

**MINUTES OF A REGULAR SESSION OF THE
BOARD OF COMMISSIONERS HELD March 27, 2017**

Comes now the hour of 8:30 A.M. on the March 27, 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 Garbacz, KPC Media
Zack Smith, Highway Engineer
Mark Goodrich, Highway Supervisor
Richard Rogers, Highway Inspector
Eric Blackman, Prosecutor
Suzie Pippenger, Victim Advocate
Tanner Guthrie, AEP
Tim Atkinson, Michiana Land
Kenneth Hughes, Plan Director
Norm Lortie, Building Inspector
Ryan Weber, Lakewood Surveyor

Gary Leatherman, Commissioner President, brought the meeting to order at approximately 8:33 A.M.

CLAIMS

Claims dated March 27, 2017 containing 11 pages and totaling \$360,676.59 and court claims dated April 3, 2017 containing 6 pages and totaling \$47,701.88 were reviewed and approved with a motion from Dave Dolezal. Dave Abbott seconded the motion. Motion carried 3-0.

CRIME PREVENTION WEEK

Eric Blackman, Noble County Prosecutor, and Suzie Pippenger, Victims Advocate, to request that the commissioners proclaim the week of April 2 – 8 , 2017 as Crime Prevention week. Eric presented the commissioners with fact sheet of burglaries and drug related cases which all result in assistance from the victim advocate program. Dave Dolezal moved to proclaim the week of April 2-9 as Crime Prevention Week. Dave Abbott seconded the motion. Motion carried 3-0.

LANDFILL EASEMENT

The commissioners had received an easement transmittal document from AEP in relationship to a line coming from Fort Wayne to Albion. This easement is on landfill property and in proximity to the trench that will soon be installed. Tim Atkinson, Michiana Land Services, along with Tanner Guthrie from AEP were present to discuss this project and to answer questions concerning the easement right of way. Derek Faulk, Wilcox Environmental, was also involved in some e-mail correspondence but was unable to attend today's meeting. After discussion and reviewing maps of the easement in relationship to the trench and the depth of the waste at the landfill, it was agreed among everyone that more discussion and review needs to take place. The easement request will now be tabled until further review by all parties. Information and documents moved to the next file.

HIGHWAY

Zack Smith, Highway Engineer, conducted the opening of bids for recently advertised requests for trucks and a chip spreader

- Bids for Truck Body & Equipment
 1. W. A Jones \$87,872.00
 2. Monroe Truck \$90,046.00
- Bids for the Truck Chassis
 1. Selking \$101,895.00

- 2. Stoops Western Star \$105,429.00
- 3. Peterbilt \$124,980.00
- 4. Vomag \$103,854.00
- Bid for the Chip Spreader
 - 1. Southeastern \$233,500.00

Dave Abbott moved to accept all bids to be taken under advisement and review. Dave Dolezal seconded the motion. Motion carried 3-0.

HIGHWAY INSPECTOR

Richard Rogers, Highway Inspector, was present to request the following driveway variances:

- The first on the agenda was for the 33 drives requested by AEP for temporary drives for the project from Fort Wayne to Albion. Richard indicated that 3 of the 33 drives had some drainage issues and that he had spoken with Debra Gibbs from AEP and they have agreed to pay for the culverts to be installed and also agreed to moving some poles so that they will remain 10 feet from the highways right of way. Permits fees have been waived due to the fact that these are temporary drives and will be removed once the project is complete. Dave Abbott moved to approve the driveway variances as presented. Dave Dolezal seconded the motion. Motion carried 3-0.
 - Richard also had a request for a Fry residence on 1100 N. Richard indicated that the driveway was 50 ft short of sight distance from the west however this is a low volume road and therefore the highway has no issues with the variance. Dave Dolezal moved to approve the variance with a second coming from Dave Abbott. Motion carried 3-0.
 - Gary Weldy on Sparta Lake Rd is requesting a driveway permit and Richard has voiced his concern for this drive during the summer months when crops are up. When there is no crops – in particular corn crops - up there is no issue with the sight distance. Dave Dolezal moved to approve the variance. Dave Abbott seconded the motion. Motion carried 3-0.
 - A property located on 250 W has a 45 ft shortage in sight distance but is not really a concern of the highway. Dave Dolezal moved to approve the variance. Dave Abbott seconded the motion. Motion carried 3-0.
 - Cunningham's on 525 W north of Diamond Lake is requesting a second drive on his property. They will be building a new home and are putting this drive in for the new home. Dave Dolezal moved to approve the variance. Dave Abbott seconded the motion. Motion carried 3-0.
- Mark Goodrich, Highway Superintendent, was present for the following construction business:
- Mark is requesting to make purchases over the \$2500.00 mark which will allow him to go online today for an auction in Indianapolis. Mark has made the trip to the location to inspect the equipment pieces that the county is interested in. Dave Dolezal moved to approve purchases over \$2500.00 for today's auction. Dave Abbott seconded the motion. Motion carried 3-0.
 - Mark has a Utility permit for a fiber optic line from Parkview in Kendallville to LaGrange. Dave Abbott moved to approve the permit with a second from Dave Dolezal. Motion carried 3-0.
 - Mark provided sample letters that the department was going to be sending out to residents during the upcoming construction season for the commissioner's review.

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

- Zack reported that the highway garage is still on schedule for an early April completion. This should leave around \$210,000.00 in the bond account to purchase equipment for the garage as well as to help with the purchase of a new dump truck. Zack had a quote that he received from Snap on tools for diagnostic software. The quote is in the amount of \$16,129.46. Dave Abbott moved to approve this purchase of software in the amount of \$16,129.46. Dave Dolezal seconded the motion. Motion carried 3-0.
- United will be in the area in the next week or two to begin the bridge inspection work.
- Bridge 147 – Phase two of the project is now complete and we are now on to the next phase.
- Bridge 16 and 24 – these two projects are set for July construction. R L McCoy is the contractor.
- Conflict of Interest Policy – Zack is wanting the commissioner's feedback on how to go about this policy. There has been some direction information coming from the state but still many questions exists. Zack is wanting to draft a "bare bones" policy for right now with amendments coming after the conclusion of legislation. He will work with Attorney Dennis Graft for finalize this draft.

- Legislative update – there is still a lot going on the legislative front and Zack is taking the option of just sitting back and waiting on the final product.
- Road Ratings – the department started on road ratings last week and hope to have the report done in late April and an updated Road plan available in May.
- Shop Supervisor – Zack is looking for a new shop supervisor and explained that this is a critical position at the department. Zack is wanting permission to offer vacation package based on years of experience and our current vacation schedule. For example if the applicants comes into the position with 10 years of experience, he would receive the same amount of vacation time as our current employees with the 10 years of experience. He is also asking the commissioners permission to approach the council to allow him to pay this individual the top of the matrix amount. Dave Dolezal made a motion to allow Zack to negotiate vacation and salary with the appropriate individual. Dave Abbott seconded the motion. Motion carried 3-0.

REZONINGS

Kenneth Hughes, Plan Director, is present for this agenda item:

- Kenneth explained that the Weissert-Binion rezoning had been removed from the agenda at the request of Royce and Sally Binion with a letter to withdraw the petition.
- Lavon Herschberger rezoning – Ryan Weber, Lakewood Surveying, is present representing Lavon Herschberger in their request to rezone 1.053 acres from RE to A1. Kenneth indicated that this request had received a favorable recommendation from the plan commission board. Dave Dolezal moved to approve the rezoning with a second coming from Dave Abbott. Motion carried 3-0.
- David Herschberger – Ryan Weber is also representing David Herschberger in his request to rezone 76.28 acres from A1 to A3. This also came to the board with a favorable recommendation by the plan commission. Dave Dolezal moved to approve the rezoning. Dave Abbott seconded the motion. Motion carried 3-0.
- Roger Lemon – the last rezoning before the board is a request by Roger Lemon to rezone 1.07 acres from RE to A1. This had a favorable recommendation from the plan commission board and was approved by the commissioners with a motion from Dave Dolezal and a second from Dave Abbott. Motion carried 3-0.
- Kenneth advised the commissioners that the revision to the comprehensive plan was going to begin around the middle of April. He is inviting anyone who might be interested in sitting on this steering committee to come to the meetings. Further information, dates and times will be forthcoming.

BUILDING DEPARTMENT

Norm Lortie, Building Inspector, is present to discuss the following properties

- Wade – Norm told the board that this unsafe housing issue has now been addressed. The building has been removed by the county and the payment deadline for these services has now passed. Norm is asking that the commissioners take the next step in asking the attorney to start the lien process against the owner of the property. Mr. Graft will begin this phase of the process.
- Barrios - This property is located in Kimmell and Norm has recently visited the site. He is indicating that there has been significant progress made on the property and he feels that it is no longer to be consider an unsafe structure. Dennis Graft is suggesting that Norm keep on this property owner to make sure the forward progress continues. The commissioners have set June 12, 2017 at 9:30AM to again review the progress.

LANDFILL BIDS

No bids were available for discussion.

DEMOLITION BIDS

Bids were received in the Auditor's office for the demolition of the three homes located at 208, 210 and 214 W Jefferson Street. The following bids were received:

- Eshelman Excavating \$47,000.00
- Forker Excavating \$59,615.00

Dave Dolezal moved to accept the lowest bid of \$47,000.00 from Eshelman Excavating. Dave Abbott seconded the motion. Motion carried 3-0.

CORRESPONDENCE

- Clerk of the Court Monthly report – duly entered
- Weights & Measures Monthly report – duly entered
- Wilcox – Methane Monitoring weekly report – duly entered
- IDEM – Update to the Statistical Evaluation Procedures – duly entered
- Town of Albion - Leachate disposal
- IDEM – Herr Dairy – Confined Feeding
- IDEM Carlex Glass Air Quality
- Health Department Annual Report

MINUTES

The minutes of the March 13, 2017 meeting were read and approved as written with a motion from Dave Abbott. Dave Dolezal seconded the motion. Motion carried 3-0.

PAYROLL

Payroll dated 03/30/17 for the time period of 03/03/17 – 03/16/17 was reviewed. Six pages totaling \$351,702.04 were approved with a motion from Dave Dolezal. Dave Abbott seconded the motion. Motion carried 3-0.

COUNCIL ON AGING RESOLUTION

The resolution of the board authorizing the application as well as the local match commitment was read and approved by the commissioners with a motion from Dave Abbott. Dave Dolezal seconded the motion. Motion carried 3-0.

EDC REQUEST

Dave Abbott discussed the Economic Development Commission's effort to add more classes to the Incumbent Worker Program as well as a study to define housing needs within the county. Dave is asking for a letter of support for these two projects be sent to Rick Sherck, EDC Director. Commissioner Dave Dolezal moved to send a letter of support for these projects. Dave Abbott seconded the motion. Motion carried 3-0. Jackie will draft a letter for review. (Letter sent to Dave Abbott via e-mail for approval. Letter e-mailed to Rick Sherck 03/28/17)

RECESS

EXECUTIVE SESSION

BACK IN SESSION 2:25PM

ENTERPRISE

The Commissioners, Sheriff Doug Harp, Chief Deputy Chad Willet, and Zack Smith, Highway Engineer were all present for this discussion. Representatives from Enterprise leasing were in attendance to discuss the possibility of leasing vehicles for the county rather than our current purchasing policy. Charts and graphs were shared with the commissioners based on our fleet information that provided by the county. Questions concerning mileage, maintenance, insurance etc.. were reviewed. All information will be taken under advisement and further discussion.

LETTERS OF INTEREST

Zack Smith, Highway Engineer, was present for the scoring process on the letters of interests received from engineering firms for two upcoming county projects.

The LOI's for Bridge 136 were reviewed and scored for the following firms:

- Butler Fairman Seufert
- Northwest Consultants, Inc
- United Consulting
- USI Consultants
- VS Engineering
- Lockmueller Group
- DLZ
- American Structurepoint
- Ciorba Group

Letters of Interest for the Baseline Rd / 600 E project were as follows:

- USI Consultants
- Lockmueller Group

- Lawson Fisher Associates
- Shrewsberry
- A & Z Engineering
- DLZ

Zack will take the scoring evaluation back to the office and report back to the commissioners at their next meeting.

ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 5:15P.M. Recessed from day to day until the 10th day of April, 2017.

Gary D. Leatherman, President

David J. Dolezal, Vice President

David Abbott, Member

ATTESTED:

Tonya L. Marks, Auditor