

**MINUTES OF A SPECIAL SESSION OF THE
BOARD OF COMMISSIONERS HELD MARCH 14, 2011**

Comes now the hour of 9:03 A.M. on the 14th day of March, 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
and Scott Perry & Bob Braley, News Reporters

**LOW COMPUTER COMPANY – DOCUMENT
DELIVERY PROGRAM - CHECK STUBS ON WEBSITE**

Jackie Knafel, Auditor came before the Commissioners to talk to them about a program that Low, the Auditor's Computer Company has available that would allow us to put check stubs on the website and we wouldn't have to print them anymore. She said it would be more cost effective if we put everyone on direct deposit, but if the Commissioners choose not to do that it is fine. Jackie said each employee would have their own secured password to view their check stub. She said Low estimated that our first year of savings would be about \$9,000.00. Jackie said that would be a little elevated, because they put postage in there at 44 cents and we only mail a few checks out because most people pick their checks up here. Jackie said it would cost \$5,761.00 the first year for the set up fees and a branding fee, which she thought was to put the logo on it that would be specific to Noble County. She said it would be about \$2,761.80 a year after that and the money would come out of her technical fees. She said she has about \$14,000.00 in that fund, and Low could take it directly from there.

Joy asked what percentages of the employees are using direct deposit. Jackie said she thought we were over half now. She said in her office they are half and half.

Dave asked if the Commissioners would make all employees transition to direct deposit. Joy said she thought the Commissioners would put out a survey or something before making direct deposit mandatory. Jackie gave the Commissioners a copy of the paperwork she had so they could review it and think about what they want to do. (none for file)

Jackie said she sometimes spends a lot of time attaching handouts to check stubs, and with this program the messages could also be put out on the web, and there would be an automatic alert sent to their e-mail telling the employees that their check stub is available and that there are messages attached. Jackie said the messages being on the e-mail would save her from making 250 copies of whatever she needed to hand out.

**PERF – CONTRIBUTION RATE
CHANGED TO 4.25% FOR 2012**

Jackie told the Commissioners that she had received notification from PERF (Public Employees Retirement Fund) that the contribution rate in 2012 would change to 4.25%, (H.I.).

Joy said she had heard on the radio this morning that both PERF and the teacher's retirement funds in Indiana are underfunded.

**DRUG FREE NOBLE COUNTY -
OBSOLETE EQUIPMENT**

Jackie said that Drug Free had left behind a TV and a printer or copier. She said Phil, Head of Maintenance told her that he could get rid of the equipment, but we have to pay to do that, and he questioned whether we should have to pay for it or if Drug Free should pay for it.

BASELINE COMMUNICATIONS – INVOICE FOR FIBER OPTIC

Jackie said she received an invoice in the amount of \$20,793.20 from Baseline Communications and Dave Baum, IT said it would be the last one we would receive. She asked the Commissioners which fund they would want it taken from. After some discussion it was determined that the Commissioners would like to talk to Dave Baum about it.

SEX OFFENDER ORDINANCE

Jackie said she had made the changes to the Sex Offender Ordinance that the Sheriff had wanted, and she had sent it to Jim Mowery the former county attorney who had written it to review.

After reviewing the ordinance with the changes, Jack moved to approve for it to be advertised as corrected. Dave seconded the motion and it carried, 3-0.

COUNTY ATTORNEY POSITION

Dave made a motion to contact the number one applicant for the county attorney position to see if the Commissioners can come to an agreement with him. Jack seconded the motion and it carried, 3-0.

LAWN MOWING QUOTES

After reviewing the advertisement from last year for lawn mowing at the South Complex and the Sheriff's Department Jack moved to advertise it. Dave seconded the motion and it carried, 3-0.

HIGHWAY BUSINESS – MIKE FITCH

4-WAY STOP SIGN ON 1000 E & CR 415

Joy asked Mike if he had checked out the 4-way stop sign mentioned above, that is a concern to some residents. Mike said he looked into that, and Jill Palmer (Schneider Corp.) will address some of that when she puts the re-signing project together. He said technically, it is okay as is, as far as the way it is signed.

Mike said Kendallville had requested that it be a 4-way stop. Joy said they don't want 1000 to stop, and the Commissioners have been of the opinion that it was part of the plan to begin with, and there was a reason for it.

ROAD AT 4-H PARK & TO BLACK PINE

Joy asked Mike if he had been in touch with the man at INDOT regarding a report that was sent there in reference to the road mentioned above. Mike said he thought it is just a matter of adding the road that goes back to Black Pine to our inventory.

FEDERAL AID ROADS

Joy asked Mike if he had reviewed the report that had been submitted to INDOT that no action had been taken on yet, to make sure it is really what we want to do. Mike said he hadn't gone through it in detail yet, but he was going to do that this week.

Joy said there were some roads taken off the eligibility list for federal aid so that others could be added. She asked Mike to check it out to make sure it made sense. Joy said she thought one road that we wanted to add was 150 E. Mike and the Commissioners reviewed a map that shows the roads within the county that are on the federal aid list and those that are proposed to be put on the list. Mike said you can only have a certain percentage of roads as major roads, a certain percent as minor, and a certain percent as local roads. He said they (INDOT) try to keep the percentage the same state-wide. Mike said if you go over that percentage, then you have to specify why you have a higher percentage.

BRIMFIELD BRIDGE DISCUSSION

Joy said at one time there was a plan for some considerable change in the Brimfield Bridge. She asked Mike if that project was still around. Joy said that might affect how the approach to 150 and US 6 would line up.

ROAD FROM STATE ROAD 9 TO CHAIN O'LAKES

Mike said he had talked to Dave Armstrong (INDOT) about the access drive into Chain O'Lakes, and he is going to check into that and get back to us. Mike said Dave told him that INDOT helps the DNR with maintaining those routes, and he thought INDOT should be doing the snow removal.

STAGE 1 REVIEW PLANS FOR BRIDGE #134

Mike said the Stage 1 plans were submitted to INDOT for review, and those should be coming back in a week or two. He said the next step after that would be to schedule a field check.

Joy asked Mike how the north approach of the bridge looked to him. Mike said access to that property was going to be very difficult. He said he thought about the idea of putting a driveway in that would come in from the north, which would require us to purchase some right-of-way through a field. Mike said the designer said they would discuss that at the field check.

Jack said it could be a little tight getting semi's in there. Jack said that the affected landowners had been here twice with concerns about the amount of water that could run off onto their property and possibly into their shop. Mike said that could be addressed as part of the design.

KLINK ELECTRIC, INC. – QUOTE FOR ELECTRICAL WORK AT WEBER ROAD ANNEX

The Commissioners received a quote from Klink Electric, Inc. for electrical work at the Weber Road Annex in the amount of \$1,639.00, (H.I.). Mick Newton, EMA Director was here to discuss the quote which is needed for the radio room at the Annex.

Joy asked Mick if he had received any other quotes. Mick said he didn't know who else to ask. Joy asked Mick if he had money to pay for the work. Mick said he didn't have a fund to take it out of and that is why he came to the Commissioners.

Jack said he hoped the power source is large enough to accommodate the additions. Mick said the man from Klink's looked for that, and he said it would be.

Joy asked Mick to check with Phil Jacob, Head of Maintenance to see if he has anyone he would recommend for the work, and also to check with Klink to see what the amps was that he quoted on. The Commissioners said they would like to have them use 30 amps.

FOUNDATIONS – BUDGET REQUEST

The Commissioners received a letter from Foundations thanking them for their past support and asking that they continue their monetary support in the amount of \$52,000.00, (H.I.).

CLERK'S REPORT – FEBRUARY 2011

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

DISCUSSION RE: PERF LETTER

Joy read aloud the letter that had been received from PERF as had been discussed with the Auditor this morning.

UDO ORDINANCE – LETTER FROM PLAN COMMISSION DIRECTOR

Joy said that she had received an e-mail from Steve Kirkpatrick, Plan Commission Director regarding the letter that was sent to Ground Rules with some questions and concerns

about the proposed UDO (Unified Development Ordinance) that Ground Rules is working on for Noble County, (H.I.). She said Steve was proposing that we should all get together locally to discuss the letter. Joy said she told Steve that until the Commissioners get a response from Ground Rules she didn't think there was anything to discuss.

TORT CLAIM NOTICE – DAPHNE & GABRIEL JONES

The Commissioners received notice of a tort claim filed on behalf of Daphne and Gabriel Jones regarding allegations of an improper issuance of a septic permit and the construction of an unnecessary and currently unusable drainage field when the previously existing undisclosed system would have been sufficient, (H.I.).

MINUTES APPROVED – 2/28/11

After reviewing the minutes of the February 28, 2011 minutes and making correction, Dave moved to approve them as corrected. Jack seconded the motion and it carried, 3-0.

RECESSED AND RECONVENED

The Commissioners recessed their meeting at approximately 10:30 A.M. and reconvened at approximately 10:46 A.M.

WEAVER BOOS CONSULTANTS – CORRESPONDENCE RE: LANDFILL

PROPOSAL FOR STATISTICAL EVALUATION OF THE 2011 GROUNDWATER MONITORING DATA

The Commissioners received the above referenced proposal from Weaver Boos in the amount of \$5,700.00 which they reviewed and discussed, (H.I.). Joy said IDEM had done this for us for a long time, but the state is no longer going to allow them to do it.

PROPOSAL FOR IMPLEMENTATION OF GROUNDWATER AND RESIDENTIAL MONITORING RE-EVALUATION PLAN

The Commissioners received the above referenced proposal from Weaver Boos in the amount of \$8,300.00 which they reviewed and discussed, (H.I.).

ENMET CORPORATION – QUOTE FOR SINGLE-POINT METHANE GAS MONITORS

The Commissioners decided to approve one monitor in the amount of \$1,195.00, which is all that is being required, (H.I.).

Dave moved to approve all 3 of the proposals referenced above dealing with the landfill. Jack seconded the motion and it carried, 3-0. Joy prepared a letter to be sent to Michael Maxwell at Weaver Boos regarding the above referenced proposals, (H.I.).

HIGHWAY BUSINESS – RUSS LEITCH

ROAD CONDITIONS

Joy asked how the roads are looking. Russ said he thought they were settling pretty well. He said they have been patching almost every day.

ENVIRO DYNAMICS – MONITORING WELL ABANDONMENT/INSTALLATION SERVICES RE: LANDFILL - QUOTE

The Commissioners received the above referenced quote in the amount of \$6,194.00, (H.I.). Joy said she was assuming the work would not be done until we have the evaluation

done, but she didn't know that. Joy said she would ask for an updated quote before the Commissioners take any action.

**WEAVER BOOS CONSULTANTS – INVOICE RE:
GROUNDWATER MONITORING AT LANDFILL**

The Commissioners received the above referenced invoice in the amount of \$871.00, for groundwater monitoring from Weaver Boos, (H.I.).

**ELKHART RIVER LOG JAM REMOVAL
PROJECT – INCOME STUDY**

Joy asked if the Commissioners voted to go ahead with the income study for the log jam removal project. After some discussion the Commissioners agreed that they would talk to Scott Zeigler, Noble County Surveyor about it during Drainage Board.

**RESPONSES TO MEMO RE: STORAGE
SPACE AND INVENTORY OF WHAT IS
NEEDED AND WHAT IS NOT**

The Commissioners reviewed the responses they received from the Office Holders regarding storage space and asking that they check to see if there are items/files being stored that are no longer needed. Responses were received from: Steven Kirkpatrick, Plan Commission Director; Douglas Keenan, Extension Educator; Dave Baum, IT; and Candy Myers, Clerk, (H.I.).

**DISCUSSION RE: RENOVATIONS
AT SOUTH COMPLEX TO MOVE
HEALTH DEPARTMENT UPSTAIRS**

The Commissioners reviewed and discussed some plans that had been drawn up regarding the above referenced renovations. Joy asked if we are to the place that we should get some professional help to figure out the best uses for our office space. Dave said we probably are. He said if we are going to do it we need to do it right.

The Commissioners reviewed and discussed the proposed plans, and what they want to do as far as renovations are concerned. There was discussion that once the Health Department is moved upstairs, they could get all of the things they have stored in other buildings moved, because they are going to use the vacated areas downstairs for storage.

Joy read from a list of things she had prepared that the Commissioners would have to ask for quotes on. She said she would get some quotes on what the Commissioners had agreed to have done, and then there could be further discussion.

**DISPOSAL OF ITEMS/RECORDS
NOT ANY LONGER NEEDED**

There was discussion as to who should dispose of items that are no longer needed. It was decided that Phil Jacob, Doug Keenan and Dave Baum should meet and discuss what could be gotten rid of out of the furnace room across from the kitchen at the South Complex.

**BEAM, LONGEST AND NEFF – BRIDGE
#134 ON CR 225 E OVER CSX RAILROAD**

Fred Larmore from Beam, Longest and Neff said he had brought a letter up back in November to go with a (3) girder system instead of a (4) girder system on the Bridge #134 project, which Hal (former Commissioner President) had signed. Fred said he sent the letter to INDOT and they sent it back saying they would like more than one signature. Jack moved for all three Commissioners to sign the letter as requested. Dave seconded the motion and it carried, 3-0, (H.I.).

Fred said there is a call out for bridge projects, so Beam, Longest & Neff is preparing the application for additional funding on Bridge #134, which is due in April. He said they would be requesting an additional amount for preliminary engineering and right-of-way phases.

Fred asked the Commissioners if there had been any information from the railroad as far as ownership of the bridge. Joy suggested that Fred talk to Mike Fitch, Highway Engineer.

Joy asked Fred if he thought there would be a site meeting soon. Fred said he thought there would be. He said he would check with the engineer and see when it would be. Joy said the Commissioners are still concerned about the impact to the property to the west.

DAVID NANCE, INDIANA DEPARTMENT OF NATURAL RESOURCES - SKINNER LAKE OUTLET WORKS

Joy presented some correspondence she had received from David Nance, Indiana Department of Natural Resources regarding the Skinner Lake Outlet Works, (H.I.).

ORDINANCE TO PRESCRIBE STREET ADDRESS NUMBER SIZE & LOCATIONS

Joy presented a sample copy of the above referenced ordinance that she had been given, which had been received at the Plan Commission Office on October 20, 2004, (H.I.).

ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 12:11 P.M. recessed from day to day until the 21st day of March 2011.

Joy Y. LeCount, President

Jack W. Herendeen, Vice President

David J. Dolezal, Member

ATTESTED: _____
Jacqueline L. Knafel, Auditor