

**MINUTES OF A SPECIAL SESSION OF THE  
BOARD OF COMMISSIONERS HELD JULY 8, 2013**

Comes now the hour of 8:49 A.M. on the 8<sup>th</sup> day of July, 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  
David J. (Dave) Dolezal, Vice President  
Chad Kline, Member

Also present were:

Marion S. Cavanaugh, Deputy Auditor  
Dennis Graft, County Attorney  
Jacqueline Knafel, Auditor - Part of meeting  
and Bob Braley and Scott Perry, News Media

**CAL MILLER, ATTORNEY HIRED TO  
REPRESENT DR. BLUSYS, JAIL DOCTOR**

Dave moved to hire Cal Miller, an Allen County Attorney to represent Dr. Blusys regarding anything outside medical mal-practice in his capacity as Jail Doctor, until we get an ordinance in place. Chad seconded the motion and it carried, 3-0.

**PAYROLL APPROVED**

After reviewing the payroll from 6/14/13 - 6/27/13 to be paid 7/11/13 Chad moved to approve it. Dave seconded the motion and it carried, 3-0.

**CLERK'S REPORT - MAY 2013**

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

**GROSS DRAINAGE INC. & WECARE, TLC -  
CERTIFICATES OF INSURANCE**

Certificates of Insurance were received from ACORD showing that Gross Drainage Inc. and WeCare, TLC have liability insurance, (H.I.).

**IDEM - COLWELL/GENERAL, INC. PERMIT**

The Commissioners received notice that Colwell/General, Inc. has applied to IDEM for an Air Permit Application, (H.I.).

### **CEDIT FUNDS FOR KENDALLVILLE AIRPORT**

The Commissioners received a letter from Kendallville Mayor SuzAnne Handshoe, thanking them for the \$34,000.00 commitment they have approved from the 2014 CEDIT Funds for the Kendallville Airport, (H.I.).

### **NOBLE TOWNSHIP FIRE DEPT. GRANT - SUBRECIPIENT SEMI-ANNUAL REPORT**

The above referenced report was received for the Commissioners approval, (H.I.). Chad moved to approve the report. Dave seconded the motion and it carried, 3-0.

### **MINUTES APPROVED**

Chad moved to approve the minutes of the *July 1, 2013* meeting. Dave seconded the motion and it carried, 3-0.

Dave moved to approve the *July 3, 2013 executive session* minutes. Chad seconded the motion and it carried, 3-0.

### **RECESSED AND RECONVENED**

The Commissioners recessed their meeting at approximately 9:02 A.M. and reconvened at approximately 9:27 A.M.

### **HIGHWAY BUSINESS – MARK GOODRICH & MIKE FITCH RAILROAD OVERPASS ON CR 150**

Gary said there was someone checking the railroad overpass on CR 150 this morning. Mark said they haven't done anything yet. Mike said he sent an e-mail to INDOT but he hadn't received anything back yet.

### **NEW TRUCK LIFT**

Mark reported that the part for the second truck lift was put on Friday and it is completely installed now.

### **WESTERN STAR ON STRIKE**

Mark reported that he went Tuesday to work on finalizing everything with Western Star for the new truck, and he found out that Monday night at midnight they went on strike.

### **MOWING & CHIP SEALING**

Dave asked if the mowers are out. Mark said he only has two people out mowing because he is getting ready for chip sealing and next week several employees will be off because of the fair. He said they won't be doing any mowing next week.

### **ROAD STRIPING PLANS**

Mike said he had the striping plan finalized, and he presented a map showing what will be striped this spring and fall, (H.I.). Mike said this will complete the third year of striping and next year we will start over. He said we try to do 1/3 of the roads each year. Mike said the striping was awarded to Three Rivers Barricade who had the lowest quote at .066 cents per foot. He said it would amount to about \$33,000.00 for phase 1. Chad asked how many miles of striping there would be. Mike said Phase 1 has about 60 miles in it and Phase 2 has about 45 miles in it. There was discussion that the quote is for single line striping with one application and that there are many double lines in Noble County which makes the cost higher. Mike said on the new chip and seal roads he asks for two applications. When asked, Mike said it takes 2 -3 days to complete the striping, and weather permitting he thought it would be done in July.

## **PRIMCO, INC. – BRIDGE #12 PROJECT**

Mike presented a performance bond and a construction contract for the Commissioners approval for the Bridge #12 project, (H.I.). Dave moved to approve the Lump Sum Construction Contract and the Performance Bond for PRIMCO for the Bridge #12 project. Chad seconded the motion and it carried, 3-0. PRIMCO also submitted a Certificate of Liability Insurance from ACORD, (H.I.).

## **DOLLAR GENERAL DRIVEWAY PERMIT**

Mike reported that on July 3<sup>rd</sup> he received a call from Charisse saying that Dollar General wanted their driveway permit approved so they (Merriam Partners LLC) could transfer ownership of the real estate to Dollar General. He said the driveway permit indicated that they had to have a culvert pipe under the driveway. Mike said Pulver was doing the paving for the installation of the driveway, and they called Mark. Mark said Pulver's called and asked about a final approval of the driveway. He said he went and checked it and they didn't have a culvert there. Mike said he and Mark discussed it and he told Mark since the permit says they have to have a culvert pipe there they would have to put one in. Mike said he got a call a few minutes later from Andrew with Seven Generations who is the engineer on the project, asking why they had to have a culvert because the plans didn't have one on it. He said he told Andrew it was on the driveway permit, and that information is supposed to be conveyed to whomever puts the driveway in. Mike said they had put the driveway and the base in, but they hadn't put the surface on the driveway or base yet. He said Pulver's said they could put the pipe in. Mike said he insisted that there has to be a culvert pipe in there, and Andrew said there was no defined ditch there. Mike said he told Andrew that didn't mean there wouldn't be something there in the future. Mark said Pulver's never saw the driveway permit and didn't know that a pipe was needed. He said he checked Friday and the pipe was in so he signed off on the driveway permit. Mark said Pulver's sent a letter guaranteeing the surface would be put on. Mark said there is a ditch there, but it does need to be cleaned out. There was discussion about how to handle the driveway permits so the contractor's putting in the driveways will see the permits.

## **INTERVIEWS FOR HIGHWAY ENGINEER**

Mike said he has done one interview for a full time Highway Engineer. He asked if the Commissioners wanted to set up a second interview where they would be present. When asked, Mike said he only had one applicant. Chad suggested waiting until LTAP is published this month to see if we get any more applicants, and then have the second interviews all at once.

## **RECESSED AND RECONVENED**

The Commissioners recessed their meeting at approximately 9:59 A.M. and reconvened at approximately 10:06 A.M.

## **EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) EFFECTIVE MEASURES**

Mick Newton, EMA Director and Terresa Griffiths, Assistant EMA Director came before the Commissioners to verify the training they have completed. Mick said he has records of all of their training, and he is going to put it all in a folder so if someone comes in to check it they will just hand the folder to them. He said he has paperwork for the Emergency Management Performance Grant that needs approved, (H.I.). Mick talked about things that need to be done

that will get the county points toward the 50% salary reimbursement for himself and Terresa. He said he needs 200 points for the reimbursement, and he had over 300 points this year.

Dave moved to approve the Exercise Training Verification for the Emergency Management Performance Grant Effectiveness Measures. Chad seconded the motion and it carried, 3-0.

### **MINUTES APPROVED**

Dave moved to approve the *July 8, 2013 executive session* minutes from this morning. Chad seconded the motion and it carried, 3-0.

### **GOVERNMENT FIXED ASSETS SERVICES, INC. - CONTRACT RE: ASSISTANCE TO COUNTY TO UPDATE CAPITAL ASSETS INFORMATION**

Jackie presented the above referenced contract which she said Dennis had reviewed, (H.I.). Dave moved to approve the contract, Chad seconded the motion and it carried, 3-0.

### **RECESSED AND RECONVENED**

The Commissioners recessed their meeting at approximately 10:24 A.M. and reconvened at approximately 10:29 A.M.

### **2014 CYCLICAL REASSESSMENT PICTOMETRY PROJECT**

Kim Miller, Assessor and Steve Hook, GIS Coordinator were present to talk to the Commissioners about the above referenced project for which they submitted some information, (H.I.). Lowell Davis, District Manager of Pictometry and Denise Lemmon, Noble County Councilwoman were also present. Kim said the Council allowed her the two part-time people, and she and Steve are here to see about the pictometry. Chad asked Kim if she had submitted her plan to the State. Kim said she had. Chad asked if it had been approved. Kim said she assumed it was but she hadn't heard from them yet. Chad went on the DLGF website and reported to Kim that her plan had been approved.

Kim talked about some of the advantages of having the Pictometry done. Dave asked Kim if she was planning on doing the reassessment in-house with one or two part-time employees. Kim said that was the hope, to do it in-house. She said she had some counties that said two part-time people would not be enough, but with the other employees she thought it would be enough.

Jackie asked if there is a plan that needs to be submitted for in-house reassessment. Kim said she had just e-mailed that question to the DLGF (Department of Local Government Finance).

Dave asked what the cost would be for the Pictometry. Steve said it would be \$178,135.20 (1<sup>st</sup> flight). Dave asked what the cost is for the last phase. Steve said the last phase or second year would be \$203,505.50. He said they had it put in the contract that if we didn't have the money available we could back out of the second flight.

There was discussion about cities and towns contributing to the first phase of this. Dave asked Steve if there is a way he could track who is using the Pictometry so we would know who we should ask to contribute to the second flight. Steve said he thought there should be some statistics that could be pulled up to show who is utilizing it. Lowell said since it is a web based product, the administrator will be able to go to a screen that shows everyone that is currently

logged in, how often they have used it, etc. He said they have made it that way because the counties wanted to know who is utilizing it. Lowell said they have also included a return on investments tool because of lot of counties want to know if they are getting their money's worth.

Gary asked if we should have a fee base for the people that access the Pictometry. There was discussion that there could more than 100 users, but only be 100 users could be logged on at the same time. Kim said she thought this would be a great tool for the realtors if they would pay for it. There was discussion that the cities and town were chipping in a nominal amount of money based on what it costs. Kim said that was what the Reassessment fund was for. Chad said the Reassessment Fund is not paying for this. Kim said it really should be, and it has in the past. She said before it kept getting used for things it shouldn't be used for there was always \$700,000.00 in there. Kim said they started robbing Peter to pay Paul and that fund went. Gary asked when the money will be there. Kim said they just started the new Reassessment Fund last fall, and she thought we have \$374,000.00 in the fund right now.

Dave asked what kind of training or accreditation the two part-time employees would need before they begin. Kim said they could train them. Chad asked when the last physical inspection had been done on all of the properties. Kim said they just got done with it. Chad asked if we know there was a physical inspection of every property. Kim said except for 700 and some that wasn't done by Nexus. Dennis said it would be easy enough to make sure there was an inspection done on those properties.

There was discussion about how the Pictometry would be paid for. Steve said we have multiple years to pay for this and he explained how it will be paid. He said this will save us \$100,000.00 over the three years versus getting another vendor. Steve said we could take a chance on this and do an evaluation at the end of the three years, and if it isn't working out well we wouldn't have to do the second flight.

Gary asked when the first year of the cyclical reassessment starts and if she would have the views by then. Kim said it starts in July, 2014 and she is supposed to have the views around June. Gary asked Kim if she told the Council she would be able to get this done with the two part-time people. Kim said she told them she could with the two part-time people and with her other staff working on it in their down time. She said this is the first time doing it and she is going to try to get it done. Kim said she is just asking for a chance. Chad asked what happens if we get to the end of reassessment and it doesn't get done and we have to hire a vendor. He said the savings that we had would no longer be there. Kim asked what we could possibly lose after what we just went through with the last reassessment, other than having to hire another vendor. Dave told Kim it would be very important for her to be successful.

Denise said she did some homework after some people had asked her questions, and she said it would be helpful to see the plan that Kim has. She asked if the DLGF ever declines the request saying that they are not in a position to do in-house. Kim said she had never done in-house before, and she e-mailed John Toomey with the DLGF this morning to ask if she would need a new plan to be able to do reassessment in-house. There was discussion that the plan that Kim had submitted and had been approved was not the plan that Kim is going to go with, because she did not know when the plan had to be submitted if she would be allowed to do the reassessment in house.

Denise said in her search for information she found out that people really touted the benefits of pictometry, but they also said it is the most effective when it is done every other year. She said also, there are counties that had gone together; counties that have had cities really commit; counties that have used grant funding; and there are a lot of different ways that people

have done it. Kim said originally it was her main goal to get pictometry because it is such an important tool. She said then it was added in to do the in-house.

Dave asked Kim if she ever foresees that she would get to the point that she could pay for the pictometry with her reassessment money. Kim said she would hope so. Gary asked what is being spent from the reassessment fund now. Kim said right now she is using it for her phone bill, Social Security, per diems, etc. When asked how much of the cost of the pictometry is coming from her reassessment fund Kim said she would be paying \$38,000.00 from her previous budget. Chad asked if she had budgeted any of the future funds for this project, and Kim said she hadn't.

Dave said he sees this as a valuable tool, and he thinks there are a lot of departments that would be interested in this product once they see what the capabilities are.

Chad said he would like to see the State approve the plan that she intends to do the reassessment in-house, and at that point he would like to see 911 and other entities that use it budget for and contribute towards the cost, and to pay for the rest from the Reassessment Fund.

Jackie said there is \$338,369.25 in the new Reassessment Fund. She said her concern based on what Denise just said, was to do it every other year. Jackie said at the rate we are going, we are not bringing in enough money to pay for it beyond what we are talking about now.

Dave asked Kim if she could submit a plan to the state to do the in-house reassessment and get it approved in time for the Commissioners to make a decision by the end of this month. Kim said she would try, but she couldn't promise that they would approve it in time. Dennis asked what the plan was that was approved. Kim said it was to be done by a vendor.

Gary asked Steve to get in touch with the cities and towns too to try to get confirmation.

Chad said he didn't have a problem purchasing this. He said he just doesn't think it should come from CEDIT. He said once he sees a confirmation from the state on the plan that Kim is going to submit, after that he didn't have a problem with it. Chad said he thought the payment needs to come from the areas where it is being utilized and not from CEDIT Funds. He said between the Reassessment Funds and the contributions that we do have so far, there is enough money to pay for the first flight.

Chad moved to table the decision pending approval from the state for the new reassessment plan. Dave seconded the motion and it carried, 3-0.

There was discussion whether users, such as realtors who would be utilizing this to benefit their job, should have to pay for the benefit.

Scott Perry asked, at what point in time do citizens say they don't want to pay for this twice. Gary said that is a good point, and he could see that happening. Dennis said maybe they could give them so many views free a month, and if it is a business that is using it regularly maybe we could have them subscribe monthly.

### **RECESSED AND RECONVENED**

The Commissioners recessed their meeting at approximately 11:13 A.M. and reconvened at approximately 1:00 P.M. Tuesday, July 9<sup>th</sup> at the Noble County Landfill.

### **MEETING WITH IDEM AT THE LANDFILL**

Present for this portion of the meeting were: Hiadari Ghodrat, Cyndi Jones and Anne Weinkauff from IDEM: Commissioners Gary Leatherman, Dave Dolezal and Chad Kline; Randy Sexton,

Noble County Surveyor; Scott Perry, News Media; and Mike Haines who does work at the landfill.

The Commissioners met at the landfill with IDEM officials and others that are listed, to discuss the solution to a leachate problem for which the county had received a violation from IDEM.

**ADJOURNMENT**

This session of the Board of Commissioners of Noble County was at approximately 2:10 P.M. recessed from day to day until the 15<sup>th</sup> day of July, 2013.

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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