

**MINUTES OF A REGULAR SESSION OF THE  
BOARD OF COMMISSIONERS HELD FEBRUARY 3, 2014**

Comes now the hour of 8:38 A.M. on the 3<sup>rd</sup> day of February, 2014, in the Commissioners Court in the Noble County Courthouse, Albion, Indiana, being the time, date and place set for a regular 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:

Marion S. Cavanaugh, Deputy Auditor  
Dennis Graft, County Attorney  
and Scott Perry & Bob Braley, News Media

**PAYROLL TO BE PAID 2/06/14 APPROVED**

After reviewing the payroll from 1/10/14 – 1/23/14 to be paid 2/06/14 Dave moved to approve it. Chad seconded the motion and it carried, 3-0.

**CLAIMS APPROVED**

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

**PROCLAMATION CANCELING SNOW EMERGENCY**

Gary signed the proclamation to cancel the snow emergency effective January 28, 2014 at midnight, (H.I.).

**NOTICE OF PLAN COMMISSION PUBLIC HEARING  
RE: MICHAEL CLINGERMAN SPECIAL USE EXCEPTION**

The Commissioners were notified of the above public hearing to allow for an accessory dwelling in the 40' X 70' garage for Michael to live in while taking care of his mother, (H.I.).

**WEAVER BOOS - INVOICE RE: GROUNDWATER  
STATISTICAL EVALUATION FOR LANDFILL**

Weaver Boos Consultants submitted the above referenced invoice in the amount of \$2,950.00, (H.I.).

**TOWN OF ALBION – LEACHATE DISPOSAL**

The Commissioners received an invoice from the Town of Albion in the amount of \$150.00 for the disposal of 2500 gallons of leachate from the landfill in December, 2013, (H.I.).

## **COURTHOUSE SECURITY REPORT FOR JANUARY 2014**

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

## **IDEM – TOWN OF AVILLA SANITARY SEWER PERMIT APPLICATION**

IDEM sent notice to the Commissioners that they had received a sanitary sewer permit application to allow improvements for the 4<sup>th</sup> Street Pump Station Force Main in Avilla, (H.I.).

## **IDEM - KENNETH & LORI ANN TROYER CONFINED FEEDING OPERATION PERMIT**

The Commissioners received notice from IDEM as well as a letter from Kenneth & Lori Ann Troyer, regarding their application for a Confined Feeding Operation Permit, (H.I.).

## **BURNWORTH-ZOLLARS - NEWSLETTER**

Jake Smith from the Burnworth-Zollars Auto Dealership in Ligonier sent a first quarter newsletter for 2014, (H.I.).

## **KARR TUCKPOINTING - FREE INSPECTION OF COURTHOUSE**

Karr Tuckpointing sent a letter to the Commissioners offering to provide a free inspection of the courthouse and report on the inspection, (H.I.). No action taken.

## **SPRUNGER TILE RECONSTRUCTION HEARING**

The Commissioners received notice of a reconstruction hearing for the Sprunger Tile that is to be held February 24, 2014 at 1:30 P.M. in the Commissioners Room, (H.I.).

## **MINUTES APPROVED**

After reviewing the minutes of the *January 28, 2014* minutes and making corrections, Dave moved to approve them. Chad seconded the motion and it carried, 3-0. Dave then moved to approve the *January 13, 2014 executive session* minutes. Chad seconded the motion and it carried, 3-0.

## **ASSESSOR - BIDS FOR TRENDING**

Kim Miller, Assessor said she had reviewed the bids received last week (from Accurate Assessments; Property Assessment Solutions; Tyler Technologies; Stoffel Consulting; and Equi-Val Tax Solutions). She said the Commissioners had asked her to go through them to see if they complied with the specs. Kim told what she had asked for in the specs, one of those things being that it should be an Indiana based company. She said Tyler Tec is not an Indiana based company. Kim said the others had complied with everything other than some of them are not familiar with Noble County. She said three of the companies are new and she doesn't know much about them. Chad asked if Tyler was the low bid. Kim said they were. Chad asked why the stipulation was put in that they had to be an Indiana based company this time when it wasn't before. Kim said she just pretty much copied what it was before, for the trending. She said her fear with Tyler Tec is that they will come back for more money like they did the last time, and they didn't fulfill the job that they were supposed to do. Kim said there were three different things she had asked them to do and they said they would get it the next time. She said they

changed the neighborhoods to 1, and that isn't right, but it worked for what had to be complied with for the state. Kim said they had to go through and fix them this year. When asked by Dave, Kim said Tyler's bid was \$20,000.00 and then they came back and asked for another \$10,000.00 or \$11,000.00. She said they do 8 hours whether they work 4 hours or 5 hours. After further discussion Dave asked Kim that since Property Assessments Solutions bid is only \$800.00 over Tyler's, if she felt comfortable with that bid. Kim said what she had heard and read she would be, except for the fact that they are new. She said her personal choice would be Accurate Assessments who has worked in the county for several years, or if the Commissioners want to hold off and have her ask some more questions - there was further discussion at this point. Kim said she could get more information for next week if the Commissioners would like. Dave asked Kim to get some background on Property Assessments. Chad asked Kim to put all of the information (price, appeals, etc.) on a spread sheet for next week.

### **HIGHWAY BUSINESS – ZACK SMITH & MARK GOODRICH** **PURCHASE OF PLOW SHOES**

Mark asked permission to purchase 27 plow shoes at a cost of \$201.00 each which would total \$5,427.00, unless they can get a discount. He said they are kind of a commodity right now. Chad asked if we didn't just buy plow shoes. Mark said they bought 20 of them two weeks ago along with some blades. He said they are wearing fast because the side plows are on the road every day and they normally only run side plows 2 or 3 days a year. Mark said they are there to keep the plow from digging in. He said the duo carbide blades that are on the plows are \$238.00 a foot, so if they wear the shoes down they are not putting as much weight on the plow blades. Mark said the shoes are getting hard to find because all of the counties around here are using them. Chad moved to approve the purchase. Dave seconded the motion and it carried, 3-0.

### **2 TRUCKS WITH BAD ENGINES**

Mark said our 1997 Ford single axle dump truck has a rod knocking and the motor is most likely shot in it. He said it is the oldest truck we have that is on the road, with 18,000 hours on it. When asked by Dave if it is a spare truck, Mark said it is a spare truck but we use it a lot. Mark's recommendation was to sell it "as is" because the bed is rusted out too. He said they were going to get rid of one or two trucks when they get the new one anyway.

Mark said truck #42, which is his truck has a dead cylinder and the Ford garage that does a lot of work for us (Dimension Ford in Fort Wayne) said our best bet would be to put a short block in it at a cost of \$14,000.00 with additional parts totaling around \$1,500.00. He said the truck is a 2003 and has 260,000 miles on it. There was discussion about refurbishing the distributor we have and using the money set aside for a new distributor on trucks. Dave asked if we could rent a distributor. Zack said they are looking into that. Mark said he talked to a company last week that has a distributor that would be available to rent, but he didn't have a cost on it. Chad said he thought we could get a bid price through the state for a new truck for Mark. Mark said he is driving a spare pick-up truck right now and he can get by for a while. He said he is just bringing the Commissioners up to date today. Chad suggested having someone call around and get some prices on pick-up's. He said with the amount of equipment that is needed it might make sense to get as much as we can and spread the payment over a couple of years with financing.

## **NEW SNOW & COSTS FOR PREVIOUS SNOW**

Gary asked what we are looking at with the new snow that is coming in. Zack said the Highway Department overtime budget has obviously been blown already. Dave asked about the cost for the pay loaders (outside help) that we have used. Zack said he thought we had spent about \$24,000.00 already. Mark said that figure might be a little low. When asked, Zack said we used 4 on Monday and 6 on Tuesday through Thursday and 2 on Friday. Mark said he has 1 out today because we have one road that is still one lane that has to be opened. There was discussion about where to get the extra money needed for overtime.

Mark said if this new snow comes in, they most likely won't start work at 4:00 A.M. He said they have been more productive by starting at 6:00 or 7:00 and having more daylight hours to work. Mark said if we get the snow they are calling for and we have winds with it, we will have to use pay loaders again to move the snow back.

## **SALT**

Mark said they have about 100 tons of salt left and they have about 500 or 570 tons ordered, which they are going to start bringing today. He said the salt company will allow us another 100 tons, which will be in excess of what our contract is for, so he told Marc (Fisher) to go ahead and order it and get it in the salt barn. He said they are probably going to cut their mix back to make sure they have salt to go with the mix. When asked, Mark said they had put some down this weekend because of the ice and they got the roads cleaned up a little bit. He talked about a couple of other options he has, including adding calcium chloride to the sand so they can cut back on the salt a little more if necessary. There was discussion about the cost of calcium chloride. Mark said he wouldn't be surprised if the price of salt goes to about \$120.00 - \$150.00 a ton if we can find it, and right now we are paying \$62.00. He said we were fortunate that we had some salt that we carried over from last year.

## **PUBLIC SERVICE ANNOUNCEMENT**

Mark said he was going to have Charisse call the local radio stations and ask if they will put out a public service announcement to let people know that we do not run all night to try to keep some of the people off the road. He said he is going to get together with Mick Newton and Sheriff Harp to see if they can come up with some kind of plan. He said the last two snows they got calls all night for stranded motorists. Mark said we have never had this much before, and half of them are out by the time you get there and the ones that aren't out have nowhere to go, and the wreckers won't come out, so we have to help them get out of the ditch and back on the road. He said that is not really the Highway Department's job and we don't have the manpower to pay overtime to run around the clock. He said he is going to see if he can come up with some kind of plan where someone else can take care of some of it. Mark said to save the overtime and keep the guys rested up there have been a couple of times he has ran all night. When asked if people call the garage, Mark said they call 911. He said he asks if the vehicle is running, and if it is they have to wait until he gets there, because they won't freeze.

## **BRIDGE INSPECTION CONTRACT**

Zack said he has put an RFP request in with the state for the 2015 bridge inspections.

## **COUNTY ROADS THAT ARE NOT MAINTAINED**

Zack said they are getting Beacon updated to match the GIS that shows county roads that are not maintained, and then anyone can access that.

## **FULL DEPTH RECLAMATION (FDR) - CR 300 S**

Zack said he had met with Klink's this week to look at using some FDR and the tentative project that they selected was 300 S. He said he thought it would be a good long term solution and he would be getting some prices.

## **BRIDGE #70 RIGHT-OF-WAY ACQUISITION**

Zack said we talked about the Bridge #70 right-of-way acquisition engineering last week. He said he had an estimate that was nearly \$20,000.00 so he contacted Mike (Fitch) and did some digging. Zack said there is no drainage easement at the Elkhart River and the existing right-of-way is only 30 feet. He said Mike put together a scope that is considerably less. Zack said he thought the total fee was \$3,000.00. He said there would be some buying that would be done in-house. Zack said it will be a significantly cheaper option and it will be a good learning experience for him on the right-of-way side of the engineering for the county. Chad asked if they are hopefully going to do most of the right-of-way in house. Zack said Mike would do the legal descriptions and the purchasing will be done in house. Mike said the existing right-of-way width on CR 600 is 30'. He said it is a 30' easement. Mike said he is recommending that we purchase a 60' right-of-way which would require us to take an additional 15' of permanent right-of-way, but we would actually be purchasing 30' of fee simple property. He said there are some trees and things involved, but there are no damages or any buildings of significance involved. Mike said the acquisitions are pretty simple and the right-of-way takes are small parcels. He said there are three landowners involved. Zack said they want to get the property acquired so they can remove the trees so we don't have any issues with the Indiana Bat Law. Mike said it will be good for Zack to work with him on this to get some experience so that in the future he could do some of the work in-house. He said he would work with Zack on appraisals, and they will determine later if they want to do them in house or use a local appraiser. Zack said Mike's proposal is about one third of the other one received for just the legals, transfers and the plats. Dave moved to approve the proposal from Mike Fitch. Chad seconded the motion and it carried, 3-0.

## **USE OF PAY LOADERS FOR COMING SNOW**

Mark asked in the event we get the snow they are calling for Wednesday if it is ok to go ahead and get the pay loaders out again. The Commissioners agreed it would be okay.

## **IRISH ACRES PLAT - SIGNATURES**

The Commissioners signed the Irish Acres plat sheets for approval of the right-of-way dedication which they approved last week.

## **RECESSED AND RECONVENED**

The Commissioners recessed their meeting at approximately 9:59 A.M. and reconvened at approximately 10:18 A.M.

## **TAX SALE CERTIFICATES**

Sheri Auld, Deputy Auditor in charge of the tax sales presented a list of 31 properties that are certificates that were assigned to the Commissioners from the October 3, 2013 tax sale. She said she sent notification to all of the individuals on October 21<sup>st</sup>, and 8 of them came back undeliverable. Sheri said the Roberta Brazzell property has been redeemed. She said Kathee Godsey had told her that she has the money to redeem her property, and today is the last day to redeem the properties. Sheri said the certificates void 10 months after the tax sale, which would

be June 3<sup>rd</sup>. Dennis said we would have to do the tax petitions to the court by the end of April. There was discussion about the properties that have environmental issues. There was also discussion about a tower on leased ground that Sheri said her notifications keep coming back on. She said she was given a name of James and Gail Rodenbeck but she can't find an address for them. Dave said he could get an address for them. Chad said the one property is a ditch. There was discussion on several of the other properties. Chad suggested that if we send letters to surrounding landowners to see if they have an interest in them and no one responds, possibly the Commissioners could go talk to them to let them know what is going on.

### **MEDICAL RESERVE CORPS GRANT**

Corey Silcox informed the Commissioners that the Health Department has the opportunity to pursue a new grant. She said they are looking at a Medical Reserve Corps Grant from the state in the amount of \$6,500.00 to help start up a Medical Reserve Corps. Corey said they are looking at that as a way to condense their volunteers, both medical and non-medical. She said it would allow some funding to get some recruitment efforts under way. Corey said recently the state has rolled out a new volunteer management system on line that they are required to start using. She said several people had spontaneously registered for it without them putting anything out. Corey said she was contacted by Parkview Noble and they are interested in getting their employees rostered with us, as long as we come up with some kind of arrangements that we don't take their people when they are supposed to be working. Corey said we are seeing an increase in people wanting to volunteer. She briefly talked about what has been done so far in working towards getting the grant. Dave asked what kind of staff they would have. Corey said right now it is a staff a one. She said the goal is to eventually become a self sustaining volunteer group that would report to the Health Department to Cheryl or whoever would be in that position, but they would not be run by the Health Department. She said a lot of MRC's are run entirely by their volunteers after 3 - 5 years, with a Board of Advisors. Gary asked if the volunteers are nurses. Corey said they would like to have lots of nurses, physicians, physician assistants, certified medical assistants, or any type of medical person. She said they can also take non-medical retirees, students or anyone over 18. Dave asked who would activate them and who the gatekeeper would be. Corey said right now it would be the Health Department and it would be her since she is kind of running all of the preparedness activities. She said this grant will end on June 30<sup>th</sup> and the new grant cycle starts July 1<sup>st</sup> and at that point we will be eligible for more funds from the state, as well as federal funds. When asked by Gary, Corey said that it is not a match grant. Chad asked if they intend to hire another individual. Corey said right now it would be added to her work. Dave asked if there is a certain amount of people where they have a cut off. Corey said they are working on getting a plan written. She said they do have a list of jobs that they had been required to maintain as part of their preparedness program which she would like to expand. Corey said hopefully they would be able to get a group trained, who would be able to assist in training spontaneous volunteers that show up in emergencies. She said the state registration system will actually check licenses and certifications for us, so if someone says they are a nurse the state would verify that and tell if there are marks on their license or if it is a clean license.

Dave moved to approve the Medical Reserve Corps. grant to be pursued by the Health Department. Chad seconded the motion and it carried, 3-0.

**2013 EMERGENCY MANAGEMENT PERFORMANCE  
GRANTS-PROJECTS SUB GRANT AGREEMENT**

Chad said this is an incentive grant that Mick received for meeting all of his criteria for EMA. Chad moved to approve the grant in an amount not to exceed \$5,179.77. Dave seconded the motion and it carried, 3-0, (H.I.).

**ADJOURNMENT**

This session of the Board of Commissioners of Noble County was at approximately 11:01 A.M. recessed from day to day until the 10<sup>th</sup> day of February, 2014.

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Gary Leatherman, President

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David J. Dolezal, Vice President

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Chad Kline, Member

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