

**MINUTES OF A REGULAR SESSION OF THE  
BOARD OF COMMISSIONERS HELD November 28, 2016**

Comes now the hour of 8:30 A.M. on the November 28, 2016, 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 (late)  
David J. (Dave) Dolezal, Vice President  
Dave Abbott, Member

Also present were:

Tonya Marks, Noble County Auditor  
Jacqueline L. Knafel, County Coordinator  
Dennis Graft, Noble County Attorney  
Steve Garbacz, KPC Media  
Mark Goodrich, Highway Superintendent  
Zack Smith, Highway Engineer  
Norm Lortie, Building Inspector  
Kenneth Hughes, Plan Director  
Danyel Wagner, Probation

Vice President, Dave Dolezal, brought the meeting to order at 8:45AM.

**TAX SALE PROPERTY (MCCRAY)**

Mayor Suzanne Handshoe is present and reported that the Kendallville City Council is willing to take ownership of the McCray property, Dennis Graft, County Attorney, advised Mayor Handshoe that the county would now start the process of assigning the tax deed to the City of Kendallville. After that, the process would be in the hands of the city to complete the process to obtain the deed. Dave Abbott made a motion to assign the McCray property to the City of Kendallville. Dave Dolezal seconded the motion. Motion carried 2-0.

**PROCLAMATION**

Jackie Knafel, County Coordinator, had received a proclamation from the State of Indiana in reference to December 11, 2016 marking the 200<sup>th</sup> anniversary of the act of admitting Indiana as the 19<sup>th</sup> state of the Union. A flag that was flown over the state house this past fall was given to Noble County. The Bicentennial Proclamation was read and Dave Abbott moved to proclaim Sunday December 11, 2016 as Indiana Statehood Day and Bicentennial. Dave Dolezal seconded the motion. Motion carried 2-0.

**CORRESPONDENCE**

- Noble County Treasurer's report – duly entered
- IDEM – Parkview Noble Hospital – air permit – duly entered
- Weights & Measures monthly report – duly entered

**MINUTES**

Minutes of the October 24, 2016 meeting were read and approved as corrected and the minutes of the November 14, 2016 meeting were read and approved as written with a motion from Dave Abbott. Dave Dolezal seconded the motion. Motion carried 2-0.

**PAYROLL**

Payroll for the period of 10/28/16 through 11/10/16 and paid 11/23/16 was reviewed. The report contained 6 pages and totaled \$358,068.59. Dave Abbott moved to approve the payroll as reviewed. Dave Dolezal seconded the motion. Motion carried 2-0.

**HIGHWAY**

Mark Goodrich, Highway Superintendent, had the following information for the commissioners:

- Request for a driveway variance for a Miller Property on 1100 N. The highway has no issues in granting the variance. Dave Abbott moved to approve the variance for a 2<sup>nd</sup> drive of 1100 N. Dave Dolezal seconded the motion. Motion carried 3-0.
- Another request to add a second drive on a property on 600 S. This owner wants to leave the current drive and then add a 2<sup>nd</sup> for better sight distance. Again the highway has no issues in granting the variance. Motion to approve the driveway variance on 600 S was made by Dave Abbott and seconded by Dave Dolezal. Motion carried 3-0.
- Mark also filed utility permits for AEP and Noble REMC

Zack Smith, Highway Engineer, is present with the following engineering business:

- No update on the bridge inspection
- Bridge 147 – Zack had a voucher for preliminary Engineering for approval. Dave Dolezal moved to approve the voucher in the amount of \$11,080.91. Dave Abbott seconded the motion. Motion carried 3-0. Also on bridge 147, Zack presented a supplemental agreement from DLZ in the amount of \$4,100.00 for a public access boat launch as required by the DNR. Motion to approve this supplemental agreement was made by Dave Abbott and was seconded by Dave Dolezal. Motion carried 3-0.
- Bridge 136 and Baseline Road – Zack is still awaiting an okay to proceed for early communication.
- Community Crossing Grant - Zack continues to work on the state to release the funding for this grant.
- Highway Garage – Most of walls frames are in place and the project is progressing as scheduled. Some requests for changes and all of these are going through the engineering company.
- Bridge 82 - Pioneer Associates is requesting that 311.19 of structure backfill be needed to complete the project, however the engineering company for this project maybe would be in the 150.00 range and feels that the 311.00 is unnecessary. Zack will counter with the 150.00 figure. Dave Dolezal made a motion to have Zack proceed with his proposal. Dave Abbott seconded the motion. Motion carried 3-0.
- Bridge 16 and 24 - Engineering plans are ready for these two projects and Zack is planning to advertise for bids in January.
- Speed Studies – Zack provided speed studies and information concerning the speed on 400 E and 225 E for the commissioner’s review as well as a traffic investigation at the intersection of 800W and 850 N. Dave Abbott moved to approved Zack moving forward on these projects. Dave Dolezal seconded the motion. Motion carried 3-0.
- Conflict of Interest Policy – Zack has been in contact with Dennis Graft, County Attorney, concerning the issue. Discussion of creating a policy for the county and setting maximum thresholds of “gifts” from contractors such as providing an occasional meal were all talked about. Zack suggested that the commissioners wait until after the upcoming Commissioners Conference to discuss this further, thinking that this would be a topic of conversation at the conference.

#### UNSAFE HOUSING

Norm Lortie, Building Inspector, was present to discuss quotes that he had received for the two properties in question. The quote for Sanchez/Barrios in Kimmell came in at \$5,500.00 from Caskey Trucking as the lowest bid and the Wade property at Upper Long Lake came in at \$5,970 from Forker Excavating as the lowest bid. Dave Dolezal moved to approve Caskey Trucking for the Sanchez/Barrios property with a second from Dave Abbott. Motion carried 3-0. Dave Abbott moved to approve Forker Excavating for the Wade property. Dave Dolezal seconded that motion. Motion carried 3-0. Norm will take care of notifying the property owners of these quotes.

#### FINDING & FACTS

In all of the cases for the building department, Dennis Graft prepares orders to mail to the property owners. Dennis is suggesting that these orders only require the commissioner’s president signature and that once okayed by the commissioners Jackie could take care of the orders in a timelier manner. Dave Dolezal moved to approve this process for these building department orders. Dave Abbott seconded the motion. Motion carried 3-0.

#### PLAN COMMISSION FEE ORDINANCE

Kenneth Hughes, Plan Director, is present for the requested fee increase public hearing for his department. Kenneth explained his reasons for the increase in fees for services. There being no

public commits during the public hearing, Dave Dolezal moved to approve the increase beginning January 1, 2017. Dave Abbott seconded the motion. Motion carried 3-0.

Kenneth also had two outstanding invoices from Ground Rules and is wanting to know whose responsibility it is to pay these invoices. The commissioners no longer had a line item for funding this project. Kenneth indicated that he would have the funds to pay this from his budget but wanted itemized billing prior to payment so that he was sure that what was being billed was actually completed.

#### COMMUNITY CORRECTIONS GRANT

Danyel Wagner, Asst Chief Probation Officer, is present to discuss a community corrections contract which will allow Noble County Probation Officers to do training for community correction related services. Dave Dolezal moved to approve the contract. Dave Abbott seconded the motion. Motion carried 3-0.

#### RECESS

#### BACK IN SESSION

#### SHERIFF

Dennis Graft, County Attorney, provided a copy of a letter that the Sheriff's department was asking him to sign in reference to the Sheriff's department operating as a public aircraft operator for a drone. Dennis indicated he had no issues in signing the letter but wanted the commissioners to be aware of it. Dennis indicated that this would only be used for search warrants. Dave Abbott moved to allow Dennis to proceed with the letter. Dave Dolezal seconded the motion. Motion carried 3-0.

#### REPAIR TO THE RAILING

A quote had been received from Leatherman Construction to repair the railing on the north side of the courthouse from an accident involving an unoccupied vehicle rolling backwards into the railing and bending it. Dave Dolezal moved to approve the quote and asked Jackie to send this on to the owner of the vehicle's insurance company. Dave Abbott seconded the motion. Motion carried 3-0.

#### CLAIMS

Nicole Noe, deputy auditor, was present for the claims review. 10 pages + 3 additional claims were reviewed. Claims totals were \$503,890.07 and \$2575.60 for the additional claims. Dave Dolezal moved to approve the claims as presented. Dave Abbott seconded the motion. Motion carried 3-0.

#### TAX SALE ASSIGNMENT PROCEDURE

Stephanie Leonhardt, Deputy Auditor, had requested information as to how to proceed with the tax sale assignment to the City of Kendallville. The procedure calls for a resolution, which County Attorney Dennis Graft will prepare and then the signing of Tax Certification. Gary Leatherman sign the tax certificate as prepared. Dave Dolezal moved to allow the signing of the Resolution by the president only so once prepared it will be taken care of. Dave Abbott seconded the motion. Motion carried 3-0.

#### EXECUTIVE SESSION

The minutes from the executive session held earlier today were ready for review. Dave Abbott moved to approve those minutes as written with a second from Dave Dolezal. Motion carried 2-0.

#### ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 4:47 P.M. recessed from day to day until the 12<sup>th</sup> day of December, 2016.

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Gary D. Leatherman, President

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David J. Dolezal, Vice President

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David Abbott, Member

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