

**MINUTES OF A REGULAR SESSION OF THE
BOARD OF COMMISSIONERS HELD September 25, 2017**

Comes now the hour of 8:30 A.M. on the 25th day of September, 2017, 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
Steve Garbaez, KPC Media
Eric Blackman, Noble County Prosecutor
Suzie Pippenger, Victim Advocate
Jodi Messer, Victim Advocate Assistant
Mark Goodrich, Highway Superintendent
Zack Smith Highway Engineer
Kenneth Hughes, Plan Director
Doug Harp, Noble County Sheriff
Norm Lortie, Building Inspector
Fred Colen
Glenn Borders

PROCLAMATION

Eric Blackman, Noble County Prosecutor, along with Suzie Pippenger, Victim Witness Advocate, and Jodi Messer, Victim Assistant Advocate, are all present to request the proclamation for the month of October to be Domestic Violence Awareness Month. Motion to approve the proclamation came from Dave Dolezal and was seconded by Dave Abbott. Motion carried 3-0. Approval was also given to do display throughout the month providing awareness to this issue.

HIGHWAY

Mark Goodrich, Highway Superintendent, was present for the following items:

- Nate Miller, a resident on 1000N, is requesting a second driveway permit for his property. There are no issues or concerns as far as the highway department goes - it is simply a requirement of the permit ordinance. Motion to allow a second driveway permit was made by Dave Abbott and seconded by Dave Dolezal. Motion carried 3-0.
- Dan Heingartner is also requesting a second driveway permit. In this instance, the new driveway is in a better location than the old driveway and the highway department has no issues with this. Motion to approve this variance was made by Dave Abbott. Dave Dolezal seconded the motion. Motion carried 3-0.
- This last issue is dealing with the Diamond Lake drainage issue that has been discussed in previous meetings. Mark has been working with the Noble County Surveyor to resolve this issue and is reporting that they would like to install a drainage tile down the east side of the existing properties. The surveyor is supposed to be working on a legal for this drainage easement.

Zack Smith, Highway Engineer, had the following engineering issues to discuss with the commissioners:

- Zack had a LPA voucher for bridge inspection. Dave Abbott moved to sign the voucher. Dave Dolezal seconded the motion. Motion carried 3-0.
- Zack also reported that the Bridge Inspection is complete and that the commissioners should be expecting a full report from United in October.
- Bridge 147 – Zack presented a revised Utility Agreement for this bridge for signature. Dave Dolezal moved to approve the agreement. Dave Abbott seconded the motion. Motion carried 3-0.
- Bridge 147 – Consulting Contract with DLZ is before the commissioners for approval. Motion to approve the contract came from Dave Abbott and was seconded by Dave Dolezal. Motion carried 3-0.

- Bridge 136 – This is the contract for replacement of bridge 136 and the contract is for INDOT. Motion to approve this contract is made by Dave Dolezal and seconded by Dave Abbott. Motion carries 3-0.
- Bridge 16 – Zack reported that this bridge was completed last Monday and the contractors have now moved to Bridge 24.
- Community Crossing funding – notice was received last week that the county will be receiving \$725,611.53 from this matching grant. Zack had submitted 4 projects and now will be able to help fund 3 out of the 4 projects through this program. Zack indicated that the kick off meeting for the funding is in October and he will be in attendance.
- Concrete Recycling project – the company is about half way done with this project and should be finishing up in the near future.
- The striping project should be completed today.

Zack presented the purchasing ordinance amendment for review and adoption. This will allow the highway department to make purchases up to \$5,000.00 without prior approval and the Surveyor and Sheriff to purchase up to \$2,500.00 without approval as long as the budget allows such purchases. Motion to sign the amended ordinance came from Dave Abbott and was seconded by Dave Dolezal. Motion carried 3-0.

PLAN DIRECTOR - REZONINGS

Kenneth Hughes, Plan Director, was present for a couple of rezoning requests:

- The first request was made by Mark and Janet Boylen to rezone 5.547 acres from RE to A1. According to Kenneth this request had a favorable approve by the plan commission board. Dave Dolezal moved to approve the rezoning and a second came from Dave Abbott. Motion carried 3-0.
- The second request was from Randy and Diane Lutter requesting a rezoning for 1.5 and .75 acres be rezoned from RE to A1. This also had a favorable recommendation from the board and was approved with a motion from Dave Dolezal and a second from Dave Abbott. Motion carried 3-0.
- The flood plain ordinance public hearing was also held and then approved with a motion from Dave Dolezal and a second from Dave Abbott. Motion carried 3-0.

SHERIFF

Noble County Sheriff, Doug Harp, was present to review quotes for the concrete work at the sheriff's department. Two quotes were received from Pulver Asphalt in the amount of \$10452.75 and another from Leatherman Construction in the amount of \$9,750.00. A motion came from Dave Abbott to allow the lowest bid from Leatherman Construction in the amount of \$9,750.00 to be accepted. Dave Dolezal seconded the motion. Motion carried 3-0.

Doug also reported that to date he has received two applications for the maintenance position. He is planning to start interviews sometime in October so that the position will be in place January 1, 2018.

BUILDING DEPARTMENT

Norm Lortie, Building Inspector, is present for the following condemnation hearings:

- Colen – Mr. & Mrs. Fred Colen were also present for this discussion. This property is located at 1245 S US 33, Albion Indiana and is not on this year's tax sale listing. – Norm reported that he first met with the Colens in May and at that time Mr. Colen did not have a key to the home and Norm was unable to get access. The roof is in terrible condition and the decks are coming off of the home. Norm has received 2 other complaints since that May visit. Norm is assuming that there are mold issues within the home due to roof conditions. Norm indicated that there either needs to be plans to redo the home or it needs to be removed. Mr. Colen was in agreement that something needs to be done but does not have the money to do the remodeling. He also indicated that he was recently notified that his mortgage was sold to another company and that he had called them to see what their intentions were as to foreclosure and they are to get back with him by October 3, 2017. With this information, Dave Dolezal moved to condemn the property as unsafe and uninhabitable and set a review hearing for more information once Mr. Colen hears back from the new mortgage company. This date being October 10, 2017 at 10:00AM. Dave Abbott seconded the motion. Motion carried 3-0.
- Borders – Mr. & Mrs. Glenn Borders were also present for this discussion. This property is in the name of Glenn A Borders Jr. which is Glenn's father. He passed away in January

- of this year and there was no will and an estate has not yet been set up. Mr. Borders indicated that his father had been divorced for several years and that there was a half-sister but he had no idea where she lived. Mr. Borders agrees with Norm that the home must come down but does not have the money to do this job. There is a huge hole in the roof. Mr. Borders indicated that a person living close to this property had shown some interest in buying the property. Dennis Graft suggested that Mr. Borders open an estate and possible get the property transferred if this person is really interested so that he could sell the property. Dave Abbott moved to have the property at 7316 N Derby St Wawaka Indiana condemned as it is unsafe and uninhabitable. Dave Dolezal seconded this motion. Motion carried 3-0. This review hearing is set for November 13, 2017 at 10:00AM.
- Middleton – No one is present for this review. Donna (Bell) & Michael Middleton is the owner of Frantz Add to Waldron Lake Lot 1 and this property is on the tax sale listing. This property flooded in 2015 and then again in 2017 and nothing has been done with the property. There is a shed across the road this is titled in the name of Michael & Donna Middleton that would also need to be taken down. This property is NOT on the tax sale listing. Dave Dolezal moved to condemn both locations as unsafe and uninhabitable complicated by the fact that one is on tax sale and the other is not. Dave Abbott seconded the motion. Motion carried 3-0. This review is set for October 23, 2017 at 10:00AM.
 - HUD – This is owned by the Secretary of Housing and like the one above flooded in 2015 and has never been repaired since that time. No one has lived at the property and it is rotting away and falling into itself. Dave Dolezal moved to condemn the property as unsafe and uninhabitable. Dave Abbott seconded the motion. Motion carried 3-0. This is also set for review on October 23, 2017 at 10:00AM.
 - Skidmore – this property is located at 9094 N Steinbarger Lake Rd and has an old mobile home on the property. There are two parcels on this property and it contains 3 lots. Norm has spoken to the attorney in this case and he has promised to have the mobile home removed so this will probably be taken care of. Dave Dolezal moved to condemn this property as unsafe and uninhabitable. Dave Abbott seconded the motion. Motion carried 3-0. Review hearing set for December 18, 2017 at 10:00AM.
 - Rokey – This property is located at Knapp Lake. This is also a tax sale property. The address is 0708 S Parkside Dr Cromwell Indiana. Dave Dolezal moved to condemn this property. Dave Abbott seconded the motion. Motion carried 3-0. This is set for review on October 23, 2017 at 10:00AM.

PUBLIC HEARING BUILDING FEE AMENDMENT

Norm was also present for the public hearing for the amended fee change to building permit fees. This ordinance will increase a renewal charge from \$10.00 to \$35.00. Dave Abbott moved to approve the ordinance. Dave Dolezal seconded the motion. Motion carried 3-0.

GIS CONTRACT

Steve Hook, GIS MANAGER, is requesting a contract for his employment. Steve reviewed this contract with the commissioners at an earlier date and made the requested changes. Motion to approve the contract came from Dave Abbott with the stipulation that this is also approved by the Noble County Council. Dave Dolezal seconded the motion. Motion carried 3-0. The contract is on the agenda for the Noble County Council October 2, 2017.

PINE TREE

Jackie had received a request from the Chamber allowing them to decorate the pine tree on the courthouse lawn again this year for the holiday season. Dave Dolezal moved to allow the decorating to be done. Dave Abbott seconded the motion. Motion carried 3-0.

REGION 3/A COUNCIL ON AGING PROJECT

A contract had been received from Matt Brinkman dealing with the council on aging relocation project. The contract had errors within the contents and Jackie is instructed to contact Matt to have a contract sent. Jackie contacted Region 3A on Tuesday 09/26/17 and talked to a board member. Matt was out of the office and this gentleman will get with Matt and correct the issue and send a new contract for review on October 10, 2017.

RECESS 11:10AM

BACK IN SESSION 12:30PM

CLAIMS – REGULAR

Nicole Noe, Deputy Auditor, is present to review 12 pages of claims totaling \$501,656.50. After review claims were approved as presented with a motion from Dave Abbott and seconded by Dave Dolezal. Motion carried 3-0.

CLAIMS – COURT

The court claims were also reviewed. This report contained 5 pages and totaled \$37,717.75 in claims. Motion to approve court claims came from Dave Dolezal and was seconded by Dave Abbott. Motion carried 3-0.

PAYROLL

Payroll dated 09/28/17 for the time period of 09/01/17 through 09/17/17 was reviewed and approved with a motion from Dave Dolezal. Dave Abbott seconded the motion. Motion carried 3-0. This report contained 6 pages and totaled \$354,654.95.

CORRESPONDENCE

- IDEM – Creative Liquid Coatings - air permit – duly entered
- Clerk of the Court – monthly report August – duly entered
- Invitation to the Kendallville Lions Club Annual Turkey Dinner
- Treasurer's office monthly report August – duly entered
- Drug Free Noble County Comprehensive Plan – duly entered
- Surveyor – another rate hike hearing
- Community and Rural Affairs removal of environmental conditions notice
- IDEM – Pulver & Sons FESOP renewal notice – duly entered
- Weights & Measures – monthly report – duly entered

MINUTES

Minutes of the August 14, 2017 meeting were read and approved as corrected with a motion from Dave Dolezal and a second from Dave Abbott. Motion carried 3-0.

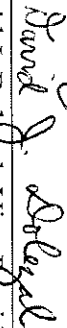
Minutes of the September 11, 2017 were also approved as written. Dave Dolezal made this motion and Dave Abbott seconded this motion. Motion carried 3-0.

ADJOURNMENT


This session of the Board of Commissioners of Noble County was at approximately 1:00 P.M. recessed from day to day until October 10, 2017.



Gary D. Leatherman, President



David J. Dolezal, Vice President



David Abbott, Member

ATTESTED 

Tonya L. Marks, Auditor