

**MINUTES OF A REGULAR SESSION OF THE  
BOARD OF COMMISSIONERS HELD August 28, 2023**

Comes now the hour of 8:30 am. on the 28<sup>th</sup> day of August, 2023 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 Knafel County Coordinator  
Dennis Graft, County Attorney  
Matt Getts, KPC Media  
Zack Smith, Highway Engineer

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

**JESSE-CA LAKE TO HIDDEN VALLEY LAKE NAME CHANGE**

A public hearing was held for the proposed name change of a lake here in Noble County. The new owners of the privately owned lake are requesting that Jessie-Ca Lake be changed to Hidden Valley Lake. The new owner Don and Rebecca Boyer have renovated a cabin on the lake and rent it out through VRBO. Mr. & Mrs. Boyer have owned the property for over 27 years and have always called this Hidden Valley Lake and now that they are renting out the cabin, they would like it "officially" changed so that it is available on the maps. With no one present in opposition to the name change and it being a privately owned lake, the commissioners will approve the recommendation to change the name of the lake with a motion from Gary Timmerman. Anita Hess seconded and the motion carried 3-0. Copy of the signed approval was e-mailed to [BGNEXEC@usgs.gov](mailto:BGNEXEC@usgs.gov) and a hard copy of the signed recommendation was mailed via first class mail to U.S. Board on Geographic Names 12201 Sunrise Valley Drive Mailstop 523 Reston VA 20192-0523 on August 30, 2023.

**CORRESPONDENCE**

- DNR- Notification of new training requirement for Flood Plain Managers. Dated August 21, 2023 with training to be completed by June 30, 2025. Copy of this information was e-mailed to Norm Lortie, Noble County Floodplain Manager.
- IDEM- Ashley Industrial Molding, Inc – notification of a modification of an air permit.

**MINUTES**

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

Minutes of the executive session held at 8:00 AM on August 14, 2023 were also approved as written with a motion from Gary Timmerman. Anita Hess seconded the motion. Motion carried 3-0.

**CLAIMS**

Claims dated August 28, 2023 were reviewed by the commissioners. The 12-page report totaled \$622,826.43 and was approved with a motion from Gary Timmerman and a second from Anita Hess. Motion carried 3-0

**PAYROLL**

Payroll dated August 24, 2023 was also reviewed. This was a 3-page report with a gross payroll amount of \$489,680.23. Gary Timmerman moved to approved payroll. Anita Hess seconded and the motion carried 3-0

**NEW BUSINESS**

An e0mail had been received from OCRA NLC concerning Next Level Connections Broadband Grants Program. They are asking for a contact person for addressing. Steve Hook, GIS Director,

is willing to do this with the help of the plan commission, however, Gary Leatherman wanted to check with the EDC as they have spearheaded this project. He is wanting to make sure they are not the ones that need to be contacted. This will be tabled until the September 11, 2023 meeting.

#### HIGHWAY

Richard Rogers, Highway Inspector, has a driveway variance for the commissioner's review and approval. The variance is requested by a Byerley on 700 E and Beacon Rd. Richard is reporting that this is 150 feet short on sight distance and should have a hidden drive sign installed. Gary Timmerman moved to approve the variance with the condition of the hidden drive sign to be paid by the resident and installed by the highway department. Anita Hess seconded. Motion carried 3-0.

Richard also provided copies of Utility Permits from Frontier, NIPSCO and Noble REMC – duly entered.

Zack Smith, Highway Engineer, provided the following engineer business to the commissioners:

- Zack provided a map updating line striping currently going on in the county. This is covering 81.6 miles of county roads. Accurate Striping, INC is doing the work
- A presentation on the mobile mapping should be available soon.
- HMA 2023-01 is currently underway. With Pulver's Asphalt doing the work.
- HMA 2023-02 – Zack reported that this will probably not get started yet this year but will be an early project in 2024.
- Bridge Inspection – Zack has an LPA voucher in the amount of \$18,521.35 for preliminary engineering. Gary Timmerman moved to approve the voucher. Anita Hess seconded and the motion carried 3-0.
- 400 N – there is also an LPA voucher for this project in the amount of \$281.55. This project will be under construction next spring. Gary Timmerman moved to approve the LPA voucher. Anita Hess seconded. Motion carried 3-0.
- Bridge 69 – Zack has a contract amendment for this project. The amendment will provide geotechnical field investigation for seawall work. The cost of this service will increase the existing contract by \$5,250.00. Motion to approve this amendment came from Gary Timmerman and was seconded by Anita Hess. Motion carried 3-0.
- Old State Rd 3 – there is an LPA voucher for this project for preliminary engineering in the amount of \$68,574.00. Gary Timmerman moved to approve. Anita Hess seconded and the motion carried 3-0.
- Bridge 59 – Zack reported that a preliminary inspection of this project revealed no major issues with the project so it should be built as planned.
- Riley Road/Appleman road - this is a 2027 project and has an LPA voucher in the amount of \$24,403.03 for approval. Gary Timmerman moved to approve. Anita Hess seconded and the motion carried 3-0.
- CR 100 N at 50 W – Intersection improvement – this is an LPA Safety Improvement project and has an INDOT contract for approval. Gary Timmerman moved to approve the contract for the 90/10 split with INDOT. Anita Hess seconded the motion. Motion carried 3-0.
- Zack had presented a speed study at the commissioners last meeting for the area of Highpoint Dr between CR 500 S and the road terminus. Zack has a draft ordinance for approval to advertise. Gary Timmerman moved to approve the ordinance to be advertise which will lower the speed to 20MPH in this area. Anita Hess seconded and the motion carried 3-0.
- Zack is also providing a draft ordinance for his salary beginning January 2024 through December 2028. Motion to approve this contract pending Council Approval was made by Gary Timmerman. Anita Hess seconded and the motion carried 3-0.
- Cynthia Dooley was present on behalf of her mother, Janet Teel, concerning water issues on her property. She brought pictures – before and after a culvert and ditch was installed by the highway. Richard explained the circumstances that were involved in the decision to installed the culvert and reported that there is a “natural spring” in this area as well which is keeping the area wet. After some discussion, it was decided by Zack, Richard and the commissioners that the highway will install an 8” perforated pipe in the location to remedy the problem. It was also suggested that tiling – at the owner's expense- may be an option. Gary Timmerman moved to allow the highway to install the pipe in the area at the county's expense. Anita Hess seconded and the motion carried 3-0.

## ANNEX

Zack Smith, Project Manager, had the following report for the new annex and courthouse renovation:

- The annex building is in the final stages with only some signage issues at this time. The extension office is requesting additional signage for their office and have secured a quote from Indiana Signworks in Fort Wayne. The quote is in the amount of \$248.00 and is approved with a motion from Gary Timmerman to be paid from the Rainy Day fund. Anita Hess seconded and the motion carried 3-0. The extension office is to supply Jackie with the invoice once received.
- UPS has the massive battery backup system located just off the IT department. The warranty has expired and Dave Baum and Zack are present for the discussion of a maintenance agreement. Dave indicated that he would like them to check the equipment out periodically to make sure this are working properly. All commissioners are in agreement with this – so more information and cost will be requested.
- Courthouse Renovation - the final documents on the construction of the courthouse are due September 8, 2023
- Zack is awaiting initial pricing on the FFE – and indicated that they have reached out to 3 companies for pricing. Preliminary price came in at \$490,382.00 for Innovate, \$331,662.01 for PSI and \$416,698.21 for RJE.
- Zack informed the commissioners that American StructurePoint will be here on Friday of this week with some sample flooring etc. for them to review.
- The commissioners will join Zack around 1:30 for a walk-through of the courthouse demolition in progress.

## FRICK VACATION OF ALLEY

Teresa Tacket, Plan Director, along with B. Almas, attorney for Frick's in Wawaka was present to request a vacation of an alleyway between lots in Wawaka as well as a small strip of an alley along West Street in Wawaka. If the vacations are approved this will again come before the commissioners for a rezoning request. Frick's own all the property around these two alleys in question. Frick's will be selling part of this property to CERES Solutions for the fertilizer portion of their business. Frick's will maintain and continue to own their grain operation. Anita Hess moved to approve the vacation of the 16' alley between existing lots. Gary Timmerman seconded. Motion carried 3-0. Anita also moved to approve the vacation of the small portion of West Street containing .0698 ac. Gary seconded and the motion carries 3-0.

## UNSAFE HOUSING

The Harrison property again was on the agenda for review. Norm Lortie, Building Inspector, reported that there has finally been a settlement between the mortgage company and the insurance company. A check was issued to Mr. Harrison which he in turn sent onto the mortgage company. He reported to Norm that he was now waiting on the process and is getting quotes for demolition of the property. A final hearing is set for October 23, 2023 at 9:30AM for hopefully dismissal of this case.

## PROBATION UPDATE

Jared Owen, along with Chris Streich and Samantha Bortner were present for an update on their department. The group explained the Problem-Solving portion of the Community Corrections grant for Probation. Jared explained that Noble County has two problem solving courts at this time – Veterans Court and Drug Court. The problem-solving courts were established by the state in the late 80's. The state comes in about every 3 years to review the efforts of Noble County and Jared reported that in the last review, Noble County had 0 fixes for their programs. Jared talked mainly about Drug Court and reported 171 graduates to date with a small 26 % of graduates reoccurring. Drug Court has a capacity of 42 people. User fees pay for the majority of the expenses incurred by the court with drug screenings being the biggest expense. Drug Court is held every Wednesday with the "team" meeting between 8:30 and 10:00 am with court to follow. Jared indicated that along with probation officers the team has law enforcement officers, public defender reps along with people from the prosecutor's office and half way house on the committee. He indicated that there are now 150 problem solving courts in Indiana and in 63 out of the 92 counties offering these services.

As far as Veterans court, this is much smaller in size with out of the 85 referrals only 19 have met the criteria. There have been 7 graduates and currently they have between 3-5 participants.

SERVICE CONTRACTS FOR HVAC

Tim Lock, Maintenance Supervisor, was present to discuss a maintenance agreement for BTS for the Weber Road facility as well as the new annex. This was a two-year contract. The commissioner suggested that Tim get back with BTS and get two contracts – one for the new annex for the 2-year time frame with the one for the Weber Road facility only being one year as once the courthouse is complete there will be no one at that facility.

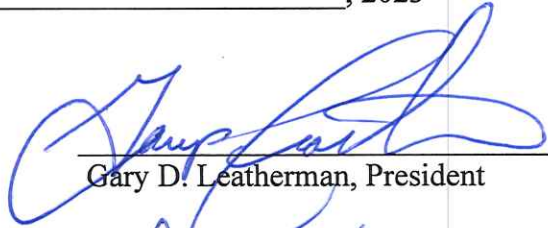
The other contract is with Automated Logics and is for the software controls for the HVAC. Tim discussed with the commissioners the importance of having the same software throughout the county i.e., what will be at the courthouse once complete. Currently the new annex is with this company and the sheriff’s department has Trane. Again, the commissioners requested that Tim get a one-year contract with this company so that we can all go with Trane or all with Automated Logic.

Tim also discussed the trimming of the trees on the north side of the annex. Tim will call the company in charge of landscaping to see if that is in their scope of fall work or if it is something that Tim will need to do.

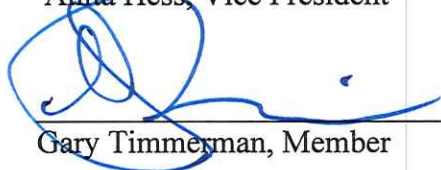
**ADJOURNMENT**

This session of the Board of Commissioners of Noble County was at approximately 11:15am recessed from day to day until September 11,2023

Dated this 11<sup>TH</sup> day of SEPT, 2023

  
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Gary D. Leatherman, President

  
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Anita Hess, Vice President

  
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Gary Timmerman, Member

ATTESTED:   
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Michelle Mawhorter, Auditor