

**MINUTES OF A REGULAR SESSION OF THE
BOARD OF COMMISSIONERS HELD October 10 2023**

Comes now the hour of 8:30 am. on the 10th day of October, 2023 in the Commissioners Room in the Noble County Annex building, 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
Anita Hess, Vice President
Gary Timmerman, Member

Also present were:

Jacqueline L Knafel, County Coordinator
Dennis Graft, Noble County Attorney
Matt Getts, KPC Media
Zack Smith, Highway Engineer

Gary Leatherman, Commissioner President, called the meeting to order at approximately 8:30am.

CORRESPONDENCE

- Idem – 5C Event Center – Construction Permit Application
- Kendallville Wastewater Treatment Plant
- IDEM- Parker Hannifin Corp MSOP approval
- Clerk of the Court – Monthly report

MINUTES

Minutes of the previous meeting were read and approved as written with a motion from Gary Timmerman. Anita Hess seconded and the motion carried 3-0.

CLAIMS

Claims dated 10/10/23 were reviewed and approved. The 13-page report totaled \$476,826.73. Motion to approve came from Gary Timmerman and was seconded by Anita Hess. Motion carries 3-0.

MISC CLAIMS

Utility and Misc claims were also reviewed. This was a 4-page report that included a \$500,000.00 transfer of money for medical claims as well as a \$5,000,000.00 investment of funds. Gary Timmerman moved to approved the claims in the amount of \$5,748,784.92. Anita Hess seconded and the motion carried 3-0.

PAYROLL

Payroll dated 10/05/2023 was reviewed and approved as presented. The 3-page report totaled \$481,158.07. Gary Timmerman moved to approve. Anita Hess seconded and the motion carried 3-0.

NEW BUSINESS

A contract was reviewed for an Independent Consultant to fill in for the Health Department until such time that a nurse can be hired. She will be performing communicable disease investigations when needed. Motion to approve the contract which was approved by council at their November 6, 2023 meeting was made by Gary Timmerman. Anita Hess seconded and the motion carried 3-0.

OLD BUSINESS

Gary Leatherman had spoken with Melanie Kellogg and Jacob Ihrle from the EDC and is wanting to discuss an increase in the pay for the EDC from CEDIT dollars. Gary is suggesting a \$50,000.00 increase in the contribution which would move that to \$370,000.00. Jackie looked back in the financial and indicated that the contribution had not changed since at least 2007. Anita Hess moved to approve an increase of \$50,000.00 to the EDC and to amend the CEDIT plan #1 for 2024 going forward. Since budgets have been approved this will also require an additional appropriation after the first of the year. Gary Timmerman seconded. Motion carried 3-0.

HIGHWAY

Richard Rogers, Highway Inspector, was present for the following Highway business:

- Driveway Permit- Mike Hunter is requesting a driveway permit for Michael Hunter on Elkhart Rd for a second drive. Gary Timmerman moved to approve with a second from Anita Hess. Motion carried 3-0
- Driveway Permit – Matt Swogger on 415 N is requesting a variance for a drive that is too close to another drive. Richard indicated that although this was the case, this was the best possible location for a drive. Gary Timmerman moved to approve. Anita Hess seconded and the motion carried 3-0.
- Jason Laughlin on Angling Rd is also requesting a variance for the driveway permit for a 2nd drive for a business. Gary Timmerman approved the request. Anita Hess seconded and the motion carried 3-0.
- Richard also reported that striping along with RR painting was completed at this time.

Zack Smith, Highway Engineer, has the following departmental update for the commissioners:

- Randy Jordan has requested that the department order some plow shoes. He has a quote from WA Jones for the 16” by 7” shoes in the amount of \$260.11 each. Randy is requesting that 50 be ordered for a total of \$13,005.50. Gary Timmerman moves to approve the purchase. Anita Hess seconded and the motion carried 3-0.
- Randy is also requesting a rebuilding of the drive motor for the roller at the department. A quote from West Side Tractor Sales in Fort Wayne came in at \$15,500.00. Gary Timmerman moved to approve this repair. Anita Hess seconded and the motion carried 3-0.
- The last request was for tires for the department along with shop supplies wheel weights, etc. this was quotes by McMahan’s Best One Tire in Fort Wayne in the amount of \$20,743.80. Gary Timmerman moved to approve with a second from Anita Hess. Motion carried 3-0.
- Zack shared the LPA Newsletter with the commissioners which updated LPA projects, Title Vi and ADA plans, NOFA projects and CCMG projects.
- HMA 2023 -01 is complete with shoulder work being completed this week.
- Bridge Inspection – Jen Grawcock and Chris Andrzejewski, from United Consulting were present for the Bridge Inspection Report. Chris had a good report for the commissioners with 2 critical structures on the list for replacement. The top five bridges on the list for replacement are:
 1. Bridge #33 – CR 150 E over the Croft Ditch
 2. Bridge #136 – CR 400 E over CSX Railroad
 3. Bridge #44 – CR 1050 N over Waldron Lake
 4. Bridge #134 – CR 225 E over CSX Railroad
 5. Bridge #59 – CR 1100 W over the Elkhart River.

We have a total of 62 bridges in Noble County with only 1 load posted bridge, 1 fracture Critical bridge and 1 special feature bridge. The complete bridge inspection report was Provided to the commissioners.

- United Consulting also provided a quote for bridge overlay work. With the company doing the bridge inspection, they know exactly what is needed for this project and Zack indicated that the quote should be good with that knowledge. The quote was \$234,100.00 for the 5 bridges in poor condition. Gary Timmerman moved to approve the contract with United. Anita Hess seconded and the motion carried 3-0.
- 400 N – Zack has an LPA voucher for this project in the amount of \$3,972.98. Motion to approve came from Gary Timmerman. Anita Hess seconded and the motion carries 3-0.
- Bridge 69 – An LPA Voucher for this project came in at \$234,681.87 and was approved with a motion from Gary Timmerman. Seconded by Anita Hess the motion carried 3-0.
- Riley Road & Appleman Road - The LPA voucher for this project was in the amount of \$28,703.87. Gary Timmerman moved to approve. Anita Hess seconded and the motion carried 3-0.
- Another speed study was conducted in Cobblestone as some of the residents thought the first one was incorrect. The second study was very similar to the first. Zack indicated that based on the request and the fact that a lot of the other subdivisions have the 20 MPH limits he was in agreement with lowering the speed limit. Anita Hess moved to have Zack draft an ordinance to that affect for the next meeting. Gary Timmerman seconded. Motion carried 3-0

- Lastly, Zack has set up a meeting with other department heads concerning the permitting software so that he can get a feeling for who might be interested in using this program.

COURTHOUSE RENOVATION

Zack Smith, Project Manager, has the following report for the commissioners concerning the courthouse renovation:

- Bids were to come in on October 12, 2023 – but bidders that showed up for the pre-bid conference indicated a need for more time for the bidding. It has now been set for October 19, 2023 at 2:00PM
- Zack indicated that there were alternate specs coming for the flooring on 1st and 3rd floors. Zack supplied many photos of the issues that were being uncovered.
- Zack also discussed the appraisal for building currently being leased by the county. The appraisal is sitting at \$565,000.00. This is being discussed for future storage and parking.

EMA RECOGNITION

Ann Carpenter, EMA Asst Director, was present along with Gabe Creech, EMA Director, and family and friends for recognition of her Professional Emergency Management Degree that she recently completed and received. Mick Newton, former EMA Director, was present and told the group that he knew that Ann was a good fit for this position after watching her work as a volunteer during the COVID era. He told the group that you can teach the “nuts and bolts” of any job but can not teach the drive to do the job. Ann has that drive. Gabe is starting this process – that takes approximately 2 years to complete. He said that Ann had to travel all over the state for these classes that now being offered on line. He also told the group that there were only 2 other EMA employees in Northeast Indiana to hold this certification. Congratulations to Ann Carpenter on receiving this Professional Development Degree.

SOIL AND WATER EMPLOYEE

Stacey McGinnis, the County’s Soil and Water employee, is present along with board member Eric Strater to discuss the possibility of a per diem for additional work that Stacey is doing through a grant. She will be processing the paperwork for Noble, Whitley and LaGrange counties for this grant. The grant is for \$40,000.00 over 5 years. After discussing this in more detail, it was the recommendation of the commissioners to pay this from the grant given to the soil and water department and not involved the county’s payroll with this process. Stacey will then be responsible for paying taxes on these per diem payments.

RECESS

Back in Session

EXEMPT EMPLOYEES

The Commissioners again discuss the exempt employee status of employees. There a few employees that the commissioners feel is in a supervisory or professional position that could be considered exempt. They have also surveyed surrounding counties to get their feedback. Those positions that they are wanting to add to the exempt list are Chief Deputy Sheriff, Jail Commander, Chief Deputy Assessor, Chief Probation Officer, Asst Chief Probation 1 Asst Chief Probation 2 and Asst IT director. Jackie has been asked to notify the department heads concerning these employees for their feedback and questions. This notification was done on Wednesday October 11, 2023 at 9:29 AM.

TIMEKEEPING

Shelley Mawhorter, Noble County Auditor, came before the commissioners to request that the county opt out of TCPlus and go with the LOW program for timekeeping. She indicated that she wasn’t sure that it could do any more or less than the current timekeeping system but likes the support that LOW Associates offer. The commissioners along with IT director Dave Baum had questions for LOW that Shelley will look into further.

RIGHT OF WAY

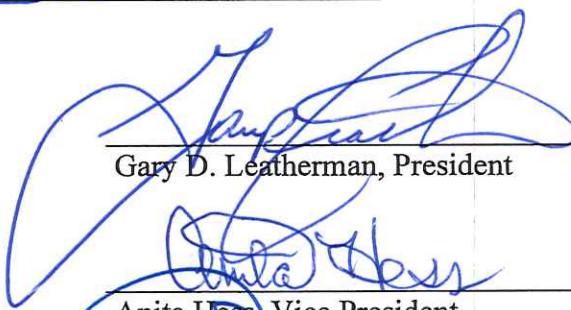
Commissioners Gary Timmerman had questions about the acquisition of right of way. Zack Smith along with Teresa Tackett were present for this conversation. Gary is presently doing a plat of his property and at that time realized on a new plat that the they have to give an additional 10 feet of right of way in the plat process. He is asking if this is compensated in any way? Zack told

Gary that when doing a highway project that additional right of way is always purchased. In this incident there is no property being transferred to the county – it simply calls out for additional right of way. Gary is citing the fifth amendment for his concern of this policy. Teresa is asking that the commissioners give her time to research this policy and bring that information back before the commissioners.

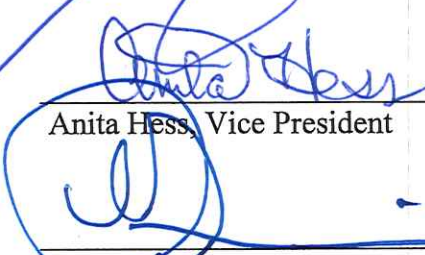
ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 3:30 PM recessed from day to day until October 23, 2023 at 8:30 AM.

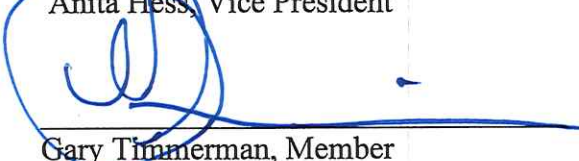
Dated this 23rd day of OCTOBER, 2023



Gary D. Leatherman, President



Anita Hess, Vice President



Gary Timmerman, Member

ATTESTED: Michelle Mayhorter
Michelle Mayhorter, Auditor