

**MINUTES OF A REGULAR SESSION OF THE
BOARD OF COMMISSIONERS HELD August 26, 2024**

Comes now the hour of 8:30 am. on the 12th day of August, 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:

Shelley Mawhorter, County Auditor
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.

CORRESPONDENCE

Prime Care Ag LLC; submitted a confined feeding for swine. Swine nursery building for 3,000 pigs.

Indiana Child Support Bureau audit of the 2023. For all county IVD funds.

MINUTES

August 12th, 2024. Anita made a motion to approve with correction, Gary Timmerman makes second. Motion carries

CLAIMS

Claims paid for August 26th, 2024 Gary Timmerman made the motion to approve the total of \$660,478.37, Anita seconds, motion carries.

PAYROLL

Payroll with check date of August 22, 2024 Gary Timmerman makes motion to approve payroll of \$477,136.20, Anita seconds, motion carries.

OLD BUSINESS

An appraisal received from Kyle Bolyard on the 10.56 acres Southwest corner of the property located at N of 125 E, this includes 10A. We are waiting on an appraisal from Ginger Forbes (she is working on it). The appraisal from Mr. Bolyard states the value to be \$7,000 an acre with a total value of \$73,920.

Denny suggests that this goes before the next council meeting since they have to approved and make sure you clarify the correct number of acres.

The Health Department amendment to change the dollar amount they may purchase without prior approval from the Commissioners. The Health Department can spend up to \$5,000 without Commissioner approval. Gary Timmerman makes a motion to amend the purchase agreement for them to spend up to \$5,000 without Commissioner approval, Anita seconds, motion carries.

Certified letter was sent to Mr. Dave Smith he signed for it on August 22, 2024. No one has heard from Mr. Smith since then.

The new handbook was discussed and it was made clear that there were some changes made per Denny and the IT Department. Anita makes a motion to adopt the handbook as with the latest corrections to make this effective September 1, 2024, Gary Timmerman makes the second and the handbook adoption passes unanimously.

NEW BUSINESS

A letter (via email) was received from Linda Gray in reference to conflict of interest on the Plan Commission Board. Gary Timmerman would like the Plan Commission to address this as to whether the Plan Commission has an issue with this. Gary T had asked Theresa to respond to the question as to whether there is a conflict. Anita states that Theresa did ask the Plan Commission Attorney (Everett Newman) and he stated when there is conflict with a member that member does not vote. Gary T would like a response in writing in what the Plan Commission's stance is on this issue. Anita states that this was on record from a meeting. Denny feels that the minutes from that meeting should be supplied to the Commissioners. Denny states that this should be part of the minutes and if they do not satisfy the Commissioners, we will go to the Plan Commission attorney. Gary T makes a motion to ask the Plan Commissions administrator for a written response as to whether this claim is true or false this would be in form of the meeting minutes at this time, Anita seconds, motion carries.

HIGHWAY

Rob Hull
Richard Rogers

Richard has one driveway permit on 400 W S of North County Line. Freeman Layman is the owner of this property. They are putting up a barn and want road access from the barn, drainage & site distance is good.

Permit #082-24 Gary Timmerman makes a motion to approve, Anita seconds, motion carries.

2024 HMA-01 they started early this morning at SR 5 to 1200 W if they finish there, they will move to Northport Rd than to N CR to Sr 9 and then finish on 1000 E.

2024-CN-01 Richard met with Pulver's reference the concrete at Baby Mountain, there is some hold up with NIPSCO but that is getting worked out. Richard met with a neighbor with special needs they will be taking care of that also. This project is about a month out from starting

Zach brings up equipment purchases. Zach has a quote on tires from McMahon's Best One Tires and Auto care for \$13,619.64 this is for tires for the highway. Gary Timmerman makes a motion to accept the quote from McMan Tire, Anita seconds, motion carries.

Zach brings up purchasing a new truck, he would like to commit to a new truck as there are lots of changes coming in the next model. 3 quotes were received for a Western Star. Lowest quote is from Stoops Freightliner. Gary Timmerman asks about just purchasing vs quotes. Zach states this does not meet the threshold of requiring a bid. Gary T makes a motion that we approve the purchase of a Western Star from Stoops in New Haven for the quote of \$158,400.00 than take the quote from WA Jones for \$171,928.00 for outfitting the truck.

Contract #062222-AEB

Zach goes over LPA voucher #230206-12 for \$3,665.55 Gary Timmerman makes motion, Anita seconds, motion carries

CR 400N/Bridge 136 LPA voucher #22306-06 for \$24,191.51 Gary Timmerman makes the motion, Anita seconds, motion carries.

LPA voucher for Bridge 44 #23307-09 for \$9,779.95 Gary Timmerman makes the motion to approve, Anita seconds, motion carries.

Bridge 69 voucher #920603 in the amount of \$574.20 Gary T makes the motion, Anita seconds, motion carries.

Old State Rd 3 voucher #21639 \$6521.00 Gary t makes the motion Anita seconds, motion carries

Bridge #59 Claim # Anita makes a motion to approve the contract for Bridget replacement #59 on 1100 W over the Elkhart River, Gary Timmerman seconds, motion carries.

Riley Road and Appleton Road intersection LPA voucher #179313 in the amount of \$11,755.50 Gary Timmerman makes the motion, Anita seconds, motion carries.

CR 100 N & CR 50W (this is a 2029 construction project). Gary Timmerman makes the motion to approve LPA #177194 \$9,212.60 Anita seconds, motion carries.

Also (to go with 100 N & 50 W) Gary Timmerman makes a motion LPA #179425 for \$22,201.00 Anita seconds, motion carries.

Bridge #61 LPA #2301264 Anita makes the motion, Gary Timmerman seconds, motion carries. This is a Consulting Contract.

Ball Road, not updates 100% construction reimbursement

Bridge #134 looking to do some local drainage options putting new tiles in.

Bridge #56 Consulting Contract with United #2301628, Anita makes the motion, Gary Timmerman seconds, motion carries.

CR 50E Zach states we received the title work and we are now waiting on Scott Zeigler.

We are now working on the Albion Road parcels. We have a technical issue with Beacon. Nick Busche has shown some interest in one parcel but not both. It appears to be a clear title. We would have to get an appraisal and do public notice. Suggestion is to get one appraisal. Anita will take care of getting that.

No bridge projects are ready for federal aid in the next cycle of Federal Aid grants. Zach has talked to United about bridge inspection

Bridge #75 looking forward River Road SW of town. Gary Timmerman makes a motion RQAW for preliminary not to exceed \$6500.00

Bridge #67 over the Elkhart River at 450W USI has supplied preliminary engineering services not to exceed \$10,000. Gary T makes a motion, Anita seconds motion carries.

COURTHOUSE RENOVATION

Jason has been looking for leaks. Jason has found 2 of the main leaks. One is on the east side turret and the other is on the SW. These leaks have been addressed.

OAC meeting #15 full scope of everything going on. Things are moving along.

3rd floor restrooms will be getting tile in the next couple of weeks.

Jason did repave some sidewalks. It was not draining as he wanted.

1 PCO #57 the amount came to \$16,552.01, no change order required as it was less than originally thought, this was for the downspouts. Anita makes a motion, Gary Timmerman seconds, motion carries. This comes out of the contingency

Denny asked how much contingency is left \$124,864.30 per Zach, that can change at any time.

HIGHWAY EMPLOYEE CONCERN

Todd Fortman
Tom Collins
Jeff Cunningham
Kevin Crick
Rob Hull
Phil Puckett

Todd began by talking about the comp time and flex time. What they are here for is the physically worked time. They would like the vacation days and the personal days to go toward the physically worked hours. Gary Leatherman states that the handbook has always said that you must physically work but had never been enforced.

Todd states it has always been this way for the last 9 years and they have always been paid at time and ½.

Todd would like to know if new hires could try to get at least 5 days' vacation so that people will have some time when they start.

Phil Puckett would really like us to consider the vacation be put toward physically worked time.

Gary L. mentions that our handbook has said since 2015 that you must physically work 40 hours.

Zach states that we are talking about things for 20 departments and nothing is ever going to be one size fits all.

Tom Collins took ½ on Friday and it made him take a lunch. Shelley states that can be adjusted if the department head oks it.

Todd brings up the operators getting a raise. Todd feels that we were all lied to about this.

Zach feels that this is a huge miscommunication. We got rid of the camp crew and trying to figure out how to maintain the right of way within the staffing that we have and with the people working this has been an adjustment.

Jeff wants to know why was this not just talked about instead of shoving it under the rug. It was mentioned that the operators were asked not to talk about it with others.

Zach states that it was not meant to be a secret.

Jeff also wants to know why we promoted someone at the highway when the position was never advertised. Zach stated all position are advertised. Most of the guys stated this one was not. Zach stated he would need to speak to Randy about it since this was his department.

Todd thanked the Commissioners for listening and they just want to keep things open and above board.

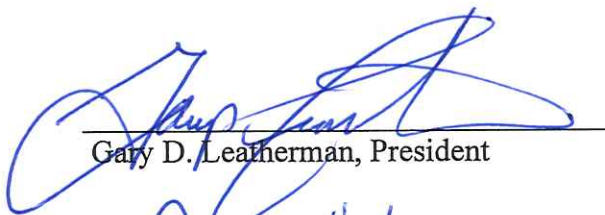
SURVEYOR WAIVER

Randy Sexton is here to ask for a waiver for his new employee for the 10% less start pay. He has hired Matt Adair; he comes from the RV industry. He will oversee the small repairs and tile. Gary Leatherman asked if he has the skill set to just come in and do this. Randy stated yes, he hit the ground running. Anita made a motion to make this effective 8/23/24 doing away with the 10% less, Gary Timmerman seconds, the motion carries.

ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 11:02 am recessed from day to day until September 9, 2024

Dated this 9th day of Sept., 2024




Gary D. Leatherman, President



Anita Hess, Vice President



Gary Timmerman, Member

ATTESTED: 

Michelle Mawhorter, Auditor