

**MINUTES OF A SPECIAL SESSION OF THE  
BOARD OF COMMISSIONERS HELD MAY 19, 2014**

Comes now the hour of 8:22 A.M. on the 19<sup>th</sup> day of May, 2014, 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

Also present were:

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

Absent was:

Chad Kline, Member

**HIGHWAY BUSINESS – ZACK SMITH & MARK GOODRICH  
VACATION**

Mark said he will be on vacation from May 20<sup>th</sup> through May 30<sup>th</sup> to attend his son's college graduation out east.

**CR 300 S**

Dave said there are some terrible pot holes on 300 S. Mark said he had people going down there today to work on that.

**BRIDGE #70**

Zack said they will have the wage scale meeting today. He said he has a draft contract from the railroad for the road agreement. Zack said the Commissioners could review it and they could make any revisions that are needed and approve it at the next meeting. He said that will be the last item we will have other than actually bidding everything out.

**BRIDGE OVERLAY**

Zack said he is getting the Chloride testing done for the bridge overlays.

**BRIDGE #44**

Zack said they inspected Bridge # 44 last week when United Consulting came up. He said everything was per their expectations and it should remain open and it will be fine.

**BRIDGE INSPECTION PROPOSALS**

Zack said he had a pre-contract meeting and United Consulting will be putting some things together. He said he talked to them about some things we expect and things we don't expect or want. Zack said he is still waiting on a report from SME on the core samples.

## **LPA CALL FOR PROJECTS**

Zack said the LPA presentations should be about a week and a half off. He said he is working on getting power points made for all six of the projects.

## **HIGHWAY STANDARDS APPROVED**

Zack said the Highway Standards that the Commissioners had reviewed previously are available for approval. He said there were just some minor changes made and he addressed a couple of other things. Dave moved to approve the Highway Standards as presented. Gary seconded the motion and it carried, 2-0.

## **2014 ROAD IMPROVEMENT PLAN**

Zack said they talked to the staff last week so they understand how we are scheduling the work a little bit differently. He said they have some of the rentals and our material suppliers locked in.

## **PART TIME MOWERS**

Dave asked if there would be part time mowers this year. Mark said he has two people lined up and he is trying to get in contact with the next person in line. He said they will have three part time mowers and he plans to have them start the day after Memorial Day.

## **POND VARIANCE**

Zack asked if the Commissioners had the pond variance request come in. He said he had contacted Randy (Noble County Surveyor) and told him the Highway Department didn't have any issues with it. Dave asked if it was a variance for a set-back. Zack said it was.

## **BRIDGE #5 – GUARDRAIL DAMAGE**

Zack said they received a call from Kendallville about damage on the guardrail on Bridge #5 on 1000 E. He said there is a T intersection just north of the bridge and there was significant damage to about six or seven panels of the guardrail, and he is waiting on a quote to fix it because he didn't know if we would have the staff to fix it in house. There was discussion about whether the insurance would cover it since it was a hit and run and it looks like it has been damaged for a while. Gary asked if they found out who did it if we would have insurance then. Zack said he was going to follow up with Scott Derby and have him contact the Kendallville Police Department. He said technically it is in Kendallville's city limits, but it is part of the bridge and the county is responsible for the bridges. Dave asked if Kendallville would help with the expense to fix it. Zack said after he gets the quote he will send a letter to Kendallville to see if they would participate in fixing the bridge because of the circumstances, and because of the lack of an insurance claim.

## **2013 ANNUAL OPERATION REPORT**

Zack presented the 2013 Annual Operation Report put together by Marc Fisher, Bookkeeper, for the State Board of Accounts, (H.I.). After reviewing the report, Dave moved to approve it. Gary seconded the motion and it carried, 2-0.

## **OFFICE STAFF OVERTIME**

Zack said they looked into the office staff overtime. He said they talked to them about being stringent about not having overtime if they don't need to. Zack said one of the problems is that the Highway Office is open 42 ½ hours a week and the two people working there work 37 ½ hours. He said their first 2 ½ hours over is at straight time. He said they want to get away from overtime, but when they are very busy we have people doing multiple tasks. He said Marc Fisher is running parts this week because we are a little low on staff, and when that happens

Charisse has to run the whole office by her. Zack said they are trying to cut back as much as possible, but they are going to be very busy this summer and people will be stepping out of their roles to try to help with the shop and some other things. When asked, Mark said the office is staffed from 7:00 A.M. to 3:30 P.M. Mark said Marc Fisher comes in at 6:00 and works until 2:00, but we aren't going to open the office until 7:00 so if he is off we won't need to bring Charisse in an hour early. Dave asked if they get a lot of calls from the general public between 7:00 and 8:00. Mark said the phone will start ringing at 7:00 or 7:10. He said it could be the Sheriff's Department calling about something or the schools, etc. He said if they put someone else in there basically all they do is answer the phone they pretty much just tell them that they will need to call back or they will take a message. Dave asked about the possibility of putting a recording on the phone if they are going to be absent half an hour and then just follow up on the recordings. Mark said they would have to talk to Dave (IT) about that. Mark said someone calling in at 3:00 is not an issue as much as someone coming in at 3:30 wanting a driveway permit. He said it is not uncommon for that to happen because the people had just gotten off work and they hate to tell them they will have to come back in. Zack and Mark said they will have Charisse start using some comp time instead of having overtime.

### **SAFETY**

Dave said if there is anything Mark and Zack need as far as safety, he would be glad to attend meetings and participate in any way he could. Mark said as we are going into the construction season he reminded the guys that as traffic increases they need to slow down a little and keep the loads down so they aren't spilling material on the roads, and to be aware of the traffic around them for safety's sake. He said Zack has a few things he will talk to the guys about for winter maintenance. Gary said to tell them to never turn their backs on the traffic. There was discussion about precautions that need to be taken when patching and doing other duties while outside of the trucks.

### **SKINNER LAKE ROAD – EXCESSIVE SPEED**

Zack said they have received several complaints from people at Skinner Lake about the excessive speed on Skinner Lake Road. He said he worked with LTAP and we are going to get the advisory speed signs that have radar hooked up later this week.

### **BRIDGE #134 CLOSURE**

Zack reported that Bridge #134 would be temporarily closed down for the next two weeks because CSX is doing some repairs and patching on the deck.

### **CLAIMS APPROVED**

After reviewing the claims to be paid today's date and getting answers to questions, Dave moved to approve them. Gary seconded the motion and it carried, 2-0.

### **ASSESSOR – REPLACEMENT OF EMPLOYEE & APPEALS**

Kim said she wanted to let the Commissioners know that she has an employee (Cheryl) that will be retiring and she has posted the job. When asked, she talked about the job requirements for the position. Kim said if they could get someone that is familiar with real estate to fill the position that would be helpful.

Dave said the Commissioners received an email from Blaine about the appeals, and he asked if they would be done on time. Kim said she hadn't read the email yet because she had

someone in her office the first thing this morning. Dennis told Kim she should read the email and respond to it.

**MEDIACOM – CHANGES TO LOCAL CABLE TELEVISION LINEUP & MEDIACOM BUSINESS GIGABIT+ FIBER SOLUTIONS**

Mediacom sent the Commissioners a letter informing them of some changes to the local cable television lineup, (H.I.). They also sent a letter regarding Mediacom Business Gigabit+ Fiber Solutions, a leader in providing broadband connectivity to rural Americans, (H.I.).

**NOBLE COUNTY HISTORICAL SOCIETY-OLD JAIL MUSEUM – 2014 BUDGET REQUEST**

The Noble County Historical Society-Old Jail Museum submitted a request for payment of this year's allocation and for an allocation in the amount of \$1,500.00 for next year, (H.I.).

**BBJ GROUP – PROPOSED CELLULAR ANTENNAE TOWER**

The Commissioners received a proposal from BBJ Group to construct a 199' monopole tower and an equipment shelter on leased ground in the E 300 S area, (H.I.).

**POND ORDINANCE VARIANCES**

There has been discussion about the Commissioners being asked to approve a variance for a pond. The Pond Ordinance says that the Drainage Board would be responsible for variances, (H.I.). Dennis said there are a number of concerns relative to the ordinance, and it may have to be re-drafted or done away with.

**WEAVER BOOS - LANDFILL METHANE MONITORING**

The Commissioners received an email from Mike Maxwell from Weaver Boos, about the methane monitoring that was done at GP-01 April 29<sup>th</sup> at the landfill, (H.I.). Weaver Boos had contracted the monitoring out to Element Materials. Dave said he had asked Mike to hold off on further testing until today, because of the proposal to monitor the gas probe more often than semi-annually. There was discussion about previous methane monitoring and how it was handled when there was a problem. Dave said with the monthly monitoring, we have to have 3 consecutive months below the LEL and it is going to cost us a ton. There was discussion about the possibility of finding someone locally that is qualified and would charge less to do the monitoring. Dave said he would call Mike to see what he could find out.

**TURF ONE & J & J - QUOTES FOR WEED CONTROL**

Jackie said when she looked at the quote from Turf One for the weed control at the South Complex, she noticed that it only shows that there are two acres and there are about 5 ½ acres out there. She said when she actually calculated it out Turf One would still be cheaper. Jackie said she told Turf One that we would still pay the \$60.00 an acre and that they could do the work. She said she also notified J & J that they were not to do the work.

**DODGE CHARGER - COUNTY VEHICLE**

Jackie said Lynn Blaine had taken the Dodge Charger to go to Indianapolis to a meeting and he said when he got around Summit Lake the transmission was slipping and would not go

into high gear. She said Lynn thinks it needs a new transmission. Jackie said she called Russ Moore in Fort Wayne and they gave her an estimate of about \$3,400.00 and she called Summit Transmission and they gave her an estimate of about \$1,900.00. Jackie said she went ahead and did an additional for gas, oil & lube in the Commissioners funds, because the additional had to be advertised. Jackie said she would call Summit to make sure if their quote was for a new or rebuild transmission. Gary said a lot of the transmissions have electronics in them, and if that is it the repairs would be a lot cheaper. Gary is going to get Jackie a phone number for a place in Wolcottville to call for a quote.

**ADJOURNMENT**

This session of the Board of Commissioners of Noble County was at approximately 9:29 A.M. recessed from day to day until the 2<sup>nd</sup> day of June, 2014.

**BACK IN SESSION**

Discovering that there was further business to take care of, the Commissioners went back in session at approximately 9:35 A.M.

**TAX SALE CERTIFICATE PROPERTIES – QUIT CLAIM DEEDS**

Sheri Auld, Deputy Auditor in charge of tax sales came before the Commissioners to get their approvals on quit claim deeds to take care of some of the tax sale certificate properties from 2012 and 2013. She explained each quit claim deed to the Commissioners, which were to deed tax sale certificate properties to surrounding landowners who has expressed an interest in them.

After the explanations, Dave moved to approve the Quit Claim Deeds for three properties from the 2012 tax sale certificate process and eight from the 2013 tax sale certificate process. Gary seconded the motion and it carried, 2-0.

**ADJOURNMENT**

This session of the Board of Commissioners of Noble County was at approximately 9:54 A.M. recessed from day to day until the 2<sup>nd</sup> day of June, 2014.

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Gary D. Leatherman, President

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David J. Dolezal, Vice President

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Chad Kline, Member

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