

**MINUTES OF A REGULAR SESSION OF THE  
BOARD OF COMMISSIONERS HELD March 23, 2015**

Comes now the hour of 8:35 A .M. on the 23<sup>rd</sup> day of March, 2015, in the Commissioners Court 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  
David J. (Dave) Dolezal, Vice President  
Chad Kline, Member

Also present were:

Jacqueline L. Knafel, County Coordinator  
Tonya L. Marks, Noble County Auditor  
Dennis Graft, County Attorney  
and Bob Braley, KPC  
Mitch Fiandt, Noble County E-911 Director  
Zack Smith  
Mark Goodrich  
Elizabeth Pfafman  
Wayne Diehm  
Nathan Miller  
Ryan Weber  
Rod Renkenberger  
Mr.Fortman  
Scott Zeigler  
Mr. Wysong  
Jeff Watson, Avilla Motor Works  
Dr. Terry Gaff, Health Officer  
Jason Pippenger, Health Department  
Doug Harp, Noble County Sheriff  
Eric Blackman, Noble County Prosecutor  
Steve Hook, GIS

**PAYROLL**

Payroll for 03/19/15 was reviewed for weeks of 02/22/15 thru 03/05/15 Dave Dolezal made a motion to approve the 5 pages totaling \$361,127.31. Chad Kline seconded the motion. Motion carried 3-0.

**CLAIMS**

- Claims dated 03/23/15 were reviewed. Eleven pages totaling \$188,860.07 were approved with a motion from Chad Kline. Dave Dolezal seconded the motion. Motion carried 3-0.
- The “Picture this in Print” claim from last claim period that was denied was approved for payment from the CCD fund rather than the Cum Courthouse fund that was submitted with a motion from Chad Kline and a second from Dave Dolezal. Motion carried 3-0.

**E-911**

- Mitch Fiandt, 911 Director, is present to request permission to purchase a 60” monitor for the dispatch area to monitor schools 24/7. This is to enhance security and public safety. This cost is estimated to be around \$1,000.00. Dave Dolezal made a motion to approve the purchase not to exceed \$1,000.00. Chad Kline seconded the motion. Motion carried 3-0.
- Mitch also informed the commissioners that Noble County is one of the first in the area to have the ability to control early warning alert system which is a direct link to the National Weather Service. This is funded through donation and will be a benefit to all Noble County citizens.

**HIGHWAY**

Zack Smith and Mark Goodrich are present to update the commissioners on the following:

- Bridge 147 – No Update
- Bridge Inspection - set for April 10, 2015
- Bridge 136 and Baseline Rd which has HSIP Eligibility approved
- CSX RR - no response – Zack will continue to contract them concerning shared cost.
- Sign Study – Zack continues his work on this project
- Road Ratings – Zack said that this will begin this week as after the spring thaw is a good time to determine the road conditions.
- Safety Meeting – Zack has the first draft complete
- Equipment Bids – Those bids are due April 10, 2015
- Garage Door Damage – Zack presented the commissioners with the insurance information concerning the garage door repair. The quote was for \$57,380.52 plus \$720.00 for Metal Coping and \$2,520.00 for Modified Membrane which will all be covered by insurance. There are a couple more options that the highway would like to see done and will pay for those cost from the Highway budget. This will be Option 3 – an 18ft wide door and option 4 – a guard post. \$6198.00 will come from the highway budget. Dave Dolezal made a motion to accept the quote from Leatherman Construction and include all 4 options. Gary Leatherman seconded the motion. Motion carried 2-0.
- Zack reported that last week there were many issues concerning the State Road 8 detour and semis were using county roads to detour around the construction. Zack contacted the state and additional signage was put up to try to avoid this problem as well as law enforcement involvement at areas of concern.
- The hiring process has begun to replace an equipment operator. The highway is hoping to have a new hire in place by April 1, 2015.
- Tort Claims – Zack reviewed the two tort claims received involving the Highway Department. One is involving a state road 8 fatality which has nothing to do with the highway and the other is Centurylink pedestal. Mark Goodrich has investigated the site and said there was NO way that a county vehicle would have done that damage. Both have been turned over to the Insurance Company for their involvement.
- Truck Quotes – Zack had received two quotes for a highway vehicle. Truck beds were bid by WA Jones in the amount of \$82,983.00 and Pengwyn in the amount of \$87,985.00. Chassis bids were received from Stoops \$103955.00; Kenworth in the amount of \$108,206.00 and Volvo in the amount of \$110,206. After the quotes were read, Dave Dolezal made a motion to accept the WA Jones bid for \$82,983.00 for the truck bed and the \$103,955.00 chassis bid from Stoops. Gary Leatherman seconded the motion. Motion carried 2-0.

#### DRIVEWAY VARIANCE

Elizabeth Pfafman and Wayne Diehm were present to request a driveway variance for a location on 700 E just north of State Road 8. Zack Smith, Highway Engineer, was present and indicated the site distance was the reason behind the denial of the permit, however this is not a heavily traveled road and the speed in not a problem and he would not have a problem with the commissioners granting the variance. Dave Dolezal made a motion to grant the variance with a second coming from Gary Leatherman. Motion carried 2-0.

#### TAX SALE CERTIFICATES

Sheri Auld, Deputy Auditor, is present to review properties from the October 9, 2014 tax sale that the commissioners might want to consider taking title to if an adjacent property owner might be interested in purchasing. The commissioners suggested that she start the process in notification to the adjacent owners and report back April 13, 2015.

Sheri is also requesting permission to transfer unclaimed tax sale surplus from the 2012 online sale of property to the general fund. According to the IC code unclaimed surplus after 3 years can be moved to the general fund. Dave Dolezal made a motion to transfer the funds in the amount of \$17,268.42. Gary Leatherman seconded the motion. Motion carried 2-0.

#### UNSAFE BUILDING

Gries and Coffey buildings were on the agenda for discussion. Norm Lortie, Building Inspector, was unavailable for updates. These two properties were tabled and put on the April 27, 2015 agenda.

#### DEDICATION OF ROAD RIGHT OF WAY

- A dedication of road right of way was requested by Carmen Darland. Dave Dolezal made a motion to approve the right of way. Gary Leatherman seconded the motion. Motion carried 2-0.
- Rodney Renkenberger and Mr. Fortman – representing the Phyllis Haslup - estate was present to request a road right of way on 300 N at the DeKalb / Noble County line. Dave Dolezal moved to approve this dedication with a second coming from Gary Leatherman. Motion carried 2-0.

#### REZONINGS

- Ryan Weber and Nathan Miller were present to request a property owned by Rickie Keirn be rezoned from RE to A-1. Motion to rezone came from Dave Dolezal and was seconded by Gary Leatherman. Motion carried 2-0.
- Scott Zeigler along with Mr. Wysong is requesting a rezoning in Elkhart Township. This will rezone from A-1 to A-3. Dave Dolezal made a motion to approve the rezoning. Gary Leatherman seconded the motion. Motion carried 2-0.

#### AVILLA MOTOR WORKS

Jeff Watson, Avilla Motor Works, was present to discuss the new drug clean- up ordinance recently adopted by the Commissioners. He indicated that because vehicles used in drug situations and that are tagged by the Health Department, that he in turn has trouble getting rid of the vehicle. He was asking if the process can be sped up allowing him the opportunity to get a certificate of title from the state in order to dispose of the vehicle. Dennis Graft said that there was no way to speed up the process by the state which is 45 days and the same process still applies to the notification to the owner etc. as it would in any towed vehicle case. As discussion continued between the commissioner, health department and Mr. Watson, - a process was discussed to include tow driver a copy of the report condemning a vehicle that is used in a meth lab which he can attach to his application to the state for a title.

#### DRUG ORDINANCE

Discussion continued between the prosecutor, sheriff, commissioners and the health department concerning meth homes. The health department is ordered to tag the home once a meth lab is discovered. Once tagged NO one is to be in the home. The department is having trouble with people tearing down the tags and reentering the home. They tag again and the tag is removed. The Prosecutor indicated that this is a class B misdemeanor, but you have to catch the person in the act. This is a reoccurring problem and the health department is requesting help to inforce this. Doug Harp pledged his department's cooperation but does not have the manpower to sit at those locations 24/7 but will do what they can to keep an eye out. Doug suggested that the health department also notify the cities and towns of the tagged homes.

#### GIS

Steve Hook, GIS Coordinator, is present to discuss another internship from Ball State. This can be funded from his CEDIT line item. Steve has a gravel road project that he would like to have this intern review and work on. The period of time is 150 hours with an estimated cost of \$1800.00. The Commissioners gave approved for Steve to proceed with the process.

#### FOUNTAIN AREA

Jackie Knafel had received correspondence from Child Protective Services, Austin Hollabaugh, concerning use of the fountain area at the courthouse. In observance of Nation Child Abuse Prevention Month, the department will gather together as a community to recognize and bring awareness to the prevention of child abuse and neglect as well as present the winner of the "Honorable Michael J Kramer Child Protection Award". Dave Dolezal made a motion to allow usage. Gary Leatherman seconded the motion. Motion carried 2-0.

RECESS – 10:55AM

BACK IN SESSION 11:50AM

#### CORRESPONDENCE

- RK Restoration LLC – duly entered
- IDEM – Victor Reinz Valve Seals LLC Air Quality Permit – duly entered
- Noble County Treasurers Monthly report – duly entered

- Town of Albion – Leachate report – duly entered
- Town of Albion – West Main St project – Notification of the project meeting which will be held March 25<sup>th</sup>, 2015 at the Albion Town Hall. Gary Leatherman will attend.
- Weights and Measures monthly report – duly entered

#### OLD EMS

Jackie Knafel discussed the old EMS that was used by the Weights and Measures inspector. This has been switched with a newer model of retired EMS. Rick Wysong, Weights and Measures Inspector had indicated that he may have a party interested in purchasing the old vehicle. The commissioners asked Jackie to contact Rick and have him get an offer from the interested party.

#### MINUTES

Minutes of the previous meeting were read and approved as corrected with a motion from Chad Kline and a second from Dave Dolezal. Motion carried 3-0.

#### LANDFILL

Bill Etzler had sent an email with the quotes for groundwater monitoring:

- Wilcox Environmental - Sampling & Analysis per event - \$6,076.00
- Element – Sampling & Analysis - \$6,514.00

Bill is recommending that the commissioners go with Wilcox Environmental. Chad Kline made a motion to allow Wilcox Environmental to do the sampling at the Noble County Landfill. Dave Dolezal seconded the motion. Motion carried 3-0. Jackie will contact Bill Etzler to have him notify both companies of this decision.

#### ASSESSOR

According to Dennis Graft, County Attorney, a settlement has been reached with NEXUS. The amount of the settlement is \$22,500.00. Chad Kline made a motion to pay the settlement those funds coming from the reassessment fund. Dave Dolezal seconded the motion. Motion carried 3-0.

#### REAL ESTATE OFFERS

Real Estate offers on three homes were approved with a motion from Chad Kline and a second from Dave Dolezal. Motion carried 3-0. Jackie will send the offers certified mail.

#### MUNICODE

The codification with Municode was discussed briefly and Chad will contact the company to set up a time to discuss the next step.

#### **ADJOURNMENT**

This session of the Board of Commissioners of Noble County was at approximately 12:13 P.M. recessed from day to day until the 13 day of April, 2015.

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Gary D. Leatherman, President

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David J. Dolezal, Vice President

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Chad Kline, Member

ATTESTED: \_\_\_\_\_  
Tonya L. Marks, Auditor

