

**MINUTES OF A REGULAR SESSION OF THE
BOARD OF COMMISSIONERS HELD January 8, 2024**

Comes now the hour of 8:30 am. on the 8 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.

Shelley Mawhorter, Noble County Auditor, closed the 2023 calendar year and opened the 2024 calendar year.

ELECTION OF OFFICERS

Anita Hess nominated Gary Leatherman as president of the Commissioners. Gary Timmerman seconded the motion and Gary Leatherman was president with a 2-0 vote.

Gary then conducted the election of the vice president. Gary Timmerman nominated Anita Hess to this position. Gary Leatherman seconded and the motion carried 2-0 for Anita Hess being elected to the vice-president position.

APPOINTMENTS

The following appoints were made for 2024:

- | | |
|--------------------|--------------------------|
| • Norm Lortie | Building Inspector |
| • Gabe Creech | EMA Director |
| • Shellie Coney | 911 Director |
| • Tim Lock | Maintenance Supervisor |
| • Rob Hull | Highway Superintendent |
| • Zack Smith | Highway Engineer |
| • Mike Clouse | Veterans Service Officer |
| • Randy Jordan | Shop Supervisor |
| • Steve Hook | GIS Coordinator |
| • Dave Baum | IT Director |
| • Elizabeth Schowe | Health Officer |
| • Teresa Tackett | Plan Director |
| • Jackie Knafel | County Coordinator |
| • Dennis Graft | County Attorney |

Anita Hess moved to approve the above appointments. Gary Timmerman seconded and the motion carried 3-0.

BOARD APPOINTMENTS

- Gary Leatherman will continue to serve on the EMS Advisory Board, as well as the EDC Trust Board, Northeast Indiana Solid Waste, Work Force One and the EMS Board.
- Anita Hess will continue her service on the Plan Commission Board, EDC Board, Council on Aging, We Care, and the St. Joe River basin board.
- Gary Timmerman will sit on the Drug Free Noble County Board LEPC, Maumee River Basin, Region III-A and the RDC Board.

PUBLIC DEFENDER

Jim Abbs, Chief Public Defender, is coming before the board to request a reappointment for the Public Defenders Board. Jim indicated that the judges make an appointment which is currently

Dan Barker. The state makes an appointment which is Mike Yoder and then there is a commissioner's appointment. Andrew Bell is the current appointment and is willing to serve another 3-year term. Anita Hess moved to reappoint Andrew Bell to the Public Defenders Board. Gary Timmerman seconded and the motion carried 3-0. The appointment will run 1/1/24 through 12/31/26.

In other business, Jim reported that his full-time public defender Howard Hanson would be retiring this year. Jim is uncertain if he would be able to hire another full-time attorney as there is currently a shortage of attorneys. Jim wanted to keep the commissioners informed but may be going to 2 part-time attorneys rather than one full time, if that is what needs to be done. He will be discussing this further with the council at their February meeting.

CORRESPONDENCE

- County Treasurer's Monthly report – duly entered
- Clerk of the Courts Monthly report – duly entered
- Nature Conservancy – news letter about conserving Hoosier Wetlands

MINUTES

- Minutes of the regular meeting held December 18, 2023 were read and approved as corrected. Anita Hess moved to approve the minutes. Gary Timmerman seconded and the motion carried 3-0.
- Minutes of the special meeting held December 29, 2023 were also approved as written. Anita Hess moved to approve the minutes. Gary Timmerman seconded. Motion carried 3-0.

CLAIMS

Claims totaling \$940,947.01 were reviewed. The 12-page report was approved with a motion from Gary Timmerman. Anita Hess seconded and the motion carried 3-0.

PAYROLL

- Payroll dated 12/28/23 totaled \$469,969.47. This was a 3-page reported and was approved with a motion from Gary Timmerman. Anita Hess seconded. Motion carried 3-0.
- A three-page report for the payroll dated 1/11/24 and totaling \$512,913.86 was also approved by a motion from Gary Timmerman and a second from Anita Hess. Motion carried 3-0.

HIGHWAY

Richard Rogers, Highway Inspector, was present for the following driveway variances:

- A resident on 950 E is requesting a variance for a driveway permit. They are putting up a new building and need a permit. This drive has been in existence for 50 years and is 250 ft short of sight distance. Given that it is an established drive Richard is recommending the variance be approved. Gary Timmerman moved to approve. Anita Hess seconded and the motion carried 3-0.
- Rosenogles on Baseline Road are requesting a 2nd drive variance. This is short on sight distance but there is a stop that is close and people are approaching the stop as they pass the driveway. Richard was okay with proposed drive. Gary Timmerman moved to approve the variance. Anita Hess seconded and the motion carried 3-0.

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

- Zack had a quote for a new plotter in the sign room. He indicated that the plotter was very old and that new numbering and lettering requires a higher resolution for the plotter. The quote was in the amount of \$4,702.65 and was approved with a motion from Gary Timmerman. Anita Hess seconded and the motion carried 3-0.
- Zack is scheduled for presentations on the 3 LPA project that were submitted to the state for consideration on January 16, 2024.
- This year there is \$1,500,000.00 available for CCMG projects. Zack is planning to submit project for the full amount and is asking the commissioners for financial commitment letters to be signed for the projects. The first project is concrete replacement on Edgewood Dr and on Brookview Blvd. This is at a cost of \$515000.00 of which Noble County would be responsible for \$128,750.00. The second is asphalt work on CR 1000E, CR 150W, Northport Rd, and CR 1100 N. This project cost would be 1,485,000.00 with

Noble County's responsibility being \$371,250.00. Gary Timmerman moved to sign the financial commitment letters for both projects. Anita Hess seconded and the motion carried 3-0.

- Within the Annual bids, there was bids for "on-call" services. Zack indicated that this will probably never be used but wanted in place. Gary Timmerman moved to sign the agreement with American StructurePoint not to exceed \$250,000.00. Anita Hess seconded and the motion carried 3-0.
- 400 N -- LPA voucher for Construction Engineering in the amount of \$144.49 was approved with a motion from Gary Timmerman. Anita Hess seconded and the motion carried 3-0.
- Bridge 136 - there are two LPA vouchers for this project. One for Construction Engineering in the amount of \$631.58 and one for Preliminary Engineering in the amount of \$1,500.00. Both were approved with a motion from Gary Timmerman and a second from Anita Hess. Motion carried 3-0.
- Bridge 44 also have an LPA voucher in the amount of \$488.79 for Construction Engineering. This is approved with a motion from Gary Timmerman. Anita Hess seconded the motion. Motion carried 3-0.
- Bridge 134 has an LPA voucher for Preliminary Engineering in the amount or \$6,360.00. Approval came with a motion from Gary Timmerman. Anita Hess seconded and the motion carried 3-0.
- Bridge 69 has an LPA voucher for right of way services. Gary Timmerman moved to approve the voucher in the amount of \$3,216.80. Anita Hess seconded and the motion carried 3-0.
- An LPA voucher in the amount of \$9,780.00 was approved for preliminary engineering for the Old State Rd 3 project. Gary Timmerman moved to approve. Anita Hess seconded and the motion carried 3-0.
- Riley Road/Appleman Road -- the LPA voucher for this project is approved in the amount of \$5,006.00 and is for Preliminary Engineering. Gary Timmerman moved to approve. Anita Hess seconded and the motion carried 3-0.
- The last LPA voucher is for Bridge 59 for preliminary engineering. Gary Timmerman made the motion to approve the voucher in the amount of \$24,225.00. Anita Hess seconded and the motion carried 3-0.
- Zack has made the suggested changes to the Highway Construction Standards that were discussed at an earlier meeting. The 2024 Noble County Highway Construction Standard manual was approved and signed with a motion from Gary Timmerman. Anita Hess seconded and the motion carried 3-0.
- Lastly, Zack has his Engineer Contract for employment reflecting all of the changes that came from the joint Council and Commissioners meeting held January 5, 2024. The commissioners reviewed the contract and the changes that were suggested by the Council. Anita Hess moved to sign the contract that reflected the salary change and the 180-day notice clause. Gary Timmerman seconded the motion and the motion carried 3-0. This is contract for 4 years beginning January 1, 2025 through December 31, 2028.

COURTHOUSE AGENDA

Zack presented a huge PR-1 for the pricing for the courthouse renovation. This listing spelled out the cost of every service being completed on the building. While the cost was up from the initial estimate - Zack explained that there continues to be cost saving measurers that can be found. Zack reported that the demo work in continuing at this time. Greg Dashiell, a resident of Jefferson Township, had a question about why the roof was not being replaced. Zack explained that there are roof repairs in the project scope however -- he feels that the repairs will fix the issues and that total roof replacement can be pushed out possibly another 5 -10 years.

REZONING

Teresa Tackett, Plan Director, along with Scott Ziegler, Hand to the Plow Surveying, were present to request approval of a rezoning of a 3-acre parcel from A-1 to IS for Pine Ridge School. The commissioners asked about the need for so many of these parochial schools recently. Scott explains that this is an agreement with the state for Amish parochial schools and in the agreement, there can be NO more that 50 students. Scott indicated that LaGrange currently has around 120 of these schools. Gary Timmerman moved to approve the rezoning from A-1 to IS for the 3-acre tract for Pine Ridge School. Anita Hess seconded and the motion carried 3-0.

UNSAFE HOUSING

Norm Lortie, Building Inspector, came before the commissioners with an unsafe housing issue for a property owned by Saleh Ali Omar. The property is located at the corner of State Road 9 and State Road 6. Norm informed the commissioner that he had received a complaint in 2020 about this property. Norm indicated that he had several conversations with the owner as well as the brother of the owner, Saleh and his brother Hammad came to this meeting. They indicated that they are trying to work on this project when they have time. They have received some quotes for work but they have been extremely high. Both brothers indicated that they want to restore this building to be used as a car dealership but also a residence. Dennis Graft suggested that they speak with the plan director about this as he wasn't sure that the current zoning would allow residency. Norm indicated that the structure was in rotting condition and not sure that the north side of the structure was repairable. After some discussion and compromise, the next hearing for this property was set for May 13, 2024 at 9:30am.

WILCOX CONTRACT RENEWAL

The Wilcox Environmental Engineering Contract Renewal for 2024 was received. The cost for work for 2024 was estimated to be \$59,787.00. Motion to sign the contract came from Anita Hess. Gary Timmerman seconded. Motion carried 3-0.

PEST CONTROL

Tim Lock, Maintenance Director, has requested that the county move from Orkin to Ace Pest Control services. Tim indicated that the cost is less and that he had not been happy with Orkins services as of lately. The cost will be \$3244.25 for the New Annex, the South Complex and the Weber Road annex. Motion to approve the contract and allow Tim Lock to sign such contract came from Gary Timmerman. Anita Hess seconded and the motion carried 3-0.

RECESS

BACK IN SESSION

The commissioners went back into session for a few items.

HANDBOOK

The Employee Handbook has needed updated for some time and Jackie has received information about a company that will do this for \$6,000.00 and update the handbook yearly at a cost of \$150.00. The company is New Focus and Jackie had e-mailed the company and had information available for the commissioners to review. Anita Hess moved to proceed with the New Focus handbook services with a cost not to exceed \$6,000.00. Gary Timmerman seconded and the motion carried 3-0. The commissioners would like an "in-person session" to start this project. Jackie will contact the company to start the process.

STORM WATER and EROSION COMMITTEE

The commissioners reviewed the list of recommended individuals for this committee. They wanted a diverse group and wanted particular interests represented. The final list that was recommended was as follows:

1. Randy Sexton, Noble County Surveyor
2. Rod Renkenberger, Maumee River Basin
3. Josh Lash, Private Surveyor
4. Gary Timmerman, Noble County Commissioners
5. Chris McPhearson, Soil and Water
6. Sue Lawrence, Farm Bureau Insurance
7. Jean Thomas, Lakes
8. Matt Meerson, St Joe River Basin
9. Sue McGee – City of Kendallville
10. Jacob Ihrle – Town of Albion
11. Brian Carroll – Town of Avilla
12. Matt Young LCI Construction – non -voting member – advisory status.

Anita Hess moved to make the above the members of the committee to update the Storm and Erosion Ordinance, Gary Timmerman seconded and the motion carried 3-0.

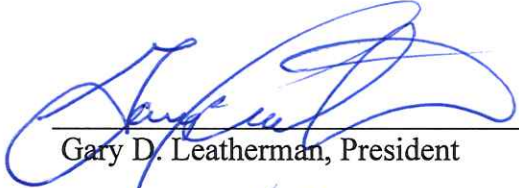
GENERAL FUND UNEXPENDED TO RAINY DAY

Anita Hess moved to move the 10% of expended dollars in the General fund to the Rainy-Day fund. The amount provided was \$56,385.00. Gary Timmerman seconded the motion. Motion carried 3-0.

ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 2:30 pm recessed from day to day until January 22, 2024

Dated this 22nd day of JAN, 2024



Gary D. Leatherman, President



Anita Hess, Vice President



Gary Timmerman, Member

ATTESTED: 

Michelle Mayhorter, Auditor