

**MINUTES OF A SPECIAL SESSION OF THE
BOARD OF COMMISSIONERS HELD JUNE 9, 2014**

Comes now the hour of 8:34 A.M. on the 9th day of June, 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
Chad Kline, Member

Also present were:

Jacqueline L. Knafel, Auditor
Marion S. Cavanaugh, Deputy Auditor
Dennis Graft, County Attorney
and Joell Elliott & Scott Perry, News Media

PAYROLL TO BE PAID 6/12/14 APPROVED

After reviewing the payroll from 5/16/14 – 5/29/14 to be paid 6/12/14 Dave moved to approve it. Chad seconded the motion and it carried, 3-0.

**IDEM – CITY OF LIGONIER – PERMIT APPLICATION
FOR WASTEWATER TREATMENT PLANT**

The Commissioners received notice of the above referenced permit application, (H.I.).

**LIGONIER VISITOR & CONVENTION BUREAU &
HERITAGE STATION MUSEUM – REQUEST FOR
\$3,000.00 FOR PAINT, TRACK LIGHTING & CEILING FANS**

The Commissioners received the above referenced request, (H.I.). The Commissioners agreed they didn't want to start approving such requests from non-profit organizations.

**MICHAEL & MELISSA MERONEY –
CERTIFICATE OF INSURANCE**

Erie Ins. submitted a certificate of insurance for Michael J. & Melissa J. Meroney, (H.I.).

**SUMMONS – JIMMIE D. HILL & GLORIA J. MARRS
VS NOBLE COUNTY COMMISSIONERS RE: QUIET
TITLE TO PROPERTY IN OAK CLIFF PARK, KNAPP LAKE**

The Commissioners received the above referenced summons which they reviewed, (H.I.). Dennis said it says in the complaint that there is 12' that is reserved for county purposes for the construction of a roadway and they want that. He said he will check on it with Kelly in GIS. Chad asked if that would require a vacation. Dennis said it may.

ST. JOSEPH RIVER BASIN COMMISSION – WATER QUALITY SAMPLING IN THE ST. JOSEPH RIVER BASIN

The Commissioners received information from the St. Joseph River Basin Commission about the water quality sampling they are doing in the St. Joseph River Basin, (H.I.).

MINUTES APPROVED

After reviewing the minutes of the *June 2, 2014* meeting Dave moved to approve them. Chad seconded the motion and it carried, 3-0.

PROCESS FOR VACATION OF PUBLIC WAYS

There was discussion as to whether the process for vacating public ways should begin at the Plan Commission as had been done previously. Dennis said statutorily it comes to the Commissioners initially to make the determination. He said the question is if the Commissioners want to get the Plan Commission involved to help the people go through the process and then give an advisory decision to the Commissioners. Dennis said the Commissioners make the final determination. Chad said he thinks it is probably a good thing for it to go to the Plan Commission. He said he doesn't think they should have to pay the vacation fee for the Plan Commission. Dennis said we could address it through an ordinance and spell out specifically what costs they will have to pay. He said clearly they should pay the publication costs and the notice to surrounding landowners. Chad said he thought it gives a better avenue for debate to start it at the Plan Commission. There was discussion that the general public wouldn't know how to do the advertisement and notification of surrounding landowners, and this would be like a public service to them.

HIGHWAY BUSINESS – ZACK SMITH & MARK GOODRICH **1000 E/415 N INTERSECTION STOP SIGN REMOVAL**

There was discussion about the removal of stop signs at the above referenced intersection, making it a two way stop instead of a four way stop. Dave said he returned Scott Swogger's call but he was not available. He said he had contacted the sheriff to see if there had been any incidents, and Doug said there hadn't been other than a semi passing in the intersection, which is illegal at any intersection. Dave said there is a "cross traffic does not stop" sign posted and Scott had talked to Doug and wanted to know if there could be a temporary flashing light put on the signs. He said there was something about the striping or painting in the intersection and he is not sure what that is about. Dave said he had a lot of people contact him and tell him they like the fact that the stop signs are out.

200 N OIL SPILL INCIDENT

Mark said there was a minor issue on 200 N between CR 750 E & 800 E. He said there is a low spot there and for a while they had it closed because it kept sinking. Mark said it is a narrow section of road and a Republic Services truck got off to the side to let a car through and his tire dropped off and he went into the ditch. He said several gallons of oil came out of his truck. Mark said they were taking care of the spill properly. Mark said they had ERS (Environmental Recovery Services) out there and they were cleaning things up and hauling stuff away. He said they left the tubes and they said they would probably leave them up for another week to catch any extra runoff that we might get with the rain coming in. Mark said they replaced the gravel that was there and they were very good to work with. He said there is no issue and that he is just informing the Commissioners.

LARGE CULVERT REPLACEMENT

Mark said they replaced a culvert on Baseline and they had about \$14,000.00 in it with the cost of the pipe and the contractor. He said at this point they have four more large culverts that are 6 - 8 feet that will have to be replaced this year at a cost of about \$80,000.00 just for the culverts and they will all require a contractor to work with us. Mark said with the one they did on Baseline they are probably looking at around \$100,000.00 to replace the culverts this year. He said they have \$60,000.00 in the budget for the replacements and they will need contractors to help with them. Mark said he didn't know how they would get time to replace all of them. He said they are probably looking at 2 ½ weeks of having three people on a crew with an extra five people hauling material. Mark said he and Zack are going to have to re-work the budget because they are running into a lot of extra costs. There was discussion about where the culverts are that need to be replaced. Mark said apparently a lot of the pipes were put in at the same time period and now they are all going bad. He said they might need to look at contracting a couple of them out because of the time constraint.

NORTHPORT ROAD – WATER PROBLEM

Mark said Zack got a call while he was on vacation about an issue with Northport Road. Mark said Zack contacted Randy Sexton, Noble County Surveyor, and Randy checked it and said he has no say over that and that it deals primarily with private property. Mark asked Dennis if the Highway Department didn't change anything if there would be any liability for them. Zack said he didn't think the drive would be a problem if he had a pipe underneath it. He said it is an assumed field entrance. Dennis said they would probably still name us as a party but he didn't know that there would be any liability, because we aren't causing it. Dave asked if there is a solution to it. Zack said if we would re-establish the ditch to be a little bit bigger and then re-establish the downstream structure, we could alleviate the overflow issues unless we have a massive storm. He said that would be an additional cost. Zack said they had a guy go out and clean the ditches up, but with any kind of decent rain amount it is going to keep happening. Mark said he had met with the property owner at one time and he didn't want to take the driveway out. He said we put a swale in where the ditch was at and built it up on the back side of the ditch and ran the water to the west. Mark said it worked for about a year until we got a two inch rain and it washed everything out that they had done. Zack said the problem is there is a lot of overflow onto the road which will eventually cause severe road issues. Mark said last year they were up there and scraped about 4 - 5 inches of dirt off that had washed onto the road. Dennis said if it is going to cause long term problems for us it is something that should be looked at. Chad said especially if they are putting in irrigation systems that cause this issue. He asked if they have to keep the water on their own property. Zack asked how we enforce that. Dennis said once it happens and causes damages, we may have them in court. There was further discussion about possible solutions.

BRIDGE #70 PROJECT

Zack said the railroad agreement we got from the railroad was obviously not favorable. He said he doesn't have a lot of experience with that, so he got in touch with INDOT Railroad and talked to them and got some sample contracts from them. Zack said he talked to Dennis, and he is going to go ahead and red-line all of our changes, and send it to them to see what we get back. He said we will work back and forth until we get somewhere in the middle. Zack said if we were to build the bridge we will be over budget based on the complexity of the construction and any money we would have to pay to the railroad. Chad asked where the engineer's estimate was compared to the bids we received. Zack said the engineers estimate was

\$450,000.00. He said we got three bids and the lowest one was \$560,000.00, and that is based on the complexity of the construction that wasn't foreseen in the engineering estimate.

BUDGET & BRIDGE REHAB JOBS

Zack said we have a 1.3 million dollar balance in the CCD Fund. He said we will have bids in on the 27th for the bridge rehab jobs that were originally budgeted for \$200,000.00. He said based on our best estimate that we just received on the final plans we are looking at \$180,000.00 plus the \$10,000.00 worth of work that we did in house.

LPA PROJECTS

Zack said we will have the results on June 16th for the LPA projects. He said if we were to get both of the large bridges we put in for, we would have to have 1 million dollars in 2018 to cover our portion. Zack said we are only receiving roughly \$330,000.00 dollars a year from the CCD for their portion.

BRIDGE INSPECTION CONTRACT

Zack said he is still waiting on a draft contract from United. He said they are getting their fee schedule put together and hopefully we will have something in the next week or two.

CALL FOR PROJECTS

Zack said he thought the presentations on the call for projects went well. He said out of the 24 that presented we were last with our five. Zack said he talked to some consultants in the room and they thought our presentations went off professionally and they were well received.

HIGHWAY STANDARDS

Zack said we still need to get the legal notice and the ordinance done for the Highway Standards.

GUARDRAIL DAMAGE

Zack said he contacted Kendallville about the guardrail damage and it is on their docket to be discussed. Jackie said guardrail coverage is not on our insurance policy at this time. She said we can add it if we want to. Jackie said she and Zack talked about it and they are not sure it is worth the additional cost of the insurance because this is such an isolated incidence.

200 W CULVERT REPLACEMENT

Zack said Mark kind of went over the culvert issue on 200 W. He said there are so many culverts and a lot of the big ones are in place to prevent having a bridge there, so he thinks it is worth replacing them. There was discussion about how much time it would take to inspect all of the culverts yearly. When asked by Dave, Mark said we do have a program that Mike purchased that would allow us to keep track of the culverts and itemize where they are at. He said we just hadn't had enough time to get it set up. Dave said it sounds like that would be something an intern could do. Chad said maybe we could get an engineer intern next year.

ROAD STUDY FIELD WORK

Zack said the road study fieldwork is complete. He said he will get a report to the Commissioners and they could make a decision and advertise and everything else that goes along with it.

PROJECT FUNDING OPTIONS

Zack said there are a couple of other funding options besides the LPA funding. He said they require quite a bit of effort up front. Zack said the biggest thing they are pushing is innovative ideas. He said he was thinking Bridge #82 on 600 S, based on its vehicle counts, would be a good option. Zack said it is 80/20 funding.

BRIDGE FUND

Zack said at budget time he is going to keep pushing the Council to try to re-establish the Bridge Fund in the Highway Departments favor. He said it is not really sustainable at this point. Zack said even if we get all of the LPA money we are going to have to have money to match it. He said there are 12 bridges that he would like to see get hit up in the next five or six years.

PART TIME MOWERS

Dave asked how the part time mowers are doing. Mark said they are doing real good. The Commissioners commented on what a good job they are doing at mowing and clearing intersections for visibility. Zack said they adjusted their schedules and they are actually only out three days, but they are out there all day.

DITCHING & BERMING

Dave asked if they are catching up on their ditching. Mark said if it doesn't rain this week we will just about catch up, but it doesn't look too hopeful. Dave asked if they have any major equipment down. Mark said they don't. He said we still have the mini excavator that they rented for the bridge work. Mark said they kept that for a month and they are out working on tiles and cleaning ditches. He said they actually have three different ditching projects going on between the ditch and berming with the graders and then having two pieces of equipment replacing culverts. Zack said that excavator has been a really nice piece of equipment for what they are doing now. He said he thought it had more than paid for its rental costs in savings.

RECORDER – BOOK SCANNING, QUOTE FOR CARPET IN VAULT & PURCHASE OF BOOK SCANNER

Candy Myers, Recorder presented the Commissioners with some information regarding carpet for the vault in her office, outsourced book scanning, and a purchase over \$500.00 for the purchase of a book scanner from her Perpetuation Fund, (H.I.). Dave asked if we have a scanner now. Candy said we do but it is really only for plats. She said to scan a book on it is a pain because the books weigh 30 pounds and you have to flip them over to scan a page and then you have to flip it back up to see if the page scanned ok.

The quote for carpet from Flooring Concepts LLC is in the amount of \$1,095.00, not to exceed \$1,500.00. Candy said Chuck (owner of Flooring Concepts) said there is no way to stretch the present carpet because it has jute backing and it has come away from the jute. She said Chuck said it should never have had padding put in with it.

Chad asked if this is the only quote Candy has for a book scanner. Candy said it is. She said they have this scanner in LaGrange in their GIS Department, and they have someone in their GIS Department that does nothing but scan books and items for the county. Candy said they have only had it a couple of years, and the lady really did her research before they got it. She said with her research she found that this is the only one made in the US, and this company was the only one willing to come and show their product, even though they are out of Wisconsin. Candy said she did send the information to Dave Baum, IT. She said Dave asked her if she had looked at a certain other scanner and Candy said she looked at it on line and she didn't think it was what she wanted. Candy said she has seen the scanner they have in LaGrange and they have not had any problems with it that couldn't be resolved over the phone. Dave asked if the monitor lets them see what the image is going to look like. Candy said it does. Chad asked Candy if she plans to get rid of the other scanner. Candy said they could keep it where it is, because she plans on putting the new one in the vault. Dave asked if they gave

Candy a cost on the table. Candy said it is \$1,850.00 and it is included in the total amount of \$32,509.06.

Candy also is going to have an outsourced book scanning project later this summer. Dave asked Candy if she has to keep the books that are scanned. Candy said she does. She said the company brings their equipment in to do the scanning. Candy said we don't have the images instantly. She said they have to be imported into our system and indexed. Candy said her part time people are doing a few books. She said they just scanned a book, and it took more than two weeks to do it, and that is with a book that comes apart. She said with this machine the same book could be done in an hour. Gary asked after the books are scanned if they could be taken to an off-site storage area. Candy said she would assume so as long as it is air controlled. Dave asked if there are any annual costs involved with the machine. Candy said there is an annual maintenance fee of \$2,900.00. She said all of this would come from her Perpetuation Fund with the exception of the carpet she is asking for. Dave asked if the annual maintenance would come from the Perpetuation Fund. Candy said it would.

Jackie said it would be great for her office too. She said she had a part time person working last summer and he only got 15 books done. Dennis asked if there would be software updates. Candy said there would be software updates with Fidler. She said Judy, a previous Recorder had purchased a Life Cycle Extension, and updates are included in it.

There was discussion about the carpet quote. Candy said she told Chuck she wanted something commercial and heavy duty. She said he thought the industrial carpet tiles would be the best. Jackie checked to see what fund the carpet could be taken from. She said we have around \$8,000.00 in the Cum Courthouse Fund and about \$25,000.00 in Building Repairs, and she didn't see an issue with taking out of either of them. Dave moved to approve the purchase of the carpet from the Cum Courthouse Fund in an amount not to exceed \$1,500.00. Chad seconded the motion and it carried, 3-0.

TOM SHOEMAKER, EMS DIRECTOR – EMS DISCUSSION & AMBULANCE CHASSIS

Chad said the Commissioners would like to discuss the Chassis that has been left at an Ohio dealership. Tom said it had a blown engine and that is why they remounted it. He said he dropped the ball on that. Tom said it would cost about \$350.00 to get it towed back here and scrap it. Gary asked what the normal procedure is when they take the chassis off. Tom said he should have taken the title when he went over there with the vehicle. Jackie asked if this is the first time we had done this. Tom said it was. Jackie said they offered \$150.00 for the chassis if we get the title to them.

Chad moved to sign off on the title and accept the \$150.00. Dave seconded the motion and it carried, 3-0. Tom said he would run the title over this afternoon.

Gary asked Tom how often he would expect this to happen. Tom said Wednesday afternoon they are looking at a different style ambulance that is less expensive. He said it is significantly smaller, it is lighter, and it is safer. Tom said it would get 16 miles to the gallon instead of 8. He said Cox Medical in Springfield Missouri has 55 of them. Tom said early this spring he got a quote for the ambulance they have now, and it came in at \$165,000.00. He said they buy four or five at a time and that gets them a \$4,000.00 - \$5,000.00 savings. Tom said they started looking at options and there is a van style Sprinter diesel that is pretty reliable. He said Springfield Missouri is using them and they said it saves between \$10,000.00 and

\$30,000.00 a vehicle annually on operating costs. Dave asked what the up-front cost is. Tom said it is \$94,000.00.

Tom said another option they are looking at is going from a 170" box to a 164" box and put it on a lighter chassis. Chad asked if they would be able to take their current boxes and move them over then. Tom said with the Sprinter there would be no re-chassis, it is just the vehicle.

Tom said we currently have four of the ambulances we can remount, and if we would stay with that same platform we would need to buy two more, and then we would start remounting them three years from now. Tom said they have a lifetime warranty so we might be able to remount them four or five times.

Chad asked if they (Cox Medical) are only going to be here on Wednesday. Tom said they would be in Huntington and Whitley on Tuesday and they would be in Noble and LaGrange on Wednesday. He said he has some videos on it that he could send out. Tom said it is smaller, and he didn't know if it was the right thing to do, but he doesn't want to come here and ask for \$165,000.00. Dave asked if the current ones have dual wheels. Tom said they do. Dave asked if the new ones would have dual wheels. Tom said they do not have dual wheels but they are all-wheel drive with traction control, and they are anti-roll vehicles. Chad asked how they would work in the winter. Tom said everybody says they are better on bad roads. He said they have to meet the automobile standards safety specs because it is one vehicle. Gary asked if they would be able to get warranty work done locally. Tom said it is a Sprinter Mercedes and the closest certified dealer is in South Bend. He said in talking with Springfield they have not ever been to the dealer. Tom said they say that Mercedes will tow it there free of charge. He said our GM units have a 36,000 bumper to bumper warranty, which is about a year, and this would have a 1000 bumper to bumper warranty so we might get three years. Gary asked about the overall longevity of the Sprinter type chassis versus what we currently use. Tom said they are about the same. He said he would say it is a throw away. Tom said 5 years ago when we started down this path his goal was to remount, and in 6 or 7 years we would start seeing a savings. Chad asked Tom if he didn't want to buy two more to get up to that cycle because they are \$165,000.00. Tom said they are looking. Gary said they should explore all options. Dave asked if the aluminum boxes on the new Sprinters are re-mountable. Tom said "Absolutely" and it's much less money. He said he didn't know if it's the right direction to go but they are looking at it.

Jackie said she is starting to do budgets, and she asked Tom if he had any idea what they would be looking at as far as Parkview's budget. Chad said that is in CREDIT and it will not be presented as part of the budget this year. Tom said he didn't see a significant change. Chad said they had discussions last year about the parking lot in Kendallville. He asked Tom to get with Sheriff Doug Harp to get the name of a company to have it sealed.

Tom said at some time he is going to have to put a line item in the budget for maintenance of the EMS buildings. He said the contract says Parkview Noble is responsible for the first \$1,000.00. Tom said that is about what they spend and they try to keep them in good working order.

RECESSED AND RECONVENED

The Commissioners recessed their meeting at approximately 10:24 A.M. and reconvened at approximately 10:36 A.M.

**STAR TEAM - REQUEST TO USE COURTHOUSE
RESTROOM FACILITIES SEPTEMBER 5, 2014**

Steve Hook and Shelli Porter from the Albion Star Team came to request the use of the courthouse restroom on Friday, September 5th from 5-8 p.m. Shelli said last year they had the tailgate market and they had a huge amount of people come into town. Chad asked if that is when they had the car show too. Shelli said it was, and one of the biggest complaints was that they had to use the restrooms around town. She said she didn't think the merchants liked people using their restrooms unless they went in and ate something. Dave moved to approve the use of the restroom. Chad seconded the motion and it carried, 3-0. Jackie asked Shelli to check with Phil Jacob about getting the restrooms re-stocked and taken care of.

TEMPORARY GIS TECHNICIAN CONTRACT POSITION

Steve Hook came before the Commissioners to ask permission to move forward with hiring a temporary independent contractor to help with GIS. Chad moved to approve for a contract to be drafted for a contract employee for GIS not to exceed \$28,000.00. Dave seconded the motion and it carried, 3-0. Dave asked Steve if he has all of the space and equipment that is needed. Steve said he has a desk. He asked if it would be permissible for him to talk to Dave Baum, IT about a computer. The Commissioners agreed that Steve could talk to Dave.

FINDINGS OF FACTS RE: DENIED REZONING

There was a brief discussion about the Findings of Fact that are needed from the Commissioners regarding the Kenneth and Lori Troyer rezoning that was denied last week.

KONE ELEVATOR INSPECTION

Dave said he had talked to someone at KONE and they are going to get back with him about the elevator inspections.

BUDGETS

Jackie said she is going to be starting on budgets this week, and she asked if there are any additions or deletions the Commissioners want made to their budget. Chad told Jackie she should put the County Coordinator position back in the budget. Jackie asked that the Commissioners let her know if they think of anything else.

ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 10:56 A.M. recessed from day to day until the 16th day of June, 2014.

Gary D. Leatherman, President

David J. Dolezal, Vice President

Chad Kline, Member

ATTESTED: _____
Jacqueline L. Knafel, Auditor