

**MINUTES OF A REGULAR SESSION OF THE
BOARD OF COMMISSIONERS HELD March 13, 2017**

Comes now the hour of 8:30 A.M. on the March 13,2017, 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

Absent:

Dave Dolezal, Vice President

Also present were:

Jacqueline L. Knafel, County Coordinator
Dennis Graft, Noble County Attorney
Steve Garbacz, KPC Media
Zack Smith, Highway Engineer
Mark Goodrich, Highway Supervisor
Mick Newton, EMA Director

Gary Leatherman, brought the meeting to order at approximately 8:34AM.

EMA

Mick Newton, EMA Director, was before the commissioners to request permission to repair his vehicle from the recent hail damage. The estimate from Leatherman's Body Shop came in at \$7,791.00. The commissioners suggested that the estimate be sent to our insurance company for review and direction as to whether a second estimate should be obtained. Jackie forwarded to Black & Ramer Insurance on 03/14/17.

CORRESPONDENCE

- Clerk Monthly report – duly entered
- IDEM- Kendallville Iron & Metal – Solid Waste permit - duly entered
- IDEM – Garret LLC – Monofill post closure – duly entered
- IDEM – Structural Composites – air permit – duly entered
- IDEM – Tower Structural Laminating – Title V - renewal
- Leachate report – Haines Bulldozing
- Wilcox – 02/24/17 Methane Monitoring report
- Wilcox – 03/09/17 Methane Monitoring report
- Report of Collection – Noble County Sheriff
- County Treasurer monthly report – duly entered

PLAN COMMISSION COMPLAINT

Donald Nevil, concerned citizen, is before the commissioner with complaint about the decision made by the BZA Board on March 1, 2017. Mr. Nevil said that the plan director– according to him – was very rude and wouldn't help him in any way with questions that he had concerning why his variance was denied and what the process of appeals would be. He was unsure about how the process works concerning an appeal and how it should be filed. Mr. Nevil reported that there was no reason on his paperwork. Dennis Graft, County Attorney, reviewed the paperwork that Mr. Nevil provided and informed Mr. Nevil that he would research the process and get back with him this afternoon. Kenneth Hughes came in also and said that the final findings would be complete on the 29th of March and Mr. Nevil would be mailed a copy of the finding at that time however, Mr. Nevil only had 30 days from the date of the denial (which was March 1) to file an appeal with the court.

MINUTES

Minutes of the February 27, 2017 meeting were read and approved as written with a motion from Dave Abbott. Gary Leatherman seconded the motion. Motion carried 2-0.

PAYROLL

Payroll dated 03/16/17 for the time period of 02/17/17 – 03/02/17 was reviewed and approved with a motion from Dave Abbott. There were 6 pages to the report totaling \$350,124.70. Gary Leatherman seconded the motion. Motion carried 2-0.

OLD BUSINESS

A quote/order form had been received from the Council on Aging in conjunction with a voucher that had been approved and signed at a previous meeting. This also required the Commissioner President's signature. The document was signed and given to Cherish Smith, Council on Aging Director.

HIGHWAY

Richard Rogers, Highway Inspector, is present for a driveway variance. This requests comes from a resident in a sub division and has two existing drives. This process will just clean up the already existing drives and the highway department has no issues with the variance. Dave Abbott moved to approve the variance with a second coming from Gary Leatherman. Motion carried 2-0.

Mark Goodrich, Highway Superintendent, is present for the following:

- Mark is requesting permission to purchase a hydraulic pump for one of the dump trucks. This will be estimated to cost around \$4,000.00. Dave Abbott moved to approve the purchase. Gary Leatherman seconded the motion. Motion carried 2-0.
- Mark also had a copy of the current "ride along" policy and consent form. Mark is wanting input from the commissioners and attorney to update this form. Dennis Graft, County Attorney, will review the form and get back with Mark as to recommended changes.
- Mark reported back about the resident on 1100 E and drainage issues surrounding a driveway being put in without a permit. This has been discussed with the commissioners at their last two meetings. Mark informed the commissioners that he has now been in contact with the owner of the property and the owner is applied for the driveway permit which is before the commissioners today. Mark is recommending that the variance be approved with the conditions as set forth in the permit of which the resident has 30 days to comply. Dave Abbott moved to approve the variance. Gary Leatherman seconded the motion. Motion carried 2-0.
- Mark also filed 2 Utility permits with the commissioners. One from Noble REMC and the other from United Telephone of Indiana.

Zack Smith, Highway Engineer, had the following engineering business to bring before the commissioners:

- Zack reported that the new construction on the garage should be complete by the middle of April.
- Bridge Inspection - Zack had a supplemental LPA voucher that needed signed concerning the Scour Assessments that will now be required on all bridges in the county. Dave Abbott moved to sign the agreement with a second from Gary Leatherman. Motion carried 2-0.
- Bridge 147 – Zack also had a LPA voucher for bridge 147 in the amount of \$2,334.00 for the county's portion. Zack reported that we are currently finalizing the environmental phase of the project and will be moving on to the next phase. Dave Abbott moved to approve the voucher. Gary Leatherman seconded the motion. Motion carried 2-0.
- The Letters Of Interest for Bridge 136 and the Baseline Road projects have been reviewed by Zack and will be coming before the commissioners for grading, however, since there is no rush on these projects, Zack feels that they should wait until all board members are present to start this process. At this time, the board is unsure of the return of Dave Dolezal after his recent surgery. Dave Abbott moved to table the grading process until all members were present. Gary Leatherman seconded that motion. Motion carried 2-0.
- Bridge 16 and 24 – All bids for these two projects were received and opened at the last commissioners meeting. Zack has reviewed all bids for compliance and reported that the bid award will stand with R.L. McCoy with their bid package complete and coming in at the low bid for both projects.
- The Community Crossing grant will again be available this year and application will be accepted this summer with the awarding of the grants this fall. There is less money available this year than last and therefore the process will be more competitive.
- Equipment purchases – Bids have been advertised and are due Friday the 24th with the opening of those bids to happen at the March 27th commissioners meeting.

- Conflict of interest policy – Zack will update this policy and send to our county attorney for review.
- Gravel roads – Zack reported that the county is doing upgrades to many of the gravel roads in the county and will also now grade them for the county's road plan.
- Albion Road project - Zack reported that IDOT has found issues with the Albion Road project and now because of the costs skyrocketing due to these findings, the Town of Albion is looking to cancel the project. They are asking for a letter from the County as to how the county would like to proceed. Zack wants permission to send a letter in support of canceling the project and asking for return of engineering costs that the County has already expended. Dave Abbott moved to approve Zack sending a letter with the stipulation of returned expenses. Gary Leatherman seconded the motion. Motion carried 2-0.
- Legislative session - Zack reported that there are still changed being made to road funding bills and would like to wait for any county action until a final bill can be reviewed.

PUBLIC HEARING - COUNCIL ON AGING

Matt Brinkman, Region III-A is present to conduct the public hearing for the council on aging building construction. Authority to hold and record the public meeting was given with a motion from Dave Abbott and a second from Gary Leatherman. Motion carried 2-0. The public hearing began at 9:30AM and Matt explained the scope of the project. This project is in excess of \$500,000.00 and will benefit the low and moderate income families. The funding for this project will come from Council on Aging funds. This grant is a competitive grant and Council on Aging should know the results of the grant application in June. There were no written comments received by the Noble County Auditor's office, however, there were comments received at the Council on Aging office and there were people in attendance who supported the project. Matt informed the public that letters of support will be accepted by Region III-A through March 31, 2017. The commissioners also indicated that they will again send a letter of support for this project as this is a huge benefit to this community. Dave Abbott, Noble County Commissioner, stated that the residents have outgrown the current facility and this project will allow the organization to grow. Denise Lemmon also spoke on behalf of the project and said that Council on Aging Board gave 100% support to this project. The public hearing then closed at 9:40AM.

INTRODUCTION

Mike Yacullo, a project engineer from the Ciorba Group was here to introduce himself to the commissioners. He is new to the company and wanted to stop by with his introduction.

NEW BUSINESS

Jackie had received a quote from Riecke's Painting for the repair of chipping paint on the ceiling of the rotunda. Dave Abbott moved to approve the quote and gave the okay for work to proceed. Gary Leatherman seconded the motion. Motion carried 2-0.

CLAIMS

Claims containing 11 pages and totaling \$166,555.64 were reviewed and approved with a motion from Dave Abbott. Gary Leatherman seconded the motion. Motion carried 2-0. Supplemental claims as well as Utility claims were approved with a motion from Dave Abbott and a second from Gary Leatherman. Motion carried 2-0.

LAWN CARE BIDS

Two bids were received by the Auditor's office for the 2017 lawn care at the Noble County Sheriff's department as well as the South Complex. The first bid was from Green Side Up and the total for the complete care as outlined in the specs was \$12,530.00. The second bid was from J & J Landscaping and totaled \$9436.00. Dave Abbott moved to accept the low bid of \$9,436.00 from J & J Landscaping LLC. Gary Leatherman seconded the motion. Motion carried 2-0.

PLAN COMMISSION

Kenneth Hughes, Plan Director, was present to discuss the possibility of an address ordinance with commissioners. According to Kenneth, this would only apply to new construction. Mitch Fiandt, 911 director was also in favor of adopting such an ordinance. Doug Harp, Noble County Sheriff,

also indicated that it is important for public safety issues that residents have their addresses properly posted. The commissioners had concerns as they reviewed the ordinance that it indicated that all residents shall have the address signs. There were concerns of how this type of ordinance would be enforced and who would determine and/or report public safety issues. The commissioners definitely see the need for addresses to be posted for their own safety but have issues with the way this is written which more or less required everyone to post their address. The commissioners are asking Kenneth to revise the wording on the ordinance and bring it back to them for further review.

In other business, Kenneth is asking permission to purchase an IPAD with cellular to take to the field for addressing etc... The cost would exceed the \$500.00 amount however there is money in the plan commission budget to purchase the item. Dave Abbott moved to approve the IPAD purchase with a second coming from Gary Leatherman. Motion carried 2-0.

ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 11:00A.M. Recessed from day to day until the 27th day of March, 2017.

Gary D. Leatherman, President

David J. Dolezal, Vice President

David Abbott, Member

ATTESTED:

Tonya L. Marks, Auditor