

**MINUTES OF A SPECIAL SESSION OF THE  
BOARD OF COMMISSIONERS HELD NOVEMBER 28, 2011**

Comes now the hour of 9:10 A.M. on the 28<sup>th</sup> day of November, 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:

Jacqueline L. Knafel, Noble County Auditor  
Dennis Graft, County Attorney  
Marion Cavanaugh, Deputy Auditor  
and Bob Braley & Scott Perry, News Media  
Shelley Hansen – Wells Fargo Insurance

Joy LeCount brought the meeting to order at 9:10 AM.

**INSURANCE**

Shelly Hansen from Wells Fargo Insurance was present to review insurance paperwork. She presented and reviewed the following paperwork, and actions were taken as follows.

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

Administrative Service Agreement - Dave made a motion to approve it. Jack seconded the motion and it carried, 3-0.

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

Amendment # 2 adding colonoscopies to list of preventive services - Dave made a motion to approve it. Jack seconded the motion and it carried, 3-0.

Amendment #3, Annual Maximum increased to \$1,250,000.00 - Dave made a motion to approve it. Jack seconded the motion and it carried, 3-0.

**PAYROLL**

While reviewing the payroll, overtime at the Sheriff's department was discussed, as well as Per Diems that were paid. Dave moved to approve payroll from 11/04 - 11/17. Jack seconded the motion and it carried, 3-0.

**HIGHWAY BUSINESS – MARK GOODRICH & MIKE FITCH**

## **2012 ANNUAL BIDS OPENED & REVIEWED**

Present for this portion of the meeting were: Dave Nicol, Pierceton Trucking; Colin Nicol, Great Lakes Chloride; Dean DeVoe, North Central Co-op; Dave Rassel, Asphalt Materials, Inc; Phil Ehrman, Bit Mat; Bill Silvers, Stone Street Quarries, Inc; Kevin Lemler, Irving Materials Inc. – IMI; and Matt Winger, PTC/GCC.

The Commissioners opened the bids and read from them. Bids were received as follows:

### **ITEM #1 – LEAD FREE GASOLINE**

North Central Co-op  
Petroleum Traders

### **ITEM #2 – DIESEL FUEL**

North Central Co-op  
Petroleum Traders

### **ITEM #3 – BITUMINOUS MIX**

API Construction Corp.  
Brooks Construction Co. Inc.  
Niblock Excavating Inc.  
Phend & Brown, Inc.  
Pulver & Sons

### **ITEM #4 – CALCIUM CHLORIDE**

Great Lakes Chloride, Inc.

### **ITEM #5 - LIQUID BITUMINOUS MATERIALS**

Asphalt Materials, Inc.  
Pierceton Trucking Co., Inc.

### **ITEM #6 - AGGREGATE-GRAVEL**

CBK Enterprises, Inc.  
Jasper Construction Trucking, Inc.  
Jerry W. Bailey Trucking, Inc.  
Eshelman Sand and Gravel  
Hixson Sand and Gravel, Inc. - Garrett & Kimmel Plants  
Klink Trucking, Inc. - Ashley  
Niblock Excavating Inc.  
Pulver & Sons  
Stone Street Quarries, Inc.  
Irving Gravel Company, Inc. – Kendallville, Dove, Ligonier & South Milford Pits  
Jack Owen Excavating

### **ITEM #12-07 – AGGREGATE-LIMESTONE**

CBK Enterprises, Inc.  
Jasper Construction Trucking, Inc.  
Bailey Trucking Inc.  
Hanson Aggregates  
Hixson Sand and Gravel  
Irving Materials Inc. – Kendallville, Dove, Ligonier & South Milford Pits

Klink Trucking  
Pulver and Son  
Stone Street Quarries

**ITEM #12-08 – PUG MILL EQUIPMENT & AE-150 OIL**

Pulver and Sons  
Klink Trucking

**ITEM #12-09 – EQUIPMENT RENTAL**

CBK Enterprises, Inc.  
API  
Brooks Construction  
Caskey Trucking  
Eshelman Trucking  
Forker Excavating  
Irving Gravel Co.  
Jack Owen Excavating  
Jasper Trucking  
Jerry Bailey Trucking  
Pulver and Son  
Kendallville Iron and Metal

Jack moved to take the bids under advisement until December 5, 2011 @ 9:30 A.M. Dave seconded the motion and it carried, 3-0.

Jack told Mike he would like to have a comparison of last year's bid on bituminous and this year's bituminous bids.

**RECESSED AND RECONVENED**

The Commissioners recessed their meeting at approximately 10:27 A.M. so Jack could go to the Annex and check on some resurfacing questions regarding the parking lot. They reconvened at approximately 11:11 A.M.

**HIGHWAY BUSINESS CONTINUED**

**LINE STRIPING**

Mike reported that the line striping had been completed on the roads that had been chip and sealed this year.

**BRIDGE PLANS**

Mike said the bridge inspection contract can be used for scanning our existing plans and keeping them in an electronic file. He said there are two items in the bridge inspection contract that the consultant is not going to need to do, which amounts to about \$8,000.00, so there will be no additional funding needed. Mike said they found the plans for 44 or 45 out of the 64 bridges

we have, at the Highway Department. He said they can be scanned and then we won't have to store all of them. Mike said he had asked them to scan some of the plans for our federal projects too, because some of them are pretty thick.

### **BRIDGE INSPECTION DRAFT PLAN**

Mike said he reviewed the draft plan of the bridge inspections that was received last week, and he had asked United Consulting to change a few things.

### **NEW FLOOD HAZARD MAPS**

The Commissioners received information about the Noble County Flood Risk Open House where they will have newly released preliminary flood maps available for viewing, (H.I.). There will also be a 90 day Public Comment Period shortly after the open house.

### **PURDUE EXTENSION 2011 ANNUAL REPORT**

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

### **LOSS PREVENTION REPORT FROM THE HARTFORD INSPECTION AND INSURANCE COMPANY RE: BOILERS AT THE JAIL**

The Commissioners received the above referenced report indicating that the repairs to the boilers at the jail had been completed and that they had judged the repairs to meet the applicable requirements, (H.I.). There were also some follow-up recommendations.

### **REPUBLIC SERVICE/NATIONAL SERV-ALL – INVOICE RE: REMOVAL OF WASTE FROM LANDFILL**

The Commissioners received the above referenced invoice in the amount of \$342.60 for the removal of 1.69 tons of waste from the landfill, (H.I.).

### **FRONTIER – HIGH-SPEED INTERNET & BUSINESS UNLIMITED VOICE CALLING**

The Commissioners received a letter from Frontier thanking them for doing business with Frontier, (H.I.). Also included was a pricing plan that could save the county \$500.00. A copy of the letter was given to Dave Baum, IT.

### **CLAIMS TO BE PAID 12/05/11 TENTATIVELY APPROVED**

After reviewing the claims to be paid December 5, 2011 and having some questions answered, Dave moved to approve them. Jack seconded the motion and it carried, 3-0.

## **NOVEMBER 16, 2011 MINUTES OF JOINT COMMISSIONERS AND PLAN COMMISSION MEETING APPROVED**

After reviewing the minutes of the above referenced meeting, Dave moved to approve them. Jack seconded the motion and it carried, 3-0. There was a brief discussion about the need to do something about the wind energy issue.

### **NOBLE COUNTY VISITORS BUREAU APPOINTMENT**

Joy said she had talked to Lori Gagen, a member of the Visitor's Bureau Board and Lori said that they would like to have someone who represents the hospitality industry. She said she thought Sam Boggs from the Chain O'Lakes State Park would represent hospitality because they have the cabins at the park. Joy said he also has recreation and tourism and other things. She said she asked Sam if he would be willing to serve, and he said he would.

Joy said she thought someone from the Lucky Hospital's board would be good, so she called Beverly Huntsman who is on that board. She said Beverly is also on the Library Board and she said she would like to think about it for a while.

Jack moved to appoint Sam Boggs to the board. Dave seconded the motion and it carried, 3-0.

### **ASSESSOR – STATE APPEALS**

Kim Gephart, Assessor said that there are some appeals that had gone to the state level. She said they are appealing what had an October 30th deadline. Kim said it is a disagreement between what the attorney says October 30th means and what the DLGF says October 30th means. Joy asked what the DLGF said it means. Kim said they say the timeline we did it in is okay, but an attorney is disagreeing. Joy asked if it was at the close of business on October 30th. Kim said, "No". She said they filed their personal property, and they wanted abnormal obsolescence based on the economy. Kim said there is an argument that you can't file for abnormal obsolescence on such a thing. She said she fought it and sent them a 113, and we disagreed with their value and told them a new value. Kim said at that time they have the right to appeal, which they did and it then went to the state level. She said they (Indiana Tax Review Board) had tried to have a hearing twice, and both times the side doing the appealing asked for a continuance. Kim said in the mean time, they have asked for a Motion for a Summary Judgment. She said she gave it to Dennis. Kim said Mr. Mark Giaquinta is an attorney in Allen County.

Dennis said that he had talked to Mark, and he has already done the same thing through Allen County. He said the case that the attorneys representing this company cited, is one that Giaquinta has already had and lost before the Indiana Tax Review Board, and he is appealing it to the Indiana Court of Appeals. Dennis said he talked to Mark and told him there was no reason for him (Dennis) to do this when he (Mark) had already done it. He said it was his suggestion that Kim talk to Mark about representing Noble County, because Mark feels fairly confident that once it gets to the Indiana Tax Court that they will reverse it.

Kim said she is letting the Commissioners know that there might be an expense over \$500.00 for this. She said Mark normally charges \$299.00 an hour and he is going to do it for \$200.00 an hour.

### **DAVE BAUM, IT – SUPPLEMENT TO MANAGED PRINT SERVICES AGREEMENT WITH ADVANCED IMAGING SERVICES**

Dave said the managed print services that handles all of our desktop and the smaller printers have made him an offer that we might want to take them up on. He said they want to replace 29 of the 90 some existing printers with newer model printers, and reduce the quarterly charge by about \$300.00. Dave said we are about 9 months into a 36 month agreement, and to do that they want to re-set the clock, which would basically be a nine month extension. Dave Baum said he thought it was a good idea.

Dave Dolezal asked what the cost to the county would be to replace 29 printers. Dave Baum said we own the existing printers. He said most of them are disposable, which means we would just throw them out when they wear out. Dave Baum said when we put them under the MPS we just pay a per page charge. He said effectively, they are replacing one piece of equipment with another, which wouldn't have cost us anything any way, and in the process they are reducing our cost on a quarterly basis and reducing his guys (IT) time.

Jack asked how much it costs a quarter now. Dave Baum said right now we pay \$7400.00 a quarter, which pretty much covers everything. He said there is a minimum page count too. Dave said we don't pay anything additional until we hit the minimum page count. Joy asked if we had gone over the minimums. Dave said last month we did, but it had to do with the counts being off because they couldn't read the counts properly, so they gave us a credit for the overage.

Dennis asked who owns the printers if we don't extend the contract. Dave Baum said they own them. He said they are all considered replaceable in the lifetime of the contract anyhow. Dave Dolezal said that instead of them being our junk they would be their junk.

When asked, Dave Baum said the new contract would save us about \$100.00 a month. After further discussion Dave Dolezal moved to approve the extension of the contract with Advanced Imaging. Jack seconded the motion and it carried, 3-0.

### **JOHN MAYS CONTRACT**

Dave Baum said he would be bringing in a new (2012) contract next week for John Mays, a contract IT employee. He said John's contract is from year to year.

### **NEW PHONES**

Dave Baum reported that they are going to start putting some of the new phones in, and he thought they were going to use Mick (EMA) as a test, because there are two landlines there that will be real easy for us to get rid of. He said since they are not integrated with anybody else's phones it would be a good place to start. Dave said he put in a request to Frontier today for the new 23-line connection at the Sheriff's Department and we should have that in about a week or two. He said they will try to be as least disruptive as possible.

**E-MAIL CORRESPONDENCE RE: LANDFILL**

The Commissioners received e-mail correspondence from Ghodrat Hiacari from IDEM regarding semi-annual reports; a visit to the landfill; old correspondence; "Policy on Standardization of Releasing Solid and Hazardous Waste Landfills from Post-Closure Care Requirements, etc, (H.I).

**ADJOURNMENT**

This session of the Board of Commissioners of Noble County was at approximately 12:25 P.M. recessed from day to day until the 5<sup>th</sup> day of December 2011.

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Joy Y. LeCount, President

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Jack W. Herendeen, Vice President

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David J. Dolezal, Member

ATTESTED: \_\_\_\_\_  
Jacqueline L. Knafel, Auditor