

**MINUTES OF A SPECIAL SESSION OF THE
BOARD OF COMMISSIONERS HELD APRIL 15, 2013**

Comes now the hour of 8:31 A.M. on the 15th day of April, 2013, 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:

Gary Leatherman, President
David J. (Dave) Dolezal, Vice President
Chad Kline, Member

Also present were:

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

FACILITY DUDE – VIDEO PRESENTATION
RE: UTILITY TRACKING PROGRAM

The Commissioners watched a video presentation for Facility Dude and the services they have available to help the county track utilities to find if there are any problem areas in electric, water and gas. Elaine Hudson gave the presentation for Facility Dude. She said they work with a lot of municipalities and local government providing maintenance management solutions. Elaine said what we would look at today would be a program that the county would be able to track their energy utility consumption. She said they do everything on the internet, with 24/7 access. Elaine said we would always have the most current version of their program, because they automatically roll their upgrades to all of their clients at no additional charge. She said there are unlimited users because there is no licensing fee. Elaine said we would also get unlimited training and support. She said anytime they need to call in to talk to someone, they would always reach a person, not automated calling. Elaine said we could also text or e-mail any questions we may have. She said they would completely set up the account and populate it with all of the building information, the account and meter information. Elaine said they would also enter the historic billing information for the previous 24 months for electric, water and gas. Dave asked how they obtain the historical data. Elaine said the county could contact the utility companies and ask for a 24 month summary of their billing history in an electronic format. She said they then do the importing for the county. Elaine said they would organize things so the county has easy access. She said the county would be able to track anything that has a consumption amount and that they are charged a rate for, such as tracking diesel fuel. Elaine said getting all of the data together and having it in one place could help more ways than just tracking energy. She said they have had customers that had found meters that they weren't using anymore but they were being charged for them. Elaine said they would calenderize the data for us. She said they would be able to pull information for the local weather stations to see if the usage is the same or greater than the previous year. Elaine explained a way the

program could be used to see if there are rates that could be adjusted and we would be able to recognize if there are inaccuracies in the meters, and identify water leaks that would be costly if not caught in time. She said they have a lot of clients that prefer to manually enter their bills, so when they build a system for us they would take into consideration making the billing entry a more simple process, so that as you are doing it, it is easy and efficient. Elaine showed ways of identifying savings with utilities with the different types of reports and charts that would be available. She said if you sign up with Facility Dude you are not locked into a long term contract. She said if in six months or a year into it you wanted to cancel you could and you would still own all of your information and they would refund the portion not used yet. Elaine said at this point their retention rate is a little over 97% and they work really hard at that.

Mary gave the Commissioners copies of a couple of different pricing options that had been sent to her, which they reviewed, (H.I.). After further discussion the Commissioners decided that since the data is on the monthly bill and not tracked daily, they weren't really interested in it, because Mary could see the spikes on the bills when they come in.

PAYROLL APPROVED

After reviewing the payroll from 3/22/13 – 4/04/13 to be paid 4/18/13 Chad moved to approve it. Dave seconded the motion and it carried, 3-0.

CLAIMS APPROVED

After reviewing the claims to be paid today's date, Dave moved to approve them. Chad seconded the motion and it carried, 3-0.

HIGHWAY BUSINESS – MARK GOODRICH **BRIDGE #12 ON CR 400 S OVER BILGER DITCH**

Present for this portion of the meeting were: Kurt Heidenrich, P.E., S.E. and William Etzler, PE, Director of Business Development from Engineering Resources, Inc.; and Eli Samaan, A & Z Engineering.

Mark said Kurt has the title sheet for the Bridge #12 project which will need the Commissioners and the Auditors signatures. He said that will release the plans so they can be put out for bids.

Kurt said Bridge #12 is on CR 400 S over the Bilger Ditch. He said it is not a highly traveled road so they tried to minimize the costs as much as possible and still try to have a durable structure. Kurt gave the Commissioners more information on the project plans. Kurt said in addition to a title sheet that needs the Commissioners and Auditor's signatures, he also had advertising information for the Auditor that will need to go out (to newspapers). There was discussion about when the bid opening would be. Kurt said he would e-mail the advertising information to Jackie.

Dave asked Kurt how long the road would be closed. Kurt said he would guess a maximum of three months but it could possibly be done in two months.

Chad moved to approve the signatures on the Title Sheet. Dave seconded the motion and it carried, 3-0.

ANNUAL OPERATIONAL REPORT

Mark presented the Highway Department's 2012 Annual Operational Report for the Commissioners signatures, which he said needs to be sent to the State Auditor, (H.I.). Chad moved to sign the report. Dave seconded the motion and it carried, 3-0.

CLAIMS – HYDRAULIC HOSE

Mark said he was going through the claims and they purchased a 250' roll of hydraulic hose from Power Components in the amount of \$2,149.96, which is over the \$2,000.00 limit so he technically needs permission for the expense. Dave asked what the hose is for. Mark said they can make many of their own hydraulic hoses. He said Doug didn't realize it was going to be that much money when he ordered it.

Dave moved to approve the expenditure. Chad seconded the motion and it carried, 3-0.

UTILITY PERMITS

Mark presented Permit #UP-009-13 from United Telephone Co. of IN Inc. for work on CR 225 W between CR 1150 N and CR 1200 N in Elkhart Township, and Permit #UP-010-13 from Noble REMC for work on CR 300 E between SR 8 and CR 200 N in Jefferson Township at the Ken Gangwer residence, (H.I.).

HIGHWAY FUNDING

There was much discussion about funding for the Highway Department and what they are doing at the state level as far as changes that are being made, and that are being talked about.

RECESSED AND RECONVENED

The Commissioners recessed their meeting at approximately 10:05 A.M. and reconvened at approximately 10:13 A.M.

DAWN BARR UNSAFE BUILDING AT BEAR LAKE

Dennis asked Dick Adair, Building Inspector who was present to discuss Dawn Barr's unsafe building at Bear Lake, if he had heard any more from Habitat for Humanity. Dick said they had been in and looked at the house, and they told him that they wouldn't put any effort into restoring the house, because it isn't in a condition to be restored. He said the man told him what could be done if they could get some of the local churches there, is to band-aid it until they do their paperwork, and possibly keep them in the house for a period of time to see if they qualify for a habitat home. Dennis asked how long it would take to do the band-aid repairs. Dick said it would be up to us to get someone, and he said some of the local churches would do that. He said he had just talked to Mark (Goodrich) and he said the Bear Lake Church is willing to do that. Dick said he advised Mark that they should assess the home before they commit to that.

There was discussion about an inspection that had been done by the Child Protective Services. Dennis asked Dick if he had talked to any of the Barr's. Dick said he talked to Dawn's son last Friday, and he wants his mother out, but he said she doesn't have any place to go right now. There was discussion about whether Dawn and her family had moved out yet. Dick said not that he knows of, but he didn't have a chance to get down there this morning.

Dick said Dawn's son Ben had said he misrepresented some things. Dick said he hadn't, and he felt like he had gone above and beyond what he is required to do to get her help.

Dick said the Bear Lake Church is willing to go in and band aid the house, but he thought they should have the assessment from Habitat for Humanity first. He said Habitat for Humanity

said the first thing that would have to happen would be for the house to be gone before they would do anything.

There was discussion as to how to proceed with a court order for eviction, and how to make sure that they don't return once evicted. Chad said they could make it so if the members of the Church wanted to assess the property to see if they would work on it, they could go through Dick to get in.

Chad moved to obtain a court order to remove all occupants from the home if they haven't already moved, and for the Building Department to seal up the home. Dave seconded the motion and it carried, 3-0.

COUNCIL ON AGING – NOBLE TRANSIT GRANT PAPERWORK

Gregg Parker came before the Commissioners to present the quarterly voucher and report for the Noble County Council on Aging 5311 Transit Grant, (H.I.). Gregg said recently the State Board of Accounts told him to provide the Commissioners with copies of all of their invoices, because they have the controlling interest and are an overseer of the 5311 funds, which is the Council's biggest grant. Gregg said he, Jackie and Dave had discussed this, and they thought that by putting all of the claims on a CD that would work. Gregg said they are keeping the actual paper copies, so if the State Board of Accounts insists on the Commissioners having paper copies he will have them. He presented the CD. Gregg then went over the quarterly operating report with the Commissioners and told them where the money comes from and what it is spent on.

While discussing the number of miles put on the vehicles, Gregg said they are averaging four trips to Indianapolis a month to the VA Hospital. Dave asked if they had talked to other counties to try to get some of the trips to Indianapolis coordinated. Gregg said they had talking about coordinating some of the rides. He said the trips just never match up where we are going the same day, and some of the Councils on Aging won't even go to Indianapolis. Gregg said some of the other counties transits are not Medicaid providers, so that shoots down an Indianapolis trip, because no one can privately afford them for an Indianapolis trip. Gregg said it would be hundreds of dollars for a round trip. He said they do several Fort Wayne trips a day and they have been talking about coordinating some of those trips. Gregg said if they go down 69 they go right through DeKalb County and they could pick someone up there.

Chad moved to approve the Quarterly Operating Data Report and the Contract Invoice Voucher for the Council on Aging. Dave seconded the motion and it carried, 3-0.

Dave said based on his attendance at the meeting he would move to approve the expenses as a 5311 pass through agency. Chad seconded the motion and it carried, 3-0.

DOXPOP - COURT PAYMENT FACILITATION AGREEMENT

The Commissioners received a Court Payment Facilitation Agreement with Doxpop which will allow people to make payment of pending obligations in trial court cases through the internet, (H.I.). This had been discussed previously with the Clerk.

Dave moved to approve the agreement. Chad seconded the motion and it carried, 3-0.

MINUTES APPROVED

After reviewing the minutes of the *April 8, 2013 executive session* minutes, Chad moved to approve them. Dave seconded the motion and it carried, 3-0.

2012/2013 CREDIT PLAN AMENDMENT

The Commissioners received the first amendment to the January 2012 - December 2013 CREDIT Plan adding Project #11 to replace a truck for the Noble County Highway Department in the estimated amount of \$185,000.00, (H.I.).

Dave moved to approve the amendment. Chad seconded the motion and it carried, 3-0.

WECARE TLC – ON-SITE MEDICAL CARE EMPLOYER AGREEMENT

The Commissioners received a renewal notice from WeCare TLC, LLC, (H.I.). The agreement indicates that WeCare is extending the renewal period from one year increments to a three year renewal, with the next renewal to occur on November 1, 2016. The renewal indicates that there will be no increase in WeCare's management fee for the new contract period of November 1, 2013 through October 31, 2013.

Chad moved to approve the contract for WeCare. Dave seconded the motion and it carried, 3-0.

LIGONIER PLAN COMMISSION – COMMISSIONERS APPOINTMENTS - KATHY MERONEY & TIMOTHY RINGLER

The Commissioners received a letter from J. Everett Newman, III attorney for the Ligonier Plan Commission informing the Commissioners that they have converted from a seven-person advisory Plan Commission to a nine-person Plan Commission, (H.I.). Everett indicated that since the Plan Commission is considered a new body, initial appointments must be made to the Commission, and two of the appointments would be for the Commissioners to make. He indicated that they would prefer to have Kathy Meroney appointed to a four-year term and Timothy Ringler to a one-year term.

Dave moved to approve the appointments as stated. Chad seconded the motion and it carried, 3-0.

TREASURER'S REPORT – MARCH 2013

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

IDEM – STATISTICAL EVALUATION REPORT RE: RESIDENTIAL WELL SAMPLING AT LANDFILL

IDEM notified the Commissioners that they had received the Statistical Evaluation Report from Weaver Boos Consultants on behalf of the Noble County Landfill, (H.I.). They reported that the findings in the Statistical Evaluation Report are sufficient to meet the requirements of the post closure plan dated June 18, 1998. IDEM recommended that the county ask their consultant to review the residential well analytical results on a regular basis, to evaluate the data and to determine which, if any, residential wells may require less frequent sampling.

There was discussion that sampling should take place this month at the landfill.

**AMENDED INTER-LOCAL COOPERATION AGREEMENT
BETWEEN CENTRAL NOBLE SCHOOL CORPORATION
AND NOBLE COUNTY RE: WeCARE, LLC (CLINIC)**

Jackie presented the above referenced amendment, (H.I.). Dennis said the only thing that was changed was where it says the term of the agreement would be for three years, and the signature page. Chad said the Commissioners already approved the three years, so the Commissioners signed the agreement.

METH DAYS

The Commissioners received information about a "Meth Day" to be held May 2, 2013, (H.I.). This will be forwarded to some of the other departments and Chad will attend.

PETITIONS FOR ISSUANCE OF TAX DEEDS

Dennis presented the above referenced petitions which he had prepared to take to court to obtain tax deeds for some of the properties that didn't sell at the Commissioners Sale. The Commissioners had agreed to take possession of 14 properties. Chad moved to approve the petitions for the issuance of tax deeds for 14 properties. Dave seconded the motion and it carried, 3-0.

FUNDS LEDGER REVIEW

Auditor Jackie Knafel presented the funds ledger as required by the State Board of Accounts, which she explained, (H.I.). Jackie said the Auditor and the Treasurer are in balance and she asked the Commissioners to initial the ledger.

2014 HOLIDAY SCHEDULE

Jackie presented a copy of the 2014 proposed holiday schedule and office hours for the Commissioners to review at a later time, (H.I.).

**JANUARY 2014 – DECEMBER 2015 COUNTY ECONOMIC
DEVELOPMENT INCOME TAX (CEDIT PLAN)**

Jackie said she didn't know who had typed these plans in the past. She said she has made a plan for 2014 - 2015 and she based it on what is there right now. Jackie said she could change it at any point because she has it in her computer now. She suggested that we give the people that are currently on the CEDIT Plan the opportunity to come in and talk to the Commissioners to give them some idea of what they are expecting. Jackie said the EMS portion is an ever changing thing, and she didn't know if they were planning on buying a vehicle in 2014 or 2015. Chad said they had money in the 2013 plan to buy an EMS, but they replaced some motors instead and they want to be reimbursed for them. Jackie said she thought when they went with the more expensive models they would only need to replace the chassis. She said she could contact the people to suggest that they come in May to talk to the Commissioners. Jackie said she needs this plan pretty well in place by June so she can build her CEDIT budget. Chad suggested having people come in on the third Monday because of the Commissioners not having Drainage Board in the afternoon.

LEER GRANT RE: CLEANING ELKHART RIVER LOG JAMS

Chad said we need to verify if all of the invoices have been submitted and paid for the above referenced grant. He said we have to have everything in by May. Dave read from his e-mail and said we have until May 21st. He said he was going to forward the e-mail to Randy (County Surveyor) and ask him if he knows if everything is complete.

ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 11:36 A.M. recessed from day to day until the 22nd day of April 2013 on a motion made by Chad, seconded by Dave which passed 3-0.

Gary Leatherman, President

David J. Dolezal, Vice President

Chad Kline, Member

ATTESTED: _____
Jacqueline L. Knafel, Auditor