

**MINUTES OF A REGULAR SESSION OF THE
BOARD OF COMMISSIONERS HELD April 22, 2019**

Comes now the hour of 8:30am. on the 22nd day of April 2019, in the Commissioners Room 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, Vice President
Justin Stump, Member

Also, present were:

Jacqueline L Knafel, County Coordinator
Dennis Graft, Noble County Attorney
Matt Getts, KPC Media
Max Weber, Noble County Sheriff
Richard Rogers, Highway Superintendent
Zack Smith, Highway Engineer
Norm Lortie, Building Inspector
Judge Kirsch
Judge Kramer
Shelley Mawhorter
Jim Mowery
Jim Abbs
Stacey Beam
Danyel Wagner
Steve Kromkowski DLZ

Gary Leatherman called the meeting to order at approximately 8:30AM.

CORRESPONDENCE

- Courthouse Security monthly report for March – duly entered
- Treasurers Monthly report – duly entered
- Public Health Emergency Preparedness Grant Annual report – duly entered
- Purdue Extension newsletter.

MINUTES

Minutes of the previous meeting were read and approved with a motion from Anita Hess and was seconded by Justin Stump. Motion carried 3-0.

CLAIMS

The regular claims were reviewed and discussed. The claims report contained 11pages and totaled \$394,317.87. Claims were approved with a motion from Anita Hess and a second from Justin Stump. Motion carried 3-0.

CREDIT CARD CLAIMS

A report of 2 pages for credit card purchases from December 10, 2018 through April 10, 2019 were also reviewed by the commissioners. Justin Stump moved to approve the claims with a second coming from Anita Hess. Motion carried 3-0.

TITLES SIGNED

- A title was signed for a 1990 International Armored truck being sold to Montgomery County Sheriff's department with a motion from Justin Stump. Anita Hess seconded the motion. Motion carried 3-0.
- The 1995 Van., 2000 Van, 2013 Dodge Charger, and another 2013 Dodge Charger will be auctioned off with silent bids on May 3, 2019. Title were signed for all of the vehicles with a motion from Justin Stump and a second from Anita Hess. Motion carried 3-0.

PAVING OF THE EMS BUILDING

A quote had been received from Ranger Materials for the paving of the EMS building parking lot in Kendallville. Justin moved to table any action until it could be further discussed with Tom Shoemaker, EMS Director. Anita Hess seconded the motion. Motion carried 3-0.

ONE AMERICA

Jackie Knafel, County Coordinator, and Mary Applegate, Payroll clerk, had met with representatives from One America concerning the county's life insurance benefit as well as voluntary life and long-term disability. The cost is cheaper for the county and the voluntary benefits for life and long-term disability have more affordable options for the employees as well as a full life benefits to age 70 rather than 65 in comparison to the current policy. Anita Hess move to sign the agreement with One America per the recommendation of Jackie and Mary as well as our current benefit consultant Jeff Elder. Justin Stump seconded the motion. Motion carried 3-0.

NORTHSHORE DRIVE

Zack Smith, Richard Rogers and Brian and Barbara Neer were present to discuss a situation with water drainage at their cottage on Northshore Dr. Mr. & Mrs. Neer reported to the commissioner that they have been trying to get this resolved for more than a year in waiting for the Noble County Surveyor to come up with a solution. They reported that they had made many phone calls and those calls were not returned.

Richard Rogers, County Highway Superintendent, told the commissioners that the Highway department had replaced a culvert in the area that needed repair and that the water from the nearby fields were now moving faster because of the culvert replacement. Richard indicated that there was tile in an area between the Neers and their neighbors but it was not a county tile and the county does not have a drainage easement in the area. The highway department had contacted the Surveyor's office to get their assistance with the project and to possibly get that easement permission. The Neer's were asked if they would be able to come back at 11:00 to the drainage board meeting to speak with Randy Sexton, Noble County Surveyor, at that time. The commissioners table this discussion until that time.

HIGHWAY

Richard Rogers, Highway Superintendent, had the following construction business for the commissioners:

- Utility Permits for Untied Telephone, Joe Mechlenburg, QC Communications, and Engineering Resources – duly entered
- Richard had a utility permit for fiber optic to be installed in Kimmell. For this permitting, Richard is requesting commissioner's approval. Justin Stump moved to approve the fiber optic work in Kimmell. Anita Hess seconded the motion. Motion carried 3-0.
- Richard also reported that the road has begun and the department continues with brush cutting and drainage work.

Zack Smith, Highway Engineer, had the following discussion with the commissioners:

- Community Crossing Bids – The community crossing bid work is currently out for bid and bids will be opened at the May 28, 2019 commissioner's meeting.
- Bridge Inspection – Zack reported that phase I of the inspections are complete.
- Bridge 136 – Stage I design is complete and the information has been submitted to the state for approval.
- Baseline Road – LPA Voucher was reviewed and approved for signature with a motion from Justin Stump. Anita Hess seconded the motion. Motion carried 3-0.
- Bridge 77 – Zack reported that the structure is now complete and that paving, etc.. will be done once utility work is complete in the area.
- CR 1000E property – the title work on this acquisition is complete and a legal description has now been completed by the surveyor. Zack will now contact the property owner. Justin Stump made the motion to complete this process. Anita Hess seconded the motion. Motion carried 3-0.
- UNIFIRST – Zack discussed the Unifirst contract with the commissioners. The department was not receiving service timely and correctly and were being overbilled. Zack had correspondence from several times where he had tried to get the issue resolved. He now has a new vendor and has notified Unifirst of the cancelation of the contract with them. Dennis Graft, County Attorney, feels that this is notice enough and that no further action needs to be taken.

- Meadow Lanes – This was an issue with drainage that was discussed at earlier meetings and Zack will now follow up with a letter to the property owner. Justin Stump made a motion to send the letter as discussed. Anita Hess seconded the motion. Motion carried 3-0.
- Union Street – the county had been asked to conduct a Road Safety Audit in the area and Zack reported that all of the information gathered and all of the information had been compiled within the report. There were suggestions for improvement within the report as well.
- Ball Rd – Zack has a team of people involved in this audit concerning a curve near the Elkhart River. Crash reports determined that all signage in the area met the code and some suggestions to improve the safety included guard rails and additional signage as well as moving to a more salt based mixture for winter months. More expensive suggestions would be to bank the road or completely realign the road. Zack's recommendation for the immediately future would be to add additional signage for the curve and maybe look into cost for sloping the roadway.

UNSAFE HOUSING

Norm Lortie, Building Inspector, was present to discuss the following unsafe housing issues with the commissioners:

- Colen property in Wolf Lake – Norm is working with the mortgage company that has taken over this property and is getting no where with the clean up of the property. They did remove the home but have left a basement with debris and junk. This is a safety issue and Norm would like to take the work crew to the site and clean it up and then fence the property. He does feel that he would need to get permission from the property owner to accomplish this. This property has been an issue since 2017 and the commissioners will now assess a fine. Anita Hess moved to proceed with a \$5000.00 plus the cost - if any – when Norm would take a crew to the site for clean up and disposal and put the property back on the agenda for June 24, 2019 at 9:30AM Justin Stump seconded the motion. Motion carried 3-0.
- The next property is a High Lake. Norm reported getting a complaint on December 17, 2018 and found the property to be vacant with windows out and the roof ready to fall in. It is not been mowed in some time. A Mr. Kelly was present and had purchased the property at a tax sale and then sold under contract to Tonya Mast who vacated the property. Mr. Kelly reported that he buys many properties and then fixes them up or sells them. As there was never a recorded contract, he is still the property owner and the commissioners feel that this is his responsibility to take care of the issues at hand. Dennis Graft, County Attorney, would like an attempt to serve notice to the contract holder as well and the commissioners moved, with a motion from Justin Stump, to send notice to Tonya Mast and ordered Mr. Kelley to board up the windows and doors so that the structure is secure, remove all of trash and mow the yard. This will need to be done by the May 28, 2019 10:00AM meeting of the commissioners. Anita Hess seconded the motion. Motion carried 3-0.
- Scott Peters is the owner of this next property being discussed and is present for the discussion. Norm is reporting that the structure needs to be condemned. Mr. Peters agrees that the structure needs work but says it is secure and is not in need of condemnation. He is also questioning Norm's authority to be on private property and how he could have reached that determination from the road. The property is again eligible for tax sale and Mr. Peters says that this is due to the excessive sewer liens that have been placed on the property even though he is not hooked into the sewer system. He has a septic tank which the Health Department gave him a permit for. Mr. Peters reported that he moved out 2 years ago due to health issues but still picks up his mail and goes to the property weekly. Anita Hess moved to have Mr. Peters prop up the window that has some rotting issues and to mow the yard and that the commissioners recommend that the house be ruled to be unsafe for occupancy. The commissioners will again review the issue at their May 28, 2019 meeting at 10:00AM. Justin Stump seconded the motion. Motion carried 3-0.
- The last property is a home owned by a Hewitt at Waldron Lake. Norm reported that is flooded several years ago and was never cleaned up. There is mold and decay from the flooding. Norm is requesting an order for condemnation. Justin Stump moved to condemn this property. Anita Hess seconded the motion. Motion carried 3-0. This is also set for the May 28, 2019 meeting at 10:00AM.

\BUILDING PROJECT

Judge Kramer and Judge Kirsch, along with Jim Abbs, Stacey Beam, Danyel Wagner and Prosecutor Jim Mowery were all present for the portion of the meeting. The judges are asking for some idea of a time frame for the building project. The commissioners informed the group that Zack Smith has been appointed as the project manager and Zack told the group that DLZ (the company that had done the space study in 2014) had been contacted to revisit the needs of the county and that Baker-Tilley (formally Umbaugh) had also been contacted for help with the financial part of the project. The main priority at this time would be to get funding in place for this project and to keep the flow of debt service tax rates as a continuation. The group was invited to come back at 2:00PM when a representative from DLZ would be present to update the commissioners.

COUNCIL ON AGING

Cherish Smith, Council on Aging Director, was present and had the following information for the commissioners:

- Capital Financial Statue Report for the purchase of two new vans was signed with a motion from Anita Hess. Justin Stump seconded the motion. Motion carried 3-0.
- Justin Stump moved to sign the De-obligation of Transit Grant funds that Cherish provided. Anita Hess seconded that motion. Motion carried 3-0.
- The first quarter report for financial was presented to the commissioners for approval. Motion to sign the report came from Anita Hess and was seconded by Justin Stump. Motion carried 3-0.
- A resolution was also signed which allows the council on aging director to “make the necessary assurances and certifications and be empowered to enter into an agreement with INDOT for the provision of rural public transportation services”. Motion to sign the resolutions came from Justin Stump and was seconded by Anita Hess. Motion carried 3-0.
- Lastly the Council on Aging is requesting titles for the 2010 van be signed for trade in. Motion to sign the titles for 2D4RN4DE6AR252500 2D4RN4DE3AR252499 and 2D4RN4DE8AR252501 came from Anita Hess and was seconded by Justin Stump. Motion carried 3-0. Titles were then given to Cherish Smith.

RECESS

EXECUTIVE SESSION

BACK IN SESSION

TRAILS ORDINANCE

The public hearing was held for the trail’s ordinance. There being no public opposition the ordinance was adopted with a motion from Anita Hess and a second from Justin Stump. Motion carried 3-0.

SHERIFF

Max Weber, Noble County Sheriff, was present to discuss the ordinances that he is proposing for his department. Copies were given to all of the commissioners to review and discuss at a future meeting.

Max also had a maintenance management agreement to be signed by the commissioners.

Max reported that a safety feature on the boilers at the jail needs to be replaced and that there are a few issues with the flat roof portion of the jail that needs repair.

The silent auction bids on the county vehicles will be opened May 3, 2019 and that the new vehicles have been ordered through Dodge. One of the retired sheriff’s cars will go to the Highway department to be used by deputies while their car is being serviced at the Highway.

Max also reported that he had met with the judges to get their thoughts on the booking fee ordinance that he is requesting. He reported that the judges seem to agree with the fee but will wait for further discussion before proceeding with that ordinance.

BUILDING DISCUSSION

Steve Kromkowski, DLZ Engineer, and project manager for the 2014 space study was here along with Zack Smith, the building project manager. Steve presented a proposal for engineering, architectural, and surveying services to begin the project. All agreed that the space study done in 2014 should be pretty well up to date with the exception of some changes here and there. The

project proposal was slated at \$8500.00. Anita Hess moved to sign the work order not to exceed that \$8500.00 proposal. Justin Stump seconded the motion. Motion carried 3-0.

PARKS PROPERTY

A property on York Street in Albion was again up for discussion. Stefen Wynn, Albion Town Manager, attended this session. The commissioners had – at one time – contacted adjacent property owners and Rice’s to the North of this property was interested. Then the town of Albion became an interested party and the County and the Town have been going back and forth for some time on this property. The county told Mr. Wynn that they would be interested in giving the property to the town at a cost of taxes and attorney fees. Mr. Wynn indicated that he thought that was doable and would go before the town council that next night to get approval and would let Mr. Graft know of the outcome.

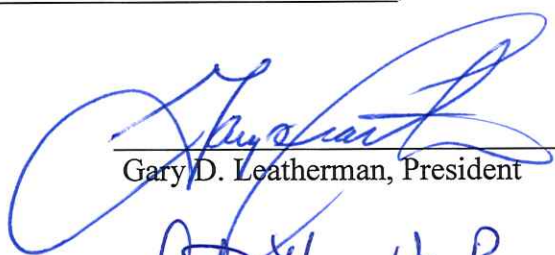
911 DIRECTOR

The commissioners reviewed applications for the 911 Director’s job and have set the date and time for interviews as Tuesday April 30, 2019 beginning at 8:30AM.

ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 4:00P.M. recessed from day to day until May 13, 2019.

Dated this 13TH day of May, 2019



Gary D. Leatherman, President



Anita Hess, Vice President



Justin Stump, Member

ATTESTED: _____
Tonya L. Jones, Auditor