

**MINUTES OF A REGULAR SESSION OF THE  
BOARD OF COMMISSIONERS HELD June 10, 2024**

Comes now the hour of 8:30 am. on the 10<sup>th</sup> day of June, 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.

**COMMUNITY CORRECTIONS APPOINTMENT**

Judge Clouse came before the commissioners to request an appointment to the Community Corrections board. Judge Clouse told the group that Ben Castle has agreed to sit on the board and he feels that Ben would be a good fit. Anita Hess moved to appoint Ben Castle as their appointment to the Community Corrections board. Gary Timmerman seconded. The motion carried 3-0.

**HEALTH DEPARTMENT**

Carrie Ryan and Molly Jensen were present to request permission to renew their contract with Athena Health. This company takes care of the medical records for the Health Department. Carrie told the commissioners that they are increasing their monthly rate from \$400 to \$500 a month. Carrie indicated that this houses all of the immunization record as well as the records for communicable diseases. They will also take care of billings which works very well for them. Dennis has reviewed the contract and has approved it. Anita Hess moved to approve the signing of the contract by the county auditor. Gary Timmerman seconded and the motion carried 3-0. Molly is requesting permission to purchase training equipment for CPR. This is part of the Health 1<sup>st</sup> Indiana program and will be available to schools as well as county employees. Molly had received 2 quotes, one from MCR Medical in the amount of \$1,935.95 and another from Cardio Partners AED Superstore in the amount of \$1,699.19. Anita Hess moved to approve the purchase from Cardio Partners coming out of Health 1<sup>st</sup> Indiana funding. Gary Timmerman seconded and the motion carried 3-0.

**CORRESPONDENCE**

- USDA Farm Service Agency – nomination form for directors. – duly entered
- CVB - 2024-2028 strategic plan - duly entered
- Monthly report of the Clerk of the Circuit & Superior Courts
- Monthly report of the Treasurer of Noble County

**MINUTES**

Minutes of the previous meeting were read and approved as written. Gary Timmerman moved to approve the minutes. Anita Hess seconded and the motion carried 3-0.

**CLAIMS**

Claims dated June 10<sup>th</sup> were presented to the commissioners. This was 10-page report totaled \$295,302.84 and was approved with a motion from Anita Hess and seconded by Gary Timmerman. Motion carried 3-0.

**MISC CLAIMS**

A 5-page report totaling \$475,612.12 was also reviewed and approved by the commissioners. The motion was made by Anita Hess and seconded by Gary Timmerman. Motion carried 3-0.

## PAYROLL

The payroll dated June 13, 2024 was reviewed by the commissioners. Gary Timmerman moved to approve the payroll. Anita Hess seconded and the motion carried 3-0. This was a 3-page report totaling \$526,964.37.

## OLD BUSINESS- SET BACKS

Teresa Tackett and George Bennett were present to talk with the commissioners on their findings about how other counties are handling set backs when it comes to solar as well as other projects. Teresa provided a presentation with information from the state in which she indicated that our county UDO is much more aggressive. Teresa indicated in the study that her department did that the average setback from property lines is 50 ft with the average from a structure being 200 ft. in the study from surrounding counties the average again is 50 ft from the property line and 200 ft from the structure. Noble County's is 50 ft from the property line and 300 from the structure. The presentation also indicated that in 2019 Noble County had almost 200000 acres of farm ground and in 2022 we were at 174000 acres. The probable cause of that is the sub-division of ground. George told the commissioners that if there were changes to the UDO in terms of set-backs that they would want a clear direction as to what the commissioners want to do, not just that want them changed or increased "point us in the direction you want to go".

Matt Getts asked Teresa about the "conflict of interest" indication of the last meeting. She indicated that she thought this was addressed by the plan commission attorney in the fact that the committee member could vote on the solar ordinance and changes but once a plan was submitted and that committee member had a financial interest in that plan – they must not engage or vote on that plan.

## HIGHWAY

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

- Utility Permit – Frontier Communications – duly entered
- Richard also had a driveway variance request - this was for the Tri Lakes Sewer and was 60 ft short on-site distance. Gary Timmerman moved to approve the variance. Anita Hess seconded and the motion carried 3-0.

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

- HMA 2024 -01 Asphalt - bid were received and opened at the last meeting and then were reviewed for accuracy by the highway department. Phend and Brown was the low bidder and Zack had found an error in calculation of the bidding. They submitted a corrected copy and that still remained the low bid. Zack is recommending that we accept the bid from Phend and Brown for the asphalt project. Anita Hess moved to approve. Gary Timmerman seconded and the motion carried 3-0.
- HMA 2024 CEMENT - there was only one bid received for this project and it was a few dollars over the engineering estimate of \$515,000.00 and the bid was for \$517,460.00. At that, it was a reasonable and acceptable bid and will be awarded to Pulver & Sons. Anita Hess made the motion to approve this bid as well. Gary Timmerman seconded and the motion carried 3-0.
- 400 N – Construction of the roadway is underway. There is an LPA voucher for this project in the amount of \$26,220.29 for construction engineering. Motion to approve the LPA Voucher came from Gary Timmerman and was seconded by Anita Hess. Motion carried 3-0.
- Bridge 136 – earth work continues with the move to the north side of the ditch. There are drainage issues on that side but is in the hands of the Surveyor.
- Ball Road – Zack reported that the CE Contract has been sent to INDOT for review.
- Bridge 69 – An LPA voucher for Right of Way service in the amount of \$469.80 is presented for approval. Motion to approve came from Gary Timmerman. Anita Hess seconded and the motion carried 3-0.
- Riley Road / Appleman Road – there is an LPA Voucher for this project for Preliminary Engineering in the amount of \$15,904.40. Motion to approve came from Gary Timmerman. Anita Hess seconded and the motion carried 3-0.
- CR Rd 100 N and 50 W – an LPA voucher has been received for this project in the amount of \$2,632.40. Gary Timmerman moved to approve with a second from Anita Hess, the motion carried 3-0.
- The LOI for Bridge 56 and Bridge 61 will be scored at the next meeting of the commissioners.

- Albion Road Excess parcels – Zack has prepared a bid sheet for these parcels. Motion to approve the advertisement of the bid sheet was made by Anita Hess and seconded by Gary Timmerman. Motion carried 3-0.
- East Miller Street in LaOtto – Zack had received an e-mail from Sannon Mark for Mr. Hillard concerning a vacation of the right of way. This was to verify what they needed to do to accomplish this vacation. Zack had no problems with the survey and paper that were sent. Jackie had spoken with Mr. Hillard as well about this vacation.

#### COURTHOUSE RENOVATION

Zack Smith, Project Manager, had the following update for the commissioners:

- PCO 39 – this is for the Annunciator cable between the generator and the elevator and the change was less expensive. This will add back to the contingency in the amount of \$3,969.05. Motion to approve came from Anita Hess and was seconded by Gary Timmerman. Motion carried 3-0.
- PCO 40 – this change was for Floor Boxes Removal at a cost of \$1,512.70 taken from contingency. Motion to approve the change came from Anita Hess. Gary Timmerman seconded and the motion carried 3-0.
- Zack reported that he had met with the department heads that will be located in the courthouse concerning furniture and equipment. He told the commissioners that the meeting went very well.
- The project is running on schedule and in some cases ahead of schedule.
- Minutes of the May 29 meeting with American StructurePoint and Weigand were provided.

#### GENERAL LIABILITY INSURANCE

Jarrold Ramer, Jona Slone and Lindsay Patterson from Black and Ramer Insurance were present to discuss the upcoming renewal. The law enforcement portion of the renewal had gone up considerably along with the liability on the construction of the courthouse remodel. Jarrold informed the group that Jona would be retiring at the end of the year and introduced Lindsay as her replacement. Jarrold had gone out to other agencies to try to lessen the cost. The best quote still came from Liberty and was still a large increase. Jarrold is proposing that we just renew for 6 months on the liability and then Jarrold will rebid in the fall. Hopefully by that time the courthouse will be near completion and that will no longer be an issue. Anita Hess moved to only renew the general liability insurance for the 6-month period. Gary Timmerman seconded the motion. Motion carried 3-0.

The workman's comp premium was up as well but is based on wages and claims. We will pay this for the year.

Jarrold also told the group that Liberty Mutual provides free appraisals of our buildings. Anita Hess moved to have the company provide this service. Gary Timmerman seconded and the motion carried 3-0.

#### NOBLE COUNTY PARK BOARD

Diann Scott, Noble County Park Board, was present to update the commissioners on the park board. This is a non-funded board that was originally set up for the receipt of ground and would work off of grant dollars to do what they needed done. Now they are asking for \$7,500.00 for funding of the 5-year master plan and want to establish a \$10,000.00 budget for 2025. She is also asking for changes to the ordinance so that they can apply for grants without council approval and they want to add an elected treasurer to the board. John Metzger, who is on the park board, joined Diann in this discussion. They were directed to the Health board with the coordination of health and outdoor living to see if there would be any funding in that area and they will be meeting with the Noble County Council at their July meeting.

#### RECESS

#### BACK IN SESSION

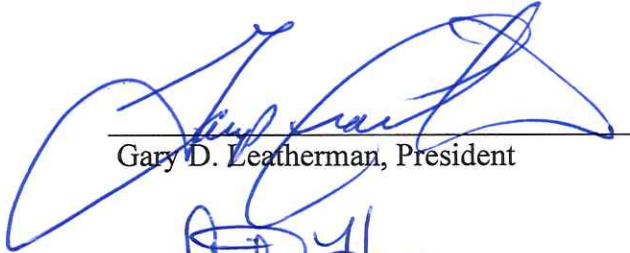
#### HANDBOOK

The Commissioners came back into session to discuss the handbook revision. Shelley Mawhorter joined the commissioners for this discussion. No final decisions were made to finalize the handbook at this time.

**ADJOURNMENT**

This session of the Board of Commissioners of Noble County was at approximately 3:10 recessed from day to day until June 24, 2024

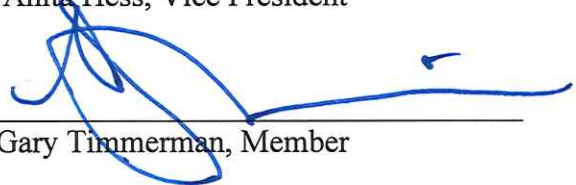
Dated this 24<sup>th</sup> day of June, 2024



Gary D. Leatherman, President



Anita Hess, Vice President



Gary Timmerman, Member

ATTESTED:   
Michelle Mawhorter, Auditor