

**MINUTES OF A REGULAR SESSION OF THE  
BOARD OF COMMISSIONERS HELD January 22, 2024**

Comes now the hour of 8:30 am. on the 22th day of January, 2024 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**

- Indiana Election Division – correspondence acknowledging the precinct changes in Kendallville and advising that no further action is required by the commissioners.
- KONE- notice of a 5.94% increase.
- Building Department – Annual report – duly entered
- Noble County Sheriff – Commissary report - duly entered
- IDEM – permit application for Terra Supreme Battery

**MINUTES**

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

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

**CLAIMS**

The 13-page report that totaled \$486,008.79 was reviewed. Gary Timmerman moved to approve the claims date January 22, 2024. Anita Hess seconded the motion and it carried 3-0.

**PAYROLL**

Payroll dated 1/25/24 was approved for payment with a motion from Gary Timmerman and a second from Anita Hess. The motion carries 3-0. This was a 4-page report that totaled \$509,933.38.

**FINDINGS AND ORDERS**

The findings and orders were signed that came from the last meeting concerning the property at State Road 9 and State Road 6 owned by Omar.

**INSURANCE CONTRACTS**

A consultant agreement was reviewed for Medical Rehabilitation Consultants. Dennis needs the address corrected as well as an explanation about “parties” on page 8. Jackie will get those corrections/clarifications and then sign the document as permitted by a motion from Anita Hess. Gary Timmerman seconded the motion. Motion carried 3-0

Swiss RE - the stop loss carrier – also had a contract for signature. Anita Hess moved to allow Jackie to sign this document as well. Gary Timmerman seconded and the motion carried 3-0.

The Fee schedule was the last of the health documents to sign. Gary Timmerman moved to allow Jackie to sign this document as well. Anita Hess seconded and the motion carried 3-0.

**HANDBOOK**

The contract was received from New Focus for the handbook revision. The contract total amount is \$6000.00 and comes with the option of revision every year at a cost of \$150.00. Gary

Timmerman moved to sign the contract with New Focus. Anita Hess seconded and the motion carried 3-0.

#### BUILDING DEPARTMENT

Norm Lortie, Building Inspector, and Mike Klopfenstein, asst building inspector, were in attendance. Gary Leatherman thanked Norm for his years of service to the county first as a jailer, then on to the building inspector position. Gary indicated that he had never had a complaint about Norm or the job he was doing. Anita presented Norm with a gift from the commissioners as a token of their appreciation. Mike Klopfenstein will step into the Building Inspector position beginning February 1, 2024 and a job opening will be posted to fill the assistant building inspector position.

#### HIGHWAY

Zack Smith, Highway Engineer was present for the engineering update from the department:

- Zack is looking at a property in LaOtto as the owners would like to expand their property. This will be into the right of way. After speaking with Dennis and the commissioners – he will request a surveyor to examine the exact impact to the right of way.
- Zack informed the commissioners that truck #25 will be taken out of service for the highway and transferred to the maintenance department here at the annex. He has quotes for replacement vehicles. From Max Platt the quote is for an Expedition at a cost of \$62,965.25 and from Shepherds a Tahoe in the amount of \$66,835.00. Gary Timmerman moved to approve the low bid of the Expedition from Max Platt. Anita Hess seconded the motion and it carried 3-0.
- FY 29 Call for Projects - Zack did the presentations of the three projects that he submitted on Tuesday January 16. He told the commissioners that the presentations went very well and were very well received by INDOT.
- CCMG – both the packages that were discussed at the last meeting were submitted for consideration. Zack is hoping to hear soon if either or both of the packages are accepted.
- Bridge 33 – this is a local project in which Zack has received a project design scope and fee proposal from Kurdziel Barker. Zack reported that this is a new company, but he has worked with the engineer and feels very comfortable with the work that will be done. The cost came in “not to exceed” \$97000.00. Gary Timmerman moved to sign the agreement for engineering services not to exceed \$97,000.00 with Kurdziel Barker Bridge Engineering. Anita Hess seconded and the motion carried 3-0.
- Bridge 136 - There is an LPA voucher for bridge 136 in the amount of \$5,000.00 for Preliminary engineering. Gary Timmerman moved to approve. Anita Hess seconded and the motion carries 3-0.
- Bridge 44 – The LPA voucher is for Construction Engineering in the amount of \$3,477.20 and is approved with a motion from Gary Timmerman. Anita Hess seconded and the motion carried 3-0.
- OLD STATE ROAD 3 – Letters of Interest were received for this project. Zack opened them and distributed them to the commissioners for their review prior to the rating meeting.

#### COURTHOUSE RENOVATION

Zack Smith, Project Manager, advised the commissioners that he is still awaiting the PR 1 and PR 2 final pricing for the adjustments made at the courthouse. Demo work continues at the location. Jackie asked about the Right to Life using the courthouse square on Saturday June 23 for their Right to Life walk. Zack indicated that he didn't think that the south side of the courthouse would still be available as long as construction was going on. Jackie will contact Lucy at Right to Life and let her know that they will be more than welcome to use the New Annex building square for this event. Lucy was notified on January 23 by phone.

#### REZONING

Wysong – CAFO –Teresa Tackett, Plan Director, was present to bring a rezoning to the commissioners for their approval. Several people were in attendance for this session and a letter of opposition was received from Whiteshire Hamrock concerning the location of this confined feeding operation, however, the commissioners were set on addressing the issue at hand and that was the rezoning of the parcel of ground from A-1 to A3. The rezoning of the parcel had nothing to do with the operation that may be placed there or the disease risk that may present itself. The commissioners voiced their options to that fact and felt that some of the issues that were being brought up needed to be settled in some other way than through the commissioners. The commissioners allowed no comments to be voiced and instead went with the favorable

recommendation of the plan commission and Gary Timmerman moved to approve the rezoning of the 60 acre +/- parcel in Orange Township from A1 to A3. Anita Hess seconded and the motion carried 3-0.

When Gary Timmerman asked about the Storm Water and Erosion suspension for the 6-month period, Teresa indicated that this was only for ag purposes. Gary Timmerman corrected her stating that the December 11, 2023 minutes clearly state agriculture AND single-family residents. Teresa will get a copy of those minutes and discuss this further with Everett Newman, the plan commission attorney.

Mike Lemmon from Whiteshire Hamrock returned to the meeting and asked to speak about the rezoning. Mike told the commissioners that the recommended space between CAFO's is 2 – 3 miles due to the ventilation and air flow. Mike told that group that he employs 19 people at this facility and that one report of disease and they are done. Mike indicated that there is additional ventilation that could be added but would only reduce the air flow in half. He also told the group that he could add additional ventilation to his barns but would probably cost around one million dollars. There was talk of additional set backs and additional requirements that could be placed on the CAFO barns, but that all takes time and didn't apply in this situation.

Tom Griffiths who sits on the plan commission board told the board that while he sympathized with the issues that Whiteshire Hamrock faced there is no way that the UDO can regulate every single situation or issue that might arise.

#### HEALTH DEPARTMENT

Carrie Ryan, the new Health Nurse, came to the commissioners with a request to make a purchase over the \$500.00 threshold. This is for Promotional Items. Carrie indicated that last year they did not order enough and this year she would like to order 2400 items. With this volume she gets a 30% discount and free shipping. The total cost would be \$4562.00 and these items will be used at the Noble Palooza event, Kids City Chain O Lakes festival and the Marshmallow Festival. Anita Hess moved to allow the purchase and also suggested that Carrie might check with local businesses to see if they could do the promotional items at a comparable price. Gary Timmerman seconded the motion and it carried 3-0.

Tina Lough, Deputy Health Officer, is also present on behalf of Dr. Schowe. They are asking for the 10% reduction in pay be waived for Carrie as she was a public health officer in Ohio and has the experience needed for this position. Gary Timmerman moved to waive the 10% reduction for Carrie Ryan. Anita Hess seconded and the motion carried 3-0.

Tina is also asking for the 10% waiver for the Health 1<sup>st</sup> Coordinator that they just hired. Melayna Borg was an intern with the department last summer and now has her degree in public health promotion & wellness with a certification in Public Health Issues. As state she worked through the intern program last summer here in Noble County and did an outstanding job according to Tina. Anita Hess moved to sign Melayna's 2-year contract for employment as well as waive the 10% reduction for 90 days. Gary Timmerman seconded and the motion carried 3-0.

#### COUNCIL ON AGING

Cherish Mishleau, COA Director, was present for the quarterly report. The department is currenting requesting \$71,777.00 in funding. Anita Hess moved to sign the Section 5311 Rural Transit form requesting those dollars. Gary Timmerman seconded and the motion carried 3-0.

#### AUDITOR

Shelley Mawhorter, Noble County Auditor, came before the commissioners to discuss a program through the state in order to get natural gas cheaper. She indicated that this is a non-binding contract and that our service provider would not change which is currently NIPSCO. Once she received the actual contract, she will let Dennis review and a decision will then be made.

#### RECESS

#### BACK IN SESSION 1:00 PM

The commissioners came back into session at approximately 1:00 pm

Jackie discussed the process in which she should take if the impending ice storm develops. The commissioners will contact Jackie and she will in turn contact department heads so they can contact their employees.

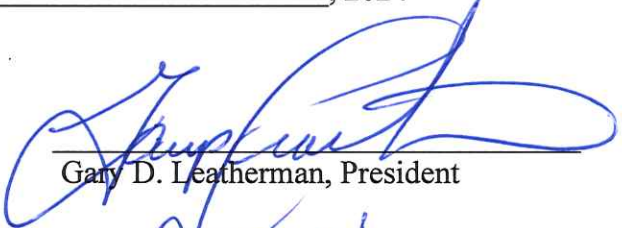
WELLBRIDGE

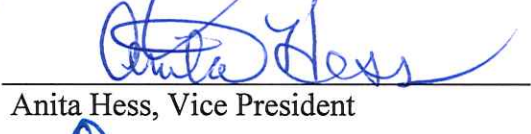
The commissioners discussed the Wellbridge Surgical Center and how to promote their services. Anita Hess indicated that she has been contacted by some of the doctors at this facility and they are willing to come and talk with the employees. The commissioners also discussed incentives that they could use to encourage the employee to use this facility such as using a county vehicle for the consultation, pre op and post op appointments. The day of surgery would require use of their own vehicle with mileage being paid as family members are not insured to drive county vehicles and the chance are the day of surgery the employee would not be able to drive. Anita indicated that there are four hotels within a mile of the surgical center that offer reduced rates for Wellbridge patients. This is another incentive that the county will take care of.

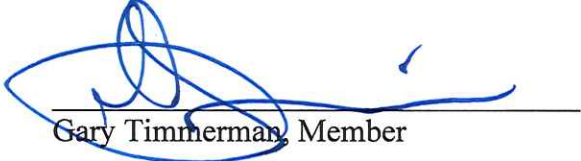
ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 2:30 PM recessed from day to day until February 5, 2024

Dated this 12<sup>TH</sup> day of FEB, 2024

  
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Gary D. Leatherman, President

  
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Anita Hess, Vice President

  
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Gary Timmerman, Member

ATTESTED:   
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Michelle Mawhorter, Auditor