

**MINUTES OF A SPECIAL SESSION OF THE
BOARD OF COMMISSIONERS HELD FEBRUARY 13, 2012**

Comes now the hour of 8:24 A.M. on the 13th day of February, 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 2/23/12 APPROVED

After reviewing the payroll from 1/27/12 - 2/09/12 to be paid 2/23/12 Dave moved to approve it. Jack seconded the motion and it carried, 3-0.

BARR PROPERTY AT BEAR LAKE

Building Inspector Richard Adair was present and he and the Commissioners discussed a property at Bear Lake owned by Dawn Barr, which they have received numerous complaints about from Bobbie Nix, a neighbor. Richard said he had given Dawn a list of things to be done and she had completed all but two of the things on the list. Richard said her son had removed the wood burner and put in a pellet stove and properly installed a new chimney. He said the home isn't beautiful, but it is her home, and she is on a limited income. Dennis said all we have to look at is if she meets the minimum standards. Richard said she meets all of the things that are in the code with the exception of her ceilings. He said there is someone that heard about Dawn's situation, and he wants to give her all new windows for the house. Joy said maybe the gentleman would give her some drywall for the ceiling. Richard said the son is doing the work on Mrs. Barr's home, and he said he would go back in the spring and do more work. Dennis said unless it is a health hazard or there is a structural problem, there is nothing we can do.

MINUTES OF JANUARY 30, 2012 MEETING APPROVED

After reviewing the minutes of the January 30, 2012 meeting and making some clarifications, Dave moved to approve them. Jack seconded the motion and it carried, 3-0.

2011 BUILDING DEPARTMENT YEAR END REPORT

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

EATON CORPORATION – ULTRA SHIFT PLUS AUTOMATED TRANSMISSION

The Commissioners received a brochure from Eaton Corp. regarding the UltraShift PLUS automated transmission they have available, (H.I.). It was given to the Highway Department.

JOHNSON MELLOH SOLUTIONS - ENERGY SAVINGS PROPOSAL

The Commissioners received information from Johnson Melloh Solutions who was proposing to conduct a feasibility study for energy usage of the current county facilities and showing how alternative energy could provide a long term savings. Dave said we already have had that done, and the company that did it can't show us the savings.

RE-APPOINTMENT OF NITA DODD TO ROME CITY PLAN COMMISSION

The Commissioners received a request from Leigh Pranger, Rome City Town Manager asking that Nita Dodd be re-appointed to the Rome City Plan Commission for a four year term which will expire February 1, 2016. Dave moved to approve the request. Jack seconded the motion and it carried, 3-0.

MICHELLE MAWHORTER, RECORDER – PUBLIC OFFICIAL BOND

The Commissioners received the above referenced bond, (H.I.). Dave moved to approve it. Jack seconded the motion and it carried, 3-0.

CLERK'S REPORT – JANUARY 2012

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

TREASURER'S REPORT – JANUARY 2012

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

PROSECUTOR'S OFFICE EQUITABLE SHARING AGREEMENT & CERTIFICATION

Steve Clouse, Prosecutor said he had the above referenced agreement and certification. He said they have \$6249.33 in the Equitable Sharing account that originated from a forfeiture that we did about ten years ago that the federal government helped us with. Steve said we have to keep their money segregated from our money and tell them every year that we still have the money. Steve said he could spend it, but he hadn't found the right thing to spend it

on. Dave asked what they could spend it on. Steve said he could spend it on law enforcement related equipment, drug investigations, buy money etc. He said there is a list of things they can't spend it on. He said he is just holding on to it because there will come a day when they need it.

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

CHANGES IN PROSECUTOR'S OFFICE

Steve said they are making some changes in his office. He presented a quote for new carpet at the Prosecutor's Office and a quote from Workplace Solutions to reconfigure the second floor workspace to provide the caseworkers more privacy on their computer workstations since they are paperless. Steve said it would also be a more safety sensitive environment where they wouldn't have to turn their backs to people they are meeting with. Steve said he thought the carpet was put in around 1997 and he thought the last time it was cleaned was around 2000 and it is a little worn. He said he has the money in the Child Support Incentive Fund to pay for the Workplace Solutions part of the work. Steve said he was hoping the Council would look at the money the county gets for 4-D collections to pay for the carpeting.

Jack asked if the carpet company is local. Steve said it is from the Jack Lorey Group out of Fort Wayne, but he would go wherever the Commissioners want him to. He said the only reason he has that quote is that Workplace Solutions sent them to give a quote. Steve said he would go wherever the Commissioners want him to. Dave said we should have another quote.

Dave asked Steve if the security issues were all taken care of. Steve said he thought everything was okay now. Dave asked if the wall is ok now. Steve said he thought it was.

After checking with Auditor Jackie Knafel, Joy said there is \$25,830.00 in the 4-D incentive fund that would be available for carpeting. Joy said the Commissioners like to use local contractors if the price is compatible.

Steve said he would try to get the other carpet quote before the March Council meeting.

REQUEST TO SWEEP SATE ROAD #3 FROM US 6 TO LAOTTO

The Commissioners received the above request, because of bicyclists using that portion of the road. The Commissioners declined the request.

SOUTH COMPLEX AND WEBER ROAD

Joy said she had met with John Hoover and Dave Hague at the South Complex and Weber Road Annex, and they are going to be preparing quotes for some minor renovations. She said there are some plumbing issues at both places.

BRIDGE #134 (CSX) PROJECT

Joy said the Commissioners received an e-mail from Beam, Longest & Neff regarding the CSX Railroad's desire to "span the right-of-way" to allow for a third rail line in the future, (H.I.). There was discussion that it might mean buying out the properties on the north side and possibly the southeast side of the bridge. Someone from the CSX Railroad will be coming to meet with Mike Fitch, Highway Engineer.

**FEBRUARY 6, 2012 EXECUTIVE
SESSION MINUTES APPROVED**

After reviewing the minutes of the February 6, 2012 executive session, Dave moved to approve them. Jack seconded the motion and it carried, 3-0.

HIGHWAY BUSINESS – MARK GOODRICH

OVERTIME

Joy asked if the Highway Department had to go out over the weekend. Mark said they did on Saturday. He said he drove for an hour and a half before he called them out to sand. He said there were areas of black ice and there was also blowing snow.

REQUEST FOR PURCHASES OVER \$500.00

Mark talked about the problems they had been experiencing with rims breaking and damaging lugs and the axle housings. He said he is going to try changing the rims each time they put new tires on the single axle trucks.

Jack asked if they are overloading the trucks. Mark said they are, and he had called and talked to the gravel pit because they were overloading the trucks. Jack moved to approve the purchase of the rims that are ordered and another order to be placed yet. Dave seconded the motion and it carried, 3-0.

Mark said he could get brake drums that are normally \$99.00 - \$130.00 on sale during February for \$77.99 each, and he would like to purchase 8 drums at a total cost of \$623.92. Jack moved to approve the purchase. Dave seconded the motion and it carried, 3-0.

Mark asked to purchase 500 sign posts for road markers that are not a part of the sign replacement project, but are mandated to be replaced by the end of 2012. The cost will be \$13,935.00. Mark said that would be enough posts to do Wayne Township. Mark said there would be a cost for the signs too. Joy said they extended the deadline for replacing the signs.

Dave moved to approve the purchase of sign posts. Jack seconded the motion and it carried, 3-0. There was discussion about how the signs would be picked up and processed. Mark said they will use what is usable, and the rest will be scrapped out.

**KEYSTONE CONCRETE - REQUEST TO
PROVIDE PEA STONE AND SAND**

Mark said he had an offer from Keystone Concrete to make us a good deal on pea stone and sand. He said they haven't bid for the last two years and he didn't know what issues there would be. Jack said we couldn't even talk to them. Joy suggested that if they want to provide materials for us they should bid. Mark said he wasn't interested but he wanted to run it by the Commissioners.

UTILITY PERMITS

Mark presented Permit #UP-002-12 from Century Link for work on CR 450 N between CR 1025 W and SR 5 in Sparta Township to bury fiber optic cable for high speed internet.

There was some discussion about problems with NIPSCO not putting their lines where they are supposed to be, and not backfilling the way they should. Mark said there is a problem with them leaving big drop-offs along the edge of the road too. He said he has called them to repair a berm along CR 100 E where they put in a line in October, and it has not been taken care of. Mark said they told him they would have someone out in two weeks, and it has been at least two months and nothing has been done. He said he would prefer not to let them do any more work on our right-of-way until they fix that, and until they understand that the permit is essentially a contract that they will be expected to follow from this point on.

Dave said he agreed with that recommendation. Joy said she wanted to ask Dennis if we have any legal recourse if they continue to fail to meet the requirements of their permits. Joy said they are supposed to be putting their utility lines on the edge of the right-of-way line, not up next to the road. Jack said he thought they should go out on 100 E and check the road where NIPSCO has done some work. He said it looks terrible.

Joy asked Mark to have Dennis look at the agreement that NIPSCO had signed. She suggested that before we issue them any more permits, the problem area would have to be fixed, and we should have a meeting with them.

UPDATE & DISCUSSION RE: TRUCKS

Mark presented a list of some of the trucks and the issues they have with them, (H.I.). He also presented a list of all of the trucks, their purchase date, the number of hours on them, and the condition of the trucks, (H.I.).

Mark said Power Train said they could beat the prices we are getting now on repairs to transmissions and rear ends, and have a two or three day turnaround compared to a week. He said Wellers has done good work for us. Mark said the mechanics talked to Power Train.

There was discussion about the tractors and mowers being used to cut the grass and weeds along the roadsides.

Joy asked which truck Mark would like to replace if he can buy one new truck. Mark said it would be #13.

Jack asked what we are doing with 8 pickup trucks and a blazer. Mark said they use 4 pickups for plowing snow. He said they have a shop truck that has all of the tools, air compressor, etc. in it. Mark said they have a parts truck. Jack asked if we really need a full sized parts truck. Mark said he had talked to Kevin about that and Kevin said he needs it. Mark said he thought we could trade trucks when a large truck is needed for parts.

Joy asked which truck they use for delivering gas to the trucks. Mark said it is #25 which runs good, but is starting to get a lot of rust and corrosion.

When asked, Mark said they have four trucks with fuel tanks in them.

There was discussion about the loader and how it is lacking in speed, and it might be because of the torque converter. There was also discussion about the hours on various pieces of equipment.

Joy asked Mark if he had a priority list or if he could develop one, so the Commissioners would know what they should be thinking about doing next year. Mark said he would like to start making a plan.

There was discussion about the cost of a loader. Mark said he could check into leasing a loader to see how it would compare to owning one.

There was discussion about the bulldozer. Mark said he would like to take it out to where we have blind spots at some of the intersections and fix them, if they get the time.

PATCHERS

Joy asked if they had gotten the Dura patcher back yet. Mark said they had.

Mark said there is an auction this Sunday down at Tell City, and they have an almost new Total patcher. Jack asked if it is like the ones we have now. Mark said it is. He said he would be willing to go down there.

Jack said he had purchased something at an auction like that when he worked for the Highway Department, and it is not an easy process. Joy asked Mark to investigate it and talk to Jackie about the process to make such a purchase. Mark said he would make some phone calls. Joy asked him to find out who had owned the patcher before.

Jack moved to give Mark permission to bid up to \$25,000.00 on the patcher after he gets all of the information on it. Dave seconded the motion and it carried, 3-0.

CARL PULVER - RAILROAD SIGNAGE

Carl Pulver told the Commissioners that CSX Railroad wants them (Pulver & Sons) to do the signage throughout the county when they close roads. He asked if the county has "Road Closed" signs that he would be allowed to use. When asked, Carl said there shouldn't be more than two or three crossings closed at one time. Jack asked when the closings would take place. Carl said they want to start in March.

Mark said it would take 12 barricades and road closed signs if there are three crossings down. He said that would pretty much wipe us out on signs, and we need to keep some for emergencies. Carl said he would rent some.

CARL PULVER – CULVERT PROBLEMS

Carl told the Commissioner about a problem with a culvert on his side of the Melvin System (in Jefferson Township) that is behind his house, which was put in with the silt pond. He said the culvert is collapsed on his side. Carl said he doesn't need to have the culvert because he can come around on CR 300 E. He said his neighbor, Gerald Hullinger needs that culvert to be working properly because he can't come around on CR 300 E.

The Commissioners told Carl they would discuss the problem in the Drainage Board meeting this afternoon.

Carl said the geese can stand on top of the silt pond. He said he thought they should find a better place for the silt pond. There was further discussion on the issue.

RECESSED & RECONVENED

The Commissioners recessed their meeting at approximately 10:54 A.M. and reconvened at approximately 11:07 A.M.

911 UPGRADE

Mitch Fiandt, E-911 Director talked to the Commissioners about the upgrade they will be doing for 911. He said the latest technology is called Next Generation 911, which has a lot of added features in it that will make processing a call a lot easier. Mitch said within the last year or so they have started a Northeast Indiana 911 Consortium, which started with four or five counties and now has ten counties. Mitch said what it does is basically take a lot of the 911 technology and administrative side, and bring it all under the ten counties, where they aren't so dependent on phone companies and outside vendors. He said for Noble County to stay on their own as they are now it would cost in excess of \$200,000.00 to upgrade. Mitch said by being in the Consortium the cost would be anywhere from \$102,000.00 - \$138,000.00 to upgrade. He said there is a savings to the county on the operations side of it. Mitch said they would all be switching over to the same 911 provider. He said we would save money in maintenance fees and administrative fees. Mitch said right now if there is an operational issue with the system he has to involve 4 -5 different companies. He said by going to the joint system he would make one phone call and they would take care of the issue. He talked about a problem they had that took two months to get fixed because there are so many companies involved and they want to blame each other instead of looking for the problem.

Joy said if we go to one provider, where the redundancy would be if we had problems with the service provider. Mitch said there wouldn't be any right now. He said their next step is to get the county IT people and the county Commissioners involved. There was further discussion about problems that could be encountered with having one service provider, and how they would be handled.

Mitch talked about how a person on a cell phone could be tracked with the new system. There was also discussion about the texting capabilities with the new system.

Joy said Allen County would host one server. Mitch said that was correct. She asked if there would be another server. Mitch said they were looking at the possibility of putting one in DeKalb Counties new 911 center.

There was discussion about whether all calls would still go through the 911 phones once the new phone system is in place. Sheriff Doug Harp was present. He said there are six phone lines in 911 now and there are times they are all full. Doug said once they get the phones up and the bugs worked out, it would be a good thing not to have all of the incoming calls going through dispatch.

Joy asked Mitch if he had the money needed for the update. Mitch said he has most of it. He said he has a grant, but he has to have the funds for it committed by March 1st.

Joy asked how much the grant is for. Mitch said it is for \$45,000.00. He said he has about \$65,000.00 in his wireless fund.

SENATE BILL 345 RE: 911 SYSTEMS

Mitch said Senate Bill 345 has its pros and cons. He said we will not be required to consolidate, which would double his operating costs. Mitch said the state wants all of our money. He said we currently have a \$2.00 landline fee in Noble County (per county ordinance), and a \$.50 fee for wireless which was set by the state. Mitch said as the bill is now, it is going to cut our landline income. There was discussion as to how that would hurt the budget. Mitch said the state wants everyone to take their 911 employees fees out of the 911 budget and put them in the Commissioners budget. He said that would be better than half a million dollars that would come out of another budget. Mitch said basically the state wants all of our money and then they will give us back what they want to. He said they have a formula for how each county would be paid, which is figured according to the population in the county.

Mitch said no one has been able to answer him on what he would do with the budget he submits to the county now. He said no one seems to know who he would submit his budget to, and how he would figure it. Mitch said any money the county sends to the state would go into the state's wireless E-911 account.

Mitch said the good thing is that he is back up to full staff now, and everyone is properly trained.

LANDFILL CORRESPONDENCE

The Commissioners received e-mail correspondence re: the following:

Request to change semi-annual groundwater/gas monitoring schedule from Feb-Aug to Apr-Oct;
Request to discontinue monthly gas monitoring at GP-1, GP-15, and GP-24;
Analyses for samples in Order No's. 12020708 - 12020709 - 12020710 - 02020711 - 12021193;
Remediation plan for methane concentrations observed at GP-1

See landfill file for documents.

ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 11:47 A.M. recessed to go into executive session.

Joy Y. LeCount, President

David J. Dolezal, Vice President

Jack W. Herendeen, Member

ATTESTED: _____
Jacqueline L. Knafel, Auditor