

**MINUTES OF A SPECIAL SESSION OF THE
BOARD OF COMMISSIONERS HELD OCTOBER 29, 2012**

Comes now the hour of 8:37 A.M. on the 29th day of October, 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
Jacqueline Knafel, Auditor
and Scott Perry & Bob Braley, News Media

PAYROLL TO BE PAID 11/01/12 APPROVED

After reviewing the payroll from 10/05/12 – 10/18/12 to be paid 11/01/12 and getting questions answered, Dave moved to approve it. Jack seconded the motion and it carried, 3-0.

**WELLS FARGO INSURANCE – SHELLY
HANSEN TO BE AGENT OF RECORD**

The Commissioners received letters to be signed to make Shelly Hansen Agent of Record for the Long Term Disability, VSP Vision, Dental and Life & AD&D insurance the county has with Wells Fargo. Dave moved to approve the letters, (H.I.). Jack seconded the motion and it carried, 3-0.

DR. TERRY GAFF – DESIRE TO BE HEALTH OFFICER

Joy said she had talked to Dr. Gaff last week and she said he would like to have the position of Noble County Health Officer and there would be a lot of work to be done ahead of time. After some discussion it was determined that Joy would call Dr. Gaff and tell him that the Commissioners support him but could not take any official action until after the Health Board makes the appointment.

WEIGHTS & MEASURES REPORT – 9/15/12 – 10/15/12

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

**DOUG KEENAN, COUNTY EXTENSION
DIRECTOR – THANK YOU LETTER**

The Commissioners received the above referenced letter thanking them for resurfacing the drive and parking lot at the South Complex, (H.I.). He also expressed his appreciation for the

electrical upgrades and the upgrades to the telephones and computers. Doug complimented the maintenance staff for the work they do.

THE TRADITIONS GROUP - GOLD COATINGS FOR TOWER, DOME, MONUMENT, STATUES, CLOCK FACES

The Commissioners received information from the Traditions Group for the above services they can provide, (H.I.). Joy said we are not a gold dome community.

MINUTES APPROVED

After reviewing the minutes of the *October 22, 2012 executive session* Dave moved to approve them as presented. Jack seconded the motion and it carried, 3-0.

SHERRY LABS – WELL TESTING AT LANDFILL

Joy said she has had communications with Kaleb, the gentleman from Sherry Labs regarding Cindi Fuhrman who is no longer employed at Sherry Labs. She said Kaleb was getting all set up to come here and make arrangements to do the groundwater sampling. Joy said Kaleb had met with Alan Freels. She said she got a call from Alan on Thursday and he said he had just been over to the landfill and Cindi Fuhrman and some man whom he thought was her husband were there doing sampling. Joy said she called Sherry Labs to see what was going on, and she was told that Sherry Labs had contracted with Cindi as a private contractor to do the work. She said Sherry Labs knows now that we need to be made aware of who will be doing the work.

EDC PRESIDENT JOHN ENGLISH TO RETIRE FROM REMC

Joy said at the Economic Development Commission (EDC) meeting it was announced that John English, President of the EDC will be retiring from the REMC. She said he had been the president of the EDC, and she didn't know if he would still serve on the EDC.

Joy said a little later in the meeting that the EDC will be having another meeting about Tif Districts and the Plan Commission members have been invited to that.

NEW JERSEY EMERGENCY MANAGEMENT - REQUEST FOR 75 AMBULANCES FROM INDIANA

Joy said the Emergency Management from New Jersey in anticipation of the hurricane hitting that area had put out a request for 75 ambulances from Indiana if the hurricane develops as anticipated. She said Tom Shoemaker, EMS Director wanted to know if the Commissioners would be willing to allow one of their EMS units and personnel to respond. Joy said she contacted Mick Newton, Noble County EMA Director, and they tentatively gave approval for them to be on stand-by and if there is a need for them to be dispatched they will let us know. Dave said we would be reimbursed at \$32.50 an hour and Parkview would cover the employee(s).

Dave moved to approve for the ambulance to go to New Jersey *if needed*. Jack seconded the motion and it carried, 3-0.

**EMS ADVISORY COMMITTEE MEETING –
OBAMA HEALTH CARE**

Joy said beginning in January if a person had been admitted to the hospital and was released and enter the hospital again within 30 days for the same medical code, the hospital would be fined by the federal government and it would go to the federal government to help support the Obama Health Care. She said Parkview was trying to find a way to make sure that individuals who already were having to be dismissed from the hospital before they should be because of Obama Care do not have to be re-admitted. Joy said they have developed what they are calling Paramedic House Calls. She said with certain types of illnesses, CHF, pneumonia, asthma, and frequent patients seen at the ER and frequent callers to the EMS, they are going to send an ambulance and EMT's out on house calls once or twice after they have been dismissed, free of charge. Joy said she assumes that they are assuming it would be cheaper than a fine. She said they would be using our ambulances to do that. She said she wanted Jack and Dave to be aware of it. Joy said it would only be for people that don't qualify for home health care or other types of services.

COUNCIL ON AGING DISCUSSION

Joy said the Council on Aging made a lot of changes at the beginning of this year, where everyone took a pay cut, at least one job went to part time, they took away some benefits and they increased some fees. She said at this point, their revenue over expenses is down \$30,000.00. Joy said one of the problems is Medicaid reimbursements and the other problem is with their contract that they have with Aging & In-home Services. She said they are four months behind in payments which amounts to about \$12,000.00.

NOBLE COUNTY PARK & RECREATION BOARD

Joy said at the Noble County Park & Recreation Board meeting they accepted a bid from a company to do their master plan. She said they received bids from seven consultants and moved to hire Wightman-Petrie and they will present the bid to the Dekko Foundation and the Olive Cole Foundation to see if they can raise the \$23,522.00 that will be needed to do the master plan. Joy asked Dennis if the Park Board had the authority to accept a bid. Dennis said he didn't know what authority they were given when the board was created. He said he didn't know unless their bid was contingent upon getting the money.

UDO DISCUSSION

Joy said we have what appears to be close to the final document of the UDO (Unified Development Ordinance). She said Brad Johnson (with Ground Rules) had indicated that it would probably be finalized by the end of the week.

**WORK BEING DONE OR NEEDED AT THE WEBER
ROAD ANNEX AND THE SOUTH COMPLEX FOR
ADA COMPLIANCE AND SEWER HOOKUP**

Dave said Dick Adair, Building Inspector is going to have someone come out and give an estimate on a generator and an automatic door closures to make the facility at Weber Road (Annex) ADA compliant and for the EMA Emergency Center. He said Dick left a quote for a

sanitary sewer extension along with the water main extension to go to the South Complex that was dated January 13, 2003 from Dodzik Engineering in Fort Wayne. Dave said the quote probably isn't relevant anymore since we already have a water line in. He said the Commissioners would have to wait on Dick to get a more accurate cost estimate. Dave said it was \$90,000.00 almost ten years ago.

There was discussion about the progress that had been made at the Annex to get it ready for the Health Department to move there.

RECESSED AND RECONVENED

The Commissioners recessed their meeting at approximately 9:21 A.M. and reconvened at approximately 9:29 A.M.

HIGHWAY BUSINESS – MIKE FITCH & MARK GOODRICH

DISCUSSION RE: ENTRY ROAD TO CHAIN O'LAKES STATE PARK

Mike said he was going to check with the state about having them stripe the entry road to the Chain O'Lakes State Park.

TRUCK BID AWARDED

Present for this portion of the meeting were: Mike Burke, Hoosier Trailer & Truck Equipment; Andrew McGill & Denny McIntyre, WA Jones; and Kevin Woodward, Stoops Freightliner.

Mark said he and Doug Hoover, Shop Supervisor had gone over the bids. He said because of the associated costs the Kenworth and the Freightliner were the two main ones that they looked at. Mark said they were quite a bit less than the others. Mark said in order to get the Kenworth close to what the Freightliner was, we are going to have a minimum of \$5,100.00 in extra expenses. He said the exhaust would have to be moved and the frame would have to be extended. Mark said there is no diagnostic software available with that and it has a smaller radiator. He said because of the extra expenses and those issues, they were recommending the Freightliner because it is cheaper up front.

Doug talked about the size of the two motors and what had been specified. Mark talked about the horsepower of the engines. Mark said the Kenworth warranty is a six month warranty and the Freightliner has a two year warranty covering everything they had asked for in the specs.

Joy asked if there was a bid for equipment from both Hoosier and WA Jones. Mark said there was. Mark said their preference on the beds is to stick with the 304 Stainless Monroe even though it is more expensive, and he explained why. Joy asked if the \$159,238 reflects that. Mark said that is the cost of the Monroe bed. Mark said it is the 304 stainless. He said both are stainless but the information on the internet said the 201 is more prone to corrosion. Mark said we have 11 of the Monroe RES beds now, and the parts they have in stock will fit the new one.

Joy asked if the prices Mark had given the Commissioners to compare (none for file) were all with the Monroe bed. Mark said they were. Joy asked if going with the Monroe/Freightliner combination if it is still the low bid. Mark said it was. Dave asked Mark if that was the one he would recommend. Mark said it was.

Jack moved to purchase the Freightliner. When asked, Kevin said it would take approximately six months to get the truck. He said it could be sooner. Joy asked once the bed

goes to WA Jones what kind of time frame there is. Andrew said once they have the chassis and all of the equipment it would take approximately 45 – 60 days from the time they get the truck.

Dave seconded the motion and it carried, 3-0.

ANNUAL SUPPLY BIDS FOR 2013 OPENED

Present for this portion of the meeting were: Dean DeVoe, North Central Co-Op; Kevin Lemler, imi-Irving Materials Inc; and Dave Russel, Asphalt Materials, Inc; Bids were opened and reviewed. Bids were received from the following:

GUARD RAILS: (Not requested) - James H. Drew Corp.

ITEM #13-01 - GASOLINE: North Central Co-Op

ITEM #13-02 - DIESEL: North Central Co-Op;

ITEM # 13-03 - BITUMINOUS: API Construction Corp; Brooks Construction; Phend & Brown; Niblock Excavating; Pulver & Sons

ITEM #13-04 - CALCIUM CHLORIDE: Great Lakes Fluoride

ITEM #13-05 - LIQUID BITUMINOUS: Asphalt Materials, Warsaw; Pierceton Trucking, Warsaw;

ITEM #13-06 - GRAVEL: Jasper Trucking, Merriam; CBK Enterprises, Fort Wayne; Jerry W. Bailey Trucking, Fort Wayne; Hixson Sand & Gravel, Garrett & Kimmell; Jack Owen Excavating, Albion; Irving Gravel, Fort Wayne; Klink Trucking, Ashley; Pulver & Sons, Albion; Keystone Aggregate, Churubusco; Stone Street Quarries, Hoagland & Garrett; Niblock Excavating, Bristol; Columbia City Mill Service; Eshelman Sand & Gravel;

ITEM #13-07 – LIMESTONE: Hixson Sand & Gravel, Garrett; Jasper Construction, Albion; Irving Gravel, Fort Wayne; Hanson Aggregates, Woodburn & Ardmore; Klink Trucking, Ashley; Pulver & Sons, imi Irving Materials, Huntington; Stone Street Quarries, Garrett; Jerry W. Bailey Trucking, Fort Wayne; CBK Enterprises, Fort Wayne.

ITEM #13-08 – PUGMILL: Klink Trucking; Pulver & Sons

ITEM #13-09 – EQUIPMENT RENTAL: Jasper Construction; CBK Enterprises; Jerry W. Bailey Trucking; Caskey Excavating; Irving Gravel; Palmer & Sons; Eshelman Excavating, Inc; Jack Owen Excavating; Brooks Construction Co, Inc; Kendallville Iron & Metal; Forker Excavating; R.L. McCoy, Inc.

Jack said he thought we should look at using slag for chip and seal next year rather than pea gravel and limestone. He asked Mark how much slag the company has to sell. Mark said it varies at different times of the year. There was further discussion about the slag.

Dave moved to take the bids under advisement until November 13, 2012 at 9:30 A.M. except for fuel which will be done November 5, 2012 at 9:30 A.M. Jack seconded the motion and it carried, 3-0.

COUNCIL ON AGING – INDOT SECTION
5311 OPERATING GRANT AGREEMENT

Gregg Parker from the Council on Aging came before the Commissioners to get their approval and signature on the above referenced grant agreement, (H.I.). Dave moved to approve the grant for operating costs. Jack seconded the motion and it carried, 3-0.

Dave asked if anyone does advertising on the Council on Aging vehicles. Gregg said they entered into an agreement with a company called Clean Sale Marketing. He said they do complete van wraps. Gregg said they do all of the work for getting the advertisements and they will do the wrap on the vans and we get half of the money. He said so far they have four advertisers and they are going to wrap next week. Gregg said they are going to wrap three sides on three of the vans and one back. He said with what advertising they have right now it will bring in about \$1,000.00 a month. Gregg said they will come to the Council on Aging to do the wrap and the vehicles would be out of commission for about an hour and a half each. Gregg said the company is also marketing plaques that can be put on the inside but we don't have any of them lined up yet.

HIGHWAY BUSINESS CONTINUED - COMPLAINT
BAUSE LAKE DRIVE & HARPER LAKE ROAD

Mike said Charisse received a complaint from a lady from Bause Lake and Harper Lake about a fender bender. Mike said there is no stop sign or yield sign where Bause Lake Drive connects to Harper Lake Road, and it has been that way for years. Mike recommended that yield signs be put up for south bound traffic.

Jack moved to approve to advertise for the Ordinance for the Yield Signs. Dave seconded the motion and it carried, 3-0.

EXPENSE OVER \$500.00

Mark said he needs permission to purchase a GEM module for truck #24 (2000 Ford pickup driven by John Strange) at a cost of \$612.15. Dave moved to approve the expense. Jack seconded the motion and it carried, 3-0.

PUG MATERIAL

Mark said he has some materials left and Pulver's would like to try to make some pug. He said Klink was shutting down part of their asphalt plant so he ordered a certain number of trucks from them and he might get a couple more loads made up from Pulver's to see how they do with making pug.

COMMENTS ON ROAD PROJECTS

Joy said she had received some comments on some of our road projects. Mark said he had received some too. There was discussion about the comments she and Mark had received on CR 75 E and CR 100 N. Joy said she thought they looked pretty good. Mark said he told the lady he talked to that they do the best they can with the money they have. He said he was open

to discussion. Joy said she thought he should just keep doing what he is doing. Jack said they are doing a good job.

TAX SALE PROPERTIES

Dennis talked to the Commissioners about the Glenda Kelly property at Bear Lake that was on tax sale. He said she is deceased and there wasn't an estate opened anywhere. Dennis asked if the Commissioners want to take title and then look at selling it. He said he had talked to Jon Owen (attorney for sewer district) and told him that if they didn't care or would release their liens that once we sell it we would give them part of it.

There was discussion about another property where the sewer liens were high. Jackie said Everett (Newman, Attorney for the owner, Sinkovics) had told her they are not opposed to paying the taxes but they are not going to pay the liens. Dennis said they even tried to negotiate it between the attorneys to see they could come up with something, and they weren't that far apart at one time. Joy said if everyone would give a little they might be able to get it resolved.

Dennis is going to talk to Jon Owen about both properties.

**WELLS FARGO INSURANCE - AMENDMENT #4
TO HEALTH INSURANCE (EMPLOYEE BENEFIT PLAN)**

Jackie presented the above referenced amendments which were talked about October 8th and October 22nd when Shelly Hansen was here. After reviewing the amendments, Dave moved to approve them. Jack seconded the motion and it carried, 3-0.

ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 11:20 A.M. recessed from day to day until the 5th day of November 2012.

Joy Y. LeCount, President

David J. Dolezal, Vice President

Jack W. Herendeen, Member

ATTESTED: _____
Jacqueline L. Knafel, Auditor