kellog, Director and Jacob Ihrie, Albion Town Manager, who sits on the EDC board were present to update the commissioners on the progress being made by the EDC. Melanie indicated that the main focus is to bring jobs to Noble County. She is expecting a new company in the Ligonier area and also indicated that Start of the West closed their Michigan plant and will expand here in Noble County. The company that used to be Phoenix in Avilla is planning an \$18,000,000.0 expansion. With fund raising and focusing on job retention and new jobs, Melanie explained that the small staff that they currently have of 2 full time and a part-time employee just seem enough. They would like to make this a staff of 3 full time employees.

Jacob was through the numbers and indicated that while the dollars that Noble County receives in CEDIT funds have increased there has not been an increase in the contribution made to the EDC. When asked if the cities and towns contribute, Jacob indicated that Kendallville City if the only one that does not contribute to the EDC. With many of the businesses located in the Kendallville area that was puzzling to the commissioners. When asked what the EDC would like for Noble County to contribute, they indicated that they would like an additional \$180,000.00 bringing that total to \$500,000.00. Gary Leatherman told the group that while the EDC is doing a great job with economic development, there are many requests for CEDIT money and that their request would be discussed at a later time as budgets have been turned in and the CEDIT plan has been developed.

STATEWIDE 911

Shellie Coney, 911 director, was present to request a couple of things:

- Shellie has hired Alexis Lemon – who previously worked for Whitley County dispatch. Shellie indicated that she is trained and has all of her certifications. She is still working with one of Noble County's dispatchers but mostly to insure policies and procedures here in Noble County. She would like to waive the 10% reduction in pay for Alexis. Gary Timmerman moved to approve the waiver. Anita Hess seconded. Motion carried 3-0.
- The second request is for a battery back up for the radio system. Shellie explained that when there is a power outage, now it takes around 10 minutes for the generator to power the radio system back up. According to Shellie, with the battery backups the department will not even know there has been an issue. Shellie indicated that there are 4 batteries needed at a cost of \$5,704.11. These will be located in the basement of the Noble County Jail. Anita Hess moved to approve the purchase of these batteries out of the Statewide 911 budget. Gary Timmerman seconded and the motion carried 3-0.

CEDIT PLAN

The 2024 – 2025 CEDIT was presented to the commissioners for approval. The plan calls for 15 projects using 92% of the expected CEDIT revenue. Gary Timmerman moved to approve the plan. Anita Hess seconded and the motion carries 3-0.

ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 11: 30 am recessed from day to day until August 28, 2023

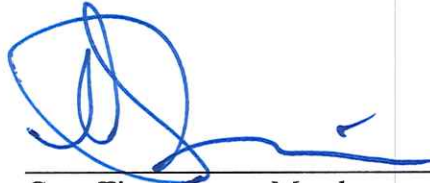
Dated this 28TH day of August, 2023



Gary D. Leatherman, President



Anita Hess, Vice President



Gary Timmerman, Member

ATTESTED:


Michelle Mawhorter, Auditor