

**MINUTES OF A SPECIAL SESSION OF THE  
BOARD OF COMMISSIONERS HELD NOVEMBER 21, 2011**

Comes now the hour of 8:37 A.M. on the 21<sup>st</sup> day of November, 2011, in the Commissioners Court in the Noble County Courthouse, Albion, Indiana, being the time, date and place set for a special session of the Board of Commissioners of Noble County, Indiana.

Present were:

Joy Y. LeCount, President  
Jack W. Herendeen, Vice President  
David J. (Dave) Dolezal, Member

Also present were:

Marion S. Cavanaugh, Deputy Auditor  
Dennis, County Attorney  
and Bob Braley & Scott Perry, News Media

**CORRECTIONAL HEALTHCARE COMPANIES  
(CHC) - MEDICAL CARE MANAGEMENT**

The Commissioners received a brochure from CHC with a brief summary of what they do to help control medical costs in county jails, (H.I.). No action taken.

**IDEM - CITY OF LIGONIER - REQUEST FOR  
PERMIT TO DO LAND APPLICATIONS**

The Commissioners received notice from IDEM that the above referenced permit had been applied for, (H.I.).

**IDEM - TOWN OF ALBION - PERMIT FOR  
WASTEWATER TREATMENT PLANT IMPROVEMENTS**

The Commissioners received notice from IDEM that they had approved the above referenced permit application, (H.I.).

**MEDIACOM - RATE ADJUSTMENTS**

The Commissioners received a letter from Mediacom informing them that their rates would be going up on or about December 15, 2011, and they outlined the changes, (H.I.).

**CLERK'S REPORT - OCTOBER 2011**

The Commissioners received the above referenced report, (H.I.).

## **PROACT RX DISCOUNT CARD PROGRAM**

The Commissioners received a brochure from ProAct Rx Discount Card Program with a brief outline of how they might be able to help county residents with prescription drug coverage, (H.I.). No action taken because the county already has three different programs they offer to the public.

## **TREASURER'S REPORT – OCTOBER 2011**

The Commissioners received the above referenced report, (H.I.).

## **RESOLUTION SUPPORTING LEGISLATION FOR INCREASING AND STABILIZING E911 FUNDS**

Joy said the Association of Counties asked for two resolutions, one on supporting increasing or stabilizing the E911 funding, and the other is for increasing road funding, and Mike Fitch is going to bring that one up. Joy said she did this resolution for E911 with Mitch's (Fiandt, E-911 Director) help. She said they decided to just include the last six years because prior to that it was fairly stable. After reviewing the resolution Jack moved to approve it. Dave seconded the motion and it carried, 3-0.

## **MINUTES APPROVED – NOVEMBER 7 & 14, 2011 AUGUST 15, 2005 AND SEPTEMBER 15, 2005**

After reviewing the minutes of the above referenced minutes the following actions were taken: **November 7, 2011** - Dave moved to approve them as corrected. Jack seconded the motion and it carried 3-0; **November 14, 2011** - Jack moved to approve them as corrected. Dave seconded the motion and it carried 3-0; **August 15, 2005 & September 15, 2005** – Jack moved to approve them as presented. Dave seconded the motion and it carried, 3-0.

## **HIGHWAY DEPT. - CONTRIBUTION FOR ORTHOPHOTOGRAPHY TO BE FLOWN IN 2012**

Joy said that the Commissioners had received an e-mail from Mike Fitch, Highway Engineer indicating that he fully supports GIS and would recommend to the Commissioners that the Highway Dept. contribute at least the 1.5% (\$610) amount for orthophotography, (H.I.).

Jack said he thought they should contribute a little more than that. He said he thought they should give at least \$1,000.00, because they use that for signs and other things. Dave agreed. Jack said they use it all of the time out there.

After further discussion, Jack moved to approve for the Highway Department to contribute \$1,000.00 toward the project. Dave seconded the motion and it carried, 3-0.

## **DISCUSSION RE: RAILROAD BRIDGES**

There was a brief discussion about railroad bridges and the railroad wanting to put in extra railroad tracks.

## **CEDIT DISCUSSION & COURTHOUSE UPKEEP**

There was some discussion about the CEDIT Plan and how much money would be needed for the courthouse repairs on the outside. Joy said the Commissioners could probably take \$100,000.00 out of CEDIT and the remainder from the Cum Capital Fund. She said the Council would have to approve the expense from the Cum Cap Fund.

Dave said the Commissioners should walk through the courthouse before talking to the Council to give them an idea of the amount of repair needed inside the courthouse too.

Jack said he would like to see the color of the mortar matched up better when the tuck pointing is done.

## **HIGHWAY BUSINESS – MARK GOODRICH, MIKE FITCH AND CHARISSE WOLF**

### **DISCUSSION ABOUT EMPLOYEE THAT WAS BURNED ON THE JOB**

The Commissioners and Mark briefly discussed the condition of the employee that was burned when a Dura Patcher caught on fire at the Highway Department. Mark said he will be going back to the doctor on Tuesday, and they are still not sure if they will have to do a skin graft yet. He said they are watching him closely. Mark said they had a pretty big discussion on safety practices. He said the employee apologized to him for what had happened because of the position it put him in. Mark said it is fortunate that no one else got hurt. Dave said it is good the employee apologized and that he didn't get hurt worse than he did.

### **DURA PATCHER**

When asked, Mark said the Dura Patcher is going to be taken to the company (Equipment Marketing in Cloverdale, IN) so they could check it over thoroughly to assess the damage from the fire to see if it can be salvaged. He said if it can be, they will do the work if that is agreeable with the insurance company.

### **UTILITY PERMITS**

Mark presented the following utility permits: #UP-028-11 from United Telephone of Indiana for work on Baseline Road between County Line Road (800S/1200N) & Northport Road in Elkhart Township at the Nathan Yoder residence; #UP-029-11 from Noble REMC for work on CR 200 N between CR 800 E and CR 750 E in Allen Township at the Jeffrey Cauhorn residence; and #UP-030-11 from Noble REMC for work on CR 415 N between CR 300 E and CR 350 E in Jefferson Township at the Sweet Church, (H.I.).

Jack asked what kind of a line they are putting in just northeast of Rawles. Mark said he had Charisse look up the permit on that last week. He said they hooked a 4" poly gas line into a 6" main going through there. Mark said he called and talked to them because it is a mess out there. He said the lady said they have two separate crews that handle that. Mark said she told him the first crew comes in and does the installation and then about three weeks later the second

crew comes in to do the finish work on the road. He said the lady said they would definitely be back before the frost to fix it.

There was discussion about a few other areas of concern where utility companies had done work. Joy asked if we have a map where we mark those lines anywhere. She said it is going to come to the point that we won't be able to ditch and berm before long.

Mike said they can't keep an eye on all of them to see what they are doing. He also said that when companies abandon a line they don't remove it, and you don't know what lines are good and what ones are no longer used.

Charisse said some of the utility companies don't like her because she keeps sending the permits back until they provide the information the county needs and wants. She said if something does come up then we could show what we signed and what their drawing said.

### **RUSS LEITCH - PROOF OF RETIREMENT**

Mark presented a letter to be signed to show that Russ Leitch had officially retired, (H.I.). Charisse said it has something to do with retirement funds that he needs to transfer or something. Joy read it aloud. Jack moved to approve it. Dave seconded the motion and it carried, 3-0.

### **BRIDGE #134 PROJECT LPA CLAIM VOUCHER & DISCUSSION RE: RAILROAD BRIDGES**

Mark presented an LPA claim voucher for preliminary engineering on the Bridge #134 project, (H.I.). Jack asked about the deal where they want to put the other siding in. Mike said the CSX railroad changes their policies all of the time. He said they are trying to do more planning for the future, and they are now stating that all bridges that go across their right-of-way should span the entire right-of-way so as not to interfere with any of their future widening plans.

Jack talked about a couple of local underpasses on the CSX line that only have two tracks and no room for any more. He asked if they are going to expand the underpasses in the future. Mike said if they add more tracks, all of the bridges would have to be rebuilt. He said as they rebuild bridges now, they are building them wide enough to add another lane in the middle.

Dave expressed his concerns about the Bridge #134 project being changed. There was discussion about railroad bridge ownership and who is responsible for the bridges.

Mike said he didn't know if there was any legal way to force the railroads to replace deteriorating bridges.

Jack moved to approve the claim. Dave seconded the motion and it carried, 3-0.

### **FUEL RE-BID**

Mark asked if there would be a fuel re-bid for the bids that are coming in next week. Charisse said she got a call from a bidder last week that wanted to know if we were going to have a re-bid on the fuel bids and that kept leading to more questions. She presented a fax she had received this morning, (H.I.). Charisse said usually we open the bids and then the next week we ask for a cost on fuel based on that day's prices. She said they just keep asking more questions and she would like some guidance from the Commissioners on how to answer their

questions. Jack said there is one company that wants to know the exact day so they can call in and get a price on the gas.

Joy told Charisse she could let them know the Commissioners will open the bids at the date and time specified, and at that meeting the Commissioners will take all bids under advisement and set a date and time when they will make the final decision. Joy said the Commissioners expect bidders to meet the bid specs the same as we have always expected, which some have failed to do in the past. There was discussion that there had been problems with the fuel supplied by one of the bidders in the past. Dennis said that could be taken into consideration when awarding the bids.

## **RE-BUILT TRANSMISSIONS & OTHER ISSUES WITH TRUCKS**

Mark said they are getting information on having a couple of transmissions rebuilt. He said they are going to put that off until the spring if possible. Mark reported on the trucks that had been repaired and are back in service, and also on issues that have come up on other trucks.

## **SLAG FROM SDI IN COLUMBIA CITY**

Mark said Levi Materials clean and size slag from SDI, and they stopped and offered to give us 150 tons of material if we would put it in one place on a gravel road to see how it worked. He said it is really good looking stuff. Mark said he wanted to do that on 100 N because they have trouble holding that with the traffic on it. He said he wants to get the grader out there and get the road shaped before we put the trial material on it. When Dave asked, Mark said it would be between SR 9 and CR 75 E. Mark said they remove all of the metal from the slag and then they crush it. He said it would be the equivalent of #73 gravel. Dave asked how much it would cost if we had to buy it. Mark said he is supposed to be getting us prices and he talked like he would turn in a bid. He said he was told their current price is \$2.00 a ton less than #2 limestone out of the pit.

Mike said the bad thing he has heard about slag is that it is a metal derivative, so the Commissioners might want to check with the County Surveyor, because it could mess up their equipment. He said they used a couple of loads of it in Allen County, and the County Surveyor and all of the registered surveyors in the county said when they go out to do their surveys it messes up all of their machines. Jack asked Mark to check with the Surveyor. Mark said he would. He said he has a sample of it at the office and he would work with Scott on it. Mark said they claim they clean it to the point that there is basically no iron in it now.

## **250 S WEST OF 650 EAST - DIP IN ROAD**

Dave said on 250 S west of 650 E it looks like there was a culvert replaced and it looked like it has settled and there is quite a dip. He asked Mark to check it out.

## **PRE-CONSTRUCTION MEETING RE: SIGN PROJECT**

Mike said he had the minutes of the pre-construction meeting on the Sign Project. He said their completion date is June of 2012 and hopefully they will start sometime the first to the middle of February. Mike said they will start on the west side of the county.

### **GIS AERIAL PHOTOGRAPHY**

Mike said he received an e-mail from Steve Hook, GIS Director regarding monetary participation for the new aerial photography for GIS. He said he responded that he supports the GIS system 100% and that the Highway Department would participate at the same percentage as previously. Joy said the Commissioners talked about that briefly this morning, and they voted to have the Highway Department give \$1,000.00.

### **RECESSED AND RECONVENED**

The Commissioners recessed their meeting at approximately 10:30 A.M. and reconvened at approximately 10:41 A.M.

### **APPOINTMENT OF RANDY MYERS TO CENTRAL NOBLE SCHOOL PREVAILING WAGE HEARING**

Dave moved to appoint Randy Myers to the above referenced wage hearing as had been requested by Stan Jacob, Transportation Director. Jack seconded the motion and it carried, 3-0.

### **AUDITOR - EXPENSE OVER \$500.00 FOR EXCISE SOFTWARE PROGRAM FROM DATA PIT STOP**

Auditor Jackie Knafel came before the Commissioners to talk to them about an excise program she had looked at. She said her current program is through Low, and they are getting out of excise and are not maintaining the program any more. Jackie said Low suggested going with Darin Bates from Data Pit Stop for the excise program. She said Low said they can't top Darin's program, and he has an excellent program. Jackie said it would cost \$4,000.00 to install the program, and there are no maintenance fees after that. She said she had asked him several times to make sure that was what he was saying. Joy asked if he would maintain it. Jackie said he would, and he is in 20 some or 40 some counties at this time. She said Low and the State Board of Accounts both recommended this company. Jackie said she had \$3700.00 in her budget to pay on it and Shelly (Recorder) has agreed to pay the other \$300.00.

Jack moved to approve the request. Dave seconded the motion and it carried, 3-0.

### **UNITED CONSULTING – BRIDGE INVENTORY**

Present for this portion of the meeting were: Adam Post, P.E.; Chris Pope, P.E.; and Jen Grawcock, Business Development, all from United Consulting as well as Mike Fitch, Highway Engineer.

Adam presented a draft report of the Phase I Bridge Inspections for 2011 that they did earlier this year (none for file). He said the Commissioners could review it and give input if they want to. Adam said a lot of things had changed this year as far as what INDOT

requires. He said if the Commissioners want anything changed in the way they have set it up they could let them know. Adam said they use Spec Tech database now which is required by INDOT. He said it has a standard format which they had tweaked a little bit, and they are working with Spec Tech in regards to the database they have questions about or concerns with.

Chris said some of the fields have nationwide coding, and a lot of the tables get broken into something different for Indiana purposes, because Indiana looks at things differently than the federal highway does.

Adam said there is an unofficial and an official sufficiency rating on the bridges. He said they don't really like that term. He said there is an official and an unofficial appraisal rating for items 67, 68 and 69 on page two. Adam said that is something INDOT came up with. He said the official was what was last reviewed by the feds. Adam said he thought it would be a little more clear if they described it differently.

Chris said a lot of that has to do with determining the eligibility requirements for the bridge for use of federal funds.

Adam said Mike Fitch had wanted them to look at bridge #70, which they did, and they were able to get that sufficiency rating down so they could get it eligible for federal funds.

Adam said they found some deteriorated sub structure on Bridge #12 in the bearing areas. He said he is going to talk to Mike about that.

Adam told the Commissioners what could be done to get more life out of their box beam bridges. Chris talked about some of the problems that had been encountered in other counties and states with the box beam bridges. He said the biggest problem was that they would get water inside of them and it would start to deteriorate the bridge. Chris said putting down a new waterproof membrane and a new wearing surface would prolong the life of them. He said with the criteria that the Federal Highway Administration and INDOT had suggested for those types of structures, the ratings have decreased quite a bit. Chris said if the county could be proactive on those it would probably save some costs down the line.

Chris said they would provide a CD with all of the information on it, and it is easy to navigate through the electronic report. Joy asked if they would be able to give us a list of each bridge that falls into each category. Adam said they could do that. He said there is a copy of the county map with the bridges marked on it included in the report. Dave said that would be good to have posted in the Commissioners room somewhere, because they are always talking about bridges and he is not always sure where they are located. Chris said they could mount a map on a board for the Commissioners to hang in their room.

Adam said he thought the county has 42 unknown foundations from the last report. He said INDOT came out with a memo saying they didn't like the unknown foundations, and that they would have to let them know one way or another. Adam said they can keep them unknown, but they need to make them scour critical. He said they want them to do an assessment to get rid of the unknown foundations. Adam said they worked with Russ Leitch at the Highway Department, and they were able to find a good number of the plans for the bridges, and that was very helpful in eliminating a lot of the unknown foundations.

Chris said if they find something unstable while they are doing their reviews, they would let the Commissioners know right away.

Chris said they really appreciate working with the county. He said there is a lot of information that is needed by the federal government and INDOT, but they want to make sure the Commissioners are getting the information in the bridge inspection report that they want.

Chris said they have identified the structures that the county should pay special attention to and they have created a plan of action that tells what to do in the event that something happens that they think someone else should come and look at. He said if they see something unstable while they are out in the field, they will come tell the Commissioners right away and not make them wait to see it in the report.

Adam said they also have the fracture critical reports for railroad bridges #134, #135 and #136. He said they are pretty detailed reports. There was discussion that these bridges should have a weight limit on them.

Adam said he would talk to Mike about Bridge #12 to see if that is something that we should get posted if it requires posting.

Chris said this book needs to be useful to the county, and if it is not it is a waste of time. He said they want to make sure they are giving the information to the county in a format that they can use.

Dave Dolezal asked if Dave Baum (IT) would load a CD onto the server for the home page so it is accessible. Mike said he would eventually like to get as much of this onto our GIS system so anyone that had access to our GIS system could get the same information. Chris said they are working with some other counties to make that transition. Mike said if the bridges were all on it that would make it nice.

Adam said they could get the Commissioners access to the Inspect Tech data base as well, the website where they input everything. He said it is kind of the bridge file where they actually have pictures of all of the plans they found when working with Russ.

## **ADJOURNMENT**

This session of the Board of Commissioners of Noble County was at approximately 11:43 A.M. recessed from day to day until the 28<sup>th</sup> day of November 2011.

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Joy Y. LeCount, President

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Jack W. Herendeen, Vice President

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David J. Dolezal, Member

ATTESTED: \_\_\_\_\_  
Jacqueline L. Knafel, Auditor