

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

Comes now the hour of 8:30 am. on the 22nd day of April, 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, Commissioners President, brought the meeting to order at approximately 8:30am.

HEALTH DEPARTMENT

Melayna Borg and Carrie Ryan from the health department were in attendance to request approval for purchases over \$500.00.

- The first purchase was for solar glasses for West Noble School Corp. in the amount of \$1,367.60 and will be paid out of the Health First Indiana fund. Anita Hess moved to allow this expenditure. Gary Timmerman seconded and the motion carried 3-0.
- The second purchase will be for upgrades to the Havel temperature reporting system for the refrigerated unit that holds the vaccines at the department. The system needs upgraded and will now alert all members of the department if there is an issue with one of the units. Gary Timmerman moved to approve the upgrade at a cost of \$9,198.00 to Havel. Anita Hess seconded the motion. Motion carried 3-0.

CORRESPONDENCE

- IDEM- permit application for the Kendallville wastewater treatment plant
- IDEM- air permit information for Terra Supreme Battery
- Monthly report for March from the Noble County Treasurer

MINUTES

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

CLAIMS

Claims dated 4/22/2024 were reviewed. Gary Timmerman moved to approve the 12-page report totaling \$334,466.87. Anita Hess seconded and the motion carried 3-0.

PAYROLL

Payroll dated 4/18/24 has a 3-page report totaling \$519,731.82. After review, Anita Hess moved to approve payroll. Gary Timmerman seconded and the motion carried 3-0

OLD BUSINESS

Gary Timmerman brought up the house bill 1183 which deals with foreign ownership of land in Indiana more specifically the owning or leasing of agricultural land. He indicated that he has done a lot of research on this topic and that is the reason he is asking for a "pause or moratorium" on solar projects. He would like to have a public hearing so that the public is involved in the process. Anita Hess (who sits on the plan commission board) told the group that the process is that the commissioners send to the plan commission board a specific list of items they want changed in the UDO. The plan commission is the government body that would then hold public hearings not the board of commissioners. With that information, Gary Timmerman will prepare a list of changes for discussion of the board at their next meeting on May 13, 2024 at 1:00 PM. It will then be decided by the board what items will be sent to the plan commission board to discuss or change in the UDO.

NEW BUSINESS

- Gary Leatherman shared a letter that he had signed last week. This request came in on the 11th of April and was needed for an event at 5C event on the 19th of April. This was a one-time approval for Edwin Coe LLC to cater alcoholic beverages on April 19, 2024. All commissioners were fine with the letter be sent.
- Automated Logic Contract - Tim Lock had provided a contract from Automated Logic for the HVAC system here at the New Annex building. As Dennis Graft, County Attorney, reviewed the contract, there were some questions that Tim was needing to get clarification on. The commissioners decided to tabled the contract until the May 13, 2024 meeting.
- Randy Jordan, Highway Shop Supervisor, has requested 4 titles of vehicles, owned by the county that now will be taken out of service, to be signed,
 1. 2015 Dodge Charger with last 4 vin of 6240
 2. 2016 Dodge Charger with last 4 vin of 8962
 3. 2018 Dodge Charger with last 4 vin of 9559
 4. 2018 Dodge Charger with last 4 vin of 9557

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

HIGHWAY

Zack Smith, Highway Engineer, was present for the following Highway business:

- Richard Rogers, Highway Inspector, filed a utility permit from Frontier Communications- duly entered.
- Matt Dice, \$-H Extension Agent, was present as he had requesting that there be improvement made to the drive at the 4-H park west of Albion. Matt explained that the extension office is doing improvements to the building located at the park and are using that building a lot more due to the limited space we have here due to the courthouse renovation. He indicated that trailers cannot make the turn in one of the locations on the drive. Zack told the commissions that he has spoken with Matt and the drive does need widened. The highway department is willing to supply all of the labor for this job if the extension office will pay for the material. The commissioners were pleased that the facilities located at the park were now being utilized and approved the request with a motion from Gary Timmerman. Anita Hess seconded. Motion carried 3-0.
- OLD STATE ROAD 3 - Zack has provided a copy of the speed study done on Old State Rd 3 between Baseline Road and SR 205. Zack told the commissioners that there is excessive speed on the roadway, however, the road has the wider edges and is built (because it was a state road at one time) to accommodate 55 MPH. He would like to try other methods of calming the traffic rather than a speed reduction. There was a representative from the area there and he was hoping that the commissioners would consider moving the speed limit to 45. He told the commissioners that most of the residents along that area want a reduced speed. He told the commissions that they have trouble coming out of their drives at times. There is fear that someone will get hurt in the area. While the commissioners were aware of the issues and want safety in the area too, they indicated that sometimes the lowering of the speed has the opposite effect that thought. "Speeders are speeders" Gary Leatherman stated" and when the speed limit is lowered – those speeders tend to pass in areas where they should not be passing which could cause even more traffic mishaps. Zack recommended that more signage be put at every intersection, possibly add spinners, and above all that the sheriff's office be notified of the excessive speed that is happening in the area. This will be the first phase of this study. He will do another speed study in a couple of months and report the results to the commissioners.
- Kerry Sprunger, a resident on CR 200 N had sent in a petition from residents on that 1 mile stretch between 300 E and 400 E. They are wanting the gravel road paved. Zack told the commissioners that this request has been added to the 5-year road plan. He is uncertain of the exact timing of that project but it is in the road plan at this time.
- Zack has a request to purchase grader blades. The quote is from MacAllister in the amount of \$31,376.00. Gary Timmerman moved to approve the purchase. Anita Hess seconded and the motion carried 3-0.
- The next purchase is for the loader and is attachments to help with road work. This is also to MacAllister and in the amount of \$32,6000.00. Motion to approve this purchase also cam from Gary Timmerman with a second coming from Anita Hess. Motion carried 3-0.

- The commissioners approve a job description that Zack provided changing his position from County Engineer to County Engineer as Highway Director. Gary Timmerman moved to approve this change. Anita Hess seconded and the motion carried 3-0
- HMA 2024-01 The county secured another 1.5 million in federal money for projects in 2024. Zack has the specs for the project and is asking permission to advertise for bids. Gary Timmerman moved to approve the advertisement of 2024 overlay project. Anita Hess seconded and the motion carries 3-0.
- The other part of the project will be concrete work. Gary Timmerman moved to approve the advertisement of the 2024 CN concrete repairs. Anita Hess seconded and the motion carried 3-0.
- Niblock got the bid for the Bridge Deck Overlay project and Zack reported that he had a preconstruction meeting with the company.
- Bridge Inspection – this is an off year for Bridge Inspection so it is done on a much smaller scale. Zack reported that the inspection is complete for this year.
- 400 N – Zack reported a lot of “earth work” being done on this project.
- Bridge 136 – Zack has a supplemental agreement #1 for this project adding hourly rates for construction manager and interns. Gary Timmerman approved the signing of the agreement. Anita Hess seconded and the motion carries 3-0.
- Bridge 44 – Utility work continues around this project.
- Bridge 69 – working on securing the last few right-of-way parcels.
- Bridges 61 and 56 – Zack has submitted the RFP to INDOT on both of these projects.
- The county is awaiting the appraisals for the parcels of ground on Albion Road.
- Lakeshore Dr – Zack has the cost of the options that will be given to the residents in this area. To bring it up to the highway standards as far as gravel goes, the cost of materials would be \$2,314.25 with labor added \$6,000.00 a total cost would be \$8,314.25. There was also talk of not charging for the labor to do the project. The cost of asphalt – which would also require drainage pipes etc. would be in the amount of \$36,000.00. Zack will supply the residents with all of this information and await their response.
- Many of the employees have been contacted by Angela Hamilton. She lives on 600 S and wants a speed study done to lower the speed limit. There have been many attempts to resolve Ms. Hamilton’s issues. Steed studies have been done, a hidden drive sign has been installed, additional speed limit signs have been posted, and Richard Rogers has spoken with her about changing the location of her driveway. She doesn’t want to change the location of the drive and the department believed they have done everything possible. Pictures were provided and documentation has been done in the Auditor’s office, plan commission and highway department.

COURTHOUSE RENOVATION

Zack Smith, Project Manager, reported the progress of the remodeling project at the courthouse:

- The project is going very well with many different sub-contractors on sight.
- PR -3 is presented to the commissioners for approval. Anita Hess moved to approve the change with an impact to the contingency of \$8,959.08. Gary Timmerman seconded and the motion carried 3-0.
- PCO #10 – this is approved with a motion from Anita Hess and will result in a credit of \$1,360.40. Gary Timmerman seconded the motion. Motion carried 3-0.
- PCO #23 – This is an electrical upsize to 9 poke-throughs at a cost of \$2,282.28 to contingency. Anita Hess moved to approve. Gary Timmerman seconded and the motion carried 3-0.
- The Project schedule and meeting minutes were supplied for the record.
- Courtroom AV writing etc. was discussed. The cost for each of the courtroom were given:
 1. Superior 1 at a cost of \$72,945.10
 2. Superior II at a cost of \$69,743.60
 3. Circuit Court at a cost of \$77,674.04

While these expenses need to be considered as to where the money will come from as they are not a part of the current project, the more urgent part of this is the prewiring for the above requests. This needs to move forward to keep the project on scheduled. The cost of this is \$25,597.90. The commissioners are hoping to pay this out of the cum courthouse fund. Zack will also take this to the council at their May meeting for approval from them.

REZONING

Teresa Tackett, Plan Director, was present along with Colin Mullins who is requesting a rezoning for 12 acres from A1 to RE. Colin will be building a home on this site. Teresa reported a favorable recommendation coming from the plan commission board. Anita Hess moved to approve the rezoning. Gary Timmerman seconded and the motion carried 3-0.

Teresa Tackett along with Ryan Weber, surveyor for Tracy and Julia Tipton, are requesting that 28.879 acres be rezoned from A1 to RE. This also had a favorable recommendation from the plan commission and was approved with a motion from Anita Hess. Gary Timmerman seconded the motion. Motion carried 3-0.

COUNCIL ON AGING

Cherish Mishleau, COA Director, was present for the quarterly report. The first quarter report was approved with a motion from Anita Hess and a second from Gary Timmerman. Motion carried 3-0.

Cherish also had the paperwork for the 2025 grant to sign:

1. Certification of Use of Project Equipment and Facilities – Anita Hess moved to sign the certification. Gary Timmerman seconded. Motion carried 3-0.
2. Authorizing Resolution - Gary Timmerman move to approve the resolution giving authority to the Noble County Recorder, Tonya Jones, to sign. Anita Hess seconded the motion. Motion carried 3-0.
3. Local Financial Certification and Assurances – motion to sign this document came from Anita Hess and was seconded by Gary Timmerman. Motion carried 3-0
4. Pass through agreement – Anita Hess moved to sign the pass-through Agreement designating the county as the pass-through agency. Gary Timmerman seconded. Motion carried 3-0.
5. Certifications and Assurances - Anita Hess moved to approve the signing of this form by the commissioner president as well as the county attorney. Gary Timmerman seconded. Motion carried 3-0.
6. Categorical Exclusion Classification of Capital Projects – Anita Hess moves to approve. Gary Timmerman seconded. Motion carried 3-0.
7. Lastly the Special Warranty Arrangement is signed with a motion from Anita Hess and a second from Gary Timmerman. Motion carried 3-0.

RECESS

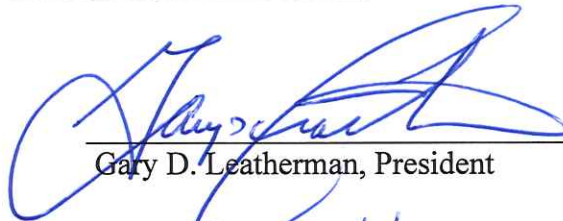
BACK IN SESSION

The Commissioners came back in session to review the applications received for the maintenance supervisor position. After review, Jackie Knafel was asked to set up the interviews with the chosen applicants on Monday April 29, 2024 and also scheduled the executive session for that day.

ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 1:45PM recessed from day to day until May 13, 2024

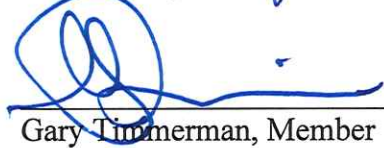
Dated this 13TH day of May, 2024



Gary D. Leatherman, President



Anita Hess, Vice President



Gary Timmerman, Member

ATTESTED:

Michelle Mawhorter
Michelle Mawhorter, Auditor