

**MINUTES OF A SPECIAL SESSION OF THE
BOARD OF COMMISSIONERS HELD JUNE 10, 2013**

Comes now the hour of 8:37 A.M. on the 10th day of June, 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
Chad Kline, Member

Also present were:

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

Absent was: David J. (Dave) Dolezal, Vice President

PAYROLL

After reviewing the payroll from 5-17-13 to be paid 6/12/12 Chad moved to approve it. Gary seconded the motion and it carried, 2-0.

KOSMOS SERVICES LLC - INTRODUCTION

The Commissioners received a letter from Bill Borne informing them of the services he has available such as budgeting for the implementation of the Affordable Care Act; training of employees to prevent liability claims; Sexual Harassment and Diversity training program necessary for OSHA training; etc.

NATHAN MILLER – PUBLIC OFFICIAL BOND

The Commissioners received the above referenced bond, (H.I.). Chad moved to approve it. Gary seconded the motion and it carried, 2-0.

**TOWN OF ALBION INVOICE
FOR LEACHATE DISPOSAL**

The Commissioners received an invoice from the Town of Albion in the amount of \$450.00 for the disposal of 7500 gallons of leachate from the landfill, (H.I.).

IDEM – CHAIN O'LAKES AIR PERMIT

IDEM notified the Commissioners that the Chain O'Lakes Correctional Facility had applied for a permit the correctional facility is classified as exempt from air pollution permit requirements and the permit was approved immediately upon submittal of the application, (H.I.).

CGI COMMUNICATIONS, INC. – FOLLOW UP FROM LAST WEEK’S PRESENTATION

The Commissioners received as a follow up to last week's conversation, a Proposal between CGI Communications, Inc. and the county; a letter of introduction to be put on letterhead and signed; and a document that summarizes how the program will be able to benefit Noble County, (H.I.). Chad said he had talked to Rick Sherk, (Noble County Economic Development); John Bry (Noble County Visitor's Bureau); and Sheryl Prentice (Noble County Visitor's Bureau) and showed them examples of what they showed us, and they seemed to really be in favor of it. They said they would help with this if the county decides to go with it. Chad said the question he had is if the link could be placed on their pages as well or if it would be only be available for our page. He asked Dennis if he had looked at the agreement. Dennis said he had and it looked ok. Chad asked if there was any hidden cost in it. Dennis said it doesn't say anything about costs.

After further discussion Chad moved to approve the contract for a video tour to be created for the county by CGI Communications. Gary seconded the motion and it carried, 2-0.

NUNC PRO TUNC ENTRY RE: STARTING TIME FOR DISABILITY INSURANCE

Marion said she had found an error in the May 6, 2013 minutes on page four regarding when short term insurance kicks in. She said on the tenth line it should say "At the expiration of *seven (7)* days, employees are eligible to participate in the disability insurance plan". Chad moved to amend the minutes for 5/06/13 for the line that says at the expiration of thirty (30) days employees are eligible to participate in the disability insurance to state that at the expiration of seven (7) days employees are eligible to participate in the disability insurance plan. Gary seconded the motion and it carried, 2-0.

QUESTION RE: MANDATORY DIRECT DEPOSIT OF PAYCHECKS

Gary asked Jackie if she had a copy of all of the feedback. Jackie said she did and she didn't see a really good reason except that some of them just don't want it. She said she didn't think any of them had a good reason other than the fact they like to do their own banking. She said Mary just needs to know whether to order more checks or not. Gary asked if we should set up a minimal fee if they want to pursue. Jackie said the only real cost is the cost of the checks. Gary said the checks aren't mailed and they are picked up. Jackie said she only sent an e-mail to the ones who receive checks and she thought four of them have come in and signed up for direct deposit. There was discussion that deposits could be made in multiple banks and they don't have to be local banks. Jackie said that the amounts deposited in each bank would be the same each time and that part couldn't be changed. Chad asked if we know of any place that actually charges people to get a paper check. Jackie said she had heard that there are places that do that. Gary said he can understand the negative side of it because he had a pension check that was lost for seven days because of a computer glitch. After further discussion, Gary and Chad decided to leave it as it is. Gary said he isn't opposed to adding a charge down the road.

APPLE FESTIVAL - CHARGES FOR CHAIN O'LAKES WORK CREWS

Jennifer Cummins came before the Commissioners on behalf of the Apple Festival to talk about the fees for using the Chain O'Lakes Work Crews. She said the Noble County Fair Board continues to tell the Apple Festival Board that they don't pay for the work crews and they never have. Jennifer said she is here for clarification on why the Apple Festival is charged. Gary and Chad being new to the board said they didn't know that the Fair Board wasn't charged. Jennifer said she didn't believe that they are. Jackie said she didn't know either. She said the understanding that she had was that the Highway Department or the Surveyor's Office who has the crews would do the billing. Jennifer said there were minutes from 2004 specifying that the Apple Festival would be charged, but they never were, so they didn't use them for a couple of years. She said she came back a couple of years ago and was told they would be charged so they didn't use them. Dennis said he knew there had been discussions about what they would charge. Chad said he thought anyone outside of county government should be charged for a work crew.

Dennis and Chad said they thought the cost is around \$200.00 a day. Gary said we should be consistent in the billing. (The August 27, 2012 minutes say the charge would be \$200.00 a day with a minimum of \$100.00 for anything under half a day.) So that Jennifer wouldn't have to come back to the Commissioners to get permission to use the work crew, Chad moved to approve for the Apple Festival to use the work crew if they choose to. Gary seconded the motion and it carried, 2-0.

PITNEY BOWES – POSTAGE MACHINE UPGRADE 9:11

Jackie said a representative from Pitney Bowes was in here last week and they have a unit that they used for a demo. She said it would be an upgrade for us and she thought it would work a lot better for us with the e-certs that Shelley (Clerk) is going to. Jackie said we can get it for \$2.00 less a month and she thought it was comparable to what we have had in the past. She said it would work a lot better for Shelley to print off her reports. Jackie said he told her it is the same size and it comes with the furniture and everything. Chad asked if it has the same service contract. Jackie said it does. Dennis asked how long our current contract is for. He said as far as the contract, it is ok. Jackie said the representative mentioned a clause where if for some reason the Council would not approve the appropriation for postage we can get out of the contract. Chad asked what would happen if the demo unit would become unfixable. Jackie said it is leased so it is their equipment.

Chad moved to approve the Pitney Bowes new contract for a new postage machine. Gary seconded the motion and it carried, 2-0. Dennis said the previous lease was for 60 months and that was signed in '09 so it was about up. Chad said this contract is for 48 months.

RECESSED AND RECONVENED

The Commissioners recessed their meeting at approximately 9:16 A.M. and reconvened at approximately 9:35 A.M.

HIGHWAY BUSINESS – MIKE FITCH & MARK GOODRICH

QUOTES FOR NEW TRUCK

Mark said they only received one quote for the body system of the truck and that was from W.A. Jones. He said they received 5 quotes for the truck chassis and they are going through them because there was some deviation from the specs and they are trying to figure out what would be critical for them. Mark said he hoped to have the quotes here next week. Chad asked Mark if they are coming in more or less than what he anticipated. Mark said they are coming in a little higher than he had thought they would. He said we are still within our financial range. Gary asked if they are going with automatics now. Mark said they are still going with standard shifts because the guys like them. He said repairs on standard shifts are a lot less than on automatics.

2ND TRUCK LIFT BEING INSTALLED

Mark said the second truck lift would be installed this week. He said the first one has been installed and we will probably be able to start using it the early part of this week.

EMPLOYEE JUGGLING COMPLETED

Mark said they had juggled some employees switching some truck drivers and operators and new positions will officially take place on Friday, June 14 starting with the new pay period.

TRUCK DRIVER POSITION

Mark said he has a lot of applications for the position and he hopes to get some interviews lined up to start interviewing next week. He told the Commissioners how he conducts his interview process. Mark said once he selects a candidate he brings a request to the Commissioners for their approval. Chad said he didn't know that the Commissioners need to approve the hiring and that Mark should use his best judgment. Gary asked Mark how soon he thought the position would be filled. Mark said it would probably be the end of the month because a couple of applicants have requested 2 weeks to give notice to their current employer.

DETOURS - 900 N & 1100 W

Mark said on 900 N between 900 W and River Road the railroad has closed the road. He said they also closed 1100 W north of 900 N. Mark said he contacted them. He said with the detour on 900 N people are going a different way to get around the detour. Mark said he called them and Patty Fisel, Mayor of Ligonier had also called them, and she wasn't very happy either. He said he was told they would try to have one of them opened by Tuesday.

CHAIN O'LAKES WORK CREWS

Gary told Mark about the previous discussion regarding charging outside entities for use of the Chain O'Lakes work crews. He said there was something brought up about the 4-H fair using the work crews. Gary asked Mark if there is reimbursement for the use of the work crews used there, because we need to be consistent. Mark said we should be reimbursed. He said he knew they had looked into that, and they have gotten to the point to where if their crew is pulled outside they will bill whatever department uses them elsewhere. Mark said that doesn't mean they always get paid for it. Chad told Mark that anyone outside of Noble County government should be reimbursing for the crews, and they probably need to be made aware of that, and that needs to be consistent. Mark said he would check with Marc Fisher, Bookkeeper about that.

ROAD STRIPING

Mike said he had been working on the road striping program for this year, and he presented a map. He said the map represents the roads that are typically striped. Mike said Mark gave him the projects that he is going to be working on as far as chip seal and patching, and he will take them off this list and push them back to the fall, and some of them may be pushed back

to 2014. He said once he finalizes the list he will put together a quotation package and have Marc Fisher send it out for quotes. Mike said we will be spending a little more this year to try to get caught up. Mike said this will complete the three-year cycle for striping, because that is about how long striping lasts. Gary asked how many miles it would be. Mike said he thought we have about 120 miles total and if we do a third each year it would be about 40 miles. He said we are doing a little catch up because after Keith (Lytton, former Highway Engineer) left we didn't stripe in 2009 and 2010 and he is trying to get caught up. Mike said with the new water based paint we have to paint more often.

Mike said in the fall he does a phase II to get all of the roads that will be chip and sealed this summer striped. He said he goes out and drives the roads before he completes his plan to make sure the roads need striped. Mike said any roads that don't need it at the time will be pushed back to the next year. He said you have to keep monitoring the striping all of the time. Mike said he would like to put edge lines on some of the roads but there is just not enough money to do that. He said we would probably have to triple our budget to do that.

CONSTRUCTION STANDARDS & PERMITS

Mike said he set a meeting up to finalize the permit process on Thursday at 9:00 and he is going to get everyone involved to finalize all of the issues. He said he had asked Engineering Resources to review his draft of construction standards, just to get a second opinion. Mike said they have engineers that are familiar with working with construction standards. He said his goal is by the end of the month to have construction standards and permits finalized.

CR 1000 E & CR 415 – REQUEST FOR TWO-WAY STOP

Mike said there was a request for a two-way stop at the intersection of CR 1000 E and CR 415 (Allen Chapel Road and Lisbon Road). He said Keith Lytton did a report in 2006. Mike said he had reviewed that information but he needs to update the data. Mike said he sent a request to Region 3-A to do some speed studies and traffic counts at that intersection. He said as soon as he gets that information back he will update Keith's report and make a recommendation.

SPEED LIMIT ORDINANCE - WASHINGTON TOWNSHIP

DOLPHIN HARBOUR & MELLWOOD PARK SUBDIVISIONS

After finding out that the ordinance had been properly advertised and having no one present to object, Chad moved to approve General Ordinance #2013-03 for the regulated speed of traffic in Washington Township. Gary seconded the motion and it carried, 2-0.

RECESSED AND RECONVENED

The Commissioners recessed their meeting at approximately 9:58 A.M. and reconvened at approximately 10:05 A.M.

JACK & CHERYL WONDERLY – UNSAFE

BUILDING AT SILVER LAKE

Terri Warrix from the Building Department was present for this portion of the meeting and she presented copies of what they had for the unsafe building. Dennis said since Dick (Building Inspector) is not going to be here, Terri would have to testify to what Dick has told her, so it might be good to table this. Dennis asked Terri to have someone go out and post on the mobile home that the hearing has been changed to the 17th. Chad moved to table the unsafe

building public hearing until next Monday at 10:00 A.M. for the property at 1210 S 90 W. Gary seconded the motion and it carried, 2-0.

**FINDINGS OF ORDERS RE: DAWN BARR
& RICHARD HATTON UNSAFE BUILDINGS**

Dennis presented the Findings and Orders as had been discussed in last week's meeting. Chad moved to approve the Findings and Orders of both the Dawn Barr property and the Richard Hatton property. Gary seconded the motion and it carried, 2-0.

**RESOLUTION RE: ESTABLISHMENT OF THE
DEKKO ECONOMIC DEVELOPMENT AREA**

Steve Hagen, representing he Noble County Redevelopment Commission said that the Commissioners need to make one final approval of all of the proceedings that had went before, and they have the resolution before them to do that, (H.I.). He said this is in regard to the Dekko TIF area of which the Commissioners had given preliminary approval along the way of the proceedings, but statutorily they are required to determine that it needs approved one more time in the form of a resolution. Steve said he thought Dennis had reviewed it. Dennis said he had reviewed it and it is fine. Chad asked if there were any objections at the meeting. Steve said there weren't.

Chad moved to approve Resolution #2013-03 creating a TIF for the Group Dekko Complex on US 6. Gary seconded the motion and it carried, 2-0.

ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 10:13 A.M. recessed from day to day until the 17th day of June, 2013.

Gary Leatherman, President

David J. Dolezal, Vice President

Chad Kline, Member

ATTESTED: _____
Jacqueline L. Knafel, Auditor