

**MINUTES OF A REGULAR SESSION OF THE
BOARD OF COMMISSIONERS HELD FEBRUARY 7, 2011**

Comes now the hour of 9:18 A.M. on the 7th day of February, 2011, 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:

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

Also present were:

Marion S. Cavanaugh, Deputy Auditor
James B. Mowery, County Attorney
and Bob Braley, News Reporter

CONTRACT RE: CONTROL STRUCTURE AT DEER LAKE

Scott Zeigler, Noble County Surveyor came before the Commissioners to discuss the Deer Lake situation. He said the court needs to approve the contract. Scott said it is a court-ordered lake level establishment. Scott said what we are really looking at today is that the county is responsible for 25% of the costs, the landowners are responsible for 25% of the costs, and the DNR is responsible for 50% of the costs. He said he had a contract between the Commissioners and the state.

Jack asked what the cost of the project is. Scott said it is just over \$20,000.00. Jack asked if that is our portion. Scott said it is the total cost. Jim said the cost to the Commissioners according to Scott's letter is \$5,032.80. Scott said there could be some other miscellaneous things like advertising. There was discussion how the contractor, which is LDP from Warsaw, is going to be paid.

Joy asked if the issue at hand is the signing of the document accompanying the contract. Scott said that was right, and that it would be subject to the court's approval.

Jim said he would take it upstairs and leave it for Judge Laur, and hopefully he will sign it today, and then he will pick it up, and at that time Joy would need to sign it.

Jack moved to give Joy approval to sign the contract if it is approved by the judge for Deer Lake. Dave seconded the motion and it carried, 3-0.

**THE WRIGHT EXPRESS GOVERNMENT FLEET
PROGRAM – CREDIT CARD TO PURCHASE GAS**

The Commissioners received information about the above referenced credit card, (H.I.). Auditor Jackie Knafel said the sheriff had brought it to her attention and he is kind of interested in it. Dave said they used that card at UPS and it is really nice. He said it identifies who used what card at what station, and it is accepted at a lot of places. There was discussion about which employees should have a credit card for gas.

CLAIMS TO BE PAID TODAY'S DATE APPROVED

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

PAYROLL TO BE PAID 2/10/11 APPROVED

After reviewing the payroll from 1/14/11 – 1/27/11 to be paid 2/10/11 and discussing the tracking of overtime with Mary Applegate, Deputy Auditor, Dave moved to approve it. Jack seconded the motion and it carried, 3-0.

DEER LAKE CONTRACT CONTINUED

Scott said he received a call from the contractor telling him that he hadn't picked the steel up for the project. He said because we didn't take delivery of the steel last year, the price

increased from 66 cents a pound to 83 cents a pound. Scott said we were going to use 13 foot sheets to drive, and we were buying some 26 foot sheets and cutting them in half, but they had since sold that, and now all we can get is 16 or 18 foot sheets. He said the cost of the steel price would be about 25% more now.

Joy asked who it was that was proposing to have the lake level re-established. Jim said the DNR was insisting that we establish a lake level on it or they were going to take some kind of enforcement action for us to change the level. Scott said it is the state's position that if we are going to dip within 500 feet of a lake, we are going to have a legally established level that we agree to maintain. Joy said most of them already have a level. Scott said most of them have a legal level or an established level, so we have to agree to the established level.

Jim said the issue is that the current agreement with the state shows a maximum cost share with the state of \$12,000.00. He said if we hit \$24,000.00 or more, the county would be stuck with the rest. Jim said the question is if we take the time to try to renegotiate a different number with DNR, or do we continue as planned knowing that the county might have to eat some additional cost. Joy said the state is the one pushing it and she is not willing to pay their share. Scott said he should have the number today on the steel price increase. Joy asked how much steel Scott was anticipating to use. Scott said over 1/3 of the total was the cost of the steel.

After further discussion it was decided that if the cost was going to go over the \$24,000.00 Scott would check with the DNR to see if they are willing to raise the amount they will pay to what it needs to be.

HIGHWAY BUSINESS – RUSS LEITCH

PERMIT #UP-002-11

Russ told the Commissioners about the request from United Telephone for a fiber optic line on Swan Road, Old SR 3, Vorhees Street and the alley west of Old SR 3 in the Town of LaOtto in Swan Township, (H.I.). Joy asked how deep they would be putting the line. Russ said he thought it was a minimum of 30". Russ presented the permit, (H.I.).

OVERTIME AND ROAD CONDITIONS

There was discussion about the overtime that was worked over the weekend by the Highway Department, the condition of the roads and the trucks, and concerns about mailboxes that are knocked off during plowing. There was also discussion about Highway employees staying in fire stations with their trucks during the really bad weather.

Joy asked Russ to let the employees know that the Commissioners appreciate the work that they have done.

MINUTES APPROVED – 1/19/11

After reviewing the minutes of the January 19th meeting and making corrections as needed, Dave moved to approve them as amended. Jack seconded the motion and it carried, 3-0.

ASSESSOR – BID FOR 2011 TRENDING – NEXUS GROUP PROPERTY TAX CONSULTANTS

Kim Gephart, Assessor came before the Commissioners to get their approval on the above referenced bid with Nexus Group, (H.I.). She said it had been advertised on the 19th and the 26th of January in both (local) papers and the bids had to be turned in by noon on the 4th of February. Kim said she only got one bid and it was from Nexus Group in the amount of \$38,500.00. When asked, Kim gave a brief explanation of what "trending" is. Kim checked the contract from last year, and it was for \$39,500.00.

Jack moved to accept the proposal. Dave seconded the motion and it carried, 3-0. Kim said she would have Nexus e-mail the contract to Jim for his review.

HEALTH INSURANCE – REQUESTED AMENDMENT TO ALLOW SPOUSAL COVERAGE

There was discussion about the above referenced amendment that had been presented a few weeks ago and had been tabled for more information. Joy said that Chuck Bodenhafer, the County's Health Insurance Agent will not be back in the area until April 1st. She said she had talked to Chuck by phone, and he is of the opinion that since the Commissioners had not approved the amendment, that the previous intent is in place (no spousal coverage). Jim said he

agreed. Joy said now what we have to figure out is if we have taken on any (spouses) with the assumption that they would be covered. Joy said there was some miscommunication during the open enrollment time.

Jim said the issue didn't come up until the last open enrollment, and then someone made a mistake. Dave asked that if we don't have anyone in that category, if it is not an issue. Jim said that was correct that it isn't an issue if there is no one in that category. Joy said, except that we need to be certain that we don't take any (spouses) on.

Joy asked Jim if she should talk to Mary and explain to her exactly what she had heard. Jim said he thought so, and that it is critical that she carefully evaluate whether we have anyone's spouse on the insurance, or if there are any new spouses that came on this year. Jim said it would be a worst case scenario if we had a spouse that came on this year that is not eligible under our plan that ends up incurring bills thinking they have coverage.

Jim said that if we don't have anyone in that group (spousal coverage) then we should circulate a memo that says that the employees may have been misinformed that their spouses might be eligible, and they are not.

Joy said she will talk to Mary about this issue.

DAVE BAUM, INFORMATION TECHNOLOGIST

HIGHWAY DEPARTMENT RADIO SYSTEM

Jack asked how long it had been since the Highway Department's radio system had been upgraded. Joy said she didn't know. She said the problem is that some of the frequencies are no longer going to be available for them. Dave Baum said the FCC is reallocating some of the bands, trying to make some readjustments. He said some people have to change.

FIBER OPTIC LINES

Dave Baum reported that the fiber has been pulled to the buildings. He said the bore was done two weeks ago under the tracks. Dave said the fiber has now been pulled and we will now be terminating it and hopefully by the end of this week we will have the rest of it terminated.

Joy asked Dave Baum when he thought the transition would take place. Dave said they should be off the radios by next week and completely on the fiber.

MINUTES ON WEBSITE

Dave Baum said Marion told him the Commissioners approved putting the minutes on the web site. He said the questions he had were: which minutes are going to be posted; for how long; and where do the Commissioners want them on the web site.

Dave Dolezal said the Commissioners were going to do a total of three months on a trial basis. He said the approved minutes would be put on for one week until the next minutes replace them. Dave Baum said they leave all of the agendas on there on a rolling list for months at a time. When asked why, Dave said so if there was a topic that they wanted to know when it was discussed, they could go back and look at the agendas.

Jack said they were going to see how many hits they would get. Joy said the Commissioners were talking about just putting them up for a week on a trial basis once they are approved. Dave Baum he thought if the public wanted to be informed about what had been discussed a week probably wouldn't be nearly long enough.

Dave Dolezal asked if we could track how many people hit on the minutes. Dave Baum said we could, depending on where we store them. There was discussion about putting links on the agenda to tell where the minutes for that meeting could be found, and about being able to track to see how many people actually looked at the minutes.

Jack said he thought the agreement was to try it for three months to see how many hits we got. He asked how you know how many hits is enough to keep it going on.

Dave Baum said there is not much of a cost to put the minutes on the website.

Joy said she thought the motion was to try it for a three month period, and the minutes would be put on for one week after being approved, and then they would be replaced with the next set of minutes when they were approved, which could be longer than a week. She said if Dave wanted to put the others in a link somewhere so they could go back and get them that would be fine.

Dave Dolezal asked how the Commissioners would get feedback on the number of hits. Dave Baum said he would get it set up so they could track the number of hits. Dave Dolezal asked if the Commissioners could get that report monthly for the first three months to see what the trend is. Dave Baum said he could e-mail it to him as often as he wanted.

EXPENSES OVER \$500.00 FOR MULTI-FUNCTIONAL COPIER FOR PLAN COMMISSION – EXCESS EQUIPMENT

Dave Baum said he had a request from the Plan Commission for a new multi-function unit (copier, printer, fax, etc.). He said the service man has been there quite a bit. Dave said he got a price from IKON and it is about \$2,800.00 PLUS .8 of a cent per page for black and white. He said it is \$400.00 extra for the machine to be able to print color, plus 8 cents per page.

There was discussion about excess equipment that had been moved to the Weber Road annex for storage. The Commissioners asked Dave Baum to go to the annex and check equipment that is sitting around to see if it belongs to the county or not. Dave Dolezal asked Dave Baum if he would in some way mark the equipment so the Commissioners know if it is their equipment or not.

Jack moved to approve the purchase of a new multi-function color copier at the Plan Commission. Dave seconded the motion and it carried, 3-0.

INVENTORY OF LAP TOP COMPUTERS PURCHASED THROUGH GRANTS

There was a brief discussion about lap top computers that are purchased through grants, and that the IT Department has no inventory on them because they don't belong to the county.

ARCHIVED DOCUMENTS

There was discussion about the amount of archived documents and reports that are printed out that aren't deemed necessary.

Dave Baum said every quarter when he gets the usage on all of the machines he thought it would be a real education to see who is using what.

E-MAIL UPDATES & SECURITY MONITORING AT JAIL

Dave Baum said that we need to replace the e-mail server. He said it is already budgeted and the software was purchased at the end of last year. Dave said we need the hardware for it and the licensing for each of the individual e-mail users. He said the server would cost \$4,000.00 and the licensing for the software is \$12,000.00 for 150 users. Dave said the licensing averages out to about \$10.00 per year per user.

Dave said he needs to purchase hardware that would be just under \$3,000.00 for monitoring the security out at the jail.

Jack moved to approve both requests as presented by Dave Baum. Dave Dolezal seconded the motion and it carried, 3-0.

SHERIFF DOUG HARP – SHERIFF'S BUSINESS

THE WRIGHT EXPRESS GOVERNMENT FLEET PROGRAM – CREDIT CARD TO PURCHASE GAS

Doug said he knew that Jackie had talked to the Commissioners about gas cards. Joy asked how many gas cards his department has. Doug said they currently have three different gas cards that they use. He said each one of the officers and the transport officers have them, and he thought there would be close to 25. Doug said he thought there would be time savings in reviewing the claims if we had just the one company. He said he talked to Wright Express and they are supposed to get back with him on a couple of things. Doug said we would get a good clean expense sheet. Doug said a card would be assigned to each car, and each person assigned to the cars would have a pin number, so we would know who is using them. Doug said the gas cards are used mainly when they are doing long distance transports. He said there is a list of about 50 different gas vendors they could go to, which would allow them to check for the stations with the least expensive price. Doug said he would like to wait until the company calls him back and clarifies a couple of things before moving forward with this. He will get on the Commissioners agenda again once he gets his answers.

CONTRACT FOR JAIL DOCTOR

Doug presented a copy of a proposed contract with the jail doctor to the Commissioners for them to review. (none for file)

PAGERS - INDIANA PAGING NETWORK

Joy said there was a claim in the claims for a couple of pagers, and she asked Doug to check it out and see if it is something that is beneficial. Doug said the pagers were for security, and he would check to see if they are still needed.

2010 SHERIFF'S ANNUAL REPORT

Doug said his annual report was done and ready to be copied.

SNOW EMERGENCY PROCLAMATIONS (4)

After some discussion about the snow emergency proclamations and the times on them, Dave made a motion to adopt the snow emergency proclamations. Jack seconded the motion and it carried, 3-0. Jim said that the date of the signing of the proclamations was left blank, and it is his inclination that once the originals are prepared they will be signed today's date.

AFLAC – SUPPLEMENTAL GROUP PRODUCTS

The Commissioners received a request from Becky Morris, Alfac Agent, requesting permission to add "Supplemental Group Products" to Noble County's employee's benefits packages, (H.I.). There was discussion that the Commissioners would want this to be done on the employee's own time.

Jim said what he thought Becky was asking for was the Commissioners permission to access the buildings and to send information around to the employees.

After some discussion it was determined that Joy would draft a response to Becky.

VISITOR'S BUREAU UPDATE

John Bry, Director of the Visitor's Bureau and Dan Stangland, the Commissioners appointment to the Visitor's Bureau were present for this portion of the meeting. John presented the Commissioners with a copy of the update for the Visitor's Bureau, which he reviewed with them, (H.I.). He talked about the things they had done to help businesses come into the county and to stay in the county, and the many other things they had done in other areas of marketing the county, and the activities going on within the county for tourism. The Commissioners asked a few questions which John answered.

STEVE HOOK, GIS COORDINATOR – REQUEST FOR SUPPORT FOR ARC GIS SERVER AND SILVERLIGHT DESIGN & REQUEST FOR CONTRACT EMPLOYEE

Steve Hook came before the Commissioners to talk to them about some GIS issues as they are related to GIS funds in CEDIT. Rick Sherck, Director of the Economic Development Commission was also present.

Steve said he had planned to do an orthophotography flight this year, but he found out that we could get a better price next year, so he thought it would be better to wait. He said we would be looking at about \$70,200.00 if we did it ourselves, where if we wait and fly it with the state we could do it for about \$40,000.00 or maybe less. Steve said he would like to postpone the flight until next year.

Steve said a project related to that would be the Pictometry Change Analysis which involves collecting building outlines, which haven't been collected since 2003. He said the 2012 photography would be needed to compare with our 2003 layer.

Joy asked Steve if he was seeking funding for both of those projects for next year. Steve said that was correct.

Steve said the third thing he would like to ask for is to set aside \$10,000.00 for support for the ArcGIS Server and Silverlight Design, and he explained some of the things they are used for. Steve said he anticipated to get back to this sometime early this spring.

Steve said the last request he had would be to enter into a professional services contract with some part-time help to work on a project of re-mapping Kendallville which has 4,000 to 6,000 parcels. He said this is a project that he would be working with Rick Sherck from the EDC on. Steve said in order to re-map Kendallville there would be some substantial time investment in it. He said Rick Sherck had approached him and asked that he and Rick Kiersey (from the Kendallville City Engineering Department) work together to try to share information.

Steve said Kendallville has a lot of utility networks that we don't have, and we would be able to take that information and utilize it on our maps. He said in order for us to share information, Rick Kiersey would prefer that our mapping matches. Steve said Rick had gone out in the field in the city over the last few years to capture as many property pins as he could, and then he had re-mapped based on those points, so his mapping is a little more accurate than ours. He said ours is basically deed driven or driven by recorded subdivision plats. Steve said in order for us to work together, he would like us to include his parcels in place of ours.

Rick Sherck said quite often when the Economic Development Commission gets inquiries, and they come to Steve and tell him what parcel they are looking at. He said then Steve prints out a map to show what information he has on that parcel. Rick said Steve doesn't have the Kendallville utilities on GIS. He said in the long term interest of Noble County, it would be great to have that information for every area. Jack asked if he was missing something about the mapping. Rick said Noble County and Kendallville need to mesh their data together to make sure boundary lines are accurate. The GIS Department doesn't have the time or the resources to go out and measure to accomplish this task.

Steve said in order for him to work on this project it would take his time away from other projects. He gave the Commissioners a handout on projects he works on, and he said because of that he thought the county would benefit having someone come in to help expedite the remapping. He said once the parcels layer is done, all of the other layers referencing the parcels have to be shifted as well.

Dave Dolezal asked if the county is going to put 600 hours into this, if Kendallville is going to be expected to match that time. He also asked if we would benefit more than Kendallville would. Steve said Rick Kiersey (Kendallville) would not be putting as much time into it, because he had already done the work and has everything in place. Steve said Rick Kiersey would provide data to the county and then we would incorporate that into our GIS.

Joy asked if you get to the jurisdictional boundary of Kendallville and the parcel lines are shifted, what happens then. Steve said it is more or less the downtown area that they have shifted because of Rick's remapping efforts.

Jackie said her concern is what it would do to the legal documents that are in place, because it was agreed when doing the tax mapping that it would be deed driven. Steve said if anything, it would probably make it more accurate.

Jack asked if the boundary lines don't go back to the Surveyor with his Harrison markers in the road. Steve said the Surveyor's main function is the perpetuation of property pins that help us create our section lines, and from that we build our parcels.

Jack asked about the qualifications for the person Steve wants to work part time. Steve said he has a Bachelor's Degree in science and geography from Ball State University with a GPA of 3.8. Steve talked about some of the persons work experience.

Steve reviewed his 2010 annual report with the Commissioners, explaining some of the things Kelly Tieman, Tax Mapper had done, and some of the things he had done to assist various people and offices.

Jack moved to approve the two things Steve had requested over \$500.00. Dave seconded the motion and it carried, 3-0.

ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 12:28 P.M. recessed from day to day until the 14th day of February 2011.

Joy Y. LeCount, President

Jack W. Herendeen, Vice President

David J. Dolezal, Member

ATTESTED: _____
Jacqueline L. Knafel, Auditor