

**MINUTES OF A REGULAR SESSION OF THE
BOARD OF COMMISSIONERS HELD Tuesday May 27,
2025**

Comes now the hour of 8:30 am. on the 27th day of May , 2025 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
Zack Smith, Highway Engineer
Dennis Graft, Noble County Attorney
Matt Getts, KPC Media

Gary Leatherman, Commissioner President, called the meeting to order at approximately 8:30am.

PTABOA

Ben Castle, Noble County Assessor, is present to request that Trey Forbes be reappointed for a one-year term to the PTABOA board. Trey is a licensed appraiser and has been a real asset to the board according to Ben. Gary Timmerman moved to approve Trey Forbes to serve the board for the calendar year of 2025. Anita Hess seconded and the motion carried 3-0.

NOBLE COUNTY JAIL

Max Weber, Noble County Sheriff, is coming before the commissioners requesting that the maintenance agreement with A Hattersley be signed. This is for boiler inspections for the Hot Water Boilers as required by the state. Gary Timmerman moved to sign the 3-year contract with cost of \$14,155.00 for 2025, \$15,570.00 for 2026 and \$17,127.00 for 2027. Anita Hess seconded and the motion carried 3-0.

CORRESPONDENCE

A&Z Engineering – Newsletter
Indiana Opioid Newsletter

MINUTES

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

Minutes of the executive session held May 12, 2025 were read and approved as written with a motion from Anita Hess and a second from Gary Timmerman. Motion carried 3-0.

Minutes of the executive session held May 22, 2025 were read and approve as corrected. Anita Hess made the motion. Gary Leatherman seconded and the motion carries 2-0. Gary Timmerman was not in attendance at this meeting.

CLAIMS

Claims dated May 27th 2025 were reviewed by the commissioners. The 13-page report totaled \$1,035,856.77 and was approved with a motion from Gary Timmerman. Anita Hess seconded and the motion carried 3-0.

PAYROLL

Payroll dated 05/9/2025 was also approved as presented. Anita Hess made the motion. Gary Timmerman seconded and the motion carried 3-0.

OLD BUSINESS

- Findings and orders were signed as approved at the May 12, 2025 meeting for Derek Barth.
- Gary Leatherman will be taking care of the parking permit stickers for county employees.

- Horse Drawn Buggy plates -- Changes will be made to the ordinance as requested by the SBOA and also Zack is wanting to propose changes to the cost of the plates. Zack will draw up a new draft ordinance for review.
- Handbook – The changes requested by Auditor Shelley Mawhorter at a previous meeting concerning flex time and meal expenses were edited in the handbook by New Focus the company that compiled our handbook. After commissioner's review, the amendments to the handbook were approved with a motion from Anita Hess and a second from Gary Timmerman. Motion carried 3-0. The handbook will be distributed to employees electronically on May 28, 2025.

NEW BUSINESS

- The commissioners signed the title for the 2016 Dodge charger being retired by the sheriff's department. This will go in the next auction cycle. Anita Hess moved to sign the title with the last four VIN # of 8468. Gary Timmerman seconded and the motion carried 3-0.
- Chain O'Lakes festival committee is requesting permission to use the courthouse square as well as the plaza area at the new annex building for the upcoming festival to be held June 4 – 7. Anita Hess moved to approve the request with the restrictions of no stakes in the lawn area and tarping being laid down in the plaza area if using grills etc. Gary Timmerman seconded the motion. Motion carried 3-0.
- Bear High Wolf Lake Board appointment- Anita Hess moved to appoint Mary McGee to the Bear High Wolf Lake regional sewer district board for a 4-year term. Gary Timmerman seconded and the motion carried 3-0.
- 911 Director – Gary Leatherman announced that after careful consideration and the interviews of 3 good candidates for the 911 director position by a board of 7 individuals, a decision has been reached. Anita Hess moved to appoint Jay Cheshier to become the next 911 director for Noble County Dispatch. Anita told the group that Jay has a lot of dispatching experience and came with high recommendation from a group of people. He has supervisory experience as well. Gary Leatherman seconded the motion and the motion carried 2-0. Gary Timmerman was not in attendance at the interview session and did not vote. Letters were e-mailed to the other two applicants today.
- Innovative Control Systems has provided a service proposal for the heating and cooling system at the Noble County Courthouse. The cost is \$2,196.00. Anita Hess moved to approve the proposal. Gary Timmerman seconded and the motion carried 3-0. A copy was given to Glenn Ryan to provide a copy to the company.

HIGHWAY

Richard Rogers was present with two driveway variances.

- Harley Bontrager on Northport Road is requesting a variance for a second drive that he is putting on his property. Richard reported that this is 100 ft short of sight distance. Richard is not thinking that additional signage is needed because of the curve and traffic is slowed for that reason but has requested that the owner make some improvement to the location for more visibility. He also indicated that this is the best possible location for the drive. Gary Timmerman then moved to approve the variance. Anita Hess seconded and the motion carried 3-0.
- The second driveway variance request was from Paul Gingerich on 350 N. This is short of sight distance but is at the end of a dead-end road. Gary Timmerman moved to approve the variance. Anita Hess seconded and the motion carried 3-0.

Zack Smith, Highway Engineer, has the following engineering business for the commissioners:

- Storm Damage – Zack has the estimate from the recent storm damage from Liberty Mutual. The replacement amount came in at \$522,324.42
\$ 65,026.53 minus recoverable depreciation
\$100,000.00 minus county deductible wind
Leaving a payment of \$357,297.89 of which \$100,000.00 has already been received. Zack is currently having the estimate reviewed by a 3rd party company to make sure that all looks correct. Zack also indicated that this estimate had no accounting for the temporary repairs made and the in-house labor that was done to get the department up and running after the storm.
- Zack has 3 quotes for a new Western Star dump truck, one from Stoops New Haven coming in at \$161,400.00, one from Stoops Fremont at \$162,205.00 and one from Stoops Indianapolis at \$163,111.00. The quote for the build out and dump came in at \$178,230.02. Zack is recommending going with the lowest bid from Stoops New Haven

at \$161,400.00. Gary Timmerman moved to approve the purchase of the 2026 Western Star truck with the lowest bid of \$161,400.00 from Stoops New Haven along with the WA Jones build out of \$178,230.02 making the total purchase \$339,630.02. Anita Hess seconded the motion. Motion carried 3-0.

- Culvert on 500 S – Working with the annual bids received for culvert replacement, CivilCon will be replacing this culvert/bridge. The quote is at \$99,450.00 and will be done in late fall. Gary Timmerman moved to approve the quote from CivilCon. Anita Hess seconded and the motion carried 3-0
- Road Rehabilitation and Maintenance plan- Zack reviewed the 5-year plan with the commissioners, reporting that just over 100 miles of work will be done this construction season. After review, Gary Timmerman moved to approve the 5-year road rehabilitation and maintenance plan. Anita Hess seconded and the motion carried 3-0.
- CCMG – Zack reported that both purchase agreements have been set up for the 2025 projects. As for the 2024 CCMG – CN 01 project that is on-going in Brookside Estates. Zack also has a change order for the concrete work on Edgewood in the amount of \$60,000.00. Gary Timmerman moved to approve the change order. Anita Hess seconded and the motion carried 3-0.
- Bridge 136 – There is an LPA voucher for this project for Construction Engineering in the amount of \$392.59. Motion to approve the LPA voucher came from Gary Timmerman with a second coming from Anita Hess. Motion carried 3-0.
- Bridge 44 – this is also for Construction Engineering, an LPA voucher in the amount of \$235.53. This is approved with a motion from Gary Timmerman and a second from Anita Hess. Motion carried 3-0.
- Ball Road – Zack reported that work should begin June 3 on this project
- Bridge 134 – Right of way work continues with 3 parcels left to secure.
- Old State Road 3 – this is set for a July letting.
- Riley road – Zack reported that because of an historical parcel this has changed somewhat. All right of way should be complete and this contract will be done locally.
- Bridge 61 – the LPA voucher for this project is for preliminary engineering in the amount of \$16,144.00. Motion to approve came from Gary Timmerman. Anita Hess seconded and the motion carried 3-0.
- A public hearing was held for the ordinance changing the speed of traffic from 55 MPH to 50 MPH on old state road 3. This will be effective as soon as signs are posted. There was no opposition to the MPH change and therefore the ordinance was adopted with a motion from Gary Timmerman. Anita Hess seconded and the motion carries 3-0.
- Traffic Investigation - Zack has done a traffic investigation in the area of 800 E and 200 N. A copy of the report is given to the commissioners. Zack is recommending that the current yield sign at 200 N be replaced by a stop sign. With the commissioners in agreement, Zack will draft an ordinance for review.

COURTHOUSE RENOVATION

Zack Smith, Project Manager, is reporting that wall hangings are about the only thing left to do to complete the project.

Zack also has a quote for signage (employee parking Monday – Friday 8:00 am – 4:00 PM) from Michael Todd Industrial Supply in the amount of \$406.86 for 12 signs. Anita Hess moved to approve the purchase of signs. Gary Timmerman seconded and the motion carried 3-0.

UNSAFE HOUSING

Mike Klopfenstein, Building Inspector, was present to report on the Property Max site. Mike reported that the site is in compliance now and that the case should be dismissed. Anita Hess moved to dismiss the unsafe house case against Property Max. Gary Timmerman seconded and motion carried 3-0 Findings and orders were signed as approved at the previous meeting.

HEALTH DEPARTMENT

Carrie Ryan, Health Nurse, is present to answer any questions concerning the new fee ordinance for TB Skin tests. This ordinance will increase the cost to \$30.00 for the 2-phase test. Being no objection to the increase in fees the ordinance was adopted with a motion from Anita Hess and a second from Gary Timmerman. Motion carried 3-0.

Carrie also informed the commissioners that July 10 would be Melayna's last day here at the county. They have advertised for a replacement and have found a good candidate for her

replacement. Amy Johnson is the candidate and according to Carrie has a lot of experience in this field. Carrie is also asking that the 10% reduction in pay be waived due to her experience. Anita Hess moved to approve the hiring of Amy Johnson and waive the 10% reduction in pay. Gary Timmerman seconded and the motion carried 3-0.

Isaac Mansfield, Environmentalist, was present to answer questions about the pool and spa ordinance. Gary Timmerman had several questions about the need for the ordinance including if the county had any reports of non-compliance with the hotel pools or the YMCA. Isaac has only been with the county a short time and was not aware of any issues. He indicated that there were 4 pools in the county and 3 splash pads. Isaac also advised the commissioners that there are a lot of state guidelines that need to be followed. Anita Hess moved to approve the Pool ordinance with the striking of "bed and breakfast or similar lodgings" under Semi-public pool. Gary Leatherman seconded. The motion carried 2-1 with Gary Timmerman citing he did not see the need for an ordinance of this type.

Melayna Gingerich, HFI Coordinator, shared the HFI monthly update and asked the commissioners if quarterly updates would be sufficient for them. A monthly update would come each month with someone presenting quarterly reports.

REZONING

Jeff and Jan Cunningham are requesting that 92.63 acres in Elkhart Township be zoned from A1 to H1. The Cunninghams are planning to lease this ground to Pulver's for gravel and sand mining. There were several questions about the truck traffic, what the land would be used for after the mining was complete, dust control etc. Teresa Tackett reported that there were some questions received for the plan commissioner meeting concerning this request, but most were answered to their satisfaction. Anita Hess reported that she had visited the sight and indicated that this is a perfect use for this land. She also told that group that during the plan commission meeting it was established that the mining or maybe evidentially residential use. There would be no solar or other use of this land. Mr. Cunningham was in attendance and told the group that it was hard to say at this time but the possibility of residential home site might come in the future but at this time the only use would be the gravel and sand mining. Randy Mull was present and asked about restoration plan – again this is leased land and would be up to the owner to establish a plan for the future. Mr. Cunningham indicated that the property was bordered on 3 sides by DNR programs and envisioned this being an option for the DNR in the future. One other issue was the truck traffic. Mr. Pulver addressed this issue stating private signs would be put up on the property indicating that trucks were to go north to US 6 for departures. And that a chip seal or asphalt would be put down to improve the roadway and help with dust control. It was then discussed that the county would do an ordinance stating no truck traffic going south and then signs erected for enforcement. Having addressed all the issues brought up during the public meeting, Anita Hess moved to approve the rezoning. Gary Timmerman seconded and the motion carried 3-0.

REZONING

Another rezoning was on the agenda for Becky J McClure and Burton L Juif. They are requesting that 10 acres be rezoned from A1 to RE. Scott Ziegler of Hand to Plow surveying was present representing the family. Teresa Tackett reported no opposition from the plan commission meeting and that the board was giving a favorable recommendation. There was no one present at this public hearing to oppose the rezoning. Gary Timmerman moved to approve the rezoning. Anita Hess seconded and the motion carries 3-0.

WEST LAKES CONSERVANCY

Dan Lash along with Randy Mull, Vice President and Jean Thomas, President were present to ask for start up funding for the West Lakes Conservancy. Dan Lash read a statement to the commissioners telling of all that has been done in the area to mitigate flooding. Jean Thomas indicated that their membership is declining with the selling of many properties in the area and that the funding for weed control and log removal is being done by fewer and fewer people each year. The group was asked about grant and other attempts to seek funding such as the Maumee River Basin and Mr. Lash indicated that they had talked to this group in the past. Gary Leatherman spoke on behalf of the commissioners and said that while the commissioners were sympathetic to the needs and the purpose of the group, the county is dealing with its own issues when it comes to budgeting. New bills that affect property taxes could put a restraint on spending for the county. Gary told the group that there is a possibility of having a better handle on finances after the August budget hearings.

ADA and TITLE VI

With additional requirements for both the ADA Transition Plan and the Title VI implementation Plan through the federal and state agencies, and the fact that federal dollars are based on a lot of these requirements, Zack has asked for assistance in amending these plans. Mitch Hansel from USI has been assisting with this project and is present to answer any questions about the two plans. Resolutions were provided to the commissioners to review. Dennis Graft had some revisions to the documents and with that information, Anita Hess moved to advertise to two resolutions prior to adoption pending changes done as requested by the attorney. Gary Timmerman seconded and the motion carried 3-0.

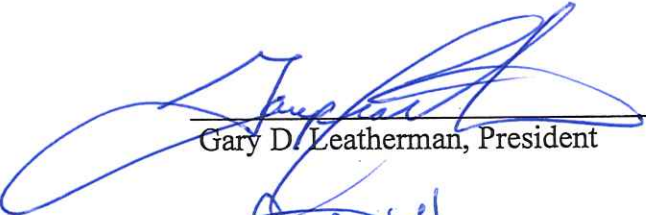
GENERAL LIABILITY INSURANCE

Jarrod Ramer of Black and Ramer Insurance, had met with the commissioners at the May 12, 2025 meeting and discussed to two quotes that he had received for the county's general liability insurance. There were some questions asked and Jarrod has responded to those questions via e-mail. With that information available and the commissioners, county attorney and Zack reviewing that information, the commissioners voted to go with Travelers for the upcoming 2025 / 2026 year for insurance. The commissioners elected to continue the \$100,000.00 deductible for wind damage for some savings. Gary Timmerman moved to insure with Travelers for the upcoming June 2025 through May 2026 period. Anita Hess seconded and the motion carried 3-0.

ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 11:45 am recessed from day to day until Jun 9, 2025

Dated this 9th day of June, 2025



Gary D. Leatherman, President

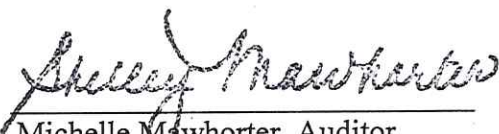


Anita Hess, Vice President



Gary Timmerman Member

ATTESTED:



Michelle Mawhorter, Auditor