

**MINUTES OF A SPECIAL SESSION OF THE
BOARD OF COMMISSIONERS HELD JANUARY 28, 2013**

Comes now the hour of 8:55 A.M. on the 28th day of January, 2013, 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:

Gary Leatherman, President
David J. (Dave) Dolezal, Vice President
Chad Kline, Member

Also present were:

Jacqueline L. Knafel, Auditor
Dennis Graft, County Attorney
and Scott Perry, Albion New Era
Bob Braley, KPC

CLAIMS APPROVED

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

MINUTES APPROVED

After having reviewed the minutes of the *January 14, 2013* meeting Chad moved to approve them. Dave seconded the motion and it carried, 3-0.

SHERRY LABS - LANDFILL ANALYSES REPORT

The Commissioners received an analysis report on 13 samples collected from the landfill. See the landfill file for the complete sampling report.

IDEM - ERIE HAVEN INC. - AMENDED PERMIT

The Commissioners received notice from IDEM that the Source Specific Operating Agreement with Irvine Ready Mix in Kendallville which was issued January 16, 1998 has been amended to be with Erie Haven Inc. now, (H.I.).

**KOSMOS SERVICES LLC - REDUCTION OF
COSTS AND LIABILITY CLAIMS**

Bill Borne, past Auditor of Adams County sent the Commissioners some information on the firm he has formed to consult with and assist taxing entities to help make sure they are receiving all of the fees and fines available to them, to help reduce the county's exposure to liability claims, etc, (H.I.). No action taken.

**TOWN OF ALBION - NOTICE OF ZONING
APPEAL BY WARREN & JACQUELINE HAUCK**

The Commissioners were notified by the Town of Albion that a public hearing will be held February 20, 2013 regarding a special use request from the Hauck's to allow a total of 4 apartments on the second and third floors of their retail building at 100 S Orange Street, (H.I.).

SHERIFF'S BI-ANNUAL COMMISSARY REPORT

The Sheriff submitted the above referenced report, (H.I.).

**NIPSCO - REYNOLDS TOPEKA ELECTRIC
IMPROVEMENT PROJECT**

Gary said he received a flyer from NIPSCO regarding a meeting to be held regarding high power line routing coming to Topeka. Chad said it doesn't come through our county.

BUILDING DEPARTMENT 2012 ANNUAL REPORT

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

APPOINTMENTS

LIGONIER PLAN COMMISSION - Per a request from the attorney for the Ligonier Plan Commission and the Ligonier Mayor, Tim Ringler was appointed with a motion from Chad Kline and a second from Dave Dolezal, (H.I.). The motion carried 3-0.

PTABOA BOARD – Dave Dolezal made a motion to reappoint Dave Button and John Bender to the PTABOA Board. Chad seconded the motion and it carried 3-0.

BEAR, HIGH, WOLF LAKE RSD - There was a brief discussion about a letter from someone wishing to be appointed to the sewer district board. Dennis said it could be put on the agenda and we could have anyone who is interested in filling the position be present.

ROME CITY PLAN COMMISSION & ECONOMIC COMMISSION – Dave made a motion to reappoint Barb Tatman to the Rome City Plan Commission and Steve Hankins to the Rome City Economic Commission per the request from Leigh Pranger, Rome City Town Manager. Chad seconded the motion and it carried 3-0.

CASH FARM LEASE - LANDFILL

There was discussion concerning the lease of the Landfill ground for crops. Gary Leatherman will contact Duane Stohlman, the current renter, and the Commissioners asked that he be put on the agenda for February 4, 2013.

WEIGHTS & MEASURES REPORT - 12/15/12 - 1/15/13

Arthur Buchanan, Weights & Measures Inspector submitted the above referenced report, (H.I.).

**PUBLIC OFFICIAL BOND - RANDY
SEXTON, SURVEYOR**

Chad moved to approve the bond for Randy Sexton in the amount of \$15,000.00. Dave seconded the motion and it carried 3-0.

FLEETWOOD ELECTRIC INC. – QUOTE

The Commissioners briefly discussed the quote from Fleetwood Electric that was taken under advisement on January 7, 2013, (H.I.). The Commissioners will discuss the quote and other issues with Dick Adair, Building inspector and 3 new quotes will be requested if needed.

RECESSED AND RECONVENED

The Commissioners recessed their meeting at approximately 9:38 A.M. and reconvened at approximately 9:49 A.M.

HIGHWAY BUSINESS - MARK GOODRICH & MIKE FITCH **LAP TOP COMPUTER REPLACED**

Mark reported that the computer that was lost had been replaced by IT, and they installed the test programs and it is back in use.

TRUCK UPDATE

Mark reported that a new joystick had been ordered and it would cost approximately \$1500.00. He said the joystick is the control for the storm guard hydraulic system on the newer trucks.

Mark said currently there are two route trucks down and he thought both trucks would be back up today or tomorrow. He said they are putting a new bed on one of the stand-by trucks and they should be back up to a full fleet pretty soon.

HEATING WITH USED OIL

There was discussion about the possibility of using used oil in a burner to heat the garage area of the Highway Department, (H.I.). Mark said they sold 660 gallons of used oil last year, and from information he found on the internet it would take 11 years at that rate to pay for the burner. Questions arose and the board will take this under advisement.

CR 100 W - RELOCATION REQUEST

Gary asked Mike if he was aware of the request to move CR 100 W. Mike said he was aware of it, but he hasn't had a chance to go out and look at it. He said if the property owner wants to reroute the road he didn't see too many issues. Mike said the property owner would have to take care of the cost and the county would inspect it to make sure it was constructed properly and there would have to be an agreement between the property owner and the county regarding the issues for the land dedication for the new road and the vacation of the existing road. Mike said Mark had put together some preliminary figures in the amount of \$35,000.00, and that was for the Highway Department Crew to do it. He said he didn't think the crew has enough time to work on something like this and the owner should get quotes or bids. Mike said he would head the project up if the Commissioners want him to.

Mike suggested building the road a gravel road since the existing one is gravel, and then the county could chip and seal the new section. Chad asked Mike if he would just chip and seal the new portion and not the portion of the road going back to the homes. Mike said it would depend on what money is available. Chad said he thought the landowner was thinking it was only going to cost \$35,000.00 but there would be engineering costs, soil costs, etc. Mike said he would go through that and get some rough numbers and then meet with the landowner. There was further discussion about other issues that could arise.

MEADOW LANE SUBDIVISION ROADS

Mike said there was a request about getting Butler Road in Meadow Lane Subdivision approved for maintenance. He said they have to bring the roads up to our standards before we will accept them. Mike said he would get back to the person and explain it to them.

Chad said there was a question regarding it already being accepted. Mark said he has a file at the office that actually shows that it was voted on by the Commissioners in 2007 and there was a bond that has expired. Mike said he and Charisse have been discussing these roads and what were accepted and not maintained and what have maybe been maintained but not accepted.

ROAD ENTRANCE CONCERN ON US 33 IN MERRIAM

Mike said Randy Sexton sent him something about a little development off of US 33 just south of the Marathon Station in Merriam. He said the concern was the entrance on our county road. Mark said the concern is that there is 95' from the edge of the drive, and that is to the center of US 33. He said if they had a 60' semi wanting to pull out of there after unloading they would have the road blocked until it was clear for them to pull out. Mark said the intersection of US 33 and SR 9 can stack up when there is heavy traffic on US 33.

Gary asked if this would be a whole new structure. Chad said it is proposed, but has not been through the Plan Commission yet. No decisions were made.

2012 ROAD RATINGS

Mike furnished the commissioners with a pie chart concerning the ratings of Noble County roads and reviewed the chart with them, (H.I.). He said the county maintains about 820 miles of road, of which about 10% are gravel. Mike said we need to maintain the road system at its current level or a little bit better, or eventually some of the roads will go back to gravel roads.

BRIDGE #12

Mike reported that the design is moving right along on the Bridge #12 project. He reported on his discussion with Engineering Resources about the project.

EMS BUILDING PARKING LOTS

Chad asked Mike and Mark if one of them would check the parking lots at the EMS buildings (in Albion, Cromwell and Kendallville) to see if they need any kind of maintenance.

UNSAFE BUILDING AT BEAR LAKE - REGINA HAMPSHIRE

Dick Adair, Building Inspector was present for this portion of the meeting. He said he took a picture at the Regina Hampshire property Friday, and the unit is gone, and he thought we were ready to send her a final bill and close the file. Dick said the only thing that is left is part of the frame. He said the man that is doing the demolition is cutting it up and it hasn't been the perfect weather to do that. Dick said he is confident that he will finish getting it out of there in the next couple of weeks if the weather permits.

Dave Dolezal made a motion to allow Dick Adair to send a bill in the amount of \$374.39 to Regina Hampshire for costs associated with the unsafe building complaint. Chad Kline seconded the motion and it carried 3-0. Dennis said previously there was a fine of \$1500.00 that had been stayed, and he asked if Dick is willing to have that removed. It was agreed the fine could be forgiven.

**UNSAFE BUILDING @ BEAR LAKE -
RICHARD HATTON**

Dick reported that Mr. Hatton is now taking extensive Chemo and the family has asked for an extension of time due to his illness. He said he has talked to his sister and she had made a commitment to remove the house in the next few months if given additional time. Dick said there are neighbors at Bear Lake that are willing to help get the house down and removed. He said he warned the sister not to let anyone inside of the house because it isn't safe. Dick asked the commissioners for their opinion about the extension.

After further discussion it was decided that within 30 days the family needs to have an action plan in place. The next public hearing will be held March 4, 2013 at 10:00 A.M. unless the action plan is submitted sooner and acted upon.

**UNSAFE BUILDING @ KNAPP LAKE -
GLEN WOODCOCK**

Dick reported that the county was going to have to tear down the unsafe building at Knapp Lake on the Glen Woodcock property. He said we will have to advertise and have a hearing to let the bids. Dick said there are two trees that are close to the foundation that will have to come down prior to removing the foundation because of liability issues and he thought that should be part of the bid. Dave asked if Mr. Woodcock is not going to do anything. Dick said he paid the \$3,000.00 fine and he won't be doing anything so it is up to us.

Dave asked Dick if he thought the \$3,000.00 would cover the demolition of the structure and the removal of the trees. Dick said he didn't think so.

GENERATOR & HEATING SYSTEM @ ANNEX

Chad said he thought the commissioners would like to have 3 quotes on what it would cost to put a new heating system in at the annex. Dick was asked about the heating system at the south complex. Dick said that he has talked to the guy that services the system, and he said it does have a relay and it is a heat pump, and he will be here in February to service the heating system at the courthouse and he will check the one at the annex then. Chad said that after the service man is here the commissioners can determine what size generator they might need.

**GIS BUSINESS
2013 PROJECTS**

Steve Hook, GIS Director presented the commissioners with a list of proposed projects for 2013 that he had rated according to their importance, (H.I.). He asked that the commissioners review this and if they have any questions let him know.

PICTOMETRY - UPDATED BUILDING OUTLINES

Steve said he talked to Trent Pell (Regional Technical Manager) from Pictometry. He said Trent had been looking at the 2003 and 2012 aerials and the 2003 building outlines. Steve said when they compared it and ran it through their system to see if it would be compatible with their workflow, Trent said they had some issues with the building outlines. He said when you look at the outlines they don't have a lot of real clean cut angles, and they are afraid if they run it through their automated process it might not give us the results we are looking for. Steve said they thought we should consider not doing it at this time and recapturing all of the building outlines if we should do a 2014 flight. He said according to them it would be a better set of data to work with. Chad asked if that would be okay with Maumee River Basin Commission (who is

willing to pay a portion of the cost for the building outlines). Steve said he didn't know because Rodney (from the MRBC) had not gotten back to him on the half. He said the cost would almost double. Chad said because it would be a full set of outlines instead of just an update. Steve said that was correct. He said we were looking at doing a \$13,648.00 project and now it has jumped up to approximately \$26,000.00. When asked by Gary, Steve told about some of the offices that could use the information and what they could use it for. Steve said there is a Pictometry meeting set up for Thursday at 1:30 P.M. and they are going to review the costs. There was discussion about the possibility of other companies being asked to give a quote and also about doing it in-house. Dave suggested inviting Rodney to the meeting. The commissioners will revisit this at some time after the meeting on Thursday.

TRENDING BIDS

Kim Miller, Assessor presented the bids she had received regarding trending. The bids are as follows:

Accurate Assessments – bid \$47,700.00 for trending
Tyler Technologies - \$57,900.00 for trending

Kim said the request was pretty standard, but she did say we have four lakes she wants them to look at and US 6. She said she also asked for some separate days for PTABOA and hearing dates.

Mark Folker, Regional Manager for Tyler Technologies and Blaine Bolen were present. Mark said they put the proposal together. He said they will do an evaluation review parcel by parcel. Mark said in the lake areas they are going to have to redefine all of the neighborhoods. He said they will have to get with the Assessor on the methodology of how they are going to price the land. Mark said they will set the land rates for each of the neighborhoods and analyze each of the different types of home on the lakes and get a value set for them. He said in the Kendallville area for the industrial parcels, they will have to review them for use and to make sure all of the data is accurate on all of them.

Kim said all of the lakes are going to have to be looked at, just to make sure they are all done the same way. Kim explained what she would like to see be done at the lakes. Dennis asked how many days were included for appeals. Mark said here would be a base of five days for appeals, and they are included in the base. Kim asked how much per day it would cost if they needed additional days. Mark said it would be \$700.00 a day. Mark explained further what their process would entail.

William Shultz from Accurate Assessments said they were basically going to do what Mark had said they would do, with the exception that they didn't have in there for the review. He said they would re-stratify all of the neighborhoods to make sure they are correct; and check all of the sales against every neighborhood to make sure the neighborhood factors are correct and everything does work. Kim asked if the five days were included for appeals. William said he thought they included twenty days of informal and two days of PTABOA support, and \$600.00 for additional days.

Gary asked if this would be a one year contract from start to finish. Kim said it is a one year contract. She said the trending is done annually.

Kim Miller and Dennis Graft will meet to go over the bids and Kim will be back before the commissioners on February 4, at 10:30 am.

COUNTY EMPLOYEE WORK HOURS

Dave said he called some of the other counties to ask about their courthouse hours. He said LaGrange is open at lunch and they close at 4:00; DeKalb is open at lunch and they close at 4:30; Whitley is like our schedule but they close at lunch for an hour; Kosciusko is open at lunch and closes at 4:30; Allen is open at lunch and closes at 4:30. Dave said when asked that he didn't ask if their lunch time is paid.

Chad said he thought we were set at 4:30 for a year because it has been in print in too many places.

Dennis said there is nothing in the law that says we have to give breaks. Dave said he thought it was good for everyone to be relieved of their duty and go eat.

ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 11:45 A.M. recessed from day to day until the 4th day of February 2013.

Gary Leatherman, President

David J. Dolezal, Vice President

Chad Kline, Member

ATTESTED: _____
Jacqueline L. Knafel, Auditor