

**MINUTES OF A REGULAR SESSION OF THE  
BOARD OF COMMISSIONERS HELD October 9, 2018**

Comes now the hour of 8:30 A.M. on the 9<sup>th</sup> day of October, 2018, in the Commissioners Court in the Noble County Courthouse, 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 Member  
Dave Dolezal, Vice President

Also present were:

Jacqueline L Knafel, County Coordinator  
Dennis Graft, Noble County Attorney  
Steve Garbacz KPC Media  
Zack Smith, Highway Engineer  
Richard Rogers, Highway Superintendent  
Matt Meerson, SJRBC  
Dan Lash  
Cherish Smith, Director Council on Aging  
Jennifer Bippus, Rep for Lexur

Gary Leatherman, President Board of Commissioners brought the meeting to order at approximately 9:10AM immediately following the executive session.

**HIGHWAY**

Zack Smith, Highway Engineer, conducted the bid opening for Bridge 77. Two bids were received – one from Pioneer Associates in the amount of \$759,331.14 and the other from Primco, Inc in the amount of \$691,901.11. Dave Dolezal made a motion to accept both bids and allow Zack the time to review both bids for accuracy of the requested job. Anita Hess seconded the motion. There was concern about the bid being considerably higher than the engineers estimate. Zack explained the complexity of the project.

Richard Rogers, Highway Superintendent, was present with the following construction update:

- Utility permits for QC Communications, NIPSCO, and Frontier Communications.
- Driveway variances were requested by Harold Hill on 400 S for a 2<sup>nd</sup> drive. Motion to approve the variance came from Anita Hess and was seconded by Dave Dolezal. Motion carried 3-0.
- All trees have been removed for the sidewalk project in LaOtto for the ADA compliance projects.
- Richard also reported that all construction for the season wrapped up last Monday.
- Pulver's continue their contracted HMA work in the sub-divisions.
- Richard reported that trucks are ready and the barn is full of salt for the upcoming winter months. He indicated that the department would be increasing the volume of salt in the salt/sand mix to try and limit the amount of sand left on the roadways.

Zack Smith, Highway Engineer, gave the commissioners the following update for the engineering part of the business:

- LPA Call for Projects opened today and he will be submitting Bridge 134 for this project.
- Community Crossing – closed on the 28<sup>th</sup> of September and Zack is hoping to be notified with the month as to whether or not we receive the money.
- Bridge 147 – LPA Project is under construction and is expected to be complete sometime in November
- Bridge 136 – LPA Project is still in the design phase and is on schedule for a 2022 completion.
- Baseline Road /600 E LPA Project – the contract has now been approved and this project is ahead of schedule.
- 400 N – Zack is still waiting on the contract approval from INDOT.
- Bridge 77 – this bridge is a complicated project and bids were opened today for the build.
- Bridge 55 – Right of way acquisition is underway for this project.

- Culvert replacement at Loon Lake - The department is dewatering today and has all permits in place to complete the project.
- The fuel tanks for the fueling station project are on back order which is delaying this project.
- 325 E or Bayview Dr – the department is working on right of way acquisition which began last week.
- 600 N repair has been added to the Pulver's HMA projects. Zack indicated that we should be receiving a check for \$60,000.00 from the state before too long.
- Zack presented the commissioners with a draft ordinance for review for the speed study that was recently done. Motion to advertise the ordinance was made by Dave Dolezal and was seconded by Anita Hess. Motion carried 3-0.
- Zack also presented a speed study for 750 W (Rochester Rd). The study indicated speeding in both directions but more so in the northbound lane. Zack is recommending additional signage and possible increased law enforcement during the time periods that the study indicated increased speeds.
- Zack discussed again the easement around Diamond Lake. The department is awaiting information from the Surveyors office. The boring in the area will cost around \$16,750.00. Dave Dolezal moved to approve the boring cost once the information from the surveyor has been received. Anita Hess seconded the motion. Motion carried 3-0.
- Zack reported that the market has been flooded with dump truck requests and any orders made now will come in 2020. With that, Zack is suggesting ordering 2 trucks for the 2020 delivery date. Zack had letters from both Stroops for the truck and WVA Jones for the beds that would lock in the 2018 prices. Zack indicated that the normal rate of inflation would have been around 2% so this would be a cost savings to order now. Motion to order the 2 trucks for 2020 came from Anita Hess and was seconded by Dave Dolezal. Motion carried 3-0.
- Zack is also wanting to purchase some pickups for the fleet and would like to post now for quotes. He would request 3 bids for 3 -1 tons pickups and 1 ½ ton pickup. Bids should be available at the November meeting.
- Zack also reported that the trucks are gearing up for the winter season and there are 4 tandems and 2 single axle trucks ready to go for back up if one of the trucks should go down.

#### ST JOSEPH RIVER BASIN

Dan Lash, pro tem board member and Matt Meerson from the SJRB were in attendance to discuss the next steps for the commissioners. According to Dan Lash, HB 1089 has now added flood control to the list of responsibilities for the River Basin Commission and he discussed how he thought the commissioners should proceed in the matter of flooding in the west lakes area. Matt Meerson, Director of the River Basin, confirmed that flood control has been added to their agenda however the state did not provide any funding for flood control. Matt commended Noble County to being one of the first counties to increase the funding to the river basin commission and reported that all but one county has increased the funding. Matt added that the Waldron Lake gage is back on line and having two gages will help know what is needed to better control the flooding. He also added that he would like to begin with adding even more gages in areas that would help to monitor the flow. The commissioners asked Mr. Lash if any more work had been down in his area to start a conservancy. He indicated that work is continuing but doesn't know when that might happen. Matt was hopeful that the state would eventually help fund this new added responsibility with the commission, but until then the commission is under the same budget restraints that many of us are in. He also indicated that he is working closely with some of the other counties with their drainage assessments where they are charging based on soil conditions and types rather than on the number of acres in the watershed.

#### COUNCIL ON AGING

Cherish Smith, Director for the Council on Aging, was present for her quarterly report. Motion to sign the report came from Anita Hess and was seconded by Dave Dolezal. Motion carried 3-0.

#### TAX SALE –

Stephanie Leonhardt, Auditor Deputy, was present to talk to the commissioners about a piece of property that was taken by the commissioners with the intention of deeding it over to an adjoining property owner. The owner need came in to transfer the deed and has now sold his property. The new owner of the property John Zierden is interested in obtaining the property. Dave Dolezal

made a motion to allow the county attorney to now prepare a deed to John Ziertzen for the property located at a lake in Noble County. Anita Hess seconded the motion. Motion carried 3-0.

#### NEW CONSTRUCTION CONTRACT

Kim Carson, Noble County Assessor, had talked to the commissioners at an earlier meeting about contracting with a company to finish up the new construction by the end of this year. This contract would expire 12/31/18. The commissioners asked that she get some quotes and come back to them for the contract. Kim was unavailable today but had sent 2 quotes and a contract to Dennis Graft, County Attorney. Jennifer Bippus, a representative from Lexur, which was one of the companies quoting for the job was also present. There were many questions that arose about the contract and the commissioners decided to table the contract until Kim could be in attendance. Motion to table came from Dave Dolezal with a second coming from Anita Hess. Motion carried 3-0.

#### CORRESPONDENCE

- Clerk's report for the month of September. – duly entered
- Courthouse security report for the month of September – duly entered
- Haines leachate disposal report – duly entered
- IDEM- Notice and preliminary findings for Carlex Glass
- Town of Albion – billing for leachate disposal
- IDEM – LSC Communication Inc
- Lawson Fisher Associates – correspondence for a small structure pipe lining project on State Road 9

#### MINUTES

Minutes of the September 24, 2018 meeting were read and approved as written with a motion from Dave Dolezal. Anita Hess seconded the motion. Motion carried 3-0.

#### PAYROLL

Payroll for the period of 09/14/18 – 09-27-18 and dated October 11, 2018 was reviewed. Overtime was questioned on some of the dispatchers pays but was due to the Spillman training that is currently going on and the need for coverage in the dispatch room. The report contained 6 pages and totaled \$382,895.93. Motion to approve the payroll came from Dave Dolezal. Anita Hess seconded the motion. Motion carried 3-0.

#### RECESS

#### BACK IN SESSION

#### HIGHWAY

Zack came back into the afternoon session to let the commissioners know that he had reviewed all bids for Bridge 77 and is now recommending Primco as the lowest bidder be awarded the project. The bid at \$691,901.11 was considerably higher than the engineering estimate but due to the complications of the project is not unreasonable. Dave Dolezal moved to aware the bridge 77 project to Primco. Anita Hess seconded the motion. Motion carried 3-0.

#### NEW CONSTRUCTION CONTRACT

Kim Carson called in to the meeting with the commissioners to answer questions about the contract in order to get the contract signed and begin the process for assessment of new construction. With the information she provided, Dennis was able to complete the contract and the motion made on September 24, 2018 of allowing up to \$10,000.00 to be spent to hire an outside vendor to do the assessing was amended by Dave Dolezal to allow up to \$10,500.00 to be spent to hire the Lexur to do the new construction assessing from now through December 31, 2018. Anita Hess seconded the motion. Motion carried 3-0. The signed contract was sent down to the assessor's office for the Assessor's signature on October 10, 2018.

#### TMA CONTRACT

The commissioners had discussed the issue of the Tax Management Contract that was entered into back in 2015. The commissioners decided earlier in the process that the contract would run the entirety of the 3-year contract and then they would terminate. With the end of the contract being

12/31/2018, a letter was prepared by the county attorney for termination of the contract. After reviewing the letter, Anita Hess moved to sign the termination letter. Dave Dolezal seconded the motion. Motion carried 3-0. The original letter was mailed certified mail to TMA 10/10/18. A copy of the letter was put in the contract file, a copy was sent to the Noble County Assessor and a copy will remain in this commissioners file.

**EMPLOYEE SHORT TERM DISABILITY**

An employee had appealed the decision to not grant short term disability to him by the payroll department because of never receiving a request and never providing a doctor's slip to the payroll department to even begin the process. After hearing the employee's reporting, Dave Dolezal made a motion to deny the short-term disability citing the lack of medical information yet to be provided from an accident in August of this year. Anita Hess seconded the motion. Motion carried 3-0.

**CLAIMS**

- Utility claims -- this report contained 2 pages and totaled \$147,381.57
- Regular claims -- this report contained 10 pages and totaled \$307,807.67
- Misc. claims - The misc. reporting of claims contained one page and totaled \$60,445.12

All sets of claims were reviewed and discussed and approved with a motion from Dave Dolezal and a second from Anita Hess. Motion carried 3-0

**ROOFING PROJECT**


After a few months of visits to the courthouse and identifying the leaks in the roofing, Leatherman Construction submitted a proposal for the repair costs. The amount of \$88,500.00 was the quote. Anita Hess moved to have Leatherman Construction proceed with the necessary repairs. Dave Dolezal seconded the motion. Motion carried 3-0. A copy of the signed proposal went to Leatherman Construction and a copy was given to Tim Lock as well.

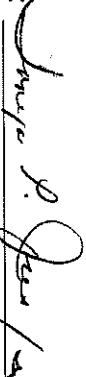
**ADJOURNMENT**

This session of the Board of Commissioners of Noble County was at approximately 3:10PM recessed from day to day until October 22, 2018.

  
Gary B. Leatherman, President

  
David J. Dolezal, Vice President

  
David Abbott, Member  
Anita Hess,

ATTESTED:   
Tonya L. Marks, Auditor  
TLM:s