

**MINUTES OF A REGULAR SESSION OF THE
BOARD OF COMMISSIONERS HELD May 13, 2019**

Comes now the hour of 8:30am. on the 13th day of May, 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
Kathleen Randolph, Workforce Development
Max Weber, Noble County Sheriff
Richard Rogers, Highway Superintendent
Zack Smith, Highway Engineer
Kenneth Hughes, Plan Director

Gary Leatherman, President, brought the meeting to order at approximately 8:30AM

CORRESPONDENCE

- Treasurer – monthly report for April 2019 – duly entered
- Clerk of the Courts – monthly report for March 2019 – duly entered
- Courthouse Security – monthly report for April 2019 – duly entered
- IDEM – Water Quality permit – Dexter Axle
- Plan Commission notice – Wolfe, Squire, Brazel
- Noble REMC
- NACO Election notice

MINUTES

- Minutes of the April 22, 2019 meeting were read and approved as written with a motion from Anita Hess and a second from Justin Stump. Motion carried 3-0.
- Minutes from the April 22, 2019 executive meeting were also read and approved as written. The motion came from Anita Hess and was seconded by Justin Stump. Motion carried 3-0.
- Minutes from the May 6, 2019 executive session were read and approved as written with a motion coming from Anita Hess. Justin Stump seconded the motion. Motion carried 3-0.
- The special meeting of the Board of Commissioners was held on May 6, 2019 and those minutes were read and approved as corrected by a motion from Anita Hess. A second came from Justin Stump and the motion carried 3-0.

WORKFORCE DEVELOPMENT

Kathleen Randolph, Workforce Development Director, was present to get the president of the boards signature on a Regional Elected Officials' Agreement. Kathleen informed the commissioners that there are 11 counties in the region and summarized the agreement for the board. Anita Hess then moved to sign the regional agreement. Justin Stump seconded the motion. Motion carried 3-0.

HIGHWAY

Richard Rogers, Highway Superintendent, was present for the following construction business:

- Utility Permits – NIPSCO, Frontier, Ligtel permits were presented for commissioner's filings.
- Richard also had an invoice for tire for commissioner's approval. Justin Stump moved to approve the \$11,205.78 invoice. Anita Hess seconded the motion. Motion carried 3-0.
- Driveway Permit – Richard presented a driveway variance for a property on 500 E. He reported that the location is a current drive but is short on-site distance. Current home

burnt and this is required for the new home. Justin Stump moved to approve the variance. Anita Hess seconded the motion. Motion carried 3-0.

- Another driveway variance was presented for a 2nd drive on 1175 N and 1100 E. The highway department had no issues with the variance. Anita Hess moved to approve with a second coming from Justin Stump. Motion carried 3-0. See Note

NOTE: When commissioners came back in the afternoon the above approval of the 2nd drive variance on 1100 E was rescinded with a motion from Anita Hess and a second from Justin Stump. Motion carried 3-0.

- A driveway permit variance was before the board for a driveway on Baseline Road. The owners had already installed the drive which was short of site distance and too close to a current drive prior to coming in for a permit. Richard is recommending that the variance be approved however that a "hidden drive" sign be installed at the owner's expense, Anita Hess moved to approve the variance with the condition of the signage at the owner's expense. Justin Stump seconded the motion. Motion carried 3-0.
- Richard reported that the reconstruction work was in progress
- Wolf Lake and Knapp sub division have been paved and the department was currently working in the Bear Lake area.
- Mowing would start the first of June.

Zack Smith, Highway Engineer, report the following Engineering Business to the Commissioners:

- With the highway department getting ready to do maintenance on all county vehicles, the shop is in need of a lift. Zack had gotten quotes for a small lift but was suggesting that the bigger lift be purchased that can lift the highway equipment as well. Justin Stump moved to purchase the bigger lift at the lowest bid of \$36,667.00 from Ott Equipment Serv. Anita Hess seconded the motion. Motion carried 3-0.
- Zack also presented the annual operations report to the commissioners for signature. Motion to sign the report came from Justin Stump and was seconded by Anita Hess. Motion carried 3-0. Copies of this report will be sent to LTAP and the State Board of Accounts.
- Road Ratings – Zack reported that the road rating data was complete and is being put into the GIS System. With the work that has been done to the roads in recent years the ratings went from a 6.21 to 6.49 which is a significant increase. The final report will be coming to the commissioners shortly.
- Community Crossing – The work for this project is out for bid and will be opened at the May 28, 2019 meeting.
- Zack reported that the SBOA recently audited the department and recommended a change in the way the commissioners and highway department is handling LPA Vouchers. Zack will continue to have the approval of the vouchers by the commissioners but he will sign the vouchers prior to payment.
- With that, Zack had a LPA Voucher for 400 N in the amount of \$24,631.50 for preliminary engineering. Motion to approve the voucher came from Anita Hess and was seconded by Justin Stump. Motion carried 3-0.
- Bridge 136 – there was also a LPA voucher for this project. Justin Stump approved the \$37000.00 voucher for United Consulting for preliminary engineering. Anita Hess seconded the motion. Motion carried 3-0.
- Bridge Inspection – Zack reported that the first phase of the 4-year phase was complete and that the report was being compiled.
- Bridge 55 – Right of way purchase was complete and this would start in the fall.
- Bridge 77 – Zack reported that the final paving work was being put off until AEP finished their utility work in the area.
- 1000 E and State Road 3 – Zack reported that the quit claim deed had been prepared and was waiting on signatures.
- Meadow Lanes – A letter had been sent to the property owners with the drainage issue in Meadow Lanes. A response from the owner indicated that they would not be able to comply to the requests within the time frame given and are asking for additional time. The Commissioners suggested getting a time frame from the owner as to when they can have the work complete.
- Ball Road – Zack is bringing to the commissioners a proposal for services from Lawson Fisher. This is a summarization of the improvements that can be done to a stretch of road near the Elkhart River which was the scene of a triple fatality earlier this year. The cost of the project would not exceed \$6500.00 and would help with federal funding for these

improvements. Justin Stump moved to approve the proposal with Lawson Fisher not to exceed the \$6500.00 quote. Anita Hess seconded the motion. Motion carried 3-0.

- Again, the discussion about the Crooked Lake property owned by Brian Neer came up. Zack reminded the commissioners that the highway had simply replaced a broken-down culvert under the road. This did make water flow faster and therefore they placed a valve over the culvert to slow down the flow. The issue remains the area between the road and the lake and because this is not a regulated drain and there is only a 5-foot easement, there is nothing more that the highway department can do. This is set for a joint meeting of the commissioners and drainage board at 11:00AM and Zack will return for that session.
- 400 N Speed Study- Zack presented a report to the commissioners and summarized it. His recommendation would be reducing the speed on 400 N between State Road 9 and County Road 150 E. to 45 MPH. Justin Stump moved to have Zack proceed with an ordinance to reduce the speed in that area. Anita Hess seconded the motion. Motion carried 3-0.
- Rochester Road – a speed study was done some time ago and additional signage was put in place and increase law enforcement in the area was also present. A second study was recently done and those improvements did make a difference in the area. Zack reported that the highway department would continue to monitor the situation.
- Zack also had a petition for a 4 way stop at Main and Noble Streets in Wolf Lake. Justin reported that this is in the area of the park in Wolf Lake and also there is a church on the corner and thought that a 4-way stop would be appropriate. He made the motion to proceed with an ordinance. Anita Hess seconded the motion. Motion carried 3-0.
- Big Lake - There was a petition to accept Shady Lane north of Goss Road at Big Lake on countywide maintenance. After some discussion, it was decided to NOT accept the road as it is in poor shape and we are not currently maintaining anything in that area. Justin Stump moved to not accept this road into the county's maintenance system. Anita Hess seconded the motion. Motion carried 3-0.
- Zack updated the commissioners on the building project and told them that something had been sent out to the department heads for updates on their current needs within their department. He will then get that information to the DLZ for evaluation.

PLAN COMMISSION

Kenneth Hughes, Plan Director, was present to talk to the commissioners about a consultant agreement for the UDO review and updates. Justin Stump moved to approve the services cost with GR Engineering out of Indianapolis for this project. Anita Hess seconded the motion. Motion carried 3-0.

RECESS

BACK IN SESSION

PAYROLL

Payroll for the time period of 03/9/19 through 04/11/19 was reviewed. The six-page report totaled \$393,415.48 and was approved with a motion from Anita Hess and a second from Justin Stump. Motion carried 3-0.

Payroll for the time period of 04/12/19 through 04/25/19 was also reviewed by the commissioners. The six-page report totaled \$420,088.98. Anita Hess moved to approve this report and it was seconded by Justin Stump. Motion carried 3-0.

UTILITY CLAIMS

Utility Claims were also reviewed by the commissioners and finding no issues with the two-page report totaling \$151,261.01, Anita Hess moved to approve. Justin Stump seconded the motion. Motion carried 3-0.

FLOWERS AT THE FOUNTAIN

Judge Kramer, Steve Hook and Joy LeCount were all present to speak with the commissioners about flowers around the fountain. The fountain was originally suggested by the Town of Albion and the Courthouse preservation committee and only asked for a financial contribution of \$20,000.00. Through the years, the county has had to assume the care and repair of the fountain as well as the utility bill generated by the water supply of the fountain. This was also the case with the flowers that adorn the space around the fountain. The courthouse preservation committee was in charge of the cost and maintenance of the flowers and was going to do fund raisers to make

that happen. In the first years, the county contributed \$500.00 towards this project and last year had to pay a total of \$2205.00 as the funds were not raised by the committee. The judge and members of the Star committee are now coming for this year's flower project. No one had any estimates of what the cost would be and so the commissioners suggested that they contact Countryscapes and get some figures before a decision would be made.

911 DIRECTOR

Shelley Coney, new 911 director, is present and asking for her vacation and longevity back from when she left the county. She has continued to work part time in the county dispatch since the time that she left full time to work in Kendallville. Justin Stump moved to allow Shelley vacation and longevity to be reinstated. Anita Hess seconded the motion. Motion carried 3-0.

Shelley will be working part time from May 20, 2019 through May 30, 2019 and was also wanting to work more than the 28 hours that part time people are restricted to so that she can train with the current director. The commissioners and county attorney agreed that she should be allowed to work as many hours and her time schedule would allow to get the training needed.

RECESS - the commissioners recessed in order to conduct a joint Commissioners and Drainage Board meeting for the Neer Property at Crooked Lake.

BACK IN SESSION

TRAVELERS INSURANCE

Correspondence was received from our liability insurance carrier for policy changes in reference to our Umbrella policy as well as the general liability. Another change would increase our Automobile deductible from \$250.00 to \$500.00 and our Law Enforcement Liability deductible from \$5,000.00 to \$10,000.00.

PAY FOR 2020

Jackie Knafel, County Coordinator, informed the commissioners that 2020 would bring 27 pay periods rather than the normal 26 pays per year on a bi-weekly schedule. Different ways of handling this adjustment had been tried in the past but all felt that the best way would be to adjust the pay periods from 26 to 27. This (if no raises are received) would lessen the paychecks by a small amount and notification to employee will be made accordingly. The payroll deputy, the county auditor and Jackie had discussed the issue and thought this was the best way to handle the situation as well.

CORRESPONDENCE

A packet had been received from Beers Mallers Backs and Salin concerning the LaGrange County Redevelopment Commission regarding Northeast Indiana Solid Waste Management of which Gary Leatherman is on the Board of Directors. The meeting concerning this issue will be held on May 17, 2019.

SHERIFF

Max Weber, Noble County Sheriff, is present to further discuss the ordinances he had presented earlier to the member of the board.

- The first ordinance is an amendment to 2004-07 and will terminate the Noble County Special Operation Team. Motion to adopt and advertise this ordinance was made by Anita Hess and seconded by Justin Stump. Motion carried 3-0.
- The second ordinance amended a 2003-03A ordinance for which expenses that can be paid from the Work Release program include maintenance or equipment costs that relate directly to the Work Release program. This was approved by a motion from Anita Hess and was seconded by Justin Stump. Motion carried 3-0.
- The last of the ordinances that Max is proposing is for the receipt of Virtual School funding from the State of Indiana. This will entail some work on the part of the sheriff's department. This is a non-reverting fund and will be used for training of any staff and for the purchase of equipment. Justin Stump moved to approve this ordinance for adoption and advertising, Anita Hess seconded the motion and the motion carried 3-0.
- On May 17 2019 ordinances were sent to the Albion New Era and Kendallville News Sun for advertising on May 24, 2019 and copies were sent to Municode to add to our next update on ordinances.

- Max updated the commissioners on the transition to LED lighting in the jail and told that the company is suggesting that it will only take 6 months for our return on investment. He also indicated a 2 – 3-year return on the courthouse side of things.

LOCAL GOV TRAINING

Jackie reported that she had been contacted by LocalGovU digital training who would like to be of service to the county for their employee training needs. This would be at a cost of around \$6,250.00 and Jackie is suggesting that at this time we could possibly stay with the SBOA required training which is normally available (at no cost) on their website. Possibly down the road this might be an option. The commissioners agreed that we would wait until a later time to make this decision.

BTS

Tim Lock, Maintenance Supervision, had brought a contract to Jackie to present to the commissioners concerning a chiller pump. The commissioners made a phone call to Tim to get more detail and then approved the \$9,300.00 expenditure with a motion from Anita Hess and a second from Justin Stump. Motion carried 3-0.

PROSECUTOR STEPS

There was also a proposal signed for the steps at the Prosecutors office. Anita Hess moved to approve the proposal for \$1,340.00 from Leatherman Construction for repair of the steps. Justin Stump seconded the motion. Motion carried 3-0.

2020 HOLIDAY SCHEDULE

The 2020 Holiday Schedule was reviewed by the Noble County Commissioners and approved as presented. Motion to approve the schedule came from Justin Stump and was seconded by Anita Hess. Motion carried 3-0.

REGULAR CLAIMS

The regular claims for 5/13/2019 were reviewed by the commissioners. The report containing 12 pages totaled \$441,028.63 and was approved for payment with a motion from Justin Stump. Anita Hess seconded the motion and it carried 3-0.

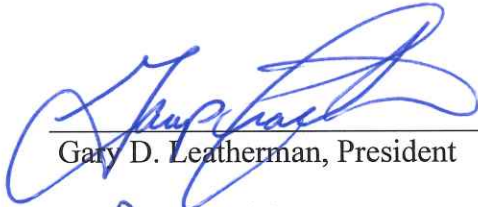
COURT CLAIMS

The court claims were also reviewed. This report contained 5 pages and totaled \$31308.70. Justin Stump moved to approve these claims and Anita Hess seconded the motion. Motion carried 3-0.

ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 2:50 PM. recessed from day to day until May 28, 2019.

Dated this 28th day of May, 2019




 Gary D. Leatherman, President



 Anita Hess, Vice President



 Justin Stump, Member

ATTESTED: 

 Tonya L. Jones, Auditor