

**AMENDED MINUTES OF A REGULAR SESSION OF THE  
BOARD OF COMMISSIONERS HELD August 8, 2022**

Comes now the hour of 8:30am. on the 8th day of August, 2022 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  
Steve Garbacz, KPC Media  
Richard Rogers, Highway Superintendent  
Zack Smith, Highway Engineer

Steve Hook, from the Star Committee, was present to request permission to use the courtyard and the restroom at the courthouse on September 17, 2022 for an event that the Star committee is sponsoring. Dave Dolezal moved to allow the organization to use the courtyard and the restrooms. Anita Hess seconded and the motion carried 3-0.

**CLAIMS**

Claims dated August 8, 2022 were reviewed and approved with a motion from Dave Dolezal and a second from Anita Hess. Motion carried 3-0. The 12-page report totaled \$389,129.49.

**PAYROLL**

Payroll dated August 11, 2022 was also reviewed. The 4-page report totaled \$413,489.58 and was approved with a motion from Dave Dolezal. Anita Hess seconded and the motion carried 3-0.

**CORRESPONDENCE**

- Drain Maintenance Notice – Melvin drain – duly entered
- Drain Maintenance Notice – Croft Drain – duly entered
- Attorney General Todd Rokita- opioid settlement
- Rick Hull, Barnes and Thornburg, Gary had heard back from them indicating that they were approaching the \$6,000.00 mark for review of the UDO Solar requirements. They commissioners had made a motion when they were first contacted not to exceed \$5,000.00. Gary was unsure where to go from here. Attorney Dennis Graft suggested that we pay the \$5,000.00 that we agreed to as they did not address our request to cap the number of acres of solar as we wanted. Gary suggested that possibly we set up a conference call with Mr. Hull to discuss this further.

**ANIMAL POLICY**

Dennis Graft had prepared a draft copy of the animal policy for the commissioners to review. With some suggestions from the commissioners and others in attendance there were some minor corrections to be made to the policy. Dave Dolezal moved to table the policy adoption until the changes are made. Anita Hess seconded and the motion carried 3-0.

**CONFERENCE ROOM POLICY**

The commissioners also discussed the conference room policy. Security or no security for nightly meeting was a big topic of discussion. Gary has spoken with the IT department and planning to have a button that the designee from the particular department can open the doors for the public, make a security sweep of the facility including bathrooms and the lock the facility down. This is a topic for further discussion and therefore nothing was decided at this meeting.

**HIGHWAY**

Richard Rogers, Highway Superintendent, was present for construction information:

- Driveway Variance – There is a drive way variance request from Robert Freeman on the baseline road. The drive is about 155 short of sight distance. Richard reported that the

Freemans are well aware of the dip in the road that creates this issue and are accustomed to waiting those extra seconds before pulling out. Dave Dolezal moved to approved the variance. Anita Hess seconded and the motion carried 3-0.

- Chip and Seal - Richard reported trouble getting the stone they needed so the chip and seal process was a bit delayed but indicated they are about 65 -70 % done with the process.
- Utility permits were received from Frontier Communications – duly entered

Zack Smith, Highway Engineer, was present for the following engineering update:

- HMA 2022 – 1 Zack reported that the pre-construction meeting with Pulvers went well and the job will begin soon.
- CCMG 2022-2 – Zack has submitted the 2 projects for this selection process.
- Bridge Inspection - Zack has an LPA Voucher for the Bridge Inspection in the amount of \$901.64. Motion to approve the voucher came from Dave Dolezal. Anita Hess seconded and the motion carried 3-0.
- Bridge 136 - Zack has two vouchers for this project – one for preliminary engineering in the amount \$2,037.12 and the other for right of way services in the amount of \$3,435.00. Both were approved with a motion from Dave Dolezal. Anita Hess seconded and the motion carried 3-0
- Baseline Road – Zack reported that the closeout for this project will happen at 1:00pm today.
- Bridge 134 – Zack has received the plan design approval for this project and has an LPA voucher for approval. The amount of the voucher is \$9,832.50 and is approved with a motion from Dave Dolezal. Anita Hess seconded and the motion carries 3-0.
- Bridge 69 - An LPA voucher for preliminary engineering is reviewed for this project. The voucher is in the amount of \$1,678.43 and is approved with a motion from Dave Dolezal. Anita Hess seconded and motion carried 3-0.
- Bridge 59 - Zack had a copy of the Consulting Contract with Butler Fairman & Seufert for the commissioners to sign. Dave Dolezal moved to sign the contract. Anita Hess seconded. Motion carried 3-0. There was also an INDOT project coordination contract with INDOT for this project. Dave Dolezal moved to allow electronic signature on this contract. Anita Hess seconded and the motion carried 3-0.
- Riley Road – Zack told the commissioners that he has submitted the contract for this project.
- Bridge 73 – Pre-construction meeting for this bridge will be held later this week.
- 500 E speed reducing from 55 MPH to 45 MPH. Zack has a draft ordinance for approval. Motion to advertise the ordinance for public hearing came from Dave Dolezal. Anita Hess seconded and the motion carried 3-0.
- A public hearing was held on the 150 E speed reduction. This will make the speed limit on 150 E from Canal Street and 2640 feet south of CR 1000 N. Randy Mault and John Kitchen who live in that area spoke in favor of this change indicating a number of residents in that area and most have to back out on to that road. After the reading of the ordinance, Dave Dolezal moved to adopt the ordinance reducing that speed. Anita Hess seconded and the motion carried 3-0

#### NEW ANNEX

Zack Smith, Project Manager, has the following update for the new building:

- Zack has a release concerning the design flaw in the sidewalk. American StructurePoint paid \$21,318.76 to correct this issue and are requesting this release. Dave Dolezal moved to sign the release. Anita Hess seconded and the motion carried 3-0
- All furniture has now been delivered with the exception of a few pieces.
- The etched veteran names will be installed this week in the lobby
- The move of the prosecutor and probation department is on schedule for a move this week with the South Complex department moving at the end of the month.
- Zack is hoping that this project will be complete and will be closed out by the end of this year.
- The FFE claim was submitted for payment with the public defender, recorder and prosecutor paying for furniture in their department.
- PSI will be back in the next couple of weeks to fix some of the issues that have popped up since the move was complete.

## COURTHOUSE RENOVATION

Zack reported that the meetings with the Clerk, Probation and the Courts went very well and that American StructurePoint has a good idea of how the renovation plan will work to benefit all. Once the design is received, Zack will sit down with the commissioners to review the plan.

## E-911

Shellie Coney, 911 director, is wanting approval to pay a claim that was incurred for the move in Indigital. The claim was for \$5,760.00. Shellie indicated that what the company thought would take one day took 4 days to complete yet charged only what they quoted for the move. Dave Dolezal moved to approve the payment. Anita Hess seconded and the motion carried 3-0. Shellie also discussed the need for the generator to come up much quicker. After a recent storm there was a delay in the generator kicking in. Gary will discuss this issue further with the maintenance department.

## THRIVE REQUEST

Jenna Anderson, director and Steve Garbacz, member of the board, were present to request ARP dollars for a coalition to bring organizations and businesses together to develop innovative and sustainable solution to early child care and learning. To start the coalition, they are asking that the county provide \$50,000.00 in ARP money and then they are hoping that businesses will join in on the project. They are also hoping that the county will add another \$25,000.00 to the pot to help with grants for lower income families to make those child care expenses. The commissioners assured Jenna that if there is money left that they would be interested in helping with this cause.

## BUILDING DEPARTMENT

Norm Lortie, Building Inspector, was present to get some suggestions for a fee ordinance when it came to solar or wind devices. Norm has been checking around with other counties and seeing some big numbers when it comes to costs for the inspections – any where from \$15,000.00 to \$55,000.00. The commissioners are asking that Norm do more checking and also suggested that this may need to be added to the solar ordinance rather than adding to his departmental fee ordinance.

## Recess Drainage

Back in session

## ORDINANCES

The Solar Ordinance discussion continued with the commissioners wanting to provide suggestions for the plan commission to consider. Gary Leatherman, Commissioner President, told the group that in representing 47000+ people not just a handful of people that they have tried very hard to come up with a workable solution to this very controversial subject. He explained a plan that they were discussing about limiting the number of acres allowed to go to solar in Noble County. This would be a percentage of cropland acreage in Noble County which at the last estimate provided by Purdue was at 172337 acres. Gary suggested that 2.75% would be 4739 acres 3% would be 5170 and so on. Gary then asked for one pro solar person to speak and one person against solar to speak as to their thoughts on limitations. Bill Shultz thought that it was a good idea to start small and then if this turns out to be a great resource we can always expand. Charlie Lemmon on the other side didn't like the limitations and he feels that there is no other industry that has limitations. Anita Hess indicated that she thought that no more than 3%. Dave Dolezal suggested 4500 acres. As a compromise Gary asked about 4700 acres as the recommendation to the plan commission board. Dave Dolezal moved to recommend a cap of 4700 acres to the plan commission board for consideration. Anita Hess seconded and the motion carried 3-0. Teresa Tackett asked that there be something in writing to present to her board. That will be provided after the August 22, 2022 meeting.

Jim Mowery and Jim Abbs along with Brian Walker came to the meeting with a request to have an executive session on Monday August 22, 2022 to talk about security issues. That will be advertised.

## GAS OIL AND LUBE

Gary Leatherman brought up the fact that with the highway doing most of our maintenance on the county owned vehicles that it may be more convenient to pay it out of one budget rather than many

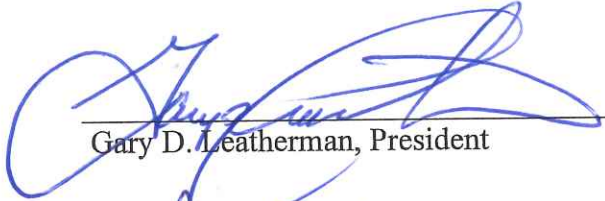
many budgets. This process would then only require one billing from the Highway Department. All commissioners thought that this would be more appropriate and easier to monitor. This will be discussed further at budget hearings next week.

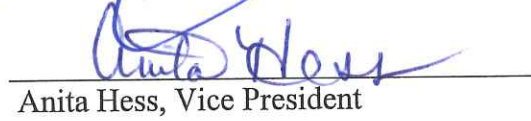
The corrected dog policy was reviewed again and adopted as presented with a motion from Anita Hess and a second from Dave Dolezal. Motion carried 3-0.

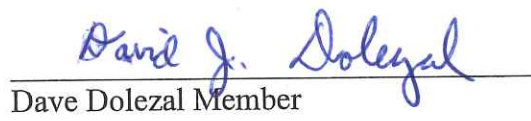
**ADJOURNMENT**

This session of the Board of Commissioners of Noble County was at approximately 4:15 pm recessed from day to day until August 22, 2022

Dated this 22<sup>nd</sup> day of August, 2022

  
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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