

**MINUTES OF A SPECIAL SESSION OF THE  
BOARD OF COMMISSIONERS HELD JANUARY 23, 2012**

Comes now the hour of 8:50 A.M. on the 23<sup>rd</sup> day of January, 2012, in the Commissioners Court in the Noble County Courthouse, Albion, Indiana, being the time, date and place set for a special session of the Board of Commissioners of Noble County, Indiana.

Present were:

Joy Y. LeCount, President  
David J. (Dave) Dolezal, Vice President  
Jack W. Herendeen, Member

Also present were:

Marion S. Cavanaugh, Deputy Auditor  
Dennis Graft, County Attorney  
and Bob Braley & Scott Perry, News Media

**PAYROLL TO BE PAID 1/26/12 APPROVED**

After reviewing the payroll from 12/30/11 - 1/12/12 to be paid 1/26/12 Jack moved to approve it. Dave seconded the motion and it carried, 3-0.

**CLAIMS TO BE PAID 1/23/12 APPROVED**

After reviewing the claims to be paid today's date Dave moved to approve them. Jack seconded the motion and it carried, 3-0.

**MINUTES APPROVED – JANUARY 3, 2012**

While reviewing the minutes and making corrections, Joy and Jack said that they had never requested name tags for all employees. Dave moved to approve the minutes as corrected. Jack seconded the motion and it carried, 3-0.

**TOWN OF ALBION - INVOICE FOR DISPOSAL  
OF LEACHATE FROM LANDFILL**

The Commissioners received an invoice from the Town of Albion in the amount of \$270.00 for the disposal of 4500 gallons of leachate, (H.I.).

**JEFFERSON TOWNSHIP SHELTER  
ASSISTANCE & DESIGNATION OF TRUSTEE**

The Commissioners received a copy of the Jefferson Township Shelter Assistance Rules, and a copy of the designation of the Albion Township Trustee to take over when the Jefferson Township Assessor is out of the Township or incapacitated in some way, (H.I.).

### **TORT CLAIM - ALI & HALIMA MOHSEN**

The Commissioners received notice of a tort claim regarding injuries Halima Mohsen sustained when the school bus he was riding in hit the back of a stopped vehicle, (H.I.).

### **WEIGHTS & MEASURES REPORT - 12/16/11 - 1/15/12**

The Commissioners received the above referenced report, (H.I.).

### **CERTIFICATE OF APPOINTMENT TO ALCOHOLIC BEVERAGE BOARD - HERTHA MEYER**

The Commissioners received the above referenced certificate for their signatures, (H.I.). The appointment was made January 3, 2012. Jack moved to sign the certificate. Dave seconded the motion and it carried, 3-0.

### **IDEM - GROUNDWATER AND METHANE MONITORING PLAN AT LANDFILL**

The Commissioners received notice from IDEM that they had received the Methane Monitoring Plan from Weaver Boos, and that the plan complies with the Methane Monitoring Plan dated October 2011, and the facilities post-closure document dated June 18, 1998, (H.I.).

### **CLERK'S REPORT - DECEMBER 2011**

The Commissioners received the above referenced report, (H.I.).

### **MICROVOTE ELECTION MANAGEMENT SYSTEM - SOFTWARE LICENSE AGREEMENT**

The Commissioners received the above referenced document for their approval, (H.I.). Dave moved to approve the agreement after Dennis reviewed it. Jack seconded the motion and it carried, 3-0.

### **IDEM - REVOCATION OF PERMIT FOR PENNINGTON SEED INC. IN LIGONIER**

The Commissioners received a copy of the notice from IDEM to Pennington Seed Inc. stating that Pennington's permit had been revoked per their request, because they are no longer in business, (H.I.).

### **CORRECTIONAL RISK SERVICES, INC. (CRS) - SAVINGS RE: INMATE MEDICAL EXPENSES**

The Commissioners received information from CRS regarding the possibility of assisting the County in saving money on inmate medical expenses, (H.I.). Joy read from the information some of the things CRS has done to save other counties money.

**DENNIS GRAFT - LEGAL SERVICES AGREEMENT RE:  
EMPLOYMENT AS COUNTY ATTORNEY & DRAINAGE  
BOARD ATTORNEY**

The Commissioners received a copy of the above referenced agreement for their review, (H.I.). Joy asked Dennis what was changed from last year's agreement. Dennis said he just took out some of the verbage and condensed it some. He said there was no change in his salary or his hourly wage.

Dave moved to approve the agreement. Jack seconded the motion and it carried, 3-0.

**INDIANA ASSOCIATION OF COUNTY COMMISSIONERS -  
EXAMINATION OF STATE COURTHOUSES**

The Commissioners received a copy of the findings from the Courthouse Preservation Advisory Commission which recently completed their examination of the courthouses in the state. This came from the Indiana Association of County Commissioners, and a copy of the findings has been given to the Auditor to share with the Commissioners and anyone that is interested.

**NOBLE SUPERIOR COURT  
DIVISION 2 STATISTICS FOR 2011**

The Commissioners received the above referenced report, (H.I.).

**KIM GEPHART, ASSESSOR - PUBLIC  
OFFICIAL BOND**

The Commissioners received the Assessor's bond for their approval, (H.I.). Jack moved to approve it. Dave seconded he motion and it carried, 3-0.

**HIGHWAY BUSINESS – MARK GOODRICH**

**MOISTURE PROBLEM AT HIGHWAY GARAGE**

Joy reported that she had been in contact with Romary Associates regarding the moisture problem at the Highway Department. She said she was told on Friday that they were talking to their architect. Joy said she would keep on them this week to try to get them going on it.

**TREE REMOVAL - BETWEEN 300 E  
& 400 E OFF OF 600 S**

Jack asked Mark if there had been any problems getting the tree down that had been uprooted at the above referenced location. Mark said there weren't any problems.

**LPA CLAIM VOUCHERS – BRIDGE #134  
PROJECT AND SIGN PROJECT**

Mark presented claim vouchers for the Bridge #134 project and for the sign project, (H.I.). Jack moved to approve both vouchers. Dave seconded the motion and it carried, 3-0.

## **TRANSFER OF FUNDS FOR PART-TIME HELP**

Mark presented a transfer of funds from Equipment Operator and Shop Supervisor to Overtime/Part-time. This is to provide for the part-time janitorial services that were not accounted for in the budget. Mark said most of the part-time money had been taken out of their budget when they weren't using the mower guys any more.

Dave moved to approve and forward the transfer of funds request to the Council. Jack seconded the motion and it carried, 3-0.

## **OVERTIME RE: SNOW REMOVAL**

There was a brief discussion about snow removal and overtime because of the snow that fell Friday.

## **SIGN POSTS ON 500 E S OF BASELINE**

Jack asked Mark if the sign posts that were put in on 500 E are off the right-of-way. Mark said we only have a 30' right-of-way there. He said he had talked to Russ (former Highway Superintendent) because this has been an issue in the past. Mark said Russ told him that as long as the posts are off of the right-of-way there is nothing we can do.

Dave asked what it was that Jack was talking about. Joy said it is by Summit Lake. Jack said he (a landowner) is trying to keep people from parking along there to go ice fishing. Joy asked if there is a public access site on Summit Lake. Jack said there is not.

## **TRUCK #6**

Mark said truck # 6, a spare truck, is headed for McAllister for diagnosis as to what is wrong with it. He said the mechanics checked it out and there is no power, and the diagnostic equipment couldn't find anything. Mark said he told the guys to just get it diagnosed and not to get any work done on it. He said someone from McAllister said it sounded like it might be a pump that went bad. Mark said they said at McAllister that if the pump broke apart, it would require cleaning the fuel rails as well as putting all new injectors in it. He said the Highway Dept. mechanics thought if all of that had to be done it could be as high as \$5,000.00.

## **MOWING TRACTOR #83 - COMPENSATING VALVE**

Mark said he had a request to purchase a compensating valve, which is part of the hydraulic system, at a cost of \$960.00. Dave moved to approve the request. Jack seconded the motion and it carried, 3-0.

Jack said it seemed to him that every time we turn around we are putting money into the tractors. Mark said they have one brush cutter set up, and his plan is to put an operator in it and leave them in it. He said he didn't think juggling drivers had done them any good, and hopefully keeping one driver in them would be better.

Jack asked if the crew follows up when we are out taking brush down. Mark said they hadn't for a few years.

Mark said the mechanics think the bucket truck has a bad injector. He said they had put all new injectors in it, and everyone thinks the injectors were inferior. Mark said the mechanics want to replace all of the injectors with original manufactured injectors.

Jack asked Mark to see how much money we have put into the truck engine. When asked, Mark said the cost to replace the remaining 7 injectors would be \$1610.00 if our guys do the work. Mark is going to check on all of the details re: having it done in house and taking it somewhere to have it done. Joy asked Mark to try to figure out how it could be done in-house.

### **SEALS TO BE REPLACED ON LIFT**

There was discussion about the seals in the lift. Mark talked about what is going on with the lift, and he said his goal is to get it so we aren't pumping oil into it all of the time. He said they put \$800.00 worth of oil in it in a two or three week time period. Mark talked about other types of lifts that are available, and he said no one wants to give us cost estimates until they know we are serious about buying one. Joy asked Mark to get some information on other types of lifts available, and when the Commissioners go to the Highway Department to discuss other things, they will put that on the agenda.

### **COMPUTER CHIPS TO MAKE STORM GUARDS ON ALL TRUCKS UNIVERSAL**

Mark said they change the storm guard systems about every two years. Mark said if you go from truck to truck the controls are different, and it makes it hard for the drivers when they go to a different truck. He said there is a \$60.00 computer chip that could be put in all of the trucks so they would all be universal.

After Mark explained to Dave what the storm guards do, Dave moved to approve the purchase of the chips for the storm guards. Jack asked if it would interfere with the pigtail wiring to the electronics that has been discussed. Mark said it shouldn't. He said the service man had talked to the mechanics, but he himself hadn't talked to the service man.

Mark said they are going to work on getting the trucks all set up the same, and that is where the need for the computer chips comes in. Joy asked Mark to talk to Don Nichols (the electronics engineer that designed the storm guard system) before they get the chips.

Jack seconded the motion to approve the purchase of the computer chips, after there is more information available. The motion carried, 3-0.

### **DURA PATCHER REPAIRED - TOTAL PATCHER BEING REPAIRED**

Mark reported that the Dura patcher has been repaired and the Total patcher is being repaired. He said a check had been sent to Equipment Marketing to repair the Total patcher. Jack asked how much the Total patcher was going to cost for repairs. Mark said the Dura patcher was repaired in-house and the cost was \$1,691.00. He said the Total patcher cost was \$14,996.00, (which was partially paid for by the insurance). The patchers were damaged in a fire at the Highway Department.

## **BOB WILSON & BETH SHELLMAN – DONATION OF 1876 U.S. MAP FOR COURTHOUSE DISPLAY**

Bob Wilson talked to the Commissioners about a map that he owns and the possibility of donating the map to the county to be displayed in the courthouse. He gave a brief description of the process through which he got the map while being a postmaster at the Albion Post Office. When asked, Bob said Captain Albert Black brought the map to Indiana, and he gave it to Carey Davis when Carey was the Albion Postmaster. Bob said when Carey got the map he got it in a steamer trunk in pieces, and when Carey retired as Postmaster in the early 60's, he (Bob) became Postmaster and Carey gave it to him. He said the map is made of cast metal, and each state has some information on the back side of it. Bob said he got the map in pieces and they were rusty. He said he cleaned them up and assembled them on a piece of plywood and then he painted the map. Bob said it is cast metal, is 6' wide and weighs 90 pounds. He said he had tried to give it to the Historical Society and they don't have room for it, and he had tried to give it to the Library and they didn't want it. Bob said the map was patented in 1876.

Beth said she thought Bob was interested in having some kind of article along with the map about how it came to the county. Bob said he would like to have some information about the map displayed with it so people can read about it.

Jack moved to proceed with acceptance of the map if Bob chooses to donate it to the county, if we can find a place in the courthouse to put it. After further discussion Dave seconded the motion and it carried, 3-0.

Joy suggested getting in contact with Dale Orr about making a frame for it that would protect it while also allowing air to get in so it doesn't get moisture in it.

Joy asked Bob if he would like something in writing about donating it, putting it on permanent loan, or whatever he decides to do. No decision made.

Joy said the Commissioners would check for a spot in the courthouse for displaying the map and they would get back with Bob.

## **IKON - MASTER MAINTENANCE AND SALE AGREEMENT RE: EQUIPMENT**

Dave Baum, IT said IKON supplies most of our equipment (printers, copiers, etc.) and the maintenance on them. He presented a master agreement, which he said is a way for us to get equipment without having to go through the contract process for each item.

After attorney Graft reviewed the agreement and said it looked okay, Commissioner Dave Dolezal moved to approve it. Jack seconded the motion and it carried, 3-0.

Dave Baum said the cost for black and white copies has been going down instead of up.

## **RECESSED AND RECONVENED**

The Commissioners recessed their meeting at approximately 10:50 A.M. and reconvened at approximately 11:07 A.M.

## **EMS TITLE**

Joy said that last week she got a call that a new EMS had been purchased and that the old title would need to be signed. She said she signed it, (H.I.).

## **BRIDGE # 134 – SUPPLEMENTAL AGREEMENT**

The Commissioners received an e-mail message from Fred Larmore, from Beam, Longest and Neff regarding the above referenced supplemental agreement, (H.I.). Joy said that this bridge was not on the state inventory because it was privately owned (by the railroad).

Joy said she had heard from Mike Fitch, Highway Engineer about the agreement, and she thought we were okay to go. Jack moved to approve the supplemental agreement. Dave seconded the motion and it carried, 3-0.

## **PLAN COMMISSION MEETING – WIND TURBINES & UDO**

Joy said at the Plan Commission meeting there were some people present to discuss the wind turbines, and the chairman decided not to hear their comments. She said the chairman informed them that the Wind Turbines would be handled under a separate ordinance by the Commissioners. Joy said it was indicated that the Plan Commission is ready to send the UDO (Unified Development Ordinance) back to Brad Johnson at Ground Rules.

There was further discussion about the UDO, and who would be doing the enforcing of it once it is approved.

## **MEETING AT SOUTH COMPLEX NEXT WEEK**

There was a brief discussion about a meeting that will be held at the South Complex next Monday afternoon to discuss moving some of the offices, and Dave Baum, IT will be present to discuss the technology there.

Joy said nothing had been done out there since 1992, with the exception of the hall being painted. There was discussion about the color of the carpet that will be used.

## **E-MAIL CORRESPONDENCE RE: LANDFILL**

The Commissioners received e-mail correspondence from Chad Bellenie, Brian Horvath, and Mike Maxwell from Weaver Boos regarding some proposals they had prepared for the county, (H.I.). Joy said Weaver Boos is just suggesting we do two tasks at this point for a total of \$5,500.00 plus whatever the fees are. She said she would suggest that we go ahead with this part and ask them to file for an air permit exemption on our behalf, which would be \$100.00. Joy said if we have to have a permit it is going to cost us another \$600.00. She said they are proposing to prepare a methane remediation plan, and to do the air permitting evaluation.

Dave said he didn't understand why we need the explosion proof motor. Joy said that isn't proposed in these two tasks.

Joy said what they are working up to is designing a more sophisticated methane gas system where they burn it off. Any decisions to be made were tabled until next week.

## **LIBERTY NATIONAL INSURANCE CO. – VOLUNTARY GROUP TERM LIFE INSURANCE**

Joy said she has had two contacts with a Darlene from Liberty National Insurance Company, who would like to propose to our employees a voluntary group term life supplement

that would be payroll deductible at no cost to the county. Joy said she is asking for permission to contact our employees and to have payroll deduction.

Dave said we should ask her to send us some information before we give her permission to contact employees.

**ADJOURNMENT**

This session of the Board of Commissioners of Noble County was at approximately 11:50 A.M. recessed from day to day until the 30<sup>th</sup> day of January 2012.

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Joy Y. LeCount, President

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David J. Dolezal, Vice President

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Jack W. Herendeen, Member

ATTESTED: \_\_\_\_\_  
Jacqueline L. Knafel, Auditor