

**MINUTES OF A REGULAR SESSION OF THE
BOARD OF COMMISSIONERS HELD May 28, 2019**

Comes now the hour of 8:30am. on the 28th 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
Steve Garbacz, KPC Media
Mitch Fiandt, 911 Director
Shelley Coney, Interim 911 Director

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

911 DIRECTOR

Mitch Fiandt, current 911 director, and Shelley Coney, newly appointed 911 director, were present for appointment to the Homeland Security District Planning Council. Mitch will be retiring on Thursday and Shelley will be assuming Mitch's duties as director. Anita Hess moved to appoint Shelley to this council. Justin Stump seconded the motion. Motion carried 3-0.

COUNCIL ON AGING

Cherish Smith, COA Director, was present to get the commissioners signatures on the following documents:

- Pass Through Agreement for the operating grant
- Federal Fiscal Year Certifications
- Acceptance Warranty
- Capital Projects checklist

Motion to sign the documents came from Anita Hess and was seconded by Justin Stump. Motion carried 3-0.

CORRESPONDENCE

- IDEM – Kautex Textron
- IDEM – Bosch

MINUTES

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

Minutes of the joint meeting of the Commissioners and Drainage Board were also reviewed. Justin Stump moved to approve these minutes as corrected. Anita Hess seconded the motion. Motion carried 3-0.

ASSESSOR

Ben Castle, Noble County Assessor, was present to request a waiver of the 10% wage reduction for an employee that was going from permanent part time to full time. Ben explained that she had been in the office for 3 years and was fully trained for the needs of the office. Motion to allow the waiver came from Anita Hess and was seconded by Justin Stump. Motion carried 3-0. Ben also informed the commissioners that to date the appeals were down considerably from previous years.

PAYROLL

Payroll for the time period of 04/29/19 through 5/09/19 containing 6 pages and totaling \$394659.46 was approved with a motion from Anita Hess. Justin Stump seconded the motion. Motion carried 3-0.

KONE AMENDMENT

Kone had sent a "contract rider" for the two lift chairs at the prosecutor's office. This will add another \$55.00 each a month to the maintenance contract. Motion to approve the rider came from Justin Stump and was seconded by Anita Hess. Motion carried 3-0. E-mailed copy to Kone and CC to Tim Lock.

CLAIMS

Court claims were reviewed by the commissioners. The report contained 7 pages and totaled \$35860.12. Motion to approve the claims came from Anita Hess and was seconded by Justin Stump. Motion carried 3-0.

HIGHWAY

Bids were opened for the 6 different overlay projects for the Community Crossing grant. Zack Smith, Highway Engineer, informed the commissioners that the engineering estimate was \$1,333,000.00. Zack opened the 3 bids that were received and reported the following information:

- Pulver Asphalt Paving Inc had a bid of \$1,329,770.00
- Niblock Excavating had a bid of \$1,364,900.00
- Phend and Brown had a bid of \$1,220,210.00

Justin Stump mad a motion to take all bids under review. Anita Hess seconded the motion. Motion carried 3-0. Zack informed the public that once finalized copies would be available.

BUILDING FUNDING

Jacob Semler, a representative from Umbaugh Baker Tilley, was present to discuss the options for funding of the building project. Jacob informed the commissioners they have been in contact with Steve Kromkoski from DLZ and did have some preliminary numbers to work with. Jacob explained the different options that may be available to them in moving forward with this project. Jacob indicated that our totaled bonding availability can be figured by taking the total assessed value times two and dividing by 3 and currently we would be \$14.7 million. He also explained the difference between GO bonds and leased bonds. Leased Bonds are very common for big projects but would need a building corporation.

Mr. Semler also explained the referendum process and said that he was looking into breaking up the two projects with the courthouse remodeling to be a GO bond and the new building would be the leased bond.

He also informed the commissioners this process can take between 3-6 months so there is time but we would need to start moving on the project. He indicated that once he had solid numbers from DLZ he could move quickly with the project.

REZONINGS

Kenneth Hughes, Plan Director, is present to review 3 rezonings with the commissioners.

- The first rezoning was for Squier % Amanda Young and they are wanting to rezone 6.0 acres from A1 to OS. Bill Emmert, representing the Albion Community Center Board, is present to answer any questions that the commissioners had concerning the future of the project. Bill reported that it is the hope of the group that the community, the schools ARC and other organizations will benefit from the "open space and recreation" that the community center will offer. The building will not have food but most likely will have vending machines on site. There being a favorable recommendation from the Plan Commission Board, Justin Stump moved to approve the rezoning and it was seconded by Anita Hess. Motion carried 3-0.
- The next rezoning was for Kirban Wolfe, who is asking that 2.7 acres be rezoned from A1 to LR. Kenneth reported that this would be a better use of the acreage and that the plan commission had given a favorable recommendation. He also reported that there were some concerns about traffic and drainage but felt that the issues were addressed. Justin Stump moved to approve the rezoning. Anita Hess seconded the motion. Motion carried 3-0.
- The last rezoning was for Willie and Diane Stutzman. This property contains 7.55 acres and has a request to be rezoned from A1 to RE. Kenneth reported a favorable recommendation from the plan commission board. Justin Stump moved to approve the rezoning. Anita Hess seconded the motion. Motion carried 3-0.

UNSAFE HOUSING

Norm Lortie, Building Inspector, is coming before the board request condemnation on the following properties:

- Hewitt is the first property and will be on tax sale this fall. Norm would like to have the property condemned prior to the sale so that all involved will be aware of this issue at tax sale time. Norm has tried to locate the property owner by mail, by publication and has not been successful. Dennis Graft, County Attorney indicated that this property was condemned and we will need now to wait until after the tax sale for the next step. This property was set for review on October 28, 2019 at 10:00 AM.
- Peters – this property was also condemned at a previous meeting and at that meeting Mr. Peters was asked to mow the property, board up a couple of windows and fix another window. Mr. Peters was in attendance and said that he was not aware that they had condemned the property and had done what was asked of him. Other neighbors in attendance verified that he had done the work he was asked to do. This was also tabled to October 28, 2019 at 10:00AM
- KRE property was another property and Norm had visited the site and reported that it had been mowed and boarded as requested but attempts to notify Ms. Mast (contract buyer) had not been successful. Anita Hess moved to condemn this property as well. Justin Stump seconded the motion. Motion carried 3-0.
- Colen property (now owned by Wilmington Mortgage Company) has now been purchased by a local contractor and will have a home on the property before too long. Anita Hess moved to close this file with a second coming from Justin Stump. Motion carried 3-0.

CLAIMS

The regular claims dated May 28th were reviewed and approved with a motion from Justin Stump and a second from Anita Hess. Motion carried 3-0. There are 11 pages to this report and the report total was \$613,225.42.

BEAR HIGH WOLF LAKE

Jackie had received a call to schedule a meeting concerning a draft ordinance. A gentleman showed up for the meeting but told the commissioners that the meeting was to be scheduled with the Bear High Wolf Lake Association – not the commissioners. With that the commissioners recessed their meeting until 1:00PM.

BACK IN SESSION

INSURANCE

Jarrod Ramers, Jona Slone and Amy Terry from Black & Ramer Insurance were in attendance to review the renewal for General Liability Insurance. Jarrod reviewed the following:

- Jarrod told the group that they had went out to various companies for “soft bids”. EMC a previous company that we had done business with is not going to bid. Travelers (our current insurance company) is coming in at \$268,703.00 and the only other company to bid was at \$296,235.00, therefore Jarrod is recommending that we stay with Travelers.
- Jarrod provided a premium history to the commissioners and explained that the increase in premium is due to claims.
- Jarrod also reviewed the automobile, Malpractice, and property claims with the commissioners.
- The new policy has a few changes that being an increase in the deductible for auto going from \$250.00 to \$500.00 and the law enforcement deductible going from \$5,000.00 to \$10,000.00.
- Jarrod provided the commissioners with a building schedule, equipment and auto schedule for review.
- Jarrod briefly discussed the workman’s comp policy and discussed the premium with the board.

PAYROLL

Payroll dated 06/06/2019 for the time period of 05/10/19 through 05/23/19 was reviewed. This report contained 6 pages and totaled \$398,646.50 and was approved with a motion from Anita Hess. Justin Stump seconded the motion. Motion carried 3-0.

HIGHWAY

Richard Rogers, Highway Superintendent, had the following construction for review:

- Richard had a driveway variance for approval. This was for a second drive on the Applegate property on the Albion Road. Even though it was a second drive and was located a bit too close to the current drive it was the only place that this could be accomplished. Justin Stump moved to approve the variance with a second from Anita Hess, the motion carried 3-0.
- Richard indicated that dust control on gravel roads would begin this week.
- Berming work continues
- The crew will move to the Bear Lake area within the next couple of weeks for reconstruction work.
- Richard also reported that the recent storms had taken down a number of trees but the department had dealt with the issues in a timely matter.
- John Hass has been temporarily given the drainage foreman position. This will be evaluated at 3 months, 6 months and 1 year.
- Richard reported that he has had some complaints of standing water on 100 N at 150 E and has relayed that information on to the surveyor's office.
- Richard informed the commissioners that he has not heard anything more from the Crooked Lake issue for their offer to provide labor to install a new tile.

Zack Smith, Highway Engineer, had the following engineering business to discuss with the commissioners:

- Zack reminded the commissioners that he would do a complete audit of the bids opened earlier this morning and would have the results of the review ready for their meeting on June 10, 2019.
 - Zack had provided copies of the Road Ratings & Road Plans. Richard had done the inspection of the roads and the department compiled the ratings and road plan report. Drainage in the area is very important as well and evaluated during the inspection to insure the proper maintenance of the road. Zack reported that we are slowly moving in an upward direction with the improvement plan in place and provided funding is sufficient.
 - LPA Project 400 N – Zack reported stage one had been approved and now proceeding on to stage 2.
 - Bridge inspection – The LPA voucher will now come through claims so no approval is necessary at this time.
 - Bridge 136 – The engineering firm has supplied Stage 1 and are moving on to Stage 2 design. The current voucher will come to the commissioners in claims.
 - Bridge 55 – Zack reported that the right of way work is now complete.
 - Bridge 77 - the department is still waiting on utility work to be completed prior to doing asphalt work.
 - 1000 E / SR 3 - the gentleman who was requesting this issue be resolved has yet to come to the highway department to sign the paperwork for the transfer of the road to the highway department
 - Ball Road – Zack reported that the safety audit was complete. This work was done by Lawson Fisher who provided an alignment design. Looking to improve safety in the area, but the cause of the accident earlier this year indicated the operator of the car was driving too fast for weather conditions.
 - Ordinance for CR 400 N – After review of the ordinance, the commissioner moved to advertise the ordinance reducing the speed limit on CR 400 N between SR 9 and CR 150E to 45 MPH. Motion came from Justin Stump and was seconded by Anita Hess. Motion carried 3-0.
 - Ordinance - Noble Hawk – This ordinance would provide a Stop on CR 350 N for southbound traffic and would provide more traffic control in the area. Justin Stump moved to advertise this ordinance for later adoption. Anita Hess seconded the motion. Motion carried 3-0.
 - Ordinance Wolf Lake – This ordinance will make the corner of West Noble Street and Main Street in the town of Wolf Lake a 4 way stop. Justin Stump moved to advertise this ordinance. Anita Hess seconded the motion. Motion carried 3-0.
 - Zack is questioning whose responsibility it is to maintain the sidewalks along the state road in Wolf Lake. Evidently the department had received information back from the State indicating that is the county wanted to maintain the sidewalks that

they would waive the permit fees, but it was not the states responsibility. The County doesn't feel that it is their responsibility either and that some responsibility should fall on the owners of the property. Justin Stump made a motion that the county would not be responsibly for any sidewalk work along a state highway. Anita Hess seconded the motion. Motion carried 3-0.

- Courthouse Building Project – Zack again reviewed the information from Umbaugh Baker Tilly and had a contract for the commissioners to sign to move forward with the project. The \$191,550 cost of the project would include Architectural, Mechanical/Electrical/ Fire Protection, Structural, Survey, Private Utility Locate, Geotechnical, and Civil Site. Motion to approve the contract came from Anita Hess to move forward with the schematic design services offered by American Structurepoint. Justin Stump seconded the motion. Motion carried 3-0.

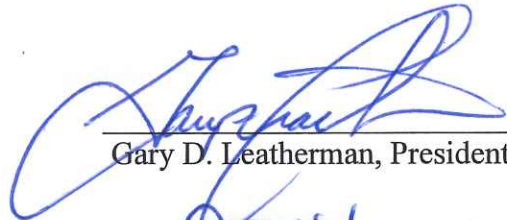
GIS

Steve Hook, GIS Director, was present to talk to the commissioners about the 2020 Census. They have a new program that tracks new construction. This would update addresses and would be only for the unincorporated areas of the county. Steve indicated that he had spoken with the other departments involved in this project and thought that it was a good project and very manageable. Justin Stump made a motion to participate in the building new construction census. Anita Hess seconded the motion. Motion carried 3-0.

ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 3:45PM recessed from day to day until June 10, 2019.

Dated this 10TH day of June, 2019



Gary D. Leatherman, President



Anita Hess, Vice President



Justin Stump, Member

ATTESTED: 

Tonya L. Jones, Auditor