

**MINUTES OF A SPECIAL SESSION OF THE
BOARD OF COMMISSIONERS HELD FEBRUARY 18, 2011**

Comes now the hour of 2:24 P.M. on the 18th day of February, 2011, 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
Jack W. Herendeen, Vice President
David J. (Dave) Dolezal, Member

Also present were:

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

PAYROLL TO BE PAID 2/24/11 APPROVED

After reviewing the payroll from 1/28/11 – 2/10/11 to be paid 2/24/11 Jack moved to approve it. Dave seconded the motion and it carried, 3-0.

**MARCH 2011 – MARCH 2012 LIABILITY
INSURANCE RENEWAL**

Jackie asked the Commissioners if they would like to review the information Jarrod Ramer from Black and Ramer Insurance Company had brought in about the renewal for liability insurance, before he comes in to talk to them about it on the 28th.

Joy said she would just like Jarrod to hit the highlights of the areas where the changes occurred when he comes in.

LANDFILL DISCUSSION

There was a brief discussion about surveying that needs to be done at the landfill and the fact that the wells need to be marked.

There was then discussion that Mark Ober had previously done some surveying at the landfill to mark the methane probes, and that he would be contacted to see about what else needs to be done.

**INDIANA COURTHOUSE PRESERVATION ADVISORY
COMMISSION - LETTER RE: HISTORIC COURTHOUSES**

Joy finished filling out the list of questions sent by the above referenced commission, which she and Phil Jacob, Head of Maintenance had been working on, (H.I.).

RECESSED

The Commissioners recessed their meeting at approximately 2:48 P.M. to be reconvened on Wednesday February 23, 2011 at 2:00 P.M. or immediately after the executive session.

RECONVENED

The Commissioners reconvened their meeting at approximately 2:49 P.M. on February 23, 2011.

**SHERRY LABS – METHANE MONITORING
REPORTS RE: LANDFILL**

Joy presented three sets of information she had received by e-mail from Sherry Labs, which had not been submitted by mail. The letters were dated January 31, 2011, and the information is regarding methane monitoring at the landfill.

**ROMARY ASSOCIATES – PLAN B FOR
RENOVATIONS AT HIGHWAY DEPARTMENT**

The Commissioners received a “Plan B” (alternate plan that would require less demolition) from Romary Associates for renovations at the Highway Department, (H.I.). Joy said Romary Associates are in the process of coming up with a cost estimate. The Commissioners reviewed the revised plan and compared it to the original plan, and discussed a few things they would like to ask about, (H.I.).

SNOW EMERGENCY PROCLAMATION

The Commissioners received a copy of the proclamation for the snow emergency that was proclaimed February 21st. After reviewing the proclamation, Dave moved to adopt it, (H.I.). Jack seconded the motion and it carried, 3-0.

LANDFILL DISCUSSION

There was discussion about methane monitoring at the landfill, and how it fluctuates with different operators. Joy said IDEM is asking them (Sherry Labs) to provide some documentation of the equipment they are using, the calibration data, the field tech’s name, a detailed description of the procedure – Jack asked why they have to rent their equipment. Joy said she didn’t know. Jim suggested that the Commissioners look for a testing firm that operates at other landfills and does methane monitoring that might own their own equipment and have trained people on staff.

Jack said he talked to Russ this morning about a drainage ditch along the Baker Town Road where a ditch is going to be cleaned and the Highway Department is going to put the material in the borrow pit at the landfill.

KNAPP LAKE ROAD ISSUE (NORTH SHORE DRIVE)

The Commissioners and Jim discussed what still needs to be done to get everything resolved at Knapp Lake regarding North Shore Drive.

Jim asked Joy if she just wanted quit claims. Joy said she wanted something to show that we have proper right-of-way that doesn’t encroach on land we don’t own. Jim talked about a triangular area that he thought was the only issue that exists. He said our road is hard surface – Joy said we have prescriptive easement. Jim said we can do anything we need to maintain that road. Joy said if we are satisfied with the prescriptive easement and that it won’t be challenged, then she guessed we just continue.

Jim said what the Commissioners would be doing with trying to get quit claims around would be to secure right-of-way for future use by other entities. He said it might be easier for the Commissioners to do than for the sewer district to do. Joy said they could tell the sewer district that the county doesn’t have any right-of-way other than the road, and that they would have to secure their own. She said the sewer district had already said that they didn’t intend to use the road.

Jim said the only thing he sees as an issue is that little triangular piece that is now on the opposite side of the road. Joy said she would bring her file on this issue with her on Monday.

GROUND RULES – PROPOSED UDO CONCERNS

Joy said she had the address for Ground Rules now. The Commissioners decided to send Ground Rules a letter on Commissioner’s letterhead, listing their concerns about the proposed (Unified Development Ordinance) UDO. (no letter for file yet).

Jim said he didn’t remember anything in the UDO about a restriction from building residences, or sinking residential wells within 1000 feet of an IDEM certified landfill, whether opened or closed. He said we should have that in our zoning.

SPOUSAL COVERAGE ON HEALTH INSURANCE

There was a brief discussion about the issue of whether anyone enrolled a spouse during open enrollment this year, which is something that should not have happened.

FIBER OPTIC INSTALLED AT WEBER ROAD ANNEX

Jim said the fiber optic has been pulled to the Weber Road Annex. He said he was in his office last week and David Janssen from the IT Department came in and told him it was done.

LANDFILL DISCUSSION CONTINUED

Joy said she had been in e-mail contact with Mark Ober, but she hadn't had a chance to talk to him yet. There was discussion about the wells being marked. Joy said when she talked to Sherry Labs, Cindi said the numbers were on a stake beside the wells.

Jim suggested having Mark Ober do it or make note of it and have him submit a drawing to the Commissioners showing where the wells are and how they are numbered now, and send the drawing to IDEM. Joy and Jack agreed.

ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 3:29 P.M. recessed from day to day until the 28th day of February 2011.

Joy Y. LeCount, President

Jack W. Herendeen, Vice President

David J. Dolezal, Member

ATTESTED: _____
Jacqueline L. Knafel, Auditor